

**STATE BOARD OF REGENTS
SNOW COLLEGE
FRIDAY, MAY 17, 2019**

AGENDA

8:30 AM – 9:50AM **BREAKFAST MEETING – STATE BOARD OF REGENTS, SNOW COLLEGE
BOARD OF TRUSTEES, PRESIDENT CARLSTON, COMMISSIONER BUHLER**
Discussion and Executive Session (if needed)
Location: Huntsman Library, Room 307

10:00 AM – 11:00 AM **DISCUSSION – REGENTS, COMMISSIONER, PRESIDENTS**
Topic: Campus Safety
Location: Noyes Building, Founders Hall

11:00 AM – 11:15 AM **TRANSITIONAL BREAK**

11:15 AM – 12:45 PM **MEETINGS OF BOARD COMMITTEES**

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Regent Teresa L. Theurer, Chair

Location: Graham Science Center, Room 122

ACTION:

- | | |
|---|-------|
| 1. USHE – Adoption of Policy R620, <i>Utah Access Promise Scholarship</i> | TAB A |
| 2. USHE – Adoption of Policy R621, <i>Terrel H Bell Education Scholarship Program</i> | TAB B |
| 3. USHE – Adoption of Policy R622, <i>Career and Technical Education Scholarship Program</i> | TAB C |
| 4. USHE – Revision of Policy R165, <i>Concurrent Enrollment</i> | TAB D |
| 5. USHE – Revision of Policy R312, <i>Utah System of Higher Education and Institutional Missions and Roles</i> | TAB E |
| 6. USHE – Revision of Policy R604, <i>New Century Scholarship</i> | |
| Revision to Policy R609 B, <i>Regents' Scholarship</i> | |
| Adoption of Regent Policy R609 C, <i>Regents' Scholarship</i> | TAB F |
| 7. USHE – Revision of Policy R609A, <i>Regents' Scholarship</i> | TAB G |
| 8. USHE – Revision of Policy R805, <i>Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce</i> | TAB H |
| 9. Technology Initiative Advisory Board – Funding Allocations from the 2019 Legislative Session | TAB I |

INFORMATION:

- | | |
|---|-------|
| 1. Update on Utah Women's Leadership Exchange Program | TAB J |
|---|-------|

FINANCE/FACILITIES COMMITTEE

Regent Mark R. Stoddard, Chair

Location: Graham Science Center, Room 124

ACTION:

- | | |
|---|-------|
| 1. Snow College – Campus Master Plan | TAB K |
| 2. Dixie State University – Campus Master Plan | TAB L |
| 3. Salt Lake Community College – Acquisition of Property | TAB M |
| 4. University of Utah – Series 2019 General Revenue Bonds | TAB N |

- | | |
|---|-------|
| 5. Utah State University – Series 2019 Research Revenue Bonds | TAB O |
| 6. Utah State University – Revision to Legislative Bond Authorization | TAB P |
| 7. Utah State University – Series 2019 Student Fee and Housing Revenue Bonds | TAB Q |
| 8. Utah Valley University – Non-traditional Arrangement and Property Purchase | TAB R |
| 9. Utah Valley University – Property Acquisition | TAB S |
| 10. USHE – Enrollment Forecasts | TAB T |
| 11. USHE – 2019-20 Performance Funding Model and Allocations | TAB U |
| 12. USHE – Capital Development Prioritization Cycle 2020-21 – Adoption of Priority Guidelines | TAB V |
| 13. USHE – Revision of Policy R701, <i>Capital Facilities</i> | TAB W |
| 14. USHE – Revision of Policy R741, <i>Capital Development Prioritization – CDP</i> | TAB X |

INFORMATION:

- | | |
|---|-------|
| 1. USHE – Capital Improvement Update for 2019-20 | TAB Y |
| 2. USHE – Institutions’ Health Plan Changes 2019-20 | TAB Z |

12:45 PM – 1:45 PM LUNCH
Location: Huntsman Library, Second Floor

1:45 PM – 2:15 PM PRESIDENT’S REPORT
Location: Noyes Building, Founders Hall

2:15 PM – 3:30 PM COMMITTEE OF THE WHOLE
Location: Noyes Building, Founders Hall

- | | |
|--|--------|
| 1. General Consent Calendar | TAB AA |
| 2. USHE – 2019-2020 Commissioner’s Office Work Plan | TAB BB |
| 3. USHE – Cybersecurity Funding | TAB CC |
| 4. USHE – Revision of Policy R262, <i>Student Safety</i> | TAB DD |
| 5. Report of Board Committees | |
| 6. Appointment of Interim Commissioner of Higher Education | |

3:30 PM – 3:45 PM TRANSITION BREAK

3:45 PM – 4:45 PM EXECUTIVE SESSION (if needed)
Location: Noyes Building, Heritage Room

Projected times for the various meetings are estimates only. The Board Chair retains the right to take action at any time. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify ADA Coordinator, 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.

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Adoption of Policy R620, Access Utah Promise Scholarship

Background

Regent Policy R620 provides the policy and procedures for implementing the Access Utah Promise Scholarship ("Promise Scholarship") – the first ever statewide needs-based scholarship program in Utah. The program aligns with the Board of Regents priority to increase the college-going rate of Utahns by expanding access to postsecondary opportunities for students who face financial barriers in paying for college. The policy creates a statewide scholarship program patterned after Dream Weber and SLCC Promise in accordance with HB 260, Utah Access Promise Scholarship (2019).

The scholarship will be available not only for students right out of high school but for adult learners as well at both Utah System of Higher Education (USHE) and Utah System of Technical Colleges (UTECH) institutions. It also limits the use of the Regents' and New Century Scholarships, beginning in 2020, to USHE and UTECH institutions. These innovative programs, which pay the remaining college costs for qualifying students when federal grants fall short, are showing compelling results, Dream Weber students graduate college at significantly higher rates than non-Dream Weber students at Weber State University (73 percent to 44 percent, respectively).

The Access Utah Promise Scholarship program provides students an award for up to full tuition and fees in qualifying circumstances. This policy defines eligibility, the process for applications and awarding, the criteria used to distribute funds to qualifying institutions, and eligibility of students who transfer. It also stipulates terms for outreach and advertising, and reaffirms the statutory requirements to evaluate recipients in awarding credit for competencies acquired outside a traditionally-established academic setting.

Policy Issues

This policy creates a statewide scholarship program patterned after Dream Weber and SLCC Promise in accordance with HB 260, Utah Access Promise Scholarship (2019).

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve Regent Policy R620, *Access Utah Promise Scholarship*. The Board of Regents supported the original legislative intent of HB260 to abolish the Regents' and New Century Scholarships, and directs the Commissioner's Office to identify potential changes to state merit aid programs for higher education.

David L. Buhler
Commissioner of Higher Education

DLB/SJ

Draft

R6XX-1 Purpose: To provide the Board of Regents (“The Board”) policy and procedures for implementing the Access Utah Promise Scholarship (“Promise Scholarship”). This program provides a statewide needs-based scholarship program to expand access to postsecondary opportunities for all students who face financial barriers in paying for college. The program provides students an award for up to full tuition and fees in qualifying circumstances.

R6XX-2. References

- 2.1. Utah Code [§53B-8-301-304](#) (Access Utah Promise Scholarship Program)
- 2.2. Utah Code [§63G-12-402](#) (Receipt of state, local, or federal public benefits – Verification Exceptions -- Fraudulently obtaining benefits -- Criminal penalties -- Annual report.)
- 2.3. Utah Code [§53B-2-101\(1\)](#) (Institutions of Higher Education)
- 2.4. Utah Code [§53B-8-102](#) (Definition of Resident Student)
- 2.5. Policy and Procedures [R512](#), Determination of Resident Status

R6XX-3. Definitions

- 3.1. “**Institution**” means institutions of higher education listed in Utah Code Section 53B-2-101(1).
- 3.2. “**Promise Partner**” an employer that has applied to the Board, and has established a Memorandum of Understanding (MOU) with the Board.

R6XX-4. Scholarship Administration

- 4.1. **Eligibility:** To qualify for a Promise Scholarship, applicants must meet the following criteria:
 - 4.1.1. Have a high school diploma or equivalent;
 - 4.1.2. Not have previously earned an associate degree or higher postsecondary degree;
 - 4.1.3. Be a resident of the State of Utah under Utah Code [§53B-8-102](#) and Regent Policy [R512](#).
 - 4.1.4. Demonstrate financial need, in accordance with sections 4.2 and 4.7;
 - 4.1.5. Accept all other grants, tuition and/or fee waivers, and scholarships offered to the applicant to attend the institution in which the applicant enrolls; and
 - 4.1.6. Maintain academic good standing as defined by the institution at which they attend.
- 4.2. **Award Criteria:** An institution shall establish criteria to assess an applicant’s financial need. The criteria shall use quantifiable, need-based measures (for example, institutions may establish a range with a

minimum and maximum Expected Family Contribution (EFC) based on the Free Application for Federal Student Aid within which an eligible recipient's EFC must fall to be eligible for an award). Institutions shall annually revise and publish eligibility criteria by February 1 in all publications referencing the scholarship.

4.3. Scholarship Award: The institution may award an amount to each eligible recipient up to the cost of published tuition and fees.

4.4. Last Dollar In: When determining the award amount, the institution shall first apply the total value of all grants, tuition waivers, fee waivers, and scholarships the recipient has received. The institution may then award an amount not to exceed the recipient's remaining cost of tuition and fees. If, after the recipient's aid has been packaged and awarded, the student later receives other financial assistance of more than \$500, the institution will appropriately reduce the amount of financial aid disbursed to the student so that the total Promise Scholarship does not exceed the cost of tuition and fees.

4.5. Scholarship Duration: A recipient may receive scholarship funds until the earliest of the following events occurs:

4.5.1. Two years after the initial award;

4.5.2. A recipient uses the scholarship for four semesters;

4.5.3. A recipient meets the academic qualifications for an associate degree; or

4.5.4. For USHE institutions that do not offer an associate degree, a recipient earns a cumulative total of 60 credits.

4.6. Application Process: Institutions shall establish an application process that applicants can easily access and complete. The Board may require an institution to modify an application or process that is overly cumbersome or confusing.

4.7. Prioritizing Awards: If an institution does not have enough appropriated Promise Scholarship funds or other funding sources to award all eligible applicants, it may establish procedures to prioritize which applicants will receive awards based on financial need.

4.8. Competency-based Assessment: Institutions shall evaluate a recipient's knowledge, skills, and competencies acquired through formal or informal education outside the traditional postsecondary academic environment, and award appropriate credit for the recipient's prior learning.

4.9. Outreach: Institutions may advertise the Promise Scholarship under another name. All publications about the Promise Scholarship shall include disclosure that program funds are limited and subject to change.

R6XX-5 Transfers

5.1. A recipient may transfer to another institution and retain eligibility for the scholarship, if the recipient meets the qualifications defined in sections 4.2 at the institution to which the recipient is transferring. Recipients are responsible to inform the financial aid office at the institution to which they are transferring that they are receiving the Promise Scholarship at their current institution. The financial aid offices at the respective institutions shall coordinate the transfer of scholarship information. Upon transfer, the institution shall prioritize the award of any eligible recipient before all others awarded in accordance with section 4.7 of this policy. The institution to which the recipient is transferring shall make adjustments in a recipient's award in accordance with section 4.3 of this policy.

R6XX-6 Distribution of Award Funds to Institutions

6.1. As a condition of program participation, an eligible institution's financial aid director will report to the Board the total dollar amount of Federal Pell Grant funds awarded to resident students at the institution for the most recently completed academic year by March 1 each year.

6.1.1. An institution that fails to report the total amount of Pell Grant funds by March 1 is ineligible to participate in the program for the next fiscal year.

6.2. The Board will allocate program funds to eligible institutions in proportion to each eligible institution's percentage of total Federal Pell Grant funds received for Utah resident students in the most recently completed award year by all participating institutions.

R6XX-7 Deferral or Leave of Absence: A recipient shall apply for a deferral or leave of absence if they do not continuously enroll and wish to continue to receive the scholarship.

7.1. Institutions shall develop a process for recipients to apply for deferrals or leaves of absence, which may be granted for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

R6XX-8 Utah Promise Partners

8.1. The Board, in consultation with the Talent Ready Utah Center at the Governor's Office of Economic Development, may select employers as Promise Partners whose employees may be eligible to receive a partner award. The Board shall establish an MOU with any selected Promise Partner that includes requirements related to an employer providing reimbursement to an employee who receives an award. The reimbursement of a Promise Partner to a corresponding recipient employed by that Promise Partner must be applied during the eligible term of the award in accordance with section 4.4. of this policy.

8.2. An employee is eligible to receive an award in accordance with the requirements of section 4.1 of this policy in addition to any criteria and limitations established through a corresponding MOU with a Promise Partner.

8.3. A recipient of an award who is an employee of a Promise Partner is subject to the same conditions as all other recipients under this policy.

R6XX-9 Reporting

9.1. During the first year of the program, no later than October 1, 2019, participating institutions shall report to the Board all requested data on Promise Scholarships awarded to date.

9.2. Annually, the Board will distribute a Promise Scholarship performance report template to the director of financial aid of each participating institution before the end of each fiscal year. The institution will submit the completed report by July 31 of each year.

9.3. The Board may, at any time, request additional documentation or data related to the Promise Scholarship and may review or formally audit an institution's compliance with this policy. The institution will cooperate with the Board in providing records and information requested for any scheduled audits or program reviews. Participating institutions shall maintain records substantiating its compliance with all the program's terms for three years after the end of the award year, or until a program review has been completed and any exceptions raised in the review have been resolved, whichever occurs first. If at the end

of the three-year retention period, an audit or program review exception is pending resolution, the institution will retain records for the award year involved until the exception has been resolved.

R6xx-10 Institutional Participation Agreement: Each participating institution will enter into a written agreement with the Board or assigned designee agreeing to abide by the program policies, accept and disburse funds per program rules, provide the required report each year, and retain documentation for the program to support the awards and actions taken. By accepting the funds, the participating institution agrees to the additional following terms and conditions:

10.1. The institution may at its discretion use up to three percent of the allocated program funds for its student financial aid administrative expenses.

10.2. The institution may not carry forward or carry back from one award year to another any of its Promise Scholarship allocation. Any exception to this rule must be approved in advance by the Board. The institution will inform the Board immediately if it determines it will not be able to utilize all program funds allotted to it for an award year. Absent any exception for a carry forward amount, institutions shall return unused funds to the Board. The Board will redistribute unused to the other eligible institutions as supplemental Promise Scholarship allocations for disbursement during the same award year. The portion of Promise Scholarship allocations budgeted for administrative expenses pursuant to Section 10.1 will not be part of any carryover.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Adoption of Policy R621, Terrel H Bell Education Scholarship Program

Issue

House Bill 188, T. H. Bell Program Amendments passed during the 2019 Utah legislative session, was subsequently signed by the Governor, and will take effect on July 1, 2019. The new law changes the current Terrel H. Bell Teaching Incentive Loan Program to a new Terrel H. Bell Education Scholarship Program and requires the State Board of Regents to make rules related to the scholarship program.

Background

The current Terrel H. Bell Teaching Incentive Loan Program was established in 1984 to encourage Utah students to enter and continue in the teaching profession by providing a way for them to "repay" their loans by working in Utah's K-12 schools after college graduation. The new Terrel H. Bell Education Scholarship Program will continue to incentivize students to work in public education in Utah and, additionally, will prioritize awards to first-generation students and students who intend to work in a high needs area in a Utah public school.

For a public or private institution of higher education in Utah to be eligible to participate in the Terrel H. Bell scholarship program, it must (1) offer a teacher preparation program that meets standards established by the Utah State Board of Education and provides enhanced clinical experiences, or (2) prepare individuals to become speech-language pathologists or licensed professionals that provide services in a public school to students with disabilities. Students receiving Terrel H. Bell scholarships must meet required academic standards and declare an intent to complete an approved program at an eligible institution and work in a Utah public school. Terrel H. Bell scholarships may be for a period up to four years and for an amount up to the cost of resident tuition, fees, and books.

The proposed R621 establishes rules consistent with HB 188, including requirements for General Award Conditions, Initial and Continuing Eligibility of Students, Transfer of Scholarships, Distribution of Award Funds to Institutions, and Reporting.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the adoption of Policy R621, *Terrel H. Bell Education Scholarship Program*.

DLB/GL/GB

David L. Buhler
Commissioner of Higher Education

R621-1. Purpose: To provide procedures for administration of the Terrel H. Bell Teaching Education Scholarship Program, ensuring it recruit first-generation students into teaching careers, encourages outstanding students to teach in high needs areas in Utah's public schools, and to recognize teaching as a critically important career choice for the state of Utah.

R621-2. References

- 2.1. Utah Code **§53B-8-114** (Terrel H. Bell Education Scholarship Program – Scholarship requirements -- Rulemaking)
- 2.2. Utah Code **§53E-6-302** (Education Professional Licensure, Licensing Requirements, Teacher preparation programs)

R621-3. Definitions

- 3.1. **"Approved Program"** means:
 - 3.1.1. A teacher preparation program that meets the education profession licensure standards described in Section 53E-6-302, and provides enhanced clinical experiences, or prepares an individual to become a speech-language pathologist or another licensed professional providing services in a public school to students with disabilities.
 - 3.1.2. Courses taken at Salt Lake Community College or Snow College that lead students to make reasonable progress to meet institutional criteria for admission into a program in accordance with section 3.1.1. of this policy.
- 3.2. **"Eligible Institution"** means a public or private institution of higher education in Utah that offers an approved program.
- 3.3. **"High Needs Area"** means a subject area or field in public education that has a high need for teachers or other employees, determined annually by the Board in consultation with State Board of Education.
- 3.4. **"First -Generation Student"** means a student for whom no parent or guardians attained a bachelor's degree.
- 3.5. **"Full-time Enrollment"** means 12 semester hours or such other number of hours as determined by the recipient's institution.
- 3.6. **"Part-time Enrollment"** means a minimum of 6 credits in a semester.
- 3.7. **"Average Scholarship Amount"** means average USHE undergraduate resident tuition and general student fees for the corresponding academic year.

R621-4 General Award Conditions

4.1 Scholarship Award Under this program, an eligible institution may award a scholarship to an individual for an amount up to the cost of resident tuition, fees, and books for the number of credit hours in which the individual is enrolled each semester.

4.1.1. An eligible private institution may not award a scholarship for an amount that exceeds the average scholarship amount granted by a public institution of higher education.

4.1.2. A recipient may receive a scholarship for up to four consecutive years, or equivalent when considering institution-approved leaves of absence.

4.1.3. Eligible institutions may award scholarships to full-time or part-time enrolled students.

4.2. Application and Award Procedures

4.2.1 An eligible institution shall develop processes for promoting and distributing awards consistent with this policy, and will set application deadlines that accommodate both full-time and part-time students.

4.2.2. Applications must require a student's declaration to earn a degree in an approved program.

4.3. Prioritizing Awards.

Institution shall prioritize scholarship awards as follows:

4.3.1. First, to first generation students who intend to work in any area in a Utah public school.

4.3.2. Second, to students who are not first generation students but intend to work in high needs area in a Utah public school.

4.3.3. Third, to students who meet the requirements in Section 5 of this policy.

R621-5. Initial and Continuing Eligibility of Students

5.1. Applicants must declare their intent to earn a degree in an approved program and to teach in a Utah public school after graduation.

5.2. Award recipients must maintain satisfactory academic progress in accordance with their institution's policies.

5.3. A recipient must make reasonable progress to meet institutional criteria for admission to an approved program. Once admitted to an approved program a recipient must maintain reasonable progress towards completion of an approved program.

5.4. Recipients transferring to another eligible institution will retain an award if they continue to meet criteria established for recipients at the receiving institution.

5.5. After no more than four semesters of full-time, or eight semesters of part-time postsecondary course work, a recipient must apply and be accepted into an approved program at an eligible institution.

5.6. A recipient who has not been accepted into an approved program at an eligible institution may be granted a temporary deferment of an award for up to two years while seeking acceptance into an approved program.

5.7. After providing a recipient notice and an opportunity to respond, an institution may rescind a recipient's scholarship if the dean of education or the director of financial aid determines the recipient:

5.7.1. is failing to make reasonable progress toward completion of program requirements, or

5.7.2. has demonstrated to a reasonable certainty that he or she does not intend to teach at a public school in Utah after graduation.

5.8. **Appeals.** Upon request by the student, the institution shall provide an opportunity for the student to appeal a dean or director's determination to rescind the scholarship to a committee of at least three impartial persons.

5.9. **Leaves of Absence.** A recipient may seek leave of absence from attending an institution in accordance with applicable deferral policies at a corresponding eligible institution.

R621-6 Transfer of Award Funds

6.1. Recipients may transfer to another eligible institution and retain the scholarship if they meet all requirements of the receiving institution. Transfer students are ultimately responsible for communicating with colleges/schools of education and financial aid offices at receiving institutions well in advance. Transfer students who do not meet application deadlines or demonstrate satisfactory academic progress may have their scholarship rescinded. The receiving institution is responsible to make any adjustments in a recipient's award.

R621-7 Distribution of Award Funds to Institutions

7.1. The Board will annually distribute available funds to eligible institutions proportionally equal to the total number of teachers who graduated from an eligible institution and were hired by a Utah public school district for the most recent three cohort years available, minus funds for Snow College and Salt Lake Community College allocated at the discretion of the Board.

R621-8 Reporting.

8.1. On or before June 30 each year, eligible institutions shall report to the Board of Regents the following:

8.1.1. Any new or procedures, application materials.

8.1.2. The name and student identification number, first generation status, and specific enrolled program of all recipients to whom the institution awarded scholarship funds the current academic year.

8.1.3. The scholarship amount each recipient received.

8.1.4. The number of first generation recipients.

8.2. The Board of Regents may, at any time, request additional documentation or data related to the T.H. Bell Scholarship and may review or formally audit an institution's compliance with this policy.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Adoption of Policy R622, Career and Technical Education Scholarship Program

Issue

During the past legislative session, [SB 136](#) provided \$300,000 of on-going funds to initiate a new scholarship program for non-credit career and technical education (CTE) students at select institutions within the Utah System of Higher Education (USHE). The legislation required the State Board of Regents to create policy to govern the new program.

Background

In 2018, the legislature created a non-credit CTE scholarship program for students attending colleges within the Utah System of Technical Colleges. Students enrolled in non-credit CTE programs at USHE institutions were excluded from this scholarship program. To address this gap, SB 136 (2019 legislative session) created a new non-credit CTE scholarship at USHE institutions that serve a technical college role. This includes Utah State University (Eastern and Moab), Snow College, and Salt Lake Community College's School of Applied Technology. Legislation allows eligible USHE institutions to award up to the total cost of tuition, fees, and books, and it requires the Board to create policy that establishes the following:

- How state funding available for scholarships will be divided among eligible institutions
- Requirements related to an eligible institution's administration of a scholarship
- Requirements related to student eligibility for a scholarship, including requiring eligible institutions to prioritize scholarships for underserved populations
- A process for an individual to apply to receive a scholarship
- Determination of satisfactory progress for students to remain eligible for the scholarship

Additionally, SB 136 requires the board, through consultation with the Department of Workforce Services (DWS), to designate eligible programs that prepare individuals to work in jobs in Utah that have high employer demand and high median hourly wages, or that have significant industry importance. This requirement is addressed by requiring eligible institutions to consult with their respective regional DWS representatives and presenting a list of eligible programs to the Board for approval.

Policy Issues

This action creates a new Board policy, R622, *Career and Technical Education Scholarship Program* in accordance with state statute.

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve Regent Policy R622, *Career and Technical Education Scholarship Program*.

David L. Buhler
Commissioner of Higher Education

DLB/BKC
Attachment

R622-1. Purpose: To provide procedures for administration of the Career and Technical Education Scholarship Program, which will provide financial assistance to students pursuing career and technical education in high demand industries.

R622-2. References

- 2.1. Utah Code **Section 53B-8-114** (Scholarships for Career and Technical Education – Scholarship requirements -- Rulemaking)
- 2.2. Utah Code Section 53B-16-209 (Community Colleges)
- 2.3. Utah Code Section 53B-18-1201 (USU Eastern)
- 2.4. Utah Code Section 53B-18-301 (Area Education Centers)

R622-3. Definitions .

- 3.1. **"Eligible Institution"** means Salt Lake Community College's School of Applied Technology established in Utah Code Section 53B-16-209, Snow College, Utah State University Eastern established in Section Utah Code Section 53B-18-1201, or the Utah State University area education center located at or near Moab described in Utah Code Section 53B-18-301.
- 3.2. **"High Demand Program"** means a non-credit career and technical education program that is offered by an eligible institution, leads to a certificate, and is designated by the board in accordance with Subsection 9.1.

R622-4 General Scholarship Administration

- 4.1 **Scholarship Award:** an eligible institution may award a scholarship to an individual who is enrolled in, or intends to enroll in, a high demand program.
 - 4.1.1. An eligible institution may award a scholarship for an amount of money up to the total cost of tuition, fees, and required textbooks for the high demand program in which the scholarship recipient is enrolled or intends to enroll.
 - 4.1.2. An eligible institution may award a scholarship to a scholarship recipient for up to two academic years.
 - 4.1.3. An eligible institution may cancel a scholarship if the scholarship recipient does not:
 - 4.1.3.1. maintain enrollment in the eligible institution on at least a half time basis, as determined by the eligible institution; or
 - 4.1.3.2. make satisfactory progress toward the completion of a certificate.

- 4.2. **Application Procedures.** An eligible institution shall develop a simple, accessible application process, and will set application deadlines that accommodate both full-time and part-time students.
- 4.3. **Prioritization for Underserved Populations.** An eligible institution shall establish criteria to identify underserved populations and to assess if an applicant is a member of an underserved population. Institutions shall prioritize scholarship awards for applicants who are members of an underserved population in accordance with their criteria. Institutions shall provide the criteria and prioritization methodology to the Board.

R622-5. Continuing Eligibility. After providing a recipient notice and an opportunity to respond, an institution may rescind a recipient's scholarship if it determines the recipient has not met the following requirements:

- 5.1. Award recipients must maintain satisfactory academic progress in accordance with their institutions' policies.
- 5.2. Recipients must be enrolled at least half-time as determined by the institution.
- 5.3. **Deferment.** A recipient may seek deferment of an award in accordance with applicable deferral policies at the eligible institution.

R622-6 Transfer of Award Funds

- 6.1. Recipients who are transferring to another eligible institution are responsible to inform the financial aid office at the institution to which they are transferring that they are an award recipient. The financial aid offices at the respective institutions shall coordinate the transfer of any scholarship funds and information. The receiving institution will verify the transferring student's ongoing eligibility in accordance with this policy and make any adjustments in a recipient's award.

R622-7 Distribution of Award Funds to Institutions

- 7.1. The Board will annually distribute available funds to eligible institutions in accordance with the following formula:
 - 7.1.1. Fifty percent of each year's appropriation will be divided and evenly distributed to Utah State University, Snow College, and the Salt Lake Community College's School of Applied Technology. Remaining funds will be distributed proportionally to the total rolling three-year average of students enrolled in non-credit CTE courses at each eligible institution.

R622-8 Reporting.

- 8.1. On or before September 30 each year, eligible institutions shall report to the Board of Regents the following:
 - 8.1.1. The name and student identification of all recipients to whom the institution awarded scholarship funds the prior academic year.
 - 8.1.2. The scholarship amount each recipient received, including additional amounts from other sources.
 - 8.1.3. The programs in which scholarship recipients enrolled.

8.1.4. Evidence that award recipients are eligible to receive scholarship awards.

8.2. The Board of Regents may, at any time, request additional documentation or data related to the Career and Technical Education Scholarship Program and may review or formally audit an institution's compliance with this policy.

R622-9 Determination of High Demand Programs

9.1. Every other year, after consulting with their regional Department of Workforce Services representatives, the eligible institutions will identify non-credit career and technical education programs that prepare individuals to work in jobs that in Utah have high employer demand and high median hourly wages, or significant industry importance. The institutions shall submit the selected programs to the Board for consideration and final approval.

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Regent Policy R165, *Concurrent Enrollment*

Issue

Passage of legislation in the last legislative session in Utah necessitates revision of R165, Concurrent Enrollment, the Regent policy which governs the state concurrent enrollment program.

Background

The revision of R165 captures changes resulting from passage of HB146 *Concurrent Enrollment Amendments* (2019) and HB291 *Concurrent Enrollment Modifications* (2019). HB146 modifies student eligibility to participate in concurrent enrollment. HB291 establishes academic qualifications for an individual to be an eligible instructor for a concurrent enrollment course. Significant statutory changes include the following:

1. Defines an eligible student as a student who is in grade 9, 10, 11, 12. Clarifies students must be enrolled in, and counted in the average daily membership, in a public school.
2. Establishes academic qualification to teach concurrent enrollment as follows:
 - a. For a career and technical education (CTE) concurrent enrollment course, (a) a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or (b) qualifying experience, as determined by the institution of higher education.
 - b. for a non-CTE concurrent enrollment course, (a) a master's degree or higher in the course's academic field; (b) a master's degree or higher in any academic field and at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or (c) qualifying experience, as determined by the institution of higher education.
3. Establishes an appeals process where a local education agency (LEA) may contest a Utah System of Higher Education (USHE) institution determination that an LEA employee is not qualified to teach a concurrent enrollment course. The Commissioner shall appoint an appeals committee to evaluate the institution's decision against the academic qualifications established in statute. After receiving committee recommendations, the commissioner will affirm or reverse the institution's decision.

4. Reaffirm that once approved as an adjunct, concurrent enrollment instructors may continue to teach concurrent enrollment courses; directs institutions to establish a process to establish a process for determining, in consultation with LEA partners, whether an eligible instructor who previously taught a concurrent enrollment (CE) course is no longer qualified to teach the CE course.

Additional language changes were made throughout the policy.

Policy Issues

This revision was presented to the Academic and Student Affairs Committee April 22, 2019. There are no outstanding policy issues.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the revision of Policy R165, *Concurrent Enrollment*, effective Fall 2019.

David L. Buhler
Commissioner of Higher Education

DLB/CG/GL

R165-1. Purpose: To establish the principles, guidelines, and processes ~~which that~~ govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students.² ~~This policy does not necessarily apply when a Utah System of Higher Education (USHE) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.~~

R165-2. References

- 2.1. Utah Code §53E Chapter 10, Concurrent Enrollment
- 2.2. Utah Code §53E-4-206, Career and College Readiness Mathematics Competency Standards
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers, Duties, and Authority
- 2.4. Utah State Board of Education Rule R277-713, Concurrent Enrollment of High School Students in College Courses
- 2.5. Utah State Board of Education Rule R277-407, School Fees
- 2.6. Utah Code §53B-1-109, Coordination of Higher Education and Public Education Information Technology Systems – Use of Unique Student Identifier
- 2.7. Utah Code §53E-4-308, Unique Student Identifier -- Coordination of Higher Education and Public Education Information Technology Systems
- 2.8. Utah Code §53G-11, Part 4, Background Checks– Notice – Payment of costs – Request for Review
- 2.9. Utah Code §53B-16-206, Snow College Concurrent Education Program
- 2.10. Utah Code §53E-10-307, Concurrent Enrollment Courses for Accelerated Foreign Language Students

R165-3. Definitions

3.1. Concurrent Enrollment: ~~for state funding and for the purposes of this policy means college courses that Utah System of Higher Education (USHE) institutions offer to enrollment by public school students in one or more college course(s)~~ under a contractual agreement between the USHE institution and a Local Education Agency (LEA). Students continue to be enrolled in public schools, ~~to be~~ counted in average daily membership, ~~and to receive credit toward graduation, and concurrently, They also~~ receive college credit for courses. Concurrent enrollment is distinct from early college admission.

¹ Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, November 18, 2011, May 16, 2014, and September 16, 2016.

² ~~This policy does not necessarily apply when a Utah System of Higher Education (USHE) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.~~

3.2. Career and Technical Education Courses (CTE): for the CE program, CTE courses are higher education courses that align to Utah State Board of Education (USBE) 11-digit assignment codes beginning with "40 Skilled & Technical Sciences" and "41 Work-Based Learning."

3.3. Contractual Basis: a case where a courses and instruction offered under an annual contract between a LEA and a USHE institution negotiate a concurrent enrollment annual contract, specifying arrangements for courses and instruction. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under Utah Code §53 E-10-303.

3.4. Early College: enrollment in college credit courses by high school students who are academically prepared, and meet college admissions requirements, have left high school prior to graduation, and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE institutions.

3.5. Early College High School: a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.

3.6. Instructor : a K-12 educator employed by a licensed public LEA K-12 educator and licensed by the Utah State Board of Education (USBE) who meets adjunct faculty qualifications in an qualifies and is approved to teach concurrent enrollment courses as an adjunct faculty within an institution's academic department and is approved by that department to instruct a concurrent enrollment course.

3.7. Interactive Video Conferencing (IVC): two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.

3.8. Local Education Agency (LEA): a school board/public school district or public charter school.

3.9. Non-Contractual Basis: a case where the student continues to enroll full time in high school but elects at his/her own initiative to pursue college coursework. college credit courses public education students pursue on their own initiative. Such students must enter into aAn agreement is established between the student, parent(s)/guardian, high school administrator, and the USHE institution for the student to take the course; the course is considered to be offered on a non-contractual basis. The student is responsible for all enrollment expenses associated with the enrollment. USHE institutions report nNon-contractual enrollments- as regular are reported as regular enrollments by USHE institutions. Non-contractual basis concurrent enrollment is not eligible for state funding.

3.10. Qualifying Experience: an LEA employee's experience in an academic field that qualifies the LEA employee to teach a concurrent enrollment course in the academic field and may include the employee's (a) number of years teaching in the academic field; (b) holding a higher level secondary teaching credential issued by the state board; (c) research, publications, or other scholarly work in the academic field; (d) continuing professional education in the academic field; (e) a portfolio of work related to the academic field; or (f) professional work experience or certifications in the academic field.

3.11. Snow College Concurrent Education Program (Snow CE): a consistent two-year schedule of concurrent enrollment courses that Snow College delivered by Snow College through IVC. Snow CE courses are intended to create a pathway for secondary school students, particularly in rural high schools, to

earn college credits that apply toward earning an Associate of Science or Associate of Arts degree; or satisfy scholarship requirements ~~or and~~ other objectives that best meet ~~the students'~~ needs ~~of individual students~~. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with ~~the students'~~ their academic and career goals. Regents Policy 165 governs ~~t~~The Snow CE program. Funding is appropriated is consistent with policies established by the Utah State Board of Regents (USBR) for concurrent enrollment as defined in R165 Concurrent Enrollment. Snow CE is funded through the state appropriation designated under Utah Code §53B-16-206.

3.12. ~~Student Education Opportunity Plan~~Plan for College and Career Readiness (SEOP): secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.

3.13. ~~Supervision of CE Instructors:~~ professional development opportunities institutions provide to public educators ~~provided by institutions to public educators who meet~~who qualify as adjunct concurrent enrollment instructors ~~qualifications~~ to prepare them to teach the CE post-secondary curriculum. ~~The nature of the opportunities, from workshops to classroom visits, to co-teaching models, varies by institution, by department, and by course.~~

3.14. ~~Technology Delivered Instruction:~~ Course instructions provided to students by instructional situations where student and teacher are separated by physical space, not necessarily by time. ~~C~~Common technology ~~delivered modes of instruction include~~ such as broadcast, interactive videoconferencing, or the Internet.

3.15. ~~Technology Intensive Concurrent Enrollment (TICE):~~ hybrid concurrent enrollment courses ~~having a blend~~that blend of different learning activities, both in classrooms and on-line. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may ~~choose to~~ offer TICE courses.

3.16. ~~Unique Student Identifier (SSID):~~ an alphanumeric code assigned to each public education student for identification purposes. ~~The SSID is not assigned to any former or current student and does not incorporate personal information including a birth date or social security number.~~

3.17. ~~Utah State Board of Regents (USBR):~~ the governing body for the Utah System of Higher Education.

3.18. ~~Utah System of Higher Education (USHE):~~ the system of public colleges and universities governed by the Utah State Board of Regents.

3.19. ~~USHE Institution (Institution):~~ a credit-granting community college, state college, or university within the Utah System of Higher Education.

3.20. ~~Utah State Board of Education (USBE):~~ the system of public education districts and charter schools governed by the State Board of Education.

R165-4. ~~Intent Purpose of Concurrent Enrollment:~~ To provide~~Concurrent enrollment provides an course options for to~~ prepared high school students ~~to take courses~~ that earn ~~both~~ high school and college credit. Concurrent enrollment ~~allows students to~~courses facilitate completion of complete a high school diploma while concurrently ~~meeting course requirements corresponding to the~~earning credits for first or second year ~~of~~ coursework at a USHE institution, which can accelerate college completion and reduce college costs, thus leading students toward completion of a post-secondary certificate or degree.

4.1. **High Quality Opportunities:** Concurrent enrollment should provide high quality, college-level academic and career and technical education opportunities to qualified high school students.

4.2. **Qualitative Safeguards:** ~~It is important that~~ college instruction offered in the high school setting ~~has must have~~ qualitative safeguards to preserve the rigor and standards of college requirements. ~~In harmony with Regents' policies, the responsibility for qualitative safeguards rests with~~ the USHE institution granting the college credit for a given course ~~is responsible to establish appropriate qualitative safeguards.~~ To help ensure quality, ~~the commonality of~~ consistent instruction, ~~and and the success of participants~~ student success, ~~the sponsoring institutions should~~ students should be officially enrolled ~~students~~ as concurrent enrollment students ~~as specified by the sponsoring institution.~~

4.3. **Participating Institutions:** USHE credit-granting institutions may participate in the contractual basis concurrent enrollment program, ~~as defined in this policy, provided that such participation shall be consistent with their compliance with controlling~~ law and consistent with USBE rules ~~specific to governing~~ the use of public education funds ~~and rules for public education programs.~~

4.4. **Program Evaluation:** The USBE and USBR shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

R165-5. Students

5.1. **Student Status:** Students must be enrolled in, and counted in the average daily membership of, a Utah public ~~high~~ school and have high school student status before and throughout enrollment in concurrent enrollment courses. ~~Students must complete contractual basis concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.~~ Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program. ~~Students shall complete contractual concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.~~

5.2. **Eligibility Requirements:** USHE institutions and LEAs shall jointly establish student eligibility requirements. To predict a successful experience, ~~institutions and LEAs may require; these requirements may include, among others:~~

5.2.1. ~~junior or senior standing, freshmen and sophomores by exception~~ students are in grade 9, 10, 11, or 12;

5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);

5.2.3. supportive letters of recommendation;

5.2.4. approval of high school and college officials;

5.2.5. appropriate placement assessments for courses such as mathematics and English;

5.2.5.1. ~~s~~Students must complete Secondary Math I, II, and III with a "C" average or better course grade in all three classes to enroll in a CE mathematics course; and

5.2.6. completion of institutionally established prerequisites for a course.

~~5.2.6-5.2.7.~~ have on file a completed plan for college and career readiness.

5.3. **Concurrent Enrollment Participation Form/Parent Permission to Participate.** Before allowing an eligible student to participate in the concurrent enrollment program for the academic year, an institution shall ensure the student has completed the USHE concurrent enrollment participation form, signed an acknowledgement of program participation requirements, and obtained a signed parent/guardian permission form, as indicated by the signature of a student's parent or guardian on the parent permission form.

5.4. **Early College High School Eligibility:** The Early College High School Program may enroll students in grades 9 and 10 without exception in concurrent enrollment courses. Eligibility requirements such as those ~~mentioned~~ listed in section 5.2 apply to Early College students.

5.5. **Identification of Eligible Students:** LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

5.6. **Advising:** USHE institutions and LEAs shall jointly coordinate advising to prospective or current high school students who participate in the concurrent enrollment program ~~established in Utah Code §53E Chapter 10.~~ Advising shall include information on general education requirements at USHE institutions and how the students can ~~efficiently~~ choose concurrent enrollment courses to avoid duplication or excess credit hours.

5.7. **Tracking Student Achievement:** USHE institutions and LEAs shall jointly coordinate information technology systems to allow track individual student's academic achievement ~~to be tracked~~ through both education systems in accordance with Utah Code §53B-1-109 and §53E-4-308.

5.7.1. USBE and USHE staff shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

5.7.2. USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique student identifier.

5.8. **Advising Report:** Twelve weeks after the end of each semester, ~~USHE staff shall make available to a requesting USHE institution that participates in concurrent enrollment~~ participating institutions may request from the Commissioner's Office, a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

5.8.1 student's name and SSID;

5.8.2 the student's LEA;

5.8.3 the name of each concurrent enrollment course taken by the student;

5.8.4 the institution where the student enrolled to take each concurrent enrollment course;

5.8.5 the number of college credits the student earned in each concurrent enrollment course with a designation that indicates which credits ~~listed in Subsection (5)(a)(v)~~ the student earned at a grade "C" or higher.

R165-6. Courses

6.1. **Choice of Courses:** The courses ~~chosen to be~~ offered through concurrent enrollment should be introductory-level general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students in earning post-secondary certificates or degrees. Concurrent enrollment may only include college courses that correspond to high school courses ~~that are~~ typically offered in grades 11 or 12. Courses selected should reflect the strengths and resources of the respective schools and USHE institutions. Concurrent enrollment offerings ~~arshall be~~ limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, and career and technical education.

6.1.1. **Early College High School Exception:** Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

6.1.2. **Accelerated Foreign Language Courses:** Institutions may offer 3000 level foreign language courses to accelerated foreign language students, including dual language immersion students.

6.2. **Master List:** The Office of the Commissioner of Higher Education (OCHE) and the USBE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 **Changes to Concurrent Enrollment Master List:** USHE institutions, after consultation with LEAs, shall provide the USBE with proposed new course offerings, including syllabi and curriculum materials by November 15 of the year proceeding the school year in which courses shall be offered.

6.3. **Number of Courses:** In general, ~~concurrent institutions should limit the number of concurrent~~ enrollment courses ~~should be limited to a manageable number which allow a focus of energy and so they~~ can focus resources on quality instruction and ~~The number of courses will be kept small enough to~~ assure coordinated professional development activities for participating teachers and transferability of credit from institution to institution.

6.4. **Institution Responsibility:** The offering institution is responsible for course content, procedures, examinations, teaching materials, and ~~course~~ monitoring of CE courses taught at a high school. The institution shall ensure the curriculum is consistent with Utah law and of comparable rigor and quality with courses offered on the institution campus. The institution shall ensure CE curriculum standards of instruction, practices for administering and grading assessments, and the course grade rubric are the same as when the course is taught on the institution campus. When possible, department exams should be used in the CE course. For courses that transfer as equivalent credit among USHE institutions, the institution will ensure articulated learning outcomes are met.

R165-7. Credit

7.1. **Permanent College Transcript:** All concurrent enrollment course registrations and grades are recorded on permanent college transcripts. ~~Students who register in contrast to the AP program, where college credit is granted upon successful completion of a national examination and no record is kept on the student's college transcript if the exam is not passed, registration for concurrent enrollment constitutes a~~ commitment to enter commit to having the final course grade on the student's their permanent college

record, regardless of the results. ~~Further, credit is earned by performance and participation throughout the class, rather than by an exit examination alone.~~

7.1.1. **Credit Value:** College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

7.2. **Credit Hours Permitted:** Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non-contractual basis.

7.3. **Institution Credit:** USHE institutions are responsible for cCourse registration and ~~the awarding of college credit for concurrent enrollment courses are the responsibility of USHE institutions.~~

7.4. **Transferability:** Credit earned through the concurrent enrollment program shall be transferable ~~from one~~between USHE institutions. ~~to another.~~ Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

R165-8. Tuition, Fees, and Other Charges: Regular tuition and fees may not be charged to high school students for participation in this program.

8.1. **Admissions Fee:** Students may be assessed a one-time admissions application fee per institution, ~~which. Payment of the admissions fee to enroll in concurrent enrollment~~ satisfies the general admissions application fee requirement for a full-time or part-time student at an institution. The institution may not charge ~~so that no any~~ additional admissions application fees ~~may be charged by the institution~~ for continuous enrollment at that institution following high school graduation.

8.1.1. **Participation Fee:** The USBR may charge a one-time fee for students to participate in the concurrent enrollment program. Paying this fee does not satisfy the general admissions application fee required for full-time or part-time students at a USHE institution.

8.2. **Partial Concurrent Enrollment Tuition:** USHE institutions may charge sSecondary students ~~may be charged~~ partial tuition ~~up to \$30 per credit hour~~ for each concurrent enrollment course for which the student receives college credit in the following amounts:

8.2.1. A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

8.2.2. If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

8.2.3. If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

8.2.4. If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

8.2.5. The USBR shall annually report to the Legislature's Higher Education Appropriations Subcommittee on regular tuition savings to CE students, any partial CE tuition charged, and justification for the distribution of money appropriated for concurrent enrollment, pursuant to Utah Code §53E-10-308.

8.3. **Fee Waivers:** Concurrent enrollment program costs attributable only to college credit or enrollment are not ~~fees and as such are not~~ subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The LEA ~~shall be~~ responsible for these waivers. The contract between the USHE institution and the ~~district~~ LEA may address the responsibility for fee waivers.

R165-9. Location and Delivery: Concurrent enrollment courses shall be offered at the most appropriate location, using the most appropriate educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or ~~telecommunications~~ other accepted instruction technologies. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

9.1. **Students within Commuting Distance:** Qualified students residing within commuting distance of a USHE institution may pursue their concurrent enrollment study on the institution campus with approval from their LEA.

9.2. **Designated Service Region Delivery:** Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regents' Policy R315. If the local institution chooses not to offer a concurrent enrollment course, a LEA may ask another USHE institution to provide the course.

9.3. **Right of First Refusal:** A LEA shall contact the USHE institution with responsibility for that LEA's service region to request a CE course offering. The local institution shall indicate in writing whether it will offer the requested course within 30 days of the LEA contact and request.

9.3.1. **Exception for Technology Delivered Courses:** Concurrent enrollment courses which meet the definition of "Technology Delivered Instruction" are subject to designated service region requirements. Institutions desiring to offer technology delivered CE courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An annual system review of technology delivered courses shall be completed prior to November 30 of the year preceding the school year in which courses shall be offered to assure efficient and effective use of resources.

R165-10. Faculty/CE Instructor Qualifications: ~~College courses are taught for concurrent enrollment credit by~~ College or university faculty or by public school educators teach concurrent enrollment courses for ~~by~~ the offering institution ~~(instructor)~~.

10.1. **Selection of CE Instructors:** ~~LEAs and the participating USHE institution shall jointly select~~ Identification of ~~instructors for concurrent enrollment courses is the joint responsibility of the participating~~ LEAs and the participating USHE institution. Selection criteria for instructors are the same as those criteria applied to other adjunct faculty appointments in specific departments within the USHE institution. Once approved as an adjunct, CE instructors who teach ~~on~~ a CE course in 2018-19 or 2019-20 may continue to teach CE courses given curricular standards and student performance outcomes in the classes meet sponsoring academic department standards. Institutions shall establish a process for determining, in

consultation with LEA partners, whether an eligible instructor who previously taught a CE course is not longer qualified to teach the CE course. CE instructors will be approved by the appropriate academic department at the institution must approve CE instructors prior to teaching the concurrent enrollment class.

10.2. 10.2.—Institutional Faculty CE Instructors: A USHE institution faculty member is an eligible CE instructor.

10.3. CE Instructor AcademicLEA Employee Instructor Qualifications:- An LEA employee is an eligible CE instructor if the LEA employee is licensed under statutory Education Professional Licensure, is supervised by an institution of higher education, and

10.3.1. is approved as an eligible instructor by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee as provided in section 10.4,

10.3.2. has an upper level mathematics credential issued by the State Board of Education, or

10.3.3. teaches a concurrent enrollment course that the LEA employee taught during the 2018-19 or 2019-20 school year .

10.4. A USHE institution shall approve an LEA employee as an eligible instructor:

10.4.1. For a career and technical education concurrent enrollment course, if the LEA employee has:

10.4.1.1. a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or

10.4.1.2. qualifying experience, as determined by the institution of higher education.

10.4.2. For a concurrent enrollment course other than a career and technical education course, if the LEA employee has:

10.4.2.1. a master's degree or higher in the concurrent enrollment course's academic field;

10.4.2.2. a master's degree or higher in any academic field and at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or

10.4.2.3. qualifying experience, as determined by the institution of higher education.

The institution shall assure CE instructors possess academic qualifications relevant to the academic field in which they are teaching.

10.2.1. CTE CE Course Academic Qualifications.—An institution shall approve an LEA employee as an eligible instructor for a career and technical education concurrent enrollment course, if the LEA employee has: (a) a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or (b) qualifying experience, as determined by the institution of higher education.

10.2.2. Non-CTE CE Course Academic Qualifications.—An institution shall approve an LEA employee as an eligible instructor for a non-CTE concurrent enrollment course, if the

~~LEA employee has: (a) a master's degree or higher in the concurrent enrollment course's academic field; (b) a master's degree or higher in any academic field and at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or (c) qualifying experience, as determined by the institution of higher education.~~

~~10.1.12.3. Selection of Concurrent Enrollment Mathematics Instructors. Educators who hold an upper level Math endorsement, authorized by the USBE and appended to a license, that qualifies the educator to teach calculus shall be qualified to teach CE mathematics courses, in accordance with Utah Code §53E-4-206.~~

~~10.2.4.~~

~~10.5. Appeals Process for Academic Instructor Qualification Approvals. If a designated service area USHE institution determines an LEA employee is not qualified to teach a concurrent enrollment course and the LEA has exhausted all administrative remedies available at the institution, the LEA may appeal the decision in writing to the Commissioner of Higher Education within 15 calendar days of the institution's final decision. The Commissioner shall appoint an appeals committee consisting of the associate commissioner for academic affairs and two USHE chief academic officers who are uninvolved in the decision being appealed.~~

~~10.5.1. The appeals committee will review the LEA's appeal and the institution's decision.~~

~~10.5.2. The institution and LEA will provide the appeals committee with any material documents and information necessary for a complete review. The committee may request additional documentation or information as necessary.~~

~~10.5.3. The appeals committee will provide a recommendation to the Commissioner, which may include affirming or reversing the institution's decision.~~

~~10.5.4. The Commissioner shall make a final decision and issue it to the institution and the LEA in writing.~~

~~10.1.1.10.5.5. After the Commissioner has issued a decision, there will be no further appeals or reviews. An LEA shall contact the USHE institution with responsibility for that LEA's service region to request an LEA employee be approved as an eligible instructor. The local institution shall provide a decision in writing within 30 days of the LEA contact and request. If the local institution does not approve an LEA employee as an eligible instructor, the written notification shall include the sponsoring academic department's faculty qualifications, an explanation of where the LEA employee does not meet the qualifications, and an explanation of what the LEA employee must do to be approved as an eligible instructor. The LEA may appeal the local institution's decision to the Office of the Commissioner for Higher Education. OCHE staff will gather information, as needed, and present the appeal to the the Chief Academic Officers group, which has final authority to resolve an appeal. The final decision on an LEA appeal for academic qualifications shall be rendered in writing within 30 days of the LEA contact and request.~~

~~10.63. Criminal Background Checks: USHE faculty who are not public school educators and who teach concurrent enrollment courses defined under this policy in a high school shall complete a criminal background check consistent with Utah Code §53G-11, Part 4.³ The faculty's institution or adjunct faculty employer shall have responsibility for must determining the need for a criminal background checks is~~

³ See §53A-3-410 for detailed information on completing background checks.

~~required and, if so, must complete the background check and maintain required documentation~~ consistent with the law, ~~and for satisfying this requirement and shall maintain appropriate documentation.~~

10.74. Faculty Development: Concurrent enrollment instructors should be included as fully as possible in the academic life of the supervising academic department. USHE institutions ~~jointly with~~ and LEAs shall ~~jointly~~ initiate faculty development, including appropriate workshop experiences ~~prior to offering concurrent enrollment courses~~ to adequately prepare instructors to teach concurrent enrollment students and course content ~~prior to offering concurrent enrollment courses.~~ ~~When If a USHE institution uses an~~ instructor of record ~~instruction or co-teaching instructional models are used, USHE the institution~~ faculty shall ~~fully~~ engage ~~and prepare~~ the public school educator ~~fully to successfully teach the curriculum prior to the beginning of the course in preparation and delivery of curriculum.~~ CE instructors must complete any faculty development required by the sponsoring academic department at the institution prior to teaching the concurrent enrollment class. USHE faculty ~~should be prepared with knowledge of~~ ~~are responsible to understand and comply with~~ federal and state laws ~~specific to governing~~ public school student privacy and student records.

R165-11. Funding

10.2.11.1. Source of Funds: Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

10.2.1.11.1.1. Eligibility to Receive Concurrent Funds: To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code §53E-10-302, including rules adopted in accordance with Utah Code §53E-10-307.

10.3.11.2. Allocation of Funds: Money appropriated to the USBE for concurrent enrollment shall first be allocated between LEAs and the USBR based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with Utah Code §53F-2-409, funds shall be allocated as follows:

~~10.3.1.~~—for courses that are taught by public school educators (instructors) where the cost of instruction is borne by the LEA, —

~~10.3.2.~~—

~~10.3.3.~~—60 percent shall be allocated to LEAs; ~~and~~ ~~and~~

~~10.3.4.~~—

~~10.3.5.~~ **11.2.1.** 40 percent shall be allocated to the USBR; ~~and~~

~~10.3.6.~~—for courses that are taught by college or university faculty or- where the cost of instruction is borne by the USHE institution, —

~~10.3.7.~~—

~~10.3.8.~~—40 percent shall be allocated to LEAs; and

~~10.3.9.~~—

10.3.10.11.2.2. 60 percent shall be allocated to the USBR.

11.3. Distribution of Funds among USHE Institutions: The USBR shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

~~10.3.11.11.2.3.~~ **Snow CE Exception:** Credit earned through the Snow CE Program, which receives a separate appropriation through Utah Code §53B-16-206 for instructional, advising, and administrative costs, will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

11.4. **Annual Reports:** Annual reports shall be provided to legislative committees:

11.4.1 **Higher Education Appropriations:** USHE staff shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by Utah Code §53E-10-308.

11.4.2 **Public Education Appropriations:** USHE and USBE staff shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in section 11.2.

R165-12. **Annual Concurrent Enrollment Contract:** Collaborating LEAs and USHE institutions will annually sign a contract ~~which sets forth their rights and that establishes the terms, conditions, and~~ duties for the institution to offer concurrent enrollment courses to the LEA's students.

12.1. **Annual Contract Content:** The contracts shall include relevant policy for student eligibility and participation, course eligibility and delivery, and faculty eligibility and professional development. USHE and USBE staff review and amend the contract annually, as needed, to reflect current statute and rule.

12.2. **Annual Contract Deadline:** Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USBE.

R165-13. **Utah ~~College of Applied Technology~~ System of Technical Colleges (UTechCAT) Agreements:** High school students may participate at a UTechCAT campus to take contractual basis concurrent enrollment courses under the following conditions:

13.1. **Concurrent Enrollment Contract:** A concurrent enrollment contract (see R165-12 above) must be in place between the LEA and the USHE institution covering the instruction to be given at the UTechCAT campus.

13.2. **UCAT Instruction and Costs:** The USHE institution enters into an agreement with the UTechCAT to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UTechCAT, and the process for approval of UC~~Tech~~AT instructors as institution adjunct faculty (see R165-10).

R165-1. Purpose: To establish the principles, guidelines, and processes that govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students.²

R165-2. References

- 2.1. Utah Code §53E Chapter 10, Concurrent Enrollment
- 2.2. Utah Code §53E-4-206, Career and College Readiness Mathematics Competency Standards
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers, Duties, and Authority
- 2.4. Utah State Board of Education Rule R277-713, Concurrent Enrollment of High School Students in College Courses
- 2.5. Utah State Board of Education Rule R277-407, School Fees
- 2.6. Utah Code §53B-1-109, Coordination of Higher Education and Public Education Information Technology Systems – Use of Unique Student Identifier
- 2.7. Utah Code §53E-4-308, Unique Student Identifier -- Coordination of Higher Education and Public Education Information Technology Systems
- 2.8. Utah Code §53G-11, Part 4, Background Checks– Notice – Payment of costs – Request for Review
- 2.9. Utah Code §53B-16-206, Snow College Concurrent Education Program
- 2.10. Utah Code §53E-10-307, Concurrent Enrollment Courses for Accelerated Foreign Language Students

R165-3. Definitions

- 3.1. **Concurrent Enrollment:** college courses that Utah System of Higher Education (USHE) institutions offer to public school under a contractual agreement between the USHE institution and a Local Education Agency (LEA). Students continue to be enrolled in public schools, are counted in average daily membership, receive credit toward graduation, and concurrently receive college credit for courses. Concurrent enrollment is distinct from early college admission.
- 3.2. **Career and Technical Education Courses (CTE):** higher education courses that align to Utah State Board of Education (USBE) 11-digit assignment codes beginning with "40 *Skilled & Technical Sciences*" and "41 *Work-Based Learning*."

¹ Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, November 18, 2011, May 16, 2014, and September 16, 2016.

² This policy does not apply when a USHE institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah.

- 3.3. **Contractual Basis:** courses and instruction offered under an annual contract between a LEA and a USHE institution. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under Utah Code §53 E-10-303.
- 3.4. **Early College:** enrollment in college credit courses by high school students who are academically prepared, meet college admissions requirements, have left high school prior to graduation, and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE institutions.
- 3.5. **Early College High School:** a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.
- 3.6. **Instructor :** a licensed LEA K-12 educator who qualifies and is approved to teach concurrent enrollment courses as an adjunct faculty within an institution's academic department.
- 3.7. **Interactive Video Conferencing (IVC):** two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.
- 3.8. **Local Education Agency (LEA):** a school board/public school district or public charter school.
- 3.9. **Non-contractual Basis:** college credit courses public education students pursue on their own initiative. Such students must enter into an agreement between the student, parent(s)/guardian, high school administrator, and the USHE institution for the student to take the course; the course is considered to be offered on a non-contractual basis. The student is responsible for all enrollment expenses. USHE institutions report non-contractual enrollments as regular enrollments. Non-contractual basis concurrent enrollment is not eligible for state funding.
- 3.10. **Qualifying Experience:** an LEA employee's experience in an academic field that qualifies the LEA employee to teach a concurrent enrollment course in the academic field and may include the employee's (a) number of years teaching in the academic field; (b) holding a higher level secondary teaching credential issued by the state board; (c) research, publications, or other scholarly work in the academic field; (d) continuing professional education in the academic field; (e) a portfolio of work related to the academic field; or (f) professional work experience or certifications in the academic field.
- 3.11. **Snow College Concurrent Education Program (Snow CE):** a consistent two-year schedule of concurrent enrollment courses that Snow College delivers through IVC. Snow CE courses create a pathway for secondary school students, particularly in rural high schools, to earn college credits that apply toward earning an Associate of Science or Associate of Arts degree, or satisfy scholarship requirements and other objectives that best meet students' needs. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with their academic and career goals. Regents Policy 165 governs the Snow CE program. Funding is appropriated under Utah Code §53B-16-206.
- 3.12. **Plan for College and Career Readiness :** secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.

- 3.13. Supervision of CE Instructors:** professional development opportunities institutions provide to public educators who qualify as concurrent enrollment instructors to prepare them to teach the CE post-secondary curriculum.
- 3.14. Technology Delivered Instruction:** Course instructions provided to students by common technology such as broadcast, interactive videoconferencing, or the Internet.
- 3.15. Technology Intensive Concurrent Enrollment (TICE):** hybrid concurrent enrollment courses that blend different learning activities, both in classrooms and online. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may offer TICE courses.
- 3.16. Unique Student Identifier (SSID):** an alphanumeric code assigned to each public education student for identification purposes.
- 3.17. Utah State Board of Regents (USBR):** the governing body for the Utah System of Higher Education.
- 3.18. Utah System of Higher Education (USHE):** the system of public colleges and universities governed by the Utah State Board of Regents.
- 3.19. USHE Institution (Institution):** a credit-granting community college, state college, or university within the Utah System of Higher Education.
- 3.20. Utah State Board of Education (USBE):** the system of public education districts and charter schools governed by the State Board of Education.

R165-4. Purpose of Concurrent Enrollment: Concurrent enrollment provides course options to prepared high school students that earn high school and college credit. Concurrent enrollment allows students to complete a high school diploma while concurrently earning credits for first or second year coursework at a USHE institution, which can accelerate college completion and reduce college costs.

- 4.1. High Quality Opportunities:** Concurrent enrollment should provide high quality, college-level academic and career and technical education opportunities to qualified high school students.
- 4.2. Qualitative Safeguards:** College instruction offered in the high school setting must have qualitative safeguards to preserve the rigor and standards of college requirements. The USHE institution granting the college credit for a given course is responsible to establish appropriate qualitative safeguards. To help ensure quality, consistent instruction, and student success, the sponsoring institutions should officially enroll students as concurrent enrollment students.
- 4.3. Participating Institutions:** USHE credit-granting institutions may participate in the contractual basis concurrent enrollment program in compliance with controlling law and consistent with USBE rules governing the use of public education funds.
- 4.4. Program Evaluation:** The USBE and USBR shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

R165-5. Students

5.1. Student Status: Students must be enrolled in, and counted in the average daily membership of, a Utah public school and have high school student status before and throughout enrollment in concurrent enrollment courses. Students must complete contractual basis concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises. Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program.

5.2. Eligibility Requirements: USHE institutions and LEAs shall jointly establish student eligibility requirements. To predict a successful experience, institutions and LEAs may require:

5.2.1. students are in grade 9, 10, 11, or 12;

5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);

5.2.3. supportive letters of recommendation;

5.2.4. approval of high school and college officials;

5.2.5. appropriate placement assessments for courses such as mathematics and English;

5.2.5.1. students must complete Secondary Math I, II, and III with a "C" average or better course grade in all three classes to enroll in a CE mathematics course; and

5.2.6. completion of institutionally established prerequisites for a course.

5.2.7. have on file a completed plan for college and career readiness.

5.3. Concurrent Enrollment Participation Form/Parent Permission to Participate. Before allowing an eligible student to participate in the concurrent enrollment program for the academic year, an institution shall ensure the student has completed the USHE concurrent enrollment participation form, signed an acknowledgement of program participation requirements, and obtained a signed parent/guardian permission form.

5.4. Early College High School Eligibility: The Early College High School Program may enroll students in grades 9 and 10 without exception in concurrent enrollment courses. Eligibility requirements such as those listed in section 5.2 apply to Early College students.

5.5. Identification of Eligible Students: LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

5.6. Advising: USHE institutions and LEAs shall jointly coordinate advising to prospective or current high school students who participate in the concurrent enrollment program. Advising shall include information on general education requirements at USHE institutions and how the students can choose concurrent enrollment courses to avoid duplication or excess credit hours.

5.7. Tracking Student Achievement: USHE institutions and LEAs shall jointly coordinate information technology systems to track individual students' academic achievement through both education systems in accordance with Utah Code §53B-1-109 and §53E-4-308.

5.7.1. USBE and USHE staff shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

5.7.2. USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique student identifier.

5.8. **Advising Report:** Twelve weeks after the end of each semester, participating institutions may request from the Commissioner's Office a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

5.8.1 student's name and SSID;

5.8.2 the student's LEA;

5.8.3 the name of each concurrent enrollment course taken by the student;

5.8.4 the institution where the student enrolled to take each concurrent enrollment course;

5.8.5 the number of college credits the student earned in each concurrent enrollment course with a designation that indicates which credits the student earned at a grade "C" or higher.

R165-6. Courses

6.1. **Choice of Courses:** The courses offered through concurrent enrollment should be introductory-level general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students in earning post-secondary certificates or degrees. Concurrent enrollment may only include college courses that correspond to high school courses typically offered in grades 11 or 12. Courses selected should reflect the strengths and resources of the respective schools and USHE institutions. Concurrent enrollment offerings are limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, and career and technical education.

6.1.1. **Early College High School Exception:** Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

6.1.2. **Accelerated Foreign Language Courses:** Institutions may offer 3000 level foreign language courses to accelerated foreign language students, including dual language immersion students.

6.2. **Master List:** The Office of the Commissioner of Higher Education (OCHE) and the USBE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 **Changes to Concurrent Enrollment Master List:** USHE institutions, after consultation with LEAs, shall provide the USBE with proposed new course offerings, including syllabi and curriculum materials by November 15 of the year proceeding the school year in which courses shall be offered.

6.3. Number of Courses: In general, institutions should limit the number of concurrent enrollment courses so they can focus on quality instruction and assure coordinated professional development activities for participating teachers and transferability of credit from institution to institution.

6.4. Institution Responsibility: The offering institution is responsible for course content, procedures, examinations, teaching materials, and monitoring of CE courses taught at a high school. The institution shall ensure the curriculum is consistent with Utah law and of comparable rigor and quality with courses offered on the institution campus. The institution shall ensure CE curriculum standards of instruction, practices for administering and grading assessments, and the course grade rubric are the same as when the course is taught on the institution campus. When possible, department exams should be used in the CE course. For courses that transfer as equivalent credit among USHE institutions, the institution will ensure articulated learning outcomes are met.

R165-7. Credit

7.1. Permanent College Transcript: All concurrent enrollment course registrations and grades are recorded on permanent college transcripts. Students who register for concurrent enrollment commit to having the final course grade on their permanent college record, regardless of the results.

7.1.1. Credit Value: College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

7.2. Credit Hours Permitted: Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non-contractual basis.

7.3. Institution Credit: USHE institutions are responsible for course registration and awarding college credit for concurrent enrollment courses.

7.4. Transferability: Credit earned through the concurrent enrollment program shall be transferable between USHE institutions. Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

R165-8. Tuition, Fees, and Other Charges: Regular tuition and fees may not be charged to high school students for participation in this program.

8.1. Admissions Fee: Students may be assessed a one-time admissions application fee per institution, which satisfies the general admissions application fee requirement for a full-time or part-time student at an institution. The institution may not charge any additional admissions application fees for continuous enrollment at that institution following high school graduation.

8.1.1. Participation Fee: The USBR may charge a one-time fee for students to participate in the concurrent enrollment program. Paying this fee does not satisfy the general admissions application fee required for full-time or part-time students at a USHE institution.

8.2. Partial Concurrent Enrollment Tuition: USHE institutions may charge secondary students partial tuition for each concurrent enrollment course for which the student receives college credit in the following amounts:

8.2.1. A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

8.2.2. If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

8.2.3. If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

8.2.4. If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

8.2.5. The USBR shall annually report to the Legislature's Higher Education Appropriations Subcommittee on regular tuition savings to CE students, any partial CE tuition charged, and justification for the distribution of money appropriated for concurrent enrollment, pursuant to Utah Code §53E-10-308.

8.3. **Fee Waivers:** Concurrent enrollment program costs attributable only to college credit or enrollment are not subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The LEA is responsible for these waivers. The contract between the USHE institution and the LEA may address the responsibility for fee waivers.

R165-9. Location and Delivery: Concurrent enrollment courses shall be offered at the most appropriate location, using the most appropriate educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or other accepted instruction technologies. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

9.1. **Students within Commuting Distance:** Qualified students residing within commuting distance of a USHE institution may pursue their concurrent enrollment study on the institution campus with approval from their LEA.

9.2. **Designated Service Region Delivery:** Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regent Policy R315. If the local institution chooses not to offer a concurrent enrollment course, a LEA may ask another USHE institution to provide the course.

9.3. **Right of First Refusal:** A LEA shall contact the USHE institution with responsibility for that LEA's service region to request a CE course offering. The local institution shall indicate in writing whether it will offer the requested course within 30 days of the LEA contact and request.

9.3.1. **Exception for Technology Delivered Courses:** Concurrent enrollment courses which meet the definition of "Technology Delivered Instruction" are subject to designated service region requirements. Institutions desiring to offer technology delivered CE courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An annual system review of technology delivered courses shall be completed prior to November 30 of the year preceding the school year in which courses shall be offered to assure efficient and effective use of resources.

R165-10. CE Instructor Qualifications: College or university faculty or public school educators teach concurrent enrollment courses for the offering institution.

10.1. Selection of CE Instructors LEAs and the participating USHE institution shall jointly select instructors for concurrent enrollment courses. Selection criteria for instructors are the same as those criteria applied to other adjunct faculty appointments in specific departments within the USHE institution. Once approved as an adjunct, CE instructors who teach a CE course in 2018-19 or 2019-20 may continue to teach CE courses given curricular standards and student performance outcomes in the classes meet sponsoring academic department standards. Institutions shall establish a process for determining, in consultation with LEA partners, whether an eligible instructor who previously taught a CE course is no longer qualified to teach the CE course. The appropriate academic department at the institution must approve CE instructors prior to teaching the concurrent enrollment class.

10.2. Institutional Faculty CE Instructors: A USHE institution faculty member is an eligible CE instructor.

10.3. LEA Employee Instructor Qualifications: An LEA employee is an eligible CE instructor if the LEA employee is licensed under statutory Education Professional Licensure, is supervised by an institution of higher education, and

10.3.1. is approved as an eligible instructor by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee as provided in section 10.4,

10.3.2. has an upper level mathematics credential issued by the State Board of Education, or

10.3.3. teaches a concurrent enrollment course that the LEA employee taught during the 2018-19 or 2019-20 school year .

10.4. A USHE institution shall approve an LEA employee as an eligible instructor:

10.4.1. For a career and technical education concurrent enrollment course, if the LEA employee has:

10.4.1.1. a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or

10.4.1.2. qualifying experience, as determined by the institution of higher education.

10.4.2. For a concurrent enrollment course other than a career and technical education course, if the LEA employee has:

10.4.2.1. a master's degree or higher in the concurrent enrollment course's academic field;

10.4.2.2. a master's degree or higher in any academic field and at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or

10.4.2.3. qualifying experience, as determined by the institution of higher education.

10.5. Appeals Process for Instructor Qualification Approvals. If a designated service area USHE institution determines an LEA employee is not qualified to teach a concurrent enrollment course and the LEA has exhausted all administrative remedies available at the institution, the LEA may appeal the decision in writing to the Commissioner of Higher Education within 15 calendar days of the institution's final decision. The Commissioner shall appoint an appeals committee consisting of the associate commissioner for academic affairs and two USHE chief academic officers who are uninvolved in the decision being appealed.

10.5.1. The appeals committee will review the LEA's appeal and the institution's decision.

10.5.2. The institution and LEA will provide the appeals committee with any material documents and information necessary for a complete review. The committee may request additional documentation or information as necessary.

10.5.3. The appeals committee will provide a recommendation to the Commissioner, which may include affirming or reversing the institution's decision.

10.5.4. The Commissioner shall make a final decision and issue it to the institution and the LEA in writing.

10.5.5. After the Commissioner has issued a decision, there will be no further appeals or reviews.

10.6. Criminal Background Checks: USHE faculty who are not public school educators and who teach concurrent enrollment courses defined under this policy in a high school shall complete a criminal background check consistent with Utah Code §53G-11, Part 4.³ The faculty's institution must determine if a criminal background check is required and, if so, must complete the background check and maintain required documentation consistent with the law.

10.7. Faculty Development: Concurrent enrollment instructors should be included as fully as possible in the academic life of the supervising academic department. USHE institutions and LEAs shall jointly initiate faculty development, including appropriate workshop experiences to adequately prepare instructors to teach concurrent enrollment students and course content prior to offering concurrent enrollment courses. If a USHE institution uses an instructor of record or co-teaching instructional model, the institution faculty shall fully engage and prepare the public school educator to successfully teach the curriculum prior to the beginning of the course. CE instructors must complete any faculty development required by the sponsoring academic department at the institution prior to teaching the concurrent enrollment class. USHE faculty are responsible to understand and comply with federal and state laws governing public school student privacy and student records.

R165-11. Funding

11.1. Source of Funds: Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

11.1.1. Eligibility to Receive Concurrent Funds: To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code §53E-10-302, including rules adopted in accordance with Utah Code §53E-10-307.

³ See §53A-3-410 for detailed information on completing background checks.

11.2. Allocation of Funds: Money appropriated to the USBE for concurrent enrollment shall first be allocated between LEAs and the USBR based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with Utah Code §53F-2-409, funds shall be allocated as follows:

11.2.1. for courses that are taught by public school educators (instructors) where the cost of instruction is borne by the LEA, 60 percent shall be allocated to LEAs and 40 percent shall be allocated to the USBR;

11.2.2. for courses that are taught by college or university faculty or where the cost of instruction is borne by the USHE institution, 40 percent shall be allocated to LEAs; and 60 percent shall be allocated to the USBR.

11.3. Distribution of Funds among USHE Institutions: The USBR shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

11.2.3. Snow CE Exception: Credit earned through the Snow CE Program, which receives a separate appropriation through Utah Code §53B-16-206 for instructional, advising, and administrative costs will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

11.4. Annual Reports: Annual reports shall be provided to legislative committees:

11.4.1 Higher Education Appropriations: USHE staff shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by Utah Code §53E-10-308.

11.4.2 Public Education Appropriations: USHE and USBE staff shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in section 11.2.

R165-12. Annual Concurrent Enrollment Contract: Collaborating LEAs and USHE institutions will annually sign a contract that establishes the terms, conditions, and duties for the institution to offer concurrent enrollment courses to the LEA's students.

12.1. Annual Contract Content: The contracts shall include relevant policy for student eligibility and participation, course eligibility and delivery, and faculty eligibility and professional development. USHE and USBE staff review and amend the contract annually, as needed, to reflect current statute and rule.

12.2. Annual Contract Deadline: Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USBE.

R165-13. Utah System of Technical Colleges (UTech) Agreements: High school students may participate at a UTech campus to take contractual basis concurrent enrollment courses under the following conditions:

13.1. Concurrent Enrollment Contract: A concurrent enrollment contract (see R165-12 above) must be in place between the LEA and the USHE institution covering the instruction to be given at the UTech campus.

13.2. UCAT Instruction and Costs: The USHE institution enters into an agreement with the UTech to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UTech, and the process for approval of UCTech instructors as institution adjunct faculty (see R165-10).

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Regent Policy R312, Utah System of Higher Education Institutional Missions and Roles

Issue

Utah Valley University has revised its institutional mission statement and seeks Board approval.

Background

Regent policy R312 establishes each institution's mission and role within the Utah System of Higher Education. Although statute and Board policy determines institutional roles, the institutions generally articulate their missions. The Board must approve institutional mission statements along with any subsequent changes, which it then codifies in R312. Utah Valley University's recently revised mission statement requires the Board's approval before it can take effect.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the revision of R312 effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GL

R312-1. Purpose: To establish the distinct missions and roles of the institutions in the Utah System of Higher Education (USHE) and foster economic growth and innovation.

R312-2. References

- 2.1. Utah Code §53B-6-101, Master Plan for Higher Education
- 2.2. Utah Code Section 53B-16-101, Establishment of Institutional Roles and General Courses of Study
- 2.3. Regents Policy R301, Master Plan Executive Summary
- 2.4. Regents Policy R310, System-wide Vision and Mission Statement
- 2.5. Regents Policy R315, Service Area Designation and Coordination Off-Campus Courses and Programs
- 2.6. Regents Policy R485, Faculty Workload Guidelines

R312-3. Definitions

- 3.1. **"Roles"**: the general category within which an institution fits as described in Utah Code §53B-16-101, Establishment of Institutional Roles and General Courses of Study.
- 3.2. **"Mission Statements"**: written statements of the general purposes and functions of various institutions approved by the Regents.
- 3.3. **"Teaching Load"**: the institutional average teaching workload for full-time faculty at the various institutions.
- 3.4. **"Open Admission"**: an admissions policy that allows all applicants to be admitted. An open admission policy does not necessarily grant students access to all courses until the institution has assessed the student's level of preparedness.

R312-4. Institutional Roles and Missions

- 4.1. **Research Universities:** A research university's role is to provide undergraduate, graduate and research programs and to discover, create, and transmit knowledge through academic programs at the undergraduate, graduate, and professional with emphasis on teaching, research, and service. Transfer programs allow students to seamlessly seek degrees at other institutions within the system. The institution contributes to the quality of life and economic development at the local, state, and national levels. Many research efforts generate grants and contracts that also impact economic development, which underwrites the cost of their products. The University of Utah and Utah State University are research universities.

¹ Approved on May 30, 2003; amended May 29, 2009. Revisions approved by the Board of Regents on May 29, 2009, May 20, 2011, September 16, 2011; May 17, 2013; January 22, 2016; April 1, 2016; July 15, 2016; and May 18, 2018.

4.1.1. University of Utah Mission Statement (2016): The University of Utah fosters student success by preparing students from diverse backgrounds for lives of impact as leaders and citizens. We generate and share new knowledge, discoveries, and innovations, and we engage local and global communities to promote education, health, and quality of life. These contributions, in addition to responsible stewardship of our intellectual, physical, and financial resources, ensure the long-term success and viability of the institution.

4.1.2. Utah State University Mission Statement (2003): The mission of Utah State University is to be one of the nation's premier student-centered land grant and space grant universities by fostering the principle that academics come first; by cultivating diversity of thought and culture; and by serving the public through learning, discovery, and engagement.

4.2. Regional Universities: The regional university's role provide career and technical education, undergraduate associate and baccalaureate programs and select master's degree programs to fill regional or state workforce demands. After a new master's degree program's fifth year, the program should be awarding a minimum average of five degrees per year as measured over a previous three-year period to be considered sustainable. Regional universities emphasize teaching, scholarly, and creative achievements that complement teaching-and community service. Transfer programs allow students to seamlessly seek degrees at other institutions within the system. The institution contributes to the quality of life and economic development at the local and state levels. Student success is supported through developmental programs and services associated with a comprehensive community college. Weber State University, Southern Utah University, Utah Valley University, and Dixie State University are regional universities.

4.2.1. Weber State University Mission Statement (2007): Weber State University provides associate, baccalaureate and master degree programs in liberal arts, sciences, technical and professional fields. Encouraging freedom of expression and valuing diversity, the university provides excellent educational experiences for students through extensive personal contact among faculty, staff and students in and out of the classroom. Through academic programs, research, artistic expression, public service and community-based learning, the university serves as an educational, cultural and economic leader for the region.

4.2.2. Southern Utah University Mission Statement (2016): Southern Utah University is a dynamic teaching and learning community that engages students in experiential education leading to personal growth, civic responsibility, and professional excellence.

4.2.3. Utah Valley University Mission Statement (2007): Utah Valley University is ~~a teaching institution which provides opportunity, promotes student success, and meets regional educational needs. UVU builds on a foundation of substantive scholarly and creative work to foster engaged learning. The university prepares professionally competent people of integrity who, as lifelong learners and leaders, serve as stewards of a globally interdependent community~~an integrated university and community college that educates every student for success in work and life through excellence in engaged teaching, services, and scholarship.

4.2.4. Dixie State University Mission Statement (2016): Dixie State University is a public comprehensive university dedicated to rigorous learning and the enrichment of the professional and personal lives of its students and community by providing opportunities that engage the unique Southern Utah environment and resources.

4.3 Comprehensive Community Colleges: The comprehensive community college's role is to transmit knowledge and skills through transfer education at the associate of arts and associate of science degree level along with offering associate of applied science degrees, career and technical education,

customized training for employers, developmental education, and strong student services to support these functions. Transfer programs prepare graduates to begin upper-division work. The institution emphasizes teaching, training, scholarly, professional, and creative achievement, community service, and contributes to the quality of life and economic development of the community and the state. The comprehensive community college's role is identifiable in its organizational structure and is supported through programs, services, and specific administrative responsibility. Salt Lake Community College and Snow College are comprehensive community colleges. All institutions except the University of Utah provide varying degrees of community college functions in their respective service areas.

4.3.1. Snow College Mission Statement (2011): Snow College continues a tradition of excellence, encourages a culture of innovation, and cultivates an atmosphere of engagement to advance students in the achievement of their educational goals.

4.3.2. Salt Lake Community College Mission Statement (2016): Salt Lake Community College is your community college. We engage and support students in educational pathways leading to successful transfer and meaningful employment.

R312-5. Accreditation: Specialized accreditation is a goal for all programs for which this accreditation is available and appropriate for the institution's mission and role.

R312-6. Faculty

6.1. Criteria for Selection, Retention, and Advancement

6.1.1. Research Universities: Faculty are selected, retained, and promoted on the basis of evidence of effective teaching; research, scholarship, and creative achievements; and service and extension activities.

6.1.2. Regional Universities: Faculty are selected, retained, and promoted primarily on the basis of evidence of effective teaching. Additional criteria include scholarly, professional and creative achievements, and service that complements the teaching role.

6.1.3. Comprehensive Community: Faculty are selected, retained, and promoted primarily on the basis and evidence of effective teaching and training. Secondary criteria include scholarly, professional, creative achievements, and service that complement the teaching role.

6.2. Educational Preparation

6.2.1. Research Universities: Regular full-time tenure-track faculty will have earned the appropriate terminal degree for their field and specialty.

6.2.2. Regional Universities: Regular full-time tenure-track faculty will have earned or be working toward the appropriate terminal degree for their field and specialty. Faculty in career and technical education or professional fields also will have practical, related work experience.

6.2.3. Comprehensive Community Colleges: Regular full-time tenure-track faculty will have practical, related work experience and recognized professional credentials for their discipline and teaching level. To teach courses in general education or other special transfer programs, the master's degree is a standard requirement.

6.3. Teaching Loads and Research Activities

6.3.1. Research Universities: Average teaching loads are expected to be lower than that of faculty in regional universities reflecting necessary faculty involvement with research, scholarship, and creative achievements. Institutional teaching loads will average at least 18 credit hour equivalents each academic year.

6.3.2. Regional Universities: Average teaching loads are higher than those of faculty in research universities. These teaching loads reflect regional universities having fewer graduate programs and less emphasis on research and scholarship than research institutions. Institutional teaching loads will average at least 24 credit hour equivalents each academic year.

6.3.3. Comprehensive Community Colleges: Average teaching loads are somewhat higher than those of faculty in regional universities, because faculty do not have extensive research responsibilities. Institutional teaching loads will average at least 30 credit hour equivalents each academic year.

R312-7. Student Admission

7.1. Research Universities: Research universities are selective in admissions.

7.2. Regional Universities: Regional universities are open-admission institutions unless otherwise excepted by the Board of Regents. Regional universities may test or assess students for directed course placement, the ability to benefit from specific courses for financial aid purposes, and the students' projected ability to succeed.

7.3. Comprehensive Community Colleges: Comprehensive Community Colleges are open-admission institutions. Incoming students may be tested or assessed for course placement and the ability to benefit from specific courses for financial aid purposes.

R312-8. Support Services

8.1. Research Universities: These institutions provide library services, support services, equipment, and other resources to support undergraduate and graduate programs, and student and faculty research.

8.2. Regional Universities: These institutions provide library services, support services, equipment, and other resources to support undergraduate programs, a limited number of master's programs, and the needs of students and faculty.

8.3. Comprehensive Community Colleges: These institutions provide library services, student support services, equipment, and other resources to support lower-division programs in career and technical education, general education, developmental education, transfer programs, and the needs of students, faculty, and the community.



R312, Utah System of Higher Education and Institutional Missions and Roles¹

R312-1. Purpose: To establish the distinct missions and roles of the institutions in the Utah System of Higher Education (USHE) and foster economic growth and innovation.

R312-2. References

- 2.1. Utah Code §53B-6-101, Master Plan for Higher Education
- 2.2. Utah Code Section 53B-16-101, Establishment of Institutional Roles and General Courses of Study
- 2.3. Regents Policy R301, Master Plan Executive Summary
- 2.4. Regents Policy R310, System-wide Vision and Mission Statement
- 2.5. Regents Policy R315, Service Area Designation and Coordination Off-Campus Courses and Programs
- 2.6. Regents Policy R485, Faculty Workload Guidelines

R312-3. Definitions

- 3.1. **"Roles"**: the general category within which an institution fits as described in Utah Code §53B-16-101, Establishment of Institutional Roles and General Courses of Study.
- 3.2. **"Mission Statements"**: written statements of the general purposes and functions of various institutions approved by the Regents.
- 3.3. **"Teaching Load"**: the institutional average teaching workload for full-time faculty at the various institutions.
- 3.4. **"Open Admission"**: an admissions policy that allows all applicants to be admitted. An open admission policy does not necessarily grant students access to all courses until the institution has assessed the student's level of preparedness.

R312-4. Institutional Roles and Missions

4.1. **Research Universities:** A research university's role is to provide undergraduate, graduate and research programs and to discover, create, and transmit knowledge through academic programs at the undergraduate, graduate, and professional with emphasis on teaching, research, and service. Transfer programs allow students to seamlessly seek degrees at other institutions within the system. The institution contributes to the quality of life and economic development at the local, state, and national levels. Many research efforts generate grants and contracts that also impact economic development, which underwrites the cost of their products. The University of Utah and Utah State University are research universities.

¹ Approved on May 30, 2003; amended May 29, 2009. Revisions approved by the Board of Regents on May 29, 2009, May 20, 2011, September 16, 2011; May 17, 2013; January 22, 2016; April 1, 2016; July 15, 2016; and May 18, 2018.

4.1.1. University of Utah Mission Statement (2016): The University of Utah fosters student success by preparing students from diverse backgrounds for lives of impact as leaders and citizens. We generate and share new knowledge, discoveries, and innovations, and we engage local and global communities to promote education, health, and quality of life. These contributions, in addition to responsible stewardship of our intellectual, physical, and financial resources, ensure the long-term success and viability of the institution.

4.1.2. Utah State University Mission Statement (2003): The mission of Utah State University is to be one of the nation's premier student-centered land grant and space grant universities by fostering the principle that academics come first; by cultivating diversity of thought and culture; and by serving the public through learning, discovery, and engagement.

4.2. Regional Universities: The regional university's role provide career and technical education, undergraduate associate and baccalaureate programs and select master's degree programs to fill regional or state workforce demands. After a new master's degree program's fifth year, the program should be awarding a minimum average of five degrees per year as measured over a previous three-year period to be considered sustainable. Regional universities emphasize teaching, scholarly, and creative achievements that complement teaching-and community service. Transfer programs allow students to seamlessly seek degrees at other institutions within the system. The institution contributes to the quality of life and economic development at the local and state levels. Student success is supported through developmental programs and services associated with a comprehensive community college. Weber State University, Southern Utah University, Utah Valley University, and Dixie State University are regional universities.

4.2.1. Weber State University Mission Statement (2007): Weber State University provides associate, baccalaureate and master degree programs in liberal arts, sciences, technical and professional fields. Encouraging freedom of expression and valuing diversity, the university provides excellent educational experiences for students through extensive personal contact among faculty, staff and students in and out of the classroom. Through academic programs, research, artistic expression, public service and community-based learning, the university serves as an educational, cultural and economic leader for the region.

4.2.2. Southern Utah University Mission Statement (2016): Southern Utah University is a dynamic teaching and learning community that engages students in experiential education leading to personal growth, civic responsibility, and professional excellence.

4.2.3. Utah Valley University Mission Statement (2007): Utah Valley University is ~~a teaching institution which provides opportunity, promotes student success, and meets regional educational needs. UVU builds on a foundation of substantive scholarly and creative work to foster engaged learning. The university prepares professionally competent people of integrity who, as lifelong learners and leaders, serve as stewards of a globally interdependent community~~ an integrated university and community college that educates every student for success in work and life through excellence in engaged teaching, services, and scholarship.

4.2.4. Dixie State University Mission Statement (2016): Dixie State University is a public comprehensive university dedicated to rigorous learning and the enrichment of the professional and personal lives of its students and community by providing opportunities that engage the unique Southern Utah environment and resources.

4.3 Comprehensive Community Colleges: The comprehensive community college's role is to transmit knowledge and skills through transfer education at the associate of arts and associate of science degree level along with offering associate of applied science degrees, career and technical education,

customized training for employers, developmental education, and strong student services to support these functions. Transfer programs prepare graduates to begin upper-division work. The institution emphasizes teaching, training, scholarly, professional, and creative achievement, community service, and contributes to the quality of life and economic development of the community and the state. The comprehensive community college's role is identifiable in its organizational structure and is supported through programs, services, and specific administrative responsibility. Salt Lake Community College and Snow College are comprehensive community colleges. All institutions except the University of Utah provide varying degrees of community college functions in their respective service areas.

4.3.1. Snow College Mission Statement (2011): Snow College continues a tradition of excellence, encourages a culture of innovation, and cultivates an atmosphere of engagement to advance students in the achievement of their educational goals.

4.3.2. Salt Lake Community College Mission Statement (2016): Salt Lake Community College is your community college. We engage and support students in educational pathways leading to successful transfer and meaningful employment.

R312-5. Accreditation: Specialized accreditation is a goal for all programs for which this accreditation is available and appropriate for the institution's mission and role.

R312-6. Faculty

6.1. Criteria for Selection, Retention, and Advancement

6.1.1. Research Universities: Faculty are selected, retained, and promoted on the basis of evidence of effective teaching; research, scholarship, and creative achievements; and service and extension activities.

6.1.2. Regional Universities: Faculty are selected, retained, and promoted primarily on the basis of evidence of effective teaching. Additional criteria include scholarly, professional and creative achievements, and service that complements the teaching role.

6.1.3. Comprehensive Community: Faculty are selected, retained, and promoted primarily on the basis and evidence of effective teaching and training. Secondary criteria include scholarly, professional, creative achievements, and service that complement the teaching role.

6.2. Educational Preparation

6.2.1. Research Universities: Regular full-time tenure-track faculty will have earned the appropriate terminal degree for their field and specialty.

6.2.2. Regional Universities: Regular full-time tenure-track faculty will have earned or be working toward the appropriate terminal degree for their field and specialty. Faculty in career and technical education or professional fields also will have practical, related work experience.

6.2.3. Comprehensive Community Colleges: Regular full-time tenure-track faculty will have practical, related work experience and recognized professional credentials for their discipline and teaching level. To teach courses in general education or other special transfer programs, the master's degree is a standard requirement.

6.3. Teaching Loads and Research Activities

6.3.1. Research Universities: Average teaching loads are expected to be lower than that of faculty in regional universities reflecting necessary faculty involvement with research, scholarship, and creative achievements. Institutional teaching loads will average at least 18 credit hour equivalents each academic year.

6.3.2. Regional Universities: Average teaching loads are higher than those of faculty in research universities. These teaching loads reflect regional universities having fewer graduate programs and less emphasis on research and scholarship than research institutions. Institutional teaching loads will average at least 24 credit hour equivalents each academic year.

6.3.3. Comprehensive Community Colleges: Average teaching loads are somewhat higher than those of faculty in regional universities, because faculty do not have extensive research responsibilities. Institutional teaching loads will average at least 30 credit hour equivalents each academic year.

R312-7. Student Admission

7.1. Research Universities: Research universities are selective in admissions.

7.2. Regional Universities: Regional universities are open-admission institutions unless otherwise excepted by the Board of Regents. Regional universities may test or assess students for directed course placement, the ability to benefit from specific courses for financial aid purposes, and the students' projected ability to succeed.

7.3. Comprehensive Community Colleges: Comprehensive Community Colleges are open-admission institutions. Incoming students may be tested or assessed for course placement and the ability to benefit from specific courses for financial aid purposes.

R312-8. Support Services

8.1. Research Universities: These institutions provide library services, support services, equipment, and other resources to support undergraduate and graduate programs, and student and faculty research.

8.2. Regional Universities: These institutions provide library services, support services, equipment, and other resources to support undergraduate programs, a limited number of master's programs, and the needs of students and faculty.

8.3. Comprehensive Community Colleges: These institutions provide library services, student support services, equipment, and other resources to support lower-division programs in career and technical education, general education, developmental education, transfer programs, and the needs of students, faculty, and the community.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Regent Policy R604, *New Century Scholarship* and R609 B, *Regents' Scholarship*; Adoption of Regent Policy R609 C, *Regents' Scholarship*

Issue

In 2019, the General Legislative Session passed *H.B.260: Access Utah Promise Scholarship Program*, sponsored by Representative Derrin Owens. In addition to creating a new scholarship, HB260 (2019) makes changes to the New Century and Regents' Scholarship programs requiring updates to associated policies. R609 A remains unchanged, as it is applicable to students who graduated high school in 2018 or prior. The changes outlined in R609 B relate to the 2019 high school graduating class. The changes reflected in R604 and R609 C will be effective starting with the high school graduating class of 2020.

Background

The Regents' and New Century Scholarship programs are tied to the State Board of Regents' strategic priorities of affordable participation and timely completion. They specifically address recently approved Regent metrics, as follows: #2 (high school college participation rate within 5 years), #3 (college participation rate by ethnicity and gender), #5 (percent of students completing an award within 8 years of enrolling), and #6 (IPEDS first to second year retention rate), as demonstrated in the following are data points:

Regents' Scholarship

- Between 2008-2018, 9% of all high school graduates received a Regents' Scholarship. (In 2017, for example 3,774 students out of 40,099 high school graduates received the Regents' Scholarship.)
- Gender: 57% female, 43% male
- Race/ethnicity: From 2008- 2017, an average of 7.4% of recipients have been students of color. The rate has been increasing because of outreach efforts, and in 2018, 9.5% of recipients were students of color.
- First to second-year retention rate for recipients Fall 2016: 70.3%. The 5-year average is 64.8%.
- Scholarship recipients are twice as likely to complete a college degree.

Cohort	150% completion: scholarship recipients	150% completion: peers
2009	79%	37%
2010	78%	37%

2011	76%	36%
2012	76%	36%

New Century Scholarship

- Less than one percent of high school graduates receive the New Century Scholarship.
- Gender: Since 1999, 54% of the recipients have been female, 46% male.
- Race/Ethnicity: Since 1999, 9% of recipients have been students of color (and 9% unknown).
- First to second-year retention rate for recipients Fall 2016: 79.9%, 5 year average of 74.2%

The new state law retains the aims of these two programs, but the awards are now limited to tuition and fees after consideration of other state aid a student is receiving. In addition, the law changed the definition of eligible institutions for students participating in the Regents' Scholarship: the scholarship is still available at all Utah System of Higher Education (USHE) institutions and now will also be available at Utah System of Technical Colleges (UTECH) institutions but is no longer available at private institutions. Students participating in the New Century Scholarship can use it at USHE institutions that grant baccalaureate degrees; students attending Snow College must be enrolled in a baccalaureate degree program.

Attached are Regent Policy R604, *New Century Scholarship*, and Regent Policy R609 B and C, *Regents' Scholarship*, with recommended changes to comply with the legislative changes. The changes reflected in R609 C apply to the high school graduating class of 2020. Students in the 2019 cohort remain under the rules established for that cohort as reflected in R609 B and the students who are part of the 2018 cohort or before are not impacted and remain under R609 A.

Commissioner's Recommendation

The Commissioner recommends the Board approve the proposed changes to R604, *New Century Scholarship* and R609 B, *Regents' Scholarship*, and the adoption of policy R609 C, *Regents' Scholarship*.

David L. Buhler
 Commissioner of Higher Education

DLB/CFB/JHM

R604-1. Purpose: The New Century Scholarship encourages students to accelerate their education by earning an Associate's degree in high school from an institution within the Utah System of Higher Education.

R604-2. References

- 2.1. Utah Code §53B-8-105 (2010).
- 2.2. Policy and Procedures R609, Regents' Scholarship.

R604-3. Definitions

- 3.1. **"Applicant"**: is a student who is in their last term in high school and on track to complete the high school graduation requirements of a public school established by the Utah State Board of Education and the student's school district or charter school or a private high school in the state that is accredited by a regional accrediting body approved by the Utah State Board of Regents, or a home-school student.
- 3.2. **"Associate's Degree"**: An Associate of Arts, Associate of Science, or Associate of Applied Science degree received from, or verified by, a regionally accredited institution within the Utah System of Higher Education. If the institution does not offer the above listed degrees, equivalent academic requirements will suffice under subsection 3.5.2. of this policy.
- 3.3. **"Awards"**: New Century Scholarship funds.
- 3.4. **"Board"**: The Utah State Board of Regents.
- 3.5. **"Completes the requirements for an associate degree"**: Means that an applicant completes either of the following:
 - 3.5.1. all the required courses for an associate degree from an institution within the Utah System of Higher Education that offers Associate's degrees; and applies for the Associate's degree from the institution; or
 - 3.5.2. all the required courses for an equivalency to the associate degree from a higher education institution within the Utah System of Higher Education that offers Baccalaureate degrees but does not offer Associate's degrees.²
- 3.6. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard in the processing of an appeal, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.7. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, and April 1, 2016.

² Please note the requirement to have the coursework certified by the campus registrar under subsection 5.3 of this policy.

- 3.8. **“High school”**: a public high school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.9. **“High school graduation date”**: the day on which the recipient’s class graduates from high school. For home-schooled student refer to subsection 4.2.1 of this policy.
- 3.10. **“Home-schooled”**: refers to a student who has not graduated from a Utah high school and received a high school grade point average (GPA).
- 3.11. **“Math and science curriculum”**: the rigorous math and science curriculum developed and approved by the Board which, if completed, qualifies a high school student for an award. Curriculum requirements can be found at the website of the Utah System of Higher Education.
- 3.12. **“New Century Scholarship”**: a renewable scholarship to be awarded to applicants who complete the eligibility requirements of section 4 of this policy.
- 3.13. **“Reasonable progress”**: enrolling and completing at least ~~fifteen~~twelve-credit hours during Fall and Spring semesters and earning a 3.3 GPA or higher each semester. If applicable, students attending summer must enroll full-time according to their institution and or program policy regarding full-time status.
- 3.14. **“Recipient”**: an applicant who receives an award under the requirements set forth in this policy.
- 3.15. **“Renewal Documents”**: a college transcript demonstrating that the recipient has met the required semester GPA and a detailed schedule providing proof of enrollment in twelve ~~fifteen~~-credit hours for the semester which the recipient is seeking award payment.
- 3.16. **“Scholarship Appeals Committee”**: means the committee designated by Commissioner of Higher Education to review appeals of Regents’ Scholarship award decisions and take final agency action regarding awards.
- 3.17. **“Scholarship Staff”** means the group assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.
- 3.18. **“Substantial Compliance”** means the applicant, in good faith, complied with the substantial or essential scholarship application requirements and has demonstrated likely eligibility but failed to comply exactly with the application specifics.
- 3.19. **“The Utah System of Higher Education-- USHE”**: the Utah System of Higher Education, which includes the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, and Salt Lake Community College.

R604-4. Recipient Requirements: This section enumerates the requirements to qualify as a recipient. Subsection 4.1. creates the general academic requirements. Subsections 4.2 and 4.3 clarify the exceptions and requirements specific for home-schooled students and students whose graduation date occurs in 2010 or before. Subsections 4.4. through 4.7. establish other generally applicable requirements.

- 4.1 **General Academic Requirements:** Unless an exception applies, to qualify as a recipient a student shall:

4.1.1. complete the requirements for an associate degree³ or the math and science curriculum at a regionally accredited institution within the Utah State System of Higher Education

4.1.1.1. with at least a 3.0 grade point average

4.1.1.2. by applicant's high school graduation date; and

4.1.2. complete the high school graduation requirements of a Utah high school with at least a 3.5 cumulative GPA.

4.2. **Utah Home-schooled Students:** For Utah home-schooled applicants the following exceptions and requirements apply:

4.2.1. **High School Graduation Date for Home-schooled Applicants:**

4.2.1.1. **Completes High School in 2011 and After:** If a home-schooled applicant would have completed high school in 2011 or after, the high school graduation date (under subsection 4.1.1.2.) is June 15 of the year the applicant would have completed high school;

4.2.2. **ACT Composite Score Requirement:** A composite ACT score of 26 or higher is required in place of the high school GPA (under subsection 4.1.2).

4.3. **Mandatory Fall Term Enrollment:** A recipient shall enroll in and successfully complete ~~fifteen~~ **twelve** credit hours at an eligible institution by Fall semester immediately following the student's high school graduation date or receive an approved deferral or leave of absence from the Board under subsection 8.7 of this policy. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

4.4. **Citizenship Requirement:** A recipient shall certify under penalty of law they are a citizen of the United States or a noncitizen who is eligible to receive federal student aid.

4.5. **No Criminal Record Requirement:** A recipient shall not have a criminal record, with the exception of a misdemeanor traffic citation.

4.6. **Regents' Scholarship:** A recipient shall not receive both an award and the Regents' Scholarship established in Utah Code §53B-8-108 and administered in R609.

R604-5 Application Procedures: This section establishes the basic application procedures for an award.

5.1. **Application Contact:** Qualifying students shall apply for the award through the Board.

5.2. **General Procedure:** An application for an award shall contain the following:

5.2.1. **Application Form:** the official online application will become available on the New Century website each November prior to the February 1 deadline.

³ Please refer to section 3.5 for clarification.

5.2.2. **College Transcript:** an official college transcript showing college courses, Advanced Placement and transfer work an applicant has completed to meet the requirements for the associate degree and verification of the date the award was earned; and

5.2.3. **High School Transcript:** an official high school transcript with high school graduation dated posted (if applicable).

5.2.4. **ACT Score:** a copy of the student's verified ACT score (if applicable).

5.3. **Registrar Verification:** If an applicant is enrolled at an institution which does not offer an associate degree or an institution that will not award the associate degree until the academic on-campus residency requirement has been met, the registrar must verify that the applicant has completed the equivalent academic requirements under 4.1.1.

5.4. **Application Deadline:** Applicants shall meet the following deadlines:

5.4.1. **Application Submission:** Applicants must submit the official scholarship application no later than February 1 of the year of their high school graduation date or the year they would have graduated from high school.

5.4.2. **Support Documentation Submission:** All necessary support documentation shall be submitted on or before September 1 following the student's high school graduation date. In some cases exceptions may be made as advanced placement and transfer work verification may be delayed at an institutional level and no fault of the applicant. Scholarship awards may be denied if all documentation is not complete and submitted by the specified deadlines. And if any documentation demonstrates that the applicant did not satisfactorily fulfill all coursework and GPA requirements, or if any information, including the attestation of criminal record and citizenship status, proves to be falsified.

5.4.3. **Priority Deadline:** A priority deadline may be established each year. Applicants who meet the priority deadline may be given first priority of consideration for awards.

5.5. **Incomplete Documentation:** Applications or other submissions that have missing information or missing documents are considered incomplete, will not be considered, and may result in failure to meet a deadline.

R604-6 Awards: This section establishes the total value of an award, the power of the Board to change that value, and the eligible institutions where the award may be used.

6.1. **Value of the Award:** The award is up to the amount provided by the law and determined each Spring by the Board based on legislative funding and number of applicants. The total value may change in accordance with subsection 6.2.

6.2. **The Board May Decrease Award:** If the appropriation from the Utah Legislature for the scholarship is insufficient to cover the costs associated with the scholarship, the Board may reduce or limit the award.

6.3. **Eligible Institutions:** An award may be used at [either the following institutions:](#)

6.3.1. [For recipients whose high school graduation date is on or before July 1, 2019, award funds may be used at Public Institution:](#) a four-year institution within the Utah System of Higher

Education that offers Baccalaureate programs; or [a private not-for-profit higher education four-year institution in the state of Utah accredited by the Northwest Commission on Colleges and Universities that offers Baccalaureate programs.](#)

~~6.3.2. **Private Nonprofit Institution** For recipients whose high school graduation date is after July 1, 2019, funds may be used at a four-year institution within the Utah System of Higher Education that offers Baccalaureate programs; a private not for profit higher education four year institution in the state of Utah accredited by the Northwest Commission on Colleges and Universities that offers Baccalaureate programs.~~

6.4. Enrollment at Multiple Institutions: The award may only be used at the institution from which the student is earning a Baccalaureate degree.

6.5. Student Transfer: The award may be transferred to a different eligible institution upon the request of the recipient.

~~6.6. **Regents' Scholarship:** A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105201. **Financial Aid and other Scholarships:** With the exception of the Regents' Scholarship (as detailed in subsection 4.6 of this policy) tuition waivers, financial aid, or other scholarships will not affect a recipient's total award amount.~~

R604-7 Disbursement of Award: This section details the disbursement of the award amounts.

7.1. Disbursement Schedule of Award: The award shall be disbursed semester-by-semester over the shortest of the following time periods:

7.1.1. Four semesters of enrollment in ~~twelve~~**fifteen** credit hours;

7.1.2. sixty credit hours; or

7.1.3. until the recipient meets the requirements for a baccalaureate degree.

7.2. Enrollment Documentation: The recipient shall submit to the Scholarship staff a detailed copy of a class schedule verifying that the recipient is enrolled in ~~twelve~~**fifteen** credit hours or more at an eligible institution. Documentation must include the student's name, the semester the recipient will attend, institution that they are attending and the number of credits the recipient is enrolled.

~~7.3. **Award Payable to Institution:** The award will be made payable to the institution. The institution shall pay over to the recipient any excess award funds not required for tuition payments. Award funds should be used for higher education expenses including tuition, fees, books, supplies, and equipment required for instruction.~~

7.4. Dropped Hours after Award: If a recipient drops credit hours after having received the award which results in enrollment below ~~twelve~~**fifteen** credit hours the scholarship will be revoked (see 8.1) unless the student needs fewer than ~~twelve~~**fifteen** credit hours for completion of a degree.

R604-8. Continuing Eligibility: This section establishes the expectations of recipients to renew their award.

8.1 Reasonable Progress Toward Degree Completion: The Board may cancel a recipient's scholarship if the student fails to:

8.1.1. Maintain 3.3 GPA: to maintain a 3.3 GPA or higher for each semester for which he or she has received awards; or

8.1.2. Reasonable Progress: to make reasonable progress (~~twelve~~~~fifteen~~-credit hours) toward the completion of a Baccalaureate degree and submit the documentation by the deadline as described in subsection 8.2. A recipient must apply and receive an approved deferral or leave of absence under subsection 8.7 if he or she will not enroll in ~~fifteen~~~~twelve~~ credit hours continuously for Fall and Spring semesters.

8.2. Duty of Student to Report Reasonable Progress: Each semester, the recipient must submit to the Board a copy of his or her grades to verify that he or she has met the required grade point average and has completed a minimum of ~~fifteen~~~~twelve~~ credit hours each semester. Recipients will not be paid for the coming semester until the requested documentation has been received. These documents must be submitted by established deadlines.

8.3. Probation: If a recipient earns less than a 3.3 GPA in any single semester, the recipient must earn a 3.3 GPA or better the following semester to maintain eligibility for the scholarship. If the recipient again at any time earns less than a 3.3 GPA the scholarship will be revoked.

8.4. Final Semester: A recipient will not be required to enroll in ~~fifteen~~~~twelve~~ credit hours if the recipient can complete the degree program with fewer credits.

8.5. No Awards after Five Years: The Board will not make an award to a recipient for an academic term that begins more than five years after the recipient's high school graduation date.

8.6. No Guarantee of Degree Completion: An award does not guarantee that the recipient will complete his or her Baccalaureate program within the recipient's scholarship eligibility period.

8.7. Deferral or Leave of Absence:

8.7.1. A recipient shall apply to the Board for a deferral of award or a leave of absence if they do not continuously enroll in ~~fifteen~~~~twelve~~ credit hours.

8.7.2. A deferral or leave of absence will not extend the time limits of the scholarship under subsection 8.5.

8.7.3. Deferrals or leaves of absence may be granted, at the discretion of the Board, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

R604-9 Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and make the awards determination. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

- 9.2.1. ~~The appeal must be in writing and submitted through the U.S. Mail.~~ Appeals must be hand delivered to the office or postmarked within 30 days of the date on which the scholarship notification was issued.
- 9.2.2 In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.
- 9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff regarding their application shall not be considered.
- 9.2.4 If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant and give him or her an opportunity to show that the appeal was timely or that it was delayed for excusable neglect. If it is found that the appeal was not timely and the delay was without excusable neglect, the Scholarship Appeals Committee shall not have jurisdiction to consider the merits.
- 9.2.5 The Scholarship Appeals Committee may consider a late appeal on its merits if it determines the appeal was delayed because of excusable neglect.
- 9.2.6 The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.7 If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.8 If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination.
- 9.2.9 The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.
- 9.2.10. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R604-1. Purpose: The New Century Scholarship encourages students to accelerate their education by earning an Associate's degree in high school from an institution within the Utah System of Higher Education.

R604-2. References

- 2.1. Utah Code §53B-8-105 (2010).
- 2.2. Policy and Procedures R609, Regents' Scholarship.

R604-3. Definitions

- 3.1. **"Applicant"**: is a student who is in their last term in high school and on track to complete the high school graduation requirements of a public school established by the Utah State Board of Education and the student's school district or charter school or a private high school in the state that is accredited by a regional accrediting body approved by the Utah State Board of Regents, or a home-school student.
- 3.2. **"Associate's Degree"**: An Associate of Arts, Associate of Science, or Associate of Applied Science degree received from, or verified by, a regionally accredited institution within the Utah System of Higher Education. If the institution does not offer the above listed degrees, equivalent academic requirements will suffice under subsection 3.5.2. of this policy.
- 3.3. **"Awards"**: New Century Scholarship funds.
- 3.4. **"Board"**: The Utah State Board of Regents.
- 3.5. **"Completes the requirements for an associate degree"**: Means that an applicant completes either of the following:
 - 3.5.1. all the required courses for an associate degree from an institution within the Utah System of Higher Education that offers Associate's degrees; and applies for the Associate's degree from the institution; or
 - 3.5.2. all the required courses for an equivalency to the associate degree from a higher education institution within the Utah System of Higher Education that offers Baccalaureate degrees but does not offer Associate's degrees.²
- 3.6. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard in the processing of an appeal, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.7. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, and April 1, 2016.

² Please note the requirement to have the coursework certified by the campus registrar under subsection 5.3 of this policy.

- 3.8. **“High school”**: a public high school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.9. **“High school graduation date”**: the day on which the recipient’s class graduates from high school. For home-schooled student refer to subsection 4.2.1 of this policy.
- 3.10. **“Home-schooled”**: refers to a student who has not graduated from a Utah high school and received a high school grade point average (GPA).
- 3.11. **“Math and science curriculum”**: the rigorous math and science curriculum developed and approved by the Board which, if completed, qualifies a high school student for an award. Curriculum requirements can be found at the website of the Utah System of Higher Education.
- 3.12. **“New Century Scholarship”**: a renewable scholarship to be awarded to applicants who complete the eligibility requirements of section 4 of this policy.
- 3.13. **“Reasonable progress”**: enrolling and completing at least twelve credit hours during Fall and Spring semesters and earning a 3.3 GPA or higher each semester. If applicable, students attending summer must enroll full-time according to their institution and or program policy regarding full-time status.
- 3.14. **“Recipient”**: an applicant who receives an award under the requirements set forth in this policy.
- 3.15. **“Renewal Documents”**: a college transcript demonstrating that the recipient has met the required semester GPA and a detailed schedule providing proof of enrollment in twelve credit hours for the semester which the recipient is seeking award payment.
- 3.16. **“Scholarship Appeals Committee”**: means the committee designated by Commissioner of Higher Education to review appeals of Regents’ Scholarship award decisions and take final agency action regarding awards.
- 3.17. **“Scholarship Staff”** means the group assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.
- 3.18. **“Substantial Compliance”** means the applicant, in good faith, complied with the substantial or essential scholarship application requirements and has demonstrated likely eligibility but failed to comply exactly with the application specifics.
- 3.19. **“The Utah System of Higher Education-- USHE”**: the Utah System of Higher Education, which includes the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, and Salt Lake Community College.

R604-4. Recipient Requirements: This section enumerates the requirements to qualify as a recipient. Subsection 4.1. creates the general academic requirements. Subsections 4.2 and 4.3 clarify the exceptions and requirements specific for home-schooled students and students whose graduation date occurs in 2010 or before. Subsections 4.4. through 4.7. establish other generally applicable requirements.

- 4.1 **General Academic Requirements:** Unless an exception applies, to qualify as a recipient a student shall:

4.1.1. complete the requirements for an associate degree³ or the math and science curriculum at a regionally accredited institution within the Utah State System of Higher Education

4.1.1.1. with at least a 3.0 grade point average

4.1.1.2. by applicant's high school graduation date; and

4.1.2. complete the high school graduation requirements of a Utah high school with at least a 3.5 cumulative GPA.

4.2. **Utah Home-schooled Students:** For Utah home-schooled applicants the following exceptions and requirements apply:

4.2.1. **High School Graduation Date for Home-schooled Applicants:**

4.2.1.1. **Completes High School in 2011 and After:** If a home-schooled applicant would have completed high school in 2011 or after, the high school graduation date (under subsection 4.1.1.2.) is June 15 of the year the applicant would have completed high school;

4.2.2. **ACT Composite Score Requirement:** A composite ACT score of 26 or higher is required in place of the high school GPA (under subsection 4.1.2).

4.3. **Mandatory Fall Term Enrollment:** A recipient shall enroll in and successfully complete twelve credit hours at an eligible institution by Fall semester immediately following the student's high school graduation date or receive an approved deferral or leave of absence from the Board under subsection 8.7 of this policy. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

4.4. **Citizenship Requirement:** A recipient shall certify under penalty of law they are a citizen of the United States or a noncitizen who is eligible to receive federal student aid.

4.5. **No Criminal Record Requirement:** A recipient shall not have a criminal record, with the exception of a misdemeanor traffic citation.

4.6. **Regents' Scholarship:** A recipient shall not receive both an award and the Regents' Scholarship established in Utah Code §53B-8-108 and administered in R609.

R604-5 Application Procedures: This section establishes the basic application procedures for an award.

5.1. **Application Contact:** Qualifying students shall apply for the award through the Board.

5.2. **General Procedure:** An application for an award shall contain the following:

5.2.1. **Application Form:** the official online application will become available on the New Century website each November prior to the February 1 deadline.

³ Please refer to section 3.5 for clarification.

5.2.2. **College Transcript:** an official college transcript showing college courses, Advanced Placement and transfer work an applicant has completed to meet the requirements for the associate degree and verification of the date the award was earned; and

5.2.3. **High School Transcript:** an official high school transcript with high school graduation dated posted (if applicable).

5.2.4. **ACT Score:** a copy of the student's verified ACT score (if applicable).

5.3. **Registrar Verification:** If an applicant is enrolled at an institution which does not offer an associate degree or an institution that will not award the associate degree until the academic on-campus residency requirement has been met, the registrar must verify that the applicant has completed the equivalent academic requirements under 4.1.1.

5.4. **Application Deadline:** Applicants shall meet the following deadlines:

5.4.1. **Application Submission:** Applicants must submit the official scholarship application no later than February 1 of the year of their high school graduation date or the year they would have graduated from high school.

5.4.2. **Support Documentation Submission:** All necessary support documentation shall be submitted on or before September 1 following the student's high school graduation date. In some cases exceptions may be made as advanced placement and transfer work verification may be delayed at an institutional level and no fault of the applicant. Scholarship awards may be denied if all documentation is not complete and submitted by the specified deadlines. And if any documentation demonstrates that the applicant did not satisfactorily fulfill all coursework and GPA requirements, or if any information, including the attestation of criminal record and citizenship status, proves to be falsified.

5.4.3. **Priority Deadline:** A priority deadline may be established each year. Applicants who meet the priority deadline may be given first priority of consideration for awards.

5.5. **Incomplete Documentation:** Applications or other submissions that have missing information or missing documents are considered incomplete, will not be considered, and may result in failure to meet a deadline.

R604-6 Awards: This section establishes the total value of an award, the power of the Board to change that value, and the eligible institutions where the award may be used.

6.1. **Value of the Award:** The award is up to the amount provided by the law and determined each Spring by the Board based on legislative funding and number of applicants. The total value may change in accordance with subsection 6.2.

6.2. **The Board May Decrease Award:** If the appropriation from the Utah Legislature for the scholarship is insufficient to cover the costs associated with the scholarship, the Board may reduce or limit the award.

6.3. **Eligible Institutions:** An award may be used at the following institutions:

6.3.1. For recipients whose high school graduation date is on or before July 1, 2019, award funds may be used at a four-year institution within the Utah System of Higher Education that offers

Baccalaureate programs or a private not-for-profit higher education four-year institution in the state of Utah accredited by the Northwest Commission on Colleges and Universities that offers Baccalaureate programs.

6.3.2. For recipients whose high school graduation date is after July 1, 2019, funds may be used at a four-year institution within the Utah System of Higher Education that offers Baccalaureate programs..

6.4. **Enrollment at Multiple Institutions:** The award may only be used at the institution from which the student is earning a Baccalaureate degree.

6.5. **Student Transfer:** The award may be transferred to a different eligible institution upon the request of the recipient.

6.6. **Regents' Scholarship:** A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-201.

R604-7 Disbursement of Award: This section details the disbursement of the award amounts.

7.1. **Disbursement Schedule of Award:** The award shall be disbursed semester-by-semester over the shortest of the following time periods:

7.1.1. Four semesters of enrollment in twelve credit hours;

7.1.2. sixty credit hours; or

7.1.3. until the recipient meets the requirements for a baccalaureate degree.

7.2. **Enrollment Documentation:** The recipient shall submit to the Scholarship staff a detailed copy of a class schedule verifying that the recipient is enrolled in twelve credit hours or more at an eligible institution. Documentation must include the student's name, the semester the recipient will attend, institution that they are attending and the number of credits the recipient is enrolled.

7.4. **Dropped Hours after Award:** If a recipient drops credit hours after having received the award which results in enrollment below twelve credit hours the scholarship will be revoked (see 8.1) unless the student needs fewer than twelve credit hours for completion of a degree.

R604-8. Continuing Eligibility: This section establishes the expectations of recipients to renew their award.

8.1 **Reasonable Progress Toward Degree Completion:** The Board may cancel a recipient's scholarship if the student fails to:

8.1.1. **Maintain 3.3 GPA:** to maintain a 3.3 GPA or higher for each semester for which he or she has received awards; or

8.1.2. **Reasonable Progress:** to make reasonable progress (twelve credit hours) toward the completion of a Baccalaureate degree and submit the documentation by the deadline as described in subsection 8.2. A recipient must apply and receive an approved deferral or leave of absence

under subsection 8.7 if he or she will not enroll in twelve credit hours continuously for Fall and Spring semesters.

8.2. Duty of Student to Report Reasonable Progress: Each semester, the recipient must submit to the Board a copy of his or her grades to verify that he or she has met the required grade point average and has completed a minimum of twelve credit hours each semester. Recipients will not be paid for the coming semester until the requested documentation has been received. These documents must be submitted by established deadlines.

8.3. Probation: If a recipient earns less than a 3.3 GPA in any single semester, the recipient must earn a 3.3 GPA or better the following semester to maintain eligibility for the scholarship. If the recipient again at any time earns less than a 3.3 GPA the scholarship will be revoked.

8.4. Final Semester: A recipient will not be required to enroll in twelve credit hours if the recipient can complete the degree program with fewer credits.

8.5. No Awards after Five Years: The Board will not make an award to a recipient for an academic term that begins more than five years after the recipient's high school graduation date.

8.6. No Guarantee of Degree Completion: An award does not guarantee that the recipient will complete his or her Baccalaureate program within the recipient's scholarship eligibility period.

8.7. Deferral or Leave of Absence:

8.7.1. A recipient shall apply to the Board for a deferral of award or a leave of absence if they do not continuously enroll in twelve credit hours.

8.7.2. A deferral or leave of absence will not extend the time limits of the scholarship under subsection 8.5.

8.7.3. Deferrals or leaves of absence may be granted, at the discretion of the Board, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

R604-9 Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and make the awards determination. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

9.2.1. Appeals must be hand delivered to the office or postmarked within 30 days of the date on which the scholarship notification was issued.

9.2.2 In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.

- 9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff regarding their application shall not be considered.
- 9.2.4 If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant and give him or her an opportunity to show that the appeal was timely or that it was delayed for excusable neglect. If it is found that the appeal was not timely and the delay was without excusable neglect, the Scholarship Appeals Committee shall not have jurisdiction to consider the merits.
- 9.2.5 The Scholarship Appeals Committee may consider a late appeal on its merits if it determines the appeal was delayed because of excusable neglect.
- 9.2.6 The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.7 If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.8 If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination.
- 9.2.9 The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.
- 9.2.10. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-1 Purpose: The Regents' Scholarship rewards students whose academic achievements demonstrate a high likelihood of college success and also provides additional financial aid to qualifying students whose economic resources may prevent access to higher education.

R609-2 References

- 2.1. Utah Code Ann. §53B-8-108 et seq., Regents' Scholarship Program.
- 2.2. Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).

R609-3 Definitions

- 3.1. **“Advanced Math”** means any of the following courses: pre-calculus, calculus, statistics, AP calculus AB, AP calculus BC, AP statistics, college courses Math 1030 and higher, IB Math SL, HL, and Further Math.
- 3.2. **“Board”** means the Utah State Board of Regents.
- 3.3. **“College Course Work”** means any instance in which college credit is earned, including but not limited to, concurrent enrollment, distance education, dual enrollment, or early college.
- 3.4. **“Eligible Institutions”** means USHE institutions or any private, nonprofit institution of higher education in Utah accredited by the Northwest Commission on Colleges and Universities (NWCCU) that enters into a data sharing MOU with the Board of Regents.
- 3.5. **“Excusable Neglect”** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.6. **“Good Cause”** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.
- 3.7. **“High School”** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.8. **“Scholarship Appeals Committee”** means the committee designated by Commissioner of Higher Education to review appeals of Regents' Scholarship award decisions and take final agency action regarding awards.
- 3.9. **“Scholarship Award”** means a one-time scholarship awarded to all eligible applicants who meet the eligibility requirements of section R609-4.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, April 1, 2016 and November 17, 2017.

3.10. “**Scholarship Staff**” means the employees assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.

3.11. “**Substantial Compliance**” means the applicant, in good faith, demonstrated clear intent to comply with the scholarship application requirements and has demonstrated likely eligibility, but failed to precisely comply with the application specifics.

3.12. “**Supplemental Award**” means a ~~two-year~~four-semester award of additional funds based on the recipient’s financial ability to access higher education.

R609-4. Award Requirements

4.1. To qualify for the Regents’ Scholarship, the applicant shall satisfy the following criteria:

4.1.1. Graduate from a Utah high school with a minimum, non-weighted GPA of 3.3.

4.1.2. Complete four credits of English.

4.1.3. Complete four credits of math, including one ~~credit~~course of advanced math.

4.1.4. Complete three credits of lab-based biology, chemistry and physics.

4.1.5. Complete two credits of world languages.

4.1.6. Complete three credits of social science.

4.1.7. Complete the ACT with a minimum score of 22.

4.1.8. Receive an Estimated Family Contribution (EFC) by completing and submitting the Free Application for Federal Student Aid (FAFSA).

4.2. A student may satisfy a course requirement through a competency-based assessment provided it is documented for credit on an official transcript.

4.3. The courses completed shall be unique except when repeated for a higher grade.

4.4. Repeated course work shall not count toward accumulation of required credits.

4.5. **College Course Work:** College course work will only be evaluated if the applicant submits an official college transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements.

4.6. **Mandatory Enrollment:** A recipient shall enroll at an eligible institution and complete a minimum of ~~30-12~~ credit hours per academic ~~year~~semester~~or the equivalent of an academic year in the event of a deferment/leave of absence~~. The institution at which the student attends shall verify the recipient has met the enrollment requirements.

4.7. **New Century Scholarship:** A recipient shall not receive both a Regents’ Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105.

609-5 Application Procedures

5.1. Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. The Board may establish a priority deadline each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on the date of they completed and submitted their application.

5.2. Required Documentation: Applicants shall submit the following documents:

5.2.1. The online Regents' Scholarship application.

5.2.2. An official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous official transcripts demonstrating all completed courses and GPA.

5.2.3. If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript.

5.2.4. Verified ACT score(s).

R609-6 Award Amounts and Distribution of Award Funds

6.1. Funding Constraints of Awards: The Board will determine award amounts, depending on the annual legislative appropriation and the number of qualified applicants.

6.2. Scholarship Award: Students who meet the eligibility criteria will receive a one-time scholarship award, the amount of which will be determined annually by the Board

6.3. Supplemental Award: In addition to the Scholarship Award, recipients may qualify for a ~~two-year~~four-semester supplemental award up to a maximum award amount set by the Board annually. The supplemental award amount will be distributed based the following methodology:

6.3.1. Participating institutions shall establish a range with a minimum and maximum Expected Family Contribution (EFC) based on the FAFSA within which eligible recipients' EFC must fall to be eligible for a supplemental award. Participating institutions shall annually revise and report EFC range of eligibility to the Office of the Commissioner by February 1.

6.3.2. The institution may then award the supplemental amount to each recipient up to the established maximum award, based on state and federal aid the recipient is already receiving and the EFC. The supplemental award shall not be used to exceed the recipient's remaining cost for tuition, fees, books, required course materials and housing after all other financial aid is considered.

6.3.3. Supplemental award recipients must maintain a 3.0 GPA and complete a minimum of ~~30~~12 credit hours per academic ~~year~~semester or equivalent to remain eligible for the award. Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again

[earns less than a 3.3 GPA the scholarship may be revoked.](#) Institutions shall verify the recipient has met these requirements.

6.3.4. If in the course of distributing awards the institution reduces a recipient's award based on that student's other financial aid, the remaining funds may be used to distribute further supplemental awards to other recipients. Additionally, institutions may additionally distribute unused or forfeited funds to other eligible recipients.

6.4. UESP Supplemental Award to Encourage College Savings: Subject to available funding, an applicant who qualifies for the Base award is eligible to receive up to an additional \$300 in state funds to be added to the total scholarship award.

6.4.1. For each year the applicant is 14, 15, or 16 years of age and had an active UESP account, the Board may contribute, subject to available funding, \$100 (i.e., up to \$300 total for all three years) to the recipient's award if at least \$100 was deposited into the account for which the applicant is named the beneficiary.

6.4.2. If no contributions are made to an applicant's account during a given year, the matching amount will likewise be \$0.

6.4.3. If contributions total more than \$100 in a given year, the matching amount will cap at \$100 for that year.

6.4.4. Matching funds apply only to contributions, not to transfers, earnings, or interest.

R609-7 Time Constraints and Deferrals

7.1. Time Limitation: Regents' Scholarship recipients shall use the award in its entirety within five years after their school graduation date.

7.2. Deferral or Leave of Absence: Recipients who will not enroll as a student shall apply for a deferral or leave of absence with their institution.

7.2.1. Deferrals or leaves of absence may be granted, at the discretion of the institution, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

7.2.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms which begin within five years after the recipient's high school graduation date.

R609-8 Transfers

8.1. Recipients may transfer to another eligible institution and retain the scholarship and supplemental awards. Recipients are responsible to inform ~~the financial aid office at the institution to which they are transferring that they are receiving the Regents Scholarship at their current institution~~ [the Office of the Commissioner of their intent to transfer.](#) ~~The financial aid offices at the respective schools~~ [The Office of the Commissioner](#) shall coordinate the transfer of scholarship funds and information.

R609-9 Scholarship Determinations and Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and determine eligibility. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

- 9.2.1.** Applicants may submit a written appeal through either the U.S. Mail or their Regents Scholarship Student Account. Appeals must be postmarked (if mailed) or submitted online within 30 days of the date on which the scholarship notification was issued.
- 9.2.2** In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.
- 9.2.3.** An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision may not be considered.
- 9.2.4** If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.
- 9.2.5** The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.6** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.7** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.
- 9.2.8** The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.

- 9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting.

10.1. ~~On or before April 30 each year, e~~As directed by the Commissioner's staff, eligible institutions shall report to the Board of Regents the following:

10.1.1. The names of students the institutions awarded Regents' Scholarship funds.

~~10.1.2. The amount each recipient received, including scholarship additional funds under this policy.~~

10.1.2.3. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information~~If the recipient received supplemental funds, the EFC, the current GPA, and the number of credits completed.~~

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board of Regents may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.

R609-1 Purpose: The Regents' Scholarship rewards students whose academic achievements demonstrate a high likelihood of college success and also provides additional financial aid to qualifying students whose economic resources may prevent access to higher education.

R609-2 References

- 2.1. Utah Code Ann. §53B-8-108 et seq., Regents' Scholarship Program.
- 2.2. Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).

R609-3 Definitions

- 3.1. **"Advanced Math"** means any of the following courses: pre-calculus, calculus, statistics, AP calculus AB, AP calculus BC, AP statistics, college courses Math 1030 and higher, IB Math SL, HL, and Further Math.
- 3.2. **"Board"** means the Utah State Board of Regents.
- 3.3. **"College Course Work"** means any instance in which college credit is earned, including but not limited to, concurrent enrollment, distance education, dual enrollment, or early college.
- 3.4. **"Eligible Institutions"** means USHE institutions or any private, nonprofit institution of higher education in Utah accredited by the Northwest Commission on Colleges and Universities (NWCCU) that enters into a data sharing MOU with the Board of Regents.
- 3.5. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.6. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.
- 3.7. **"High School"** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.8. **"Scholarship Appeals Committee"** means the committee designated by Commissioner of Higher Education to review appeals of Regents' Scholarship award decisions and take final agency action regarding awards.
- 3.9. **"Scholarship Award"** means a one-time scholarship awarded to all eligible applicants who meet the eligibility requirements of section R609-4.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, April 1, 2016 and November 17, 2017.

3.10. **“Scholarship Staff”** means the employees assigned to review Regents' Scholarship applications and make initial decisions awarding the scholarships.

3.11. **“Substantial Compliance”** means the applicant, in good faith, demonstrated clear intent to comply with the scholarship application requirements and has demonstrated likely eligibility, but failed to precisely comply with the application specifics.

3.12. **“Supplemental Award”** means a four-semester award of additional funds based on the recipient's financial ability to access higher education.

R609-4. Award Requirements

4.1. To qualify for the Regents' Scholarship, the applicant shall satisfy the following criteria:

4.1.1. Graduate from a Utah high school with a minimum, non-weighted GPA of 3.3.

4.1.2. Complete four credits of English.

4.1.3. Complete four credits of math, including one course of advanced math.

4.1.4. Complete three credits of lab-based biology, chemistry and physics.

4.1.5. Complete two credits of world languages.

4.1.6. Complete three credits of social science.

4.1.7. Complete the ACT with a minimum score of 22.

4.1.8. Receive an Estimated Family Contribution (EFC) by completing and submitting the Free Application for Federal Student Aid (FAFSA).

4.2. A student may satisfy a course requirement through a competency-based assessment provided it is documented for credit on an official transcript.

4.3. The courses completed shall be unique except when repeated for a higher grade.

4.4. Repeated course work shall not count toward accumulation of required credits.

4.5. **College Course Work:** College course work will only be evaluated if the applicant submits an official college transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements.

4.6. **Mandatory Enrollment:** A recipient shall enroll at an eligible institution and complete a minimum of 12 credit hours per academic semester. The institution at which the student attends shall verify the recipient has met the enrollment requirements.

4.7. **New Century Scholarship:** A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105.

609-5 Application Procedures

5.1. Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. The Board may establish a priority deadline each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on the date of they completed and submitted their application.

5.2. Required Documentation: Applicants shall submit the following documents:

5.2.1. The online Regents' Scholarship application.

5.2.2. An official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous official transcripts demonstrating all completed courses and GPA.

5.2.3. If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript.

5.2.4. Verified ACT score(s).

R609-6 Award Amounts and Distribution of Award Funds

6.1. Funding Constraints of Awards: The Board will determine award amounts, depending on the annual legislative appropriation and the number of qualified applicants.

6.2. Scholarship Award: Students who meet the eligibility criteria will receive a one-time scholarship award, the amount of which will be determined annually by the Board

6.3. Supplemental Award: In addition to the Scholarship Award, recipients may qualify for a four-semester supplemental award up to a maximum award amount set by the Board annually. The supplemental award amount will be distributed based the following methodology:

6.3.1. Participating institutions shall establish a range with a minimum and maximum Expected Family Contribution (EFC) based on the FAFSA within which eligible recipients' EFC must fall to be eligible for a supplemental award. Participating institutions shall annually revise and report EFC range of eligibility to the Office of the Commissioner by February 1.

6.3.2. The institution may then award the supplemental amount to each recipient up to the established maximum award, based on state and federal aid the recipient is already receiving and the EFC. The supplemental award shall not be used to exceed the recipient's remaining cost for tuition, fees, books, required course materials and housing after all other financial aid is considered.

6.3.3. Supplemental award recipients must maintain a 3.0 GPA and complete a minimum of 12 credit hours per academic semester or equivalent to remain eligible for the award. Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again earns less

than a 3.3 GPA the scholarship may be revoked. Institutions shall verify the recipient has met these requirements.

6.3.4. If in the course of distributing awards the institution reduces a recipient's award based on that student's other financial aid, the remaining funds may be used to distribute further supplemental awards to other recipients. Additionally, institutions may additionally distribute unused or forfeited funds to other eligible recipients.

6.4. **UESP Supplemental Award to Encourage College Savings:** Subject to available funding, an applicant who qualifies for the Base award is eligible to receive up to an additional \$300 in state funds to be added to the total scholarship award.

6.4.1. For each year the applicant is 14, 15, or 16 years of age and had an active UESP account, the Board may contribute, subject to available funding, \$100 (i.e., up to \$300 total for all three years) to the recipient's award if at least \$100 was deposited into the account for which the applicant is named the beneficiary.

6.4.2. If no contributions are made to an applicant's account during a given year, the matching amount will likewise be \$0.

6.4.3. If contributions total more than \$100 in a given year, the matching amount will cap at \$100 for that year.

6.4.4. Matching funds apply only to contributions, not to transfers, earnings, or interest.

R609-7 Time Constraints and Deferrals

7.1. **Time Limitation:** Regents' Scholarship recipients shall use the award in its entirety within five years after their school graduation date.

7.2. **Deferral or Leave of Absence:** Recipients who will not enroll as a student shall apply for a deferral or leave of absence with their institution.

7.2.1. Deferrals or leaves of absence may be granted, at the discretion of the institution, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

7.2.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms which begin within five years after the recipient's high school graduation date.

R609-8 Transfers

8.1. Recipients may transfer to another eligible institution and retain the scholarship and supplemental awards. Recipients are responsible to inform the Office of the Commissioner of their intent to transfer. The Office of the Commissioner shall coordinate the transfer of scholarship funds and information.

R609-9 Scholarship Determinations and Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and determine eligibility. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

- 9.2.1. Applicants may submit a written appeal through either the U.S. Mail or their Regents Scholarship Student Account. Appeals must be postmarked (if mailed) or submitted online within 30 days of the date on which the scholarship notification was issued.
- 9.2.2. In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.
- 9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision may not be considered.
- 9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.
- 9.2.5. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.6. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.7. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.
- 9.2.8. The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.
- 9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting.

10.1. As directed by the Commissioner's staff, eligible institutions shall report to the Board of Regents the following:

10.1.1. The names of students the institutions awarded Regents' Scholarship funds.

10.1.2. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information.

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board of Regents may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.



R609BR609C, Regents' Scholarship ¹

R609-1 -Purpose: ~~The Regents' Scholarship is designed to encourage~~ encourages students to complete the Regents' Recommended High School Curriculum, in order to provide better access to higher education opportunities and to reward students for preparing academically for college.

~~The Regents' Scholarship rewards students whose academic achievements demonstrate a high likelihood of college success and also provides additional financial aid to qualifying students whose economic resources may prevent access to higher education.~~

R609-2 -References

- 2.1. Utah Code ~~Ann.~~ Section §53B-8-108 et seq., Regents' Scholarship Program.
- 2.2. Utah Code Section 53B-2-101(1), Institutions of Higher Education
- 2.23. Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).

R609-3 -Definitions

- 3.1. **"Advanced Math"** means any of the following courses: pre-calculus, calculus, statistics, AP calculus AB, AP calculus BC, AP statistics, college courses Math 1030 and higher, IB Math SL, HL, and Further Math.
- 3.2. **"Board"** means the Utah State Board of Regents.
- 3.3. **"College Course Work"** means any instance in which college credit is earned, including but not limited to, concurrent enrollment, distance education, dual enrollment, or early college.
- 3.4. **"Eligible Institutions"** means ~~USHE~~ institutions of higher education listed in Utah Code Section 53B-2-101(1) ~~or any private, nonprofit institution of higher education in Utah accredited by the Northwest Commission on Colleges and Universities (NWCCU) that enters into a data sharing MOU with the Board of Regents.~~
- 3.5. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.6. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.
- 3.7. **"High School"** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, April 1, 2016 and November 17, 2017.

3.8. **“Scholarship Appeals Committee”** means the committee designated by Commissioner of Higher Education to review appeals of Regents’ Scholarship award decisions and take final agency action regarding awards.

3.9. **“Scholarship Award”** means a ~~one-time~~ scholarship awarded to all ~~eligible~~ applicants who meet the eligibility requirements of section R609-4.

3.10. **“Scholarship Staff”** means the employees assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.

3.11. **“Substantial Compliance”** means the applicant, in good faith, demonstrated clear intent to comply with the scholarship application requirements and has demonstrated likely eligibility, but failed to precisely comply with the application specifics.

~~3.12. **“Supplemental Award”** means a two-year award of additional funds based on the recipient’s financial ability to access higher education.~~

R609-4. Award Requirements

4.1. To qualify for the Regents’ Scholarship, the applicant shall satisfy the following criteria:

4.1.1. Graduate from a Utah high school with a minimum, non-weighted GPA of 3.3.

4.1.2. Complete four credits of English.

4.1.3. Complete four credits of math, including one ~~course~~~~credit~~ of advanced math.

4.1.4. Complete three credits of lab-based biology, chemistry and physics.

4.1.5. Complete two credits of world languages.

4.1.6. Complete three credits of social science.

4.1.7. Complete the ACT with a minimum score of 22.

4.1.8. ~~Receive an Estimated Family Contribution (EFC) by completing and submitting~~ [Complete and submit](#) the Free Application for Federal Student Aid (FAFSA).

4.2. A student may satisfy a course requirement through a competency-based assessment provided it is documented for credit on an official transcript.

4.3. The courses completed ~~shall~~~~must~~ be unique except when repeated for a higher grade.

4.4. Repeated course work ~~shall~~~~will~~ not count toward accumulation of required credits.

4.5. **College Course Work:** College course work will only be evaluated if the applicant submits an official college transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements.

4.6. Mandatory Enrollment: An award recipient attending a credit-granting eligible institution shall enroll in ~~at an eligible institution and complete a minimum of 30~~ for a minimum of 12 credit hours per academic year semester, beginning with ~~at a USHE institution the fall semester after high school graduation. or in a program of study deemed eligible for the award within the Utah System of Technical Colleges.~~ An award recipient attending a non-credit granting institution must enroll full time in a program eligible for federal aid by September 1 after high school graduation. :- ~~or the equivalent of an academic year in the event of a deferment/leave of absence.~~ The institution at which the student attends shall verify the recipient has met the enrollment requirements.

4.6.1. Scholarship recipients must elect whether to use the award funds at credit granting institutions or non-credit granting institutions. - The decision is irrevocable; recipients may not transfer awards between non-credit granting and credit granting institutions.

4.7. New Century Scholarship: A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105.

609-5 Application Procedures

5.1. Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. The Board may establish a priority deadline each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on the date of they completed and submitted their application.

5.2. Required Documentation: Applicants shall submit the following documents:

5.2.1. The online Regents' Scholarship application.

5.2.2. An official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous official transcripts demonstrating all completed courses and GPA.

5.2.3. If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript.

5.2.4. Verified ACT score(s).

R609-6 Award Amounts ~~and Distribution of Award Funds~~ and Renewals.

6.1. Funding Constraints of Awards: The Board will determine award amounts, depending on the annual legislative appropriation, whether the institution is a credit granting or non-credit granting institution, and the number of qualified applicants.

6.2. Scholarship Award: Students who meet the eligibility criteria ~~and enroll at a credit granting institution~~ will receive a ~~one-time four-semester~~ scholarship award, the amount of which will be determined annually by the Board. Students who enroll in a non-credit granting institution will receive a one-time scholarship award, the amount of which will be determined annually by the Board, which the institution may

disburse over the course of a recipient's enrollment within this policy's limits and requirements. ~~two-year award scholarship~~

6.3. Supplemental Award: In addition to the Scholarship Award, recipients may qualify for a two-year supplemental award up to a maximum award amount set by the Board annually. The supplemental award amount will be distributed based the following methodology:

6.3.1. Participating institutions shall establish a range with a minimum and maximum Expected Family Contribution (EFC) based on the FAFSA within which eligible recipients' EFC must fall to be eligible for a supplemental award. Participating institutions shall annually revise and report EFC range of eligibility to the Office of the Commissioner by February 1.

6.3.2. The institution may then award the supplemental amount to each recipient up to the established maximum award, based on state and federal aid the recipient is already receiving and the EFC. The supplemental award shall not be used to exceed the recipient's remaining cost for tuition, fees, books, required course materials and housing after all other financial aid is considered.

6.3.3. Ongoing Eligibility: ~~Supplemental award~~ Scholarship recipients who enroll at a credit granting institution and receive a two-year award must maintain a 3.0 GPA and complete a minimum of ~~30-12~~ credit hours per academic ~~year semester or equivalent~~ to remain eligible for the award. Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again at any time earns less than a 3.3 GPA the scholarship may be revoked. Recipients attending a non-credit granting institution must enroll full time and maintain 80% progress. Institutions shall verify the recipient has met these requirements. Recipients who do not maintain eligibility forfeit the remaining award amount.

~~6.3.3. Recipients who enroll at non-credit granting institutions receive a one-time award and need not renew their eligibility.~~

~~6.3.4. If in the course of distributing awards the institution reduces a recipient's award based on that student's other financial aid, the remaining funds may be used to distribute further supplemental awards to other recipients. Additionally, institutions may additionally distribute unused or forfeited funds to other eligible recipients.~~

6.4. UESP Supplemental Award to Encourage College Savings: Subject to available funding, an applicant who qualifies for the Base award is eligible to receive up to an additional \$300 in state funds to be added to the total scholarship award.

~~6.4.1. For each year the applicant is 14, 15, or 16 years of age and had an active UESP account, the Board may contribute, subject to available funding, \$100 (i.e., up to \$300 total for all three years) to the recipient's award if at least \$100 was deposited into the account for which the applicant is named the beneficiary.~~

~~6.4.2. If no contributions are made to an applicant's account during a given year, the matching amount will likewise be \$0.~~

~~6.4.3. If contributions total more than \$100 in a given year, the matching amount will cap at \$100 for that year.~~

~~6.4.4. Matching funds apply only to contributions, not to transfers, earnings, or interest.~~

R609-7. Time Constraints and Deferrals

7.1. Time Limitation: ~~Regents' Scholarship recipients funds shall use the award in its entirety within~~ are only available to a recipient for five years after their high school graduation date.

7.2. Upon the first day a recipient begins courses using the scholarship funds at a non-credit granting institution, the recipient must use the award in its entirety within two years, unless extended under section 7.3. This time limit does not extend the five-year award availability under section 7.1.

7.32. Deferral or Leave of Absence: Recipients who will not enroll as a student shall apply for a deferral or leave of absence with their institution.

7.32.1. Deferrals or leaves of absence may be granted, at the discretion of the institution, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

7.32.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms ~~which~~ that begin within five years after the recipient's high school graduation date.

R609-8 Transfers

8.1. Recipients who elect to attend a credit granting institution may transfer to another credit granting eligible institution and retain the scholarship ~~and supplemental~~ awards. Recipients are responsible to inform the ~~financial aid office at the institution to which they are transferring that they are receiving the Regents Scholarship at their current institution~~ Office of the Commissioner of their intent to transfer. ~~The financial aid offices at the respective schools~~ The Office of the Commissioner shall coordinate the transfer of scholarship funds and information.

R609-9 Scholarship Determinations and Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and determine eligibility. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

9.2.1. Applicants may submit a written appeal through either the U.S. Mail or their Regents Scholarship Student Account. Appeals must be postmarked (if mailed) or submitted online within 30 days of the date on which the scholarship notification was issued.

9.2.2. In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.

9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision may not be considered.

9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.

9.2.5. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.

9.2.6. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.

9.2.7. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.

9.2.8. The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.

9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting-

10.1. ~~On or before April 30 each year, e~~As directed by Commissioner's staff, eligible institutions shall report to the Board of Regents the following:

10.1.1. The names of students the institutions awarded Regents' Scholarship funds.

~~10.1.2. The amount each recipient received, including scholarship additional funds under this policy.~~

10.1.32. Enrollment information such as ~~if the recipient received supplemental funds, the EFC, the current GPA, and the number of credits completed,~~ and deferment or leave of absence information.

10.1.43. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board of Regents may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.

R609-1 Purpose: The Regents' Scholarship encourages students to complete the Regents' Recommended High School Curriculum, in order to provide better access to higher education opportunities and to reward students for preparing academically for college.

R609-2 References

- 2.1. Utah Code Section 53B-8-108 et seq., Regents' Scholarship Program.
- 2.2. Utah Code Section 53B-2-101(1), Institutions of Higher Education
- 2.3. Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).

R609-3 Definitions

- 3.1. **"Advanced Math"** means any of the following courses: pre-calculus, calculus, statistics, AP calculus AB, AP calculus BC, AP statistics, college courses Math 1030 and higher, IB Math SL, HL, and Further Math.
- 3.2. **"Board"** means the Utah State Board of Regents.
- 3.3. **"College Course Work"** means any instance in which college credit is earned, including but not limited to, concurrent enrollment, distance education, dual enrollment, or early college.
- 3.4. **"Eligible Institutions"** means institutions of higher education listed in Utah Code Section 53B-2-101(1)..
- 3.5. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.6. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.
- 3.7. **"High School"** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.8. **"Scholarship Appeals Committee"** means the committee designated by Commissioner of Higher Education to review appeals of Regents' Scholarship award decisions and take final agency action regarding awards.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, April 1, 2016 and November 17, 2017.

3.9. **“Scholarship Award”** means a scholarship awarded to all applicants who meet the eligibility requirements of section R609-4.

3.10. **“Scholarship Staff”** means the employees assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.

3.11. **“Substantial Compliance”** means the applicant, in good faith, demonstrated clear intent to comply with the scholarship application requirements and has demonstrated likely eligibility, but failed to precisely comply with the application specifics.

R609-4 Award Requirements

4.1. To qualify for the Regents' Scholarship, the applicant shall satisfy the following criteria:

4.1.1. Graduate from a Utah high school with a minimum, non-weighted GPA of 3.3.

4.1.2. Complete four credits of English.

4.1.3. Complete four credits of math, including one course of advanced math.

4.1.4. Complete three credits of lab-based biology, chemistry and physics.

4.1.5. Complete two credits of world languages.

4.1.6. Complete three credits of social science.

4.1.7. Complete the ACT with a minimum score of 22.

4.1.8. Complete and submit the Free Application for Federal Student Aid (FAFSA).

4.2. A student may satisfy a course requirement through a competency-based assessment provided it is documented for credit on an official transcript.

4.3. The courses completed must be unique except when repeated for a higher grade.

4.4. Repeated course work will not count toward accumulation of required credits.

4.5. **College Course Work:** College course work will only be evaluated if the applicant submits an official college transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements.

4.6. **Mandatory Enrollment:** An award recipient attending a credit-granting eligible institution shall enroll in a minimum of 12 credit hours per academic semester, beginning with the fall semester after high school graduation. An award recipient attending a non-credit granting institution must enroll full time in a program eligible for federal aid by September 1 after high school graduation. The institution at which the student attends shall verify the recipient has met the enrollment requirement.

4.6.1. Scholarship recipients must elect whether to use the award funds at credit granting institutions or non-credit granting institutions. The decision is irrevocable; recipients may not transfer awards between non-credit granting and credit granting institutions.

4.7. New Century Scholarship: A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105.

609-5 Application Procedures

5.1. Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. The Board may establish a priority deadline each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on the date of they completed and submitted their application.

5.2. Required Documentation: Applicants shall submit the following documents:

5.2.1. The online Regents' Scholarship application.

5.2.2. An official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous official transcripts demonstrating all completed courses and GPA.

5.2.3. If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript.

5.2.4. Verified ACT score(s).

R609-6 Award Amounts and Renewals.

6.1. Funding Constraints of Awards: The Board will determine award amounts, depending on the annual legislative appropriation, whether the institution is a credit granting or non-credit granting institution, and the number of qualified applicants.

6.2. Scholarship Award: Students who meet the eligibility criteria and enroll at a credit granting institution will receive a four-semester scholarship award, the amount of which will be determined annually by the Board. Students who enroll in a non-credit granting institution will receive a one-time scholarship award, the amount of which will be determined annually by the Board, which the institution may disburse over the course of a recipient's enrollment within this policy's limits and requirements.

6.3. Ongoing Eligibility: Scholarship recipients who enroll at a credit granting institution must maintain a 3.0 GPA and complete a minimum of 12 credit hours per academic semester to remain eligible for the award. Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again at any time earns less than a 3.3 GPA the scholarship may be revoked. Institutions shall verify the recipient has met these requirements. Recipients who do not maintain eligibility forfeit the remaining award amount.

R609-7. Time Constraints and Deferrals

7.1. Time Limitation: Scholarship funds are only available to a recipient for five years after their high school graduation date.

7.2. Upon the first day a recipient begins courses using the scholarship funds at a non-credit granting institution, the recipient must use the award in its entirety within two years, unless extended under section 7.3. This time limit does not extend the five-year award availability under section 7.1.

7.3. **Deferral or Leave of Absence:** Recipients who will not enroll as a student shall apply for a deferral or leave of absence with their institution.

7.3.1. Deferrals or leaves of absence may be granted, at the discretion of the institution, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

7.3.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms that begin within five years after the recipient's high school graduation date.

R609-8 Transfers

8.1. Recipients who elect to attend a credit granting institution may transfer to another credit granting institution and retain the scholarship award. Recipients are responsible to inform the Office of the Commissioner of their intent to transfer. The Office of the Commissioner shall coordinate the transfer of scholarship funds and information.

R609-9 Scholarship Determinations and Appeals

9.1. **Scholarship Determinations:** Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and determine eligibility. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. **Appeals:** An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

9.2.1. Applicants may submit a written appeal through either the U.S. Mail or their Regents Scholarship Student Account. Appeals must be postmarked (if mailed) or submitted online within 30 days of the date on which the scholarship notification was issued.

9.2.2. In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.

9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision may not be considered.

9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.

9.2.5. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.

9.2.6. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.

9.2.7. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.

9.2.8. The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.

9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting

10.1. As directed by Commissioner's staff, eligible institutions shall report to the Board of Regents the following:

10.1.1. The names of students the institutions awarded Regents' Scholarship funds.

10.1.2. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information.

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board of Regents may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Regent Policy R609A, *Regents' Scholarship*

Issue

During the 2019 Legislative Session, the Legislature appropriated one-time funding for Regents' Scholarship applicants who did not receive the scholarship and unsuccessfully exhausted all administrative and judicial remedies. The funding is discretionary, but the Commissioner's office requires Board policy to disburse those funds when appropriate.

Background

The Regents' Scholarship requires applicants to meet certain requirements for eligibility, including providing specific documents and meeting deadlines. Occasionally, an applicant who would have otherwise been eligible for the scholarship failed to meet all application requirements. If, after seeking relief from all available administrative and judicial remedies, an applicant is still unable to qualify for the Regents' Scholarship, he or she may request the Commissioner's office for a discretionary award, provided the Legislature has appropriated funding for this specific purpose.

This discretionary award option is only available for applicants who would have qualified for scholarships awarded under R609A. The Commissioner's Office may award funding under this policy at its sole discretion based on case-by-case circumstances, and only while funding is available.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the revisions to policy R609A, *Regents' Scholarship* effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GL

R609-1 Purpose: The Regents' Scholarship encourages Utah high school students to prepare for college academically and financially by taking a core course of study in grades 9-12 and saving for college. This statewide scholarship is aligned with the Utah Scholars Core Course of Study which is based on national recommendations as outlined by the State Scholars Initiative. The courses required by the scholarship are proven to help students become college and career ready. In addition, this scholarship encourages high school students to complete meaningful course work through their senior year.

R-609-2 References

- 2.1 Utah Code Ann. §53B-8-108 et seq., Regents' Scholarship Program
- 2.2 Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).
- 2.3 Regents' Policy and Procedures R604, New Century Scholarship.

R609-3 Definitions

3.1 "Applicant" means a student who is in their last term in high school and on track to complete the high school graduation requirements of a public school established by the Utah State Board of Education and the student's school district or charter school or a private high school in the state that is accredited by a regional accrediting body approved by the Utah State Board of Regents.

3.2 "Base Award": a one-time scholarship to be awarded to applicants who complete the eligibility requirements of section R609-4 of this policy.

3.3 "Board" means the Utah State Board of Regents.

3.4 "College Course Work" means any instance in which college credit is earned, including but limited to, concurrent enrollment, distance education, dual enrollment, or early college.

3.5 "Core Course of Study" means the courses taken during grades 9-12 for the Core Course of study which include:

3.5.1 4.0 units of English;

3.5.2 4.0 units of mathematics taken in a progressive manner (at minimum Secondary Mathematics I, Secondary Mathematics II, Secondary Mathematics III and one class beyond); if the student is attending a school that has not implemented the Utah Core "K-12" Standards, a student would complete at minimum Algebra I, Geometry, Algebra II, and a class beyond Algebra II

3.5.3 3.5 units of social studies;

3.5.4 3.0 units of lab-based natural science (one each of Biology, Chemistry, and Physics); and

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013 and April 1, 2016.

3.5.5 2.0 units of the same foreign language, other than English, taken in a progressive manner.

3.6 “Eligible Institutions” means institutions of the USHE or any private, nonprofit institution of higher education in Utah accredited by the Northwest Commission on Colleges and Universities (NWCCU).

3.7 “Excusable Neglect” means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.

3.8 “Exemplary Academic Achievement Award” (“Exemplary Award”) means a renewable scholarship to be awarded to students who complete the eligibility requirements of section 4.2 of this policy.

3.9 “Good Cause” means the student’s failure to meet a scholarship application process requirement was due to circumstances beyond the student’s control or circumstances that are compelling and reasonable.

3.10 “High school” means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.

3.11 “Home – Schooled” refers to a student who has not graduated from a Utah high school and received credits and/ or letter grades for the Core Course of study in grades 9-12.

3.12 “Recipient” means an applicant who receives an award under the requirements set forth in this policy.

3.13 “Reasonable progress” means enrolling and completing at least fifteen credit hours during Fall and Spring semesters and earning a 3.3 grade point average (GPA) or higher each semester while enrolled at an eligible institution and receiving the award.

3.14 “Renewal Documents” include institutionally produced documents demonstrating that the recipient has met the required semester GPA and a detailed schedule providing proof of enrollment in fifteen credit hours for the semester for which the recipient is seeking award payment.

3.15 “Scholarship Appeals Committee” means the committee designated by Commissioner of Higher Education to review appeals of Regents’ Scholarship award decisions and take final agency action regarding awards.

3.16 “Scholarship Staff” means the group assigned to review Regents’ Scholarship applications and make initial decisions awarding the scholarships.

3.17 “Substantial Compliance” means the applicant, in good faith, complied with the substantial or essential scholarship application requirements and has demonstrated likely eligibility but failed to comply exactly with the application specifics.

3.18 “UESP” means the Utah Educational Savings Plan.

3.19 “USHE” means the Utah system of higher education, which includes the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, and Salt Lake Community College.

3.20 Weighted Grade: A grade shall be weighted if a student completed an advanced placement, international baccalaureate or college course. The grade weight given is half the value of the high school credits earned for the course. For AP and IB courses all grades are averaged and then the weight is applied. When college credit is earned the grade weight is applied to the grade shown on the college transcript.

R609-4. Base Award Requirements: To qualify for the Regents' Scholarship Base award, the applicant shall satisfy the following criteria:

4.1 Complete the Core Course of Study as defined in section 3.5 of this policy subject to the following criteria:

- 4.1.1** Not all courses that meet state and individual district high school graduation requirements meet the scholarship requirements.
- 4.1.2** Course Availability: In addition to taking courses at the school they are attending, a student may complete coursework through other accredited Utah high schools or Utah eligible institutions.
- 4.1.3** A student may meet a course requirement through a competency-based assessment provided it is documented on a transcript and has a letter grade(A-C) assigned.
- 4.1.4** The courses completed shall be unique except when repeated for a higher grade as noted in (insert section). Students may not take a standard course and then enroll in the honors version of the same course and count both toward meeting the scholarship credit requirements and, when applicable, the requirement of progression.
- 4.1.5** Repeated course work shall not count toward accumulation of required credits.

4.2 GPA: The applicant shall demonstrate completion of the Core Course of Study with a non-weighted cumulative high school GPA of at least 3.0.

4.3 Minimum Grade requirement: the applicant shall earn a course grade on a transcript of "C" or above in each individual course listed in section 3.4. Certain courses may receive a weighted grade as outlined under subsection 9.5 as part of the scholarship award determination.

4.4 Replacing Low Grades by Retaking a Course: An applicant may retake a course to replace a low grade received. When retaking courses to replace a grade the following subsections apply:

4.5 The Entire Course: The applicant shall either (1) retake the entire original course, or (2) complete an approved course equal to or greater in credit value in the same subject-area. The math and foreign language requirement of progression shall be shown. This is true even if the applicant only received a lower grade in a single semester, term, trimester, or quarter.

4.6 The Higher of Two Grades: The higher of two grades in the same or an approved course will count towards meeting the scholarship requirements.

4.7 Approved Courses and Progression Determined by the Regents' Scholarship Review Committee: The Regents' Scholarship Review Committee reserves the right to determine if the repeated course qualifies as an approved course in the same subject-area and if progression is required and demonstrated.

4.8 "P" and "I" Grades not Accepted: Pass/fail or incomplete grades do not meet the minimum scholarship grade requirement.

4.9 College Course Work: College course work will only be evaluated if the applicant submits an Official College transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements. The student is evaluated on the college grade earned, with the weight added to the college grade as defined in section 3.19.

4.10 ACT Score: The applicant shall submit at least one verified ACT score.

4.11 Utah High School Graduation: The applicant shall have graduated from a Utah high school.

4.12 Citizenship: A recipient shall be a citizen of the United States or a noncitizen who is eligible to receive federal student aid.

4.13 No Criminal Record: A recipient shall not have a criminal record, with the exception of a misdemeanor traffic citation.

4.14 Mandatory Fall Semester Enrollment: A recipient shall enroll in fifteen credit hours at an eligible institution by Fall semester immediately following the student's high school graduation date or receive an approved deferral from the Board under subsection 7.2. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

4.15 New Century Scholarship: A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105 and administered in R604.609-5. **Exemplary Academic Achievement Award Requirements:** To qualify for the Regents' Scholarship Exemplary Academic Achievement award, the applicant shall satisfy all requirements for the Base award (see section 3.4), and additionally meet all of the following requirements:

4.16 GPA: The applicant shall have a non-weighted cumulative high school GPA of at least 3.5.

4.17 Minimum Grade: The applicant shall earn a course grade on a transcript of "B" or above in each individual course listed in section 3.4. Certain courses may receive a weighted grade as part of the scholarship award determination.

4.18 ACT Score: The applicant shall submit a verified composite ACT score of at least 26.

609-5. Continuation and Renewal of the Exemplary Award.

5.1 Duty of Student to Report Reasonable Progress Toward Degree Completion: In order to renew the Exemplary Academic Achievement Award, the recipient shall submit renewal documents each semester, providing evidence of reasonable progress toward degree completion by the deadlines established in current program materials.

5.2 If the recipient fails to maintain a 3.3 GPA in a single semester the recipient is placed on probation and shall earn a 3.3 GPA or better the following semester to maintain eligibility. If the recipient again at any time earns less than a 3.3 GPA or fails to enroll and complete fifteen credit hours, except as outlined in section 7.2 of this policy, the scholarship may be revoked.

5.3 Recipient will not be required to enroll in fifteen credit hours if the student can complete his/her degree program with fewer credits. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

5.4 Student Transfer: Students may transfer their scholarship to a different eligible institution upon request to the Scholarship office.

609-6 Application Procedures

6.1 Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. A priority deadline may be established each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on date of completed and submitted application.

6.2 Required Documentation: Scholarship awards shall be denied if all documentation is not completed and submitted by the specified deadlines. If any documentation demonstrates that the applicant did not satisfactorily fulfill all course and GPA requirements, or if any information, including the attestation of criminal record or citizenship status, proves to be falsified the award may be denied. Required documents that shall be submitted with a scholarship application include:

6.2.1 the official online application;

6.2.2 an official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous transcripts demonstrating all completed courses and GPA. Final transcript(s) will be requested if the student is found conditionally approved, meaning that the student appears to be on track to receive the scholarship;

6.2.3 If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript; and

6.2.4 verified ACT score(s).

R609-7. Amount of Awards and Distribution of Award Funds

7.1 Funding Constraints of Awards: The Board may limit or reduce the Base Award and/or the Exemplary Academic Achievement Award, as well as supplemental awards granted, depending on the annual legislative appropriations and the number of qualified applicants.

7.2 Amount of Awards

7.2.1 Base Award: The Base award of up to \$1,000 may be adjusted annually by the Board in an amount up to the average percentage tuition increase approved by the Board for USHE institutions.

7.2.2 Exemplary Academic Achievement Award: The Exemplary Academic Achievement award is up to the amount provided by law and as determined each Spring by the Board based on legislative funding and the number of applicants. The Exemplary Academic Achievement award may be renewed for the shortest of the following:

7.2.2.1 Four semesters of enrollment in fifteen credit hours;

7.2.2.2 Sixty-five credit hours; or

7.2.2.3 Until the student meets the requirements for a Baccalaureate degree.

7.2.3 UESP Supplemental Award to Encourage College Savings: Subject to available funding, an applicant who qualifies for the Base award is eligible to receive up to an additional \$400 in state funds to be added to the total scholarship award.

7.2.3.1. For each year the applicant is 14, 15, 16, or 17 years of age and had an active UESP account, the Board may contribute, subject to available funding, \$100 (i.e., up to \$400 total for all four years) to the recipient's award if at least \$100 was deposited into the account for which the applicant is named the beneficiary.

7.2.3.2 If no contributions are made to an applicant's account during a given year, the matching amount will likewise be \$0.

7.2.3.3 If contributions total more than \$100 in a given year, the matching amount will cap at \$100 for that year.

7.2.3.4 Matching funds apply only to contributions, not to transfers, earnings, or interest.

7.3 Distribution of Award Funds

7.3.1 Award Payable to Institution: The award will be made payable to the institution. The institution may pay over to the recipient any excess award funds not required for tuition payments. Award funds shall be used for any qualifying higher education expense including: tuition, fees, books, supplies, equipment required for course instruction, or housing.

7.3.2. Credit Hours Dropped After Award Payment: If a recipient drops credit hours after having received the award which results in enrollment below fifteen credit hours, the scholarship may be revoked.

R609-8 Time Constraints and Continuing Eligibility

8.1. Time Limitation: A Regents' Scholarship recipient shall use the award in its entirety within five years after his/her high school graduation date.

8.2. Deferral or Leave of Absence: A recipient shall apply for a deferral or leave of absence if they do not continuously enroll in fifteen credit hours.

8.2.1. Deferrals or leaves of absence may be granted, at the discretion of the Scholarship Review Committee, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

8.2.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms which begin within five years after the recipient's high school graduation date.

8.3. No Guarantee of Degree Completion: Neither a Base award nor an Exemplary Academic Achievement award guarantees that the recipient will complete his or her Associate or Baccalaureate program within the recipient's scholarship eligibility period.

R609-9 Scholarship Determinations and Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and make the awards determination. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

- 9.2.1.** The appeal must be in writing and submitted in person or through the U.S. Mail. Appeals must be hand delivered to the office or postmarked within 30 days of the date on which the scholarship notification was issued.
- 9.2.2** In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.
- 9.2.3.** An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision shall not be considered.
- 9.2.4** If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.
- 9.2.5** The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.6** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.7** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.

9.2.8 The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.

9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

9.2.10. An applicant who has exhausted all administrative and judicial remedies, and who would have likely received the scholarship but for an irreconcilable error in the application process, may seek a discretionary award from the Commissioner's office.

9.2.10.1. Discretionary awards are only available if the legislature has appropriated funds specifically for unsuccessful applicants of the Regents' Scholarship.

9.2.10.2. If the Legislature has appropriated funds for this express purpose, the Commissioner's Office may disburse the funds at its sole discretion, on a case-by-case basis. Decisions on awarding discretionary funds are final; there is no appeal available.

R609-1 Purpose: The Regents' Scholarship encourages Utah high school students to prepare for college academically and financially by taking a core course of study in grades 9-12 and saving for college. This statewide scholarship is aligned with the Utah Scholars Core Course of Study which is based on national recommendations as outlined by the State Scholars Initiative. The courses required by the scholarship are proven to help students become college and career ready. In addition, this scholarship encourages high school students to complete meaningful course work through their senior year.

R-609-2 References

- 2.1 Utah Code Ann. §53B-8-108 et seq., Regents' Scholarship Program
- 2.2 Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).
- 2.3 Regents' Policy and Procedures R604, New Century Scholarship.

R609-3 Definitions

3.1 "Applicant" means a student who is in their last term in high school and on track to complete the high school graduation requirements of a public school established by the Utah State Board of Education and the student's school district or charter school or a private high school in the state that is accredited by a regional accrediting body approved by the Utah State Board of Regents.

3.2 "Base Award": a one-time scholarship to be awarded to applicants who complete the eligibility requirements of section R609-4 of this policy.

3.3 "Board" means the Utah State Board of Regents.

3.4 "College Course Work" means any instance in which college credit is earned, including but limited to, concurrent enrollment, distance education, dual enrollment, or early college.

3.5 "Core Course of Study" means the courses taken during grades 9-12 for the Core Course of study which include:

3.5.1 4.0 units of English;

3.5.2 4.0 units of mathematics taken in a progressive manner (at minimum Secondary Mathematics I, Secondary Mathematics II, Secondary Mathematics III and one class beyond); if the student is attending a school that has not implemented the Utah Core "K-12" Standards, a student would complete at minimum Algebra I, Geometry, Algebra II, and a class beyond Algebra II

3.5.3 3.5 units of social studies;

3.5.4 3.0 units of lab-based natural science (one each of Biology, Chemistry, and Physics); and

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013 and April 1, 2016.

3.5.5 2.0 units of the same foreign language, other than English, taken in a progressive manner.

3.6 **"Eligible Institutions"** means institutions of the USHE or any private, nonprofit institution of higher education in Utah accredited by the Northwest Commission on Colleges and Universities (NWCCU).

3.7 **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.

3.8 **"Exemplary Academic Achievement Award"** ("Exemplary Award") means a renewable scholarship to be awarded to students who complete the eligibility requirements of section 4.2 of this policy.

3.9 **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.

3.10 **"High school"** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.

3.11 **"Home – Schooled"** refers to a student who has not graduated from a Utah high school and received credits and/ or letter grades for the Core Course of study in grades 9-12.

3.12 **"Recipient"** means an applicant who receives an award under the requirements set forth in this policy.

3.13 **"Reasonable progress"** means enrolling and completing at least fifteen credit hours during Fall and Spring semesters and earning a 3.3 grade point average (GPA) or higher each semester while enrolled at an eligible institution and receiving the award.

3.14 **"Renewal Documents"** include institutionally produced documents demonstrating that the recipient has met the required semester GPA and a detailed schedule providing proof of enrollment in fifteen credit hours for the semester for which the recipient is seeking award payment.

3.15 **"Scholarship Appeals Committee"** means the committee designated by Commissioner of Higher Education to review appeals of Regents' Scholarship award decisions and take final agency action regarding awards.

3.16 **"Scholarship Staff"** means the group assigned to review Regents' Scholarship applications and make initial decisions awarding the scholarships.

3.17 **"Substantial Compliance"** means the applicant, in good faith, complied with the substantial or essential scholarship application requirements and has demonstrated likely eligibility but failed to comply exactly with the application specifics.

3.18 **"UESP"** means the Utah Educational Savings Plan.

3.19 **"USHE"** means the Utah system of higher education, which includes the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, and Salt Lake Community College.

3.20 Weighted Grade: A grade shall be weighted if a student completed an advanced placement, international baccalaureate or college course. The grade weight given is half the value of the high school credits earned for the course. For AP and IB courses all grades are averaged and then the weight is applied. When college credit is earned the grade weight is applied to the grade shown on the college transcript.

R609-4. Base Award Requirements: To qualify for the Regents' Scholarship Base award, the applicant shall satisfy the following criteria:

4.1 Complete the Core Course of Study as defined in section 3.5 of this policy subject to the following criteria:

- 4.1.1** Not all courses that meet state and individual district high school graduation requirements meet the scholarship requirements.
- 4.1.2** **Course Availability:** In addition to taking courses at the school they are attending, a student may complete coursework through other accredited Utah high schools or Utah eligible institutions.
- 4.1.3** A student may meet a course requirement through a competency-based assessment provided it is documented on a transcript and has a letter grade(A-C) assigned.
- 4.1.4** The courses completed shall be unique except when repeated for a higher grade as noted in (insert section). Students may not take a standard course and then enroll in the honors version of the same course and count both toward meeting the scholarship credit requirements and, when applicable, the requirement of progression.
- 4.1.5** Repeated course work shall not count toward accumulation of required credits.

4.2 GPA: The applicant shall demonstrate completion of the Core Course of Study with a non-weighted cumulative high school GPA of at least 3.0.

4.3 Minimum Grade requirement: the applicant shall earn a course grade on a transcript of "C" or above in each individual course listed in section 3.4. Certain courses may receive a weighted grade as outlined under subsection 9.5 as part of the scholarship award determination.

4.4 Replacing Low Grades by Retaking a Course: An applicant may retake a course to replace a low grade received. When retaking courses to replace a grade the following subsections apply:

4.5 The Entire Course: The applicant shall either (1) retake the entire original course, or (2) complete an approved course equal to or greater in credit value in the same subject-area. The math and foreign language requirement of progression shall be shown. This is true even if the applicant only received a lower grade in a single semester, term, trimester, or quarter.

4.6 The Higher of Two Grades: The higher of two grades in the same or an approved course will count towards meeting the scholarship requirements.

4.7 Approved Courses and Progression Determined by the Regents' Scholarship Review Committee: The Regents' Scholarship Review Committee reserves the right to determine if the repeated course qualifies as an approved course in the same subject-area and if progression is required and demonstrated.

4.8 "P" and "I" Grades not Accepted: Pass/fail or incomplete grades do not meet the minimum scholarship grade requirement.

4.9 College Course Work: College course work will only be evaluated if the applicant submits an Official College transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements. The student is evaluated on the college grade earned, with the weight added to the college grade as defined in section 3.19.

4.10 ACT Score: The applicant shall submit at least one verified ACT score.

4.11 Utah High School Graduation: The applicant shall have graduated from a Utah high school.

4.12 Citizenship: A recipient shall be a citizen of the United States or a noncitizen who is eligible to receive federal student aid.

4.13 No Criminal Record: A recipient shall not have a criminal record, with the exception of a misdemeanor traffic citation.

4.14 Mandatory Fall Semester Enrollment: A recipient shall enroll in fifteen credit hours at an eligible institution by Fall semester immediately following the student's high school graduation date or receive an approved deferral from the Board under subsection 7.2. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

4.15 New Century Scholarship: A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105 and administered in R604.

609-5. Exemplary Academic Achievement Award Requirements: To qualify for the Regents' Scholarship Exemplary Academic Achievement award, the applicant shall satisfy all requirements for the Base award (see section 3.4), and additionally meet all of the following requirements:

4.16 GPA: The applicant shall have a non-weighted cumulative high school GPA of at least 3.5.

4.17 Minimum Grade: The applicant shall earn a course grade on a transcript of "B" or above in each individual course listed in section 3.4. Certain courses may receive a weighted grade as part of the scholarship award determination.

4.18 ACT Score: The applicant shall submit a verified composite ACT score of at least 26.

609-5. Continuation and Renewal of the Exemplary Award.

5.1 Duty of Student to Report Reasonable Progress Toward Degree Completion: In order to renew the Exemplary Academic Achievement Award, the recipient shall submit renewal documents each semester, providing evidence of reasonable progress toward degree completion by the deadlines established in current program materials.

5.2 If the recipient fails to maintain a 3.3 GPA in a single semester the recipient is placed on probation and shall earn a 3.3 GPA or better the following semester to maintain eligibility. If the recipient again at any time earns less than a 3.3 GPA or fails to enroll and complete fifteen credit hours, except as outlined in section 7.2 of this policy, the scholarship may be revoked.

5.3 Recipient will not be required to enroll in fifteen credit hours if the student can complete his/her degree program with fewer credits. Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.

5.4 Student Transfer: Students may transfer their scholarship to a different eligible institution upon request to the Scholarship office.

609-6 Application Procedures

6.1 Application Deadline: Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. A priority deadline may be established each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on date of completed and submitted application.

6.2 Required Documentation: Scholarship awards shall be denied if all documentation is not completed and submitted by the specified deadlines. If any documentation demonstrates that the applicant did not satisfactorily fulfill all course and GPA requirements, or if any information, including the attestation of criminal record or citizenship status, proves to be falsified the award may be denied. Required documents that shall be submitted with a scholarship application include:

6.2.1 the official online application;

6.2.2 an official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous transcripts demonstrating all completed courses and GPA. Final transcript(s) will be requested if the student is found conditionally approved, meaning that the student appears to be on track to receive the scholarship;

6.2.3 If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript; and

6.2.4 verified ACT score(s).

R609-7. Amount of Awards and Distribution of Award Funds

7.1 Funding Constraints of Awards: The Board may limit or reduce the Base Award and/or the Exemplary Academic Achievement Award, as well as supplemental awards granted, depending on the annual legislative appropriations and the number of qualified applicants.

7.2 Amount of Awards

7.2.1 Base Award: The Base award of up to \$1,000 may be adjusted annually by the Board in an amount up to the average percentage tuition increase approved by the Board for USHE institutions.

7.2.2 Exemplary Academic Achievement Award: The Exemplary Academic Achievement award is up to the amount provided by law and as determined each Spring by the Board based on legislative funding and the number of applicants. The Exemplary Academic Achievement award may be renewed for the shortest of the following:

7.2.2.1 Four semesters of enrollment in fifteen credit hours;

7.2.2.2 Sixty-five credit hours; or

7.2.2.3 Until the student meets the requirements for a Baccalaureate degree.

7.2.3 UESP Supplemental Award to Encourage College Savings: Subject to available funding, an applicant who qualifies for the Base award is eligible to receive up to an additional \$400 in state funds to be added to the total scholarship award.

7.2.3.1. For each year the applicant is 14, 15, 16, or 17 years of age and had an active UESP account, the Board may contribute, subject to available funding, \$100 (i.e., up to \$400 total for all four years) to the recipient's award if at least \$100 was deposited into the account for which the applicant is named the beneficiary.

7.2.3.2 If no contributions are made to an applicant's account during a given year, the matching amount will likewise be \$0.

7.2.3.3 If contributions total more than \$100 in a given year, the matching amount will cap at \$100 for that year.

7.2.3.4 Matching funds apply only to contributions, not to transfers, earnings, or interest.

7.3 Distribution of Award Funds

7.3.1 Award Payable to Institution: The award will be made payable to the institution. The institution may pay over to the recipient any excess award funds not required for tuition payments. Award funds shall be used for any qualifying higher education expense including: tuition, fees, books, supplies, equipment required for course instruction, or housing.

7.3.2. Credit Hours Dropped After Award Payment: If a recipient drops credit hours after having received the award which results in enrollment below fifteen credit hours, the scholarship may be revoked.

R609-8 Time Constraints and Continuing Eligibility

8.1. Time Limitation: A Regents' Scholarship recipient shall use the award in its entirety within five years after his/her high school graduation date.

8.2. Deferral or Leave of Absence: A recipient shall apply for a deferral or leave of absence if they do not continuously enroll in fifteen credit hours.

8.2.1. Deferrals or leaves of absence may be granted, at the discretion of the Scholarship Review Committee, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

8.2.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms which begin within five years after the recipient's high school graduation date.

8.3. No Guarantee of Degree Completion: Neither a Base award nor an Exemplary Academic Achievement award guarantees that the recipient will complete his or her Associate or Baccalaureate program within the recipient's scholarship eligibility period.

R609-9 Scholarship Determinations and Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. The Scholarship Staff shall review individual scholarship applications and make the awards determination. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

- 9.2.1.** The appeal must be in writing and submitted in person or through the U.S. Mail. Appeals must be hand delivered to the office or postmarked within 30 days of the date on which the scholarship notification was issued.
- 9.2.2** In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.
- 9.2.3.** An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision shall not be considered.
- 9.2.4** If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.
- 9.2.5** The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.6** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.7** If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.

- 9.2.8 The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.
- 9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.
- 9.2.10. An applicant who has exhausted all administrative and judicial remedies, and who would have likely received the scholarship but for an irreconcilable error in the application process, may seek a discretionary award from the Commissioner's office.
- 9.2.10.1. Discretionary awards are only available if the legislature has appropriated funds specifically for unsuccessful applicants of the Regents' Scholarship.
- 9.2.10.2. If the Legislature has appropriated funds for this express purpose, the Commissioner's Office may disburse the funds at its sole discretion, on a case-by-case basis. Decisions on awarding discretionary funds are final; there is no appeal available.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Regent Policy R805, Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce

Issue

A vital element to higher education is for students' educational experience rooted in diverse perspectives, experiences and backgrounds. This requires Utah System of Higher Education (USHE) institutions to employ a diverse, representative, and equitably compensated workforce across all levels of faculty, staff, and administration. Although Regents' Policy R805, *Women and Minorities in Faculty and Administrative Positions*, sought to assess institutions' progress toward a more diverse workforce, it does not adequately capture the necessary data nor does it specifically strategies to improve workforce diversity and equality.

Background

Current Board members have expressed interest in continuing to carefully monitor the representation by gender, race, and ethnic group of the faculty and staff of the USHE and the effects of salary equity on that representation. This is particularly important because there is research that demonstrates that students from diverse backgrounds are more likely to participate in higher education and continue to completion if they see individuals like themselves represented in the faculty, staff and administration of higher education institutions. Appointments of women to the presidencies of four of the eight USHE institutions have brought the power of these appointments into sharp focus.

Updating the policy to reflect more current language and data reporting includes:

1. **Policy Title Change:** A change in the policy title from "Women and Minorities in Faculty and Administrative Positions" to the broader, more specific, and inclusive of all USHE positions (not just faculty and administrative positions, but staff positions as well) "Gender, Race, and Ethnicity Representation within the Utah System of Higher Education."
2. **Clarity in Board Goals:** This proposed revision includes more clearly stated policy goals: (1) employment of a diverse, representative, and equitably compensated workforce, (2) an educational experience for students rooted in diverse perspectives, experiences and backgrounds.
3. **Strategies at the Institutional Level Informed by System-wide Data:** The proposed policy directs presidents to collaborate with the Commissioner's office for obtaining and analyzing workforce data. Presidents are then responsible to develop appropriate strategies for improving workforce diversity and equitable pay and to report on their progress to the Resource and Review teams as part of their annual evaluations.

Commissioner's Recommendation

The Commissioner recommends the Board approve the proposed changes to R805 and to change the policy title from "*Women and Minorities in Faculty and Administrative Positions*" to "*Gender, Race, and Ethnicity Representation within the Utah System of Higher Education.*"

David L. Buhler
Commissioner of Higher Education

EJH/GL/DLB
Attachment



R805, Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce¹

R805-1. Purpose: To ensure USHE institutions: (1) employ a diverse, representative, and equitably compensated workforce across all levels of faculty, staff, and administration; and (2) provide students with an educational experience rooted in diverse perspectives, experiences and backgrounds.

R805-2. 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 R801, Equal Opportunity and nondiscrimination

R805-3. Assessment and Analysis of USHE Workforce:

3.1. USHE Data Assessment and Analysis: Institutions shall annually collaborate with the Associate Commissioner for Workforce and Institutional Research to assess and analyze their workforce demographic data for the following elements:

3.1.1. The number of faculty by tenure status and rank disaggregated by gender and race/ethnicity for each classification and in total.

3.1.2. The average equated nine-month salary for faculty by rank disaggregated by race/ethnicity and gender.

3.1.3. The number of staff (non-faculty) by occupational category disaggregated by gender and race/ethnicity.

3.1.4. The number of part-time faculty and part-time staff by occupational category disaggregated by gender and race/ethnicity.

3.2. Institutional Data Assessment, Analysis, and Accountability: Based on the annual assessment and analysis, institutional presidents shall identify strategies to employing a diverse, representative, and equitably compensated workforce and shall confidentially report their findings, progress, and outcomes to their Resource and Review Team as part of their annual evaluation under R208. Presidents may engage qualified professionals to perform statistical analysis of workforce data to inform institutional compliance with this policy, and federal and state laws.

¹ Adopted February 15, 1985, amended January 27, 1995.



R805, Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce¹

R805-1. Purpose: To ensure USHE institutions: (1) employ a diverse, representative, and equitably compensated workforce across all levels of faculty, staff, and administration; and (2) provide students with an educational experience rooted in diverse perspectives, experiences and backgrounds.

R805-2. 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 R801, Equal Opportunity and nondiscrimination

R805-3. Assessment and Analysis of USHE Workforce:

3.1. USHE Data Assessment and Analysis: Institutions shall annually collaborate with the Associate Commissioner for Workforce and Institutional Research to assess and analyze their workforce demographic data for the following elements:

- 3.1.1. The number of faculty by tenure status and rank disaggregated by gender and race/ethnicity for each classification and in total.
- 3.1.2. The average equated nine-month salary for faculty by rank disaggregated by race/ethnicity and gender.
- 3.1.3. The number of staff (non-faculty) by occupational category disaggregated by gender and race/ethnicity.
- 3.1.4. The number of part-time faculty and part-time staff by occupational category disaggregated by gender and race/ethnicity.

3.2. Institutional Data Assessment, Analysis, and Accountability: Based on the annual assessment and analysis, institutional presidents shall identify strategies to employing a diverse, representative, and equitably compensated workforce and shall confidentially report their findings, progress, and outcomes to their Resource and Review Team as part of their annual evaluation under R208. Presidents may engage qualified professionals to perform statistical analysis of workforce data to inform institutional compliance with this policy, and federal and state laws.

¹ Adopted February 15, 1985, amended January 27, 1995.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Technology Initiative Advisory Board – Funding Allocations from the 2019 Legislative Session

Issue

This item requests approval to allocate \$5,000,000 of Utah's Engineering and Computer Technology Initiative funding that was appropriated by the 2019 Legislature. In accordance with state statute, institutional allocations of new Engineering and Computer Technology Initiative appropriations are recommended by the Technology Initiative Advisory Board (TIAB) and approved by the Board of Regents.

Background

The 2001 legislature approved SB61: *Enhancements to the State Systems of Public and Higher Education*. This legislation established an Engineering and Computer Technology Initiative within the Utah System of Higher Education (USHE) to increase the number of students graduating from engineering, computer science, and related technology programs. During the last 18 years, the Engineering and Computer Technology Initiative has been successful in increasing the number of graduates in these areas within USHE. Key provisions of SB61 and a list of the TIAB members are included in the attachment.

The TIAB, appointed by the Governor, was established to recommend funding allocations to the Board of Regents. During the 2019 legislative session, \$5,000,000 of on-going funds were appropriated to the initiative for distribution to USHE institutions commencing with the 2019-2020 fiscal year (FY20).

The following table provides a summary of funding over the life of the initiative (FY02 through FY18):

Engineering and Computer Technology Initiative Funding History FY 02 – FY18			
Year	Funds Appropriated		
	Ongoing	One time	Loan Forgiveness*
2001-02	1,000,000	2,500,000	500,000
2002-03	2,000,000	1,000,000	0
2003-04	500,000	0	50,000

2004-05	500,000	500,000	0
2005-06	1,500,000	500,000	0
2006-07	500,000	700,000	0
2007-08	3,000,000	2,000,000	0
2008-09	0	250,000	0
2009-10	0	2,000,000	0
2010-11	0	0	0
2011-12	0	0	0
2012-13	2,500,000	0	0
2013-14	0	0	0
2014-15	0	0	0
2015-16	3,500,000	1,000,000	0
2016-17	0	0	0
2017-18	4,000,000	0	0
2019-20	5,000,000	0	0
Total	24,000,000	10,450,000	550,000

**In 2001, SB 61 established a loan forgiveness fund to assist students in obtaining degrees in engineering and computer science. In 2009, SB105 changed the loan forgiveness program to a scholarship program for the purpose of recruiting, retaining, and training engineering and computer science and related technology students. Scholarship funds were part of the \$2,500,000 appropriation during the 2012 legislative session.*

Since the initiative's inception, over 37,000 degrees targeted by the initiative have been awarded by institutions within USHE. According to the most recent data available, the following degree completions show growth at key points in time.

Degree Category	FY00- Prior to Initiative	FY16- Last Funding Appropriation (effective FY18)	FY18- Latest Year Graduation Data Available
Engineering	862	1626	1730
Computer Science	513	1312	1553
Total	1375	2938	3283

In making the current \$5,000,000 appropriation recommendation, the TIAB followed statutory language. As such, the TIAB gave consideration to requests to hire and retain faculty, purchase equipment, and fund new engineering and/or computer technology programs. Institutional contributions to additional graduates was also a factor. Requests from institutions exceeded the amount of available funds.

Given the considerations indicated above, the TIAB made a unanimous recommendation that funding from the 2019 Legislature be allocated and distributed to the institutions effective FY20 as follows:

Institution	Funds Requested from Institutions	TIAB Recommended Funding
University of Utah- College of Engineering	3,651,000	2,600,000
Utah State University	913,500	785,000
Weber State University	625,000	400,000
Southern Utah University	326,000	60,000
Snow College	143,600	30,000
Dixie State University	480,000	375,000
Utah Valley University	1,207,500	700,000
Salt Lake Community College	75,000	50,000
Total	7,421,600	5,000,000

Policy Issues

The process to recommend funding allocations has been followed consistent with state statute.

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve the allocation of Engineering and Computer Technology Initiative funds appropriated by the 2019 Legislature as recommended by the Technology Initiative Advisory Board and that these funds be distributed to institutions effective with the 2019-2020 fiscal year with expectation that funds are expended and matched in accordance with Utah Code 53B-6-105 and 53B-6-105.9.

David L. Buhler
Commissioner of Higher Education

DLB/BKC
Attachment

Attachment

Key provisions of SB61:

1. Established a goal to triple the number of graduates from USHE institutions in engineering, computer science, and related technology.
2. Directed the Regents to establish rules providing the criteria for those fields of study that qualify as "related technology."
3. Provided supplemental funds for equipment purchases to improve the quality of instructional programs in engineering, computer science, and related technologies.
4. Established a student scholarship to encourage enrollment in programs included in the initiative.
5. Provided funding for USHE institutions to hire and retain qualified faculty to teach in initiative programs.
6. Increased program capacity by funding new and renovated capital facilities, and funding for new engineering and computer technology programs.
7. Created a Technology Initiative Advisory Board to make recommendations to the Board of Regents in its administration of the initiative. Required that the advisory board be composed of individuals appointed by the Governor from business and industry who have expertise in the areas of engineering, computer science, and related technologies.

Technology Initiative Advisory Board Members

- John Sutherland (Chair) Brigham Young University
- Susan Johnson (Co-Chair) Futura Industries (Retired)
- Reed Brown Mathnasium
- Vance Checketts Dsco.io
- Roland Christensen Applied Composite Technology
- Ed Ekstrom Chateau Grande
- Ed Esper Utah Capital Investment Corporation
- Mark Ripke Boeing
- Chuck Taylor SyberJet Aircraft
- J. Howard VanBoerum VanBoerum & Frank

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Utah Women in Leadership Exchange Program Cohort

Issue

Regents are considering today a change in Regents policy R805. The policy change is an update, which provides for a data set that will reveal the diversity within the Utah System of Higher Education (USHE) workforce and how representative it is relative to Utah's population as a whole. Strategies for addressing diversity in general will likely evolve from that data set. While not all elements of underrepresentation in the workforce are available, there is sufficient data from past system efforts and research to show that women are underrepresented in leadership positions in USHE institutions. One idea for addressing women in leadership positions is the Women in Leadership Exchange Program (UWLE), which was endorsed by the Board at their November meeting. Today, the Regents are being "introduced" to the participants in the first cohort of the UWLE, who will formally begin their year's work in August 2019.

Background

The idea for the UWLE grew out of informal conversations with mid-level women administrators from USHE institutions who were eager to have more formal support for enhancing their higher education leadership skills. Some faculty and staff at USHE institutions have an opportunity to participate in leadership development through programs sponsored by institutions, but not all have that opportunity. The UWLE extends that professional development opportunity to women in all USHE institutions, growing the number of women with higher education administration skills, which they might use to advantage in their current roles, or which might assist them in steadily advancing in leadership positions. The end result of implementing this program is a pool of well-qualified women in higher education leadership for USHE institutions.

Commissioner's Recommendation

The Commissioner recommends the Board acknowledge the 2019-2020 UWLE cohort participants, the support of the USHE institutions in making the UWLE possible, and the work of Nancy Hauck (DSU) and Jessi Hill (UVU), who have invested a significant amount of volunteer time in working with the Commissioner's staff to design and implement this program.

DLB/EJH

David L. Buhler
Commissioner of Higher Education

Inaugural Cohort for the USHE Women's Leadership Exchange (UWLE) Program		
2019-20		
Nominee	Institution	Position
Adriana Brandt	DSU	Chair, Department of Education
Ali Threet	DSU	Executive Director, Career Services and Student Success
Angela Pool-Funai	SUU	Director, MPA
Angie Walker	SLCC	Director, eLearning
Aretha Minor	UU	Director of Strategic Initiative, Enrollment Management
Camille Thomas	SUU	Department Chair, Kinesiology and Outdoor Recreation
Carrie Beckman	USHE	Director, State Scholarships
Fern Caka	UVU	Professor, Chemistry
Javet Colvin	UVU	Professor, Communication; Assoc Dean, College of Humanities & Social Science
Jessica Awtrey	UVU	Assistant Dean, University College
Jill Trythall	Snow	Admissions and Ambassador Advisor
Keri Mecham	SUU	Director, Student Involvement & Leadership
Kimberly Lott	USU	Associate Professor
Megan Brown	USHE	Project Manager
Melissa Neville	WSU	Associate Professor, Nursing
Molly Ward	WSU	Director, Shepherd Union
Mykel Beorchia	USU	Director, University Advising
Rachel Hayes-Harb	UU	Professor and Associate Dean, Linguistics
Sarah Steimel	WSU	Associate Professor, Communication; Program Director, Master of Professional Communication
Tara Ivie	UVU	Senior Director, Women's Success Center
Thanhtung "tung" Thantrong	SLCC	Interim Director, TRIO Programs

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Snow College – Campus Master Plan Amendment

Issue

Regent policy R706, *Capital Facilities Master Planning* requires the Board of Regents to review and approve institutional campus master plans every two years. Snow College seeks approval of revisions to the institutional campus master plan, which was last approved on March 29, 2019.

Background

Snow College requests the review and approval of a revision to the institutional master plan for the Ephraim campus. A letter from the College describing the updates to the master plan is attached along with a map. Snow College officials will be present at the meeting and be available to respond to Board questions.

Commissioner's Recommendation

The Commissioner recommends that the Board approve the proposed changes to the Snow College Master Plan.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



SNOW COLLEGE

OFFICE OF FINANCE AND ADMINISTRATIVE SERVICES

May 7, 2019

Commissioner David L. Buhler
Board of Regents Building, Two Gateway
60 South 400 West
Salt Lake City, UT 84101-1284

Commissioner Buhler:

Snow College would like to present to the Regents a brief overview of proposed changes to our 2016 Campus Master Plan during the Board of Regents meeting on May 17th, 2019 held at Snow College.

The first proposed change in the College's master plan is located on the Ephraim campus. During October of 2018, the College was able to acquire a piece of property located at 188 E. Center St. The property is directly south of the core College block. The property sits on the north east corner of the block and the College currently owns the west half of that block. The piece of property is .26 acres and includes an early 1900's home as well as a shed. The College would like to amend its current Campus Master Plan to include this piece of property. A potential proposed use of this piece of property will be for a future health and wellness clinic.

The second proposed change in the College's master plan is located on the Ephraim campus. During the 2018 legislative session, the College was given a \$5 million appropriation to construct a new athletic center. The athletic center will provide a weight training room for student athletes, a new fitness room for all students, a classroom/team meeting room, and offices for coaches. The new building will be located just south of the south end zone of our football field. Nothing was previously slated for this location on our current master plan. Construction is scheduled to begin mid-February. The College would like to amend its current Campus Master Plan to include this new facility.

Attached are diagrams of the proposed changes.

We look forward to making this presentation to the Board of Regents.

Thank you,



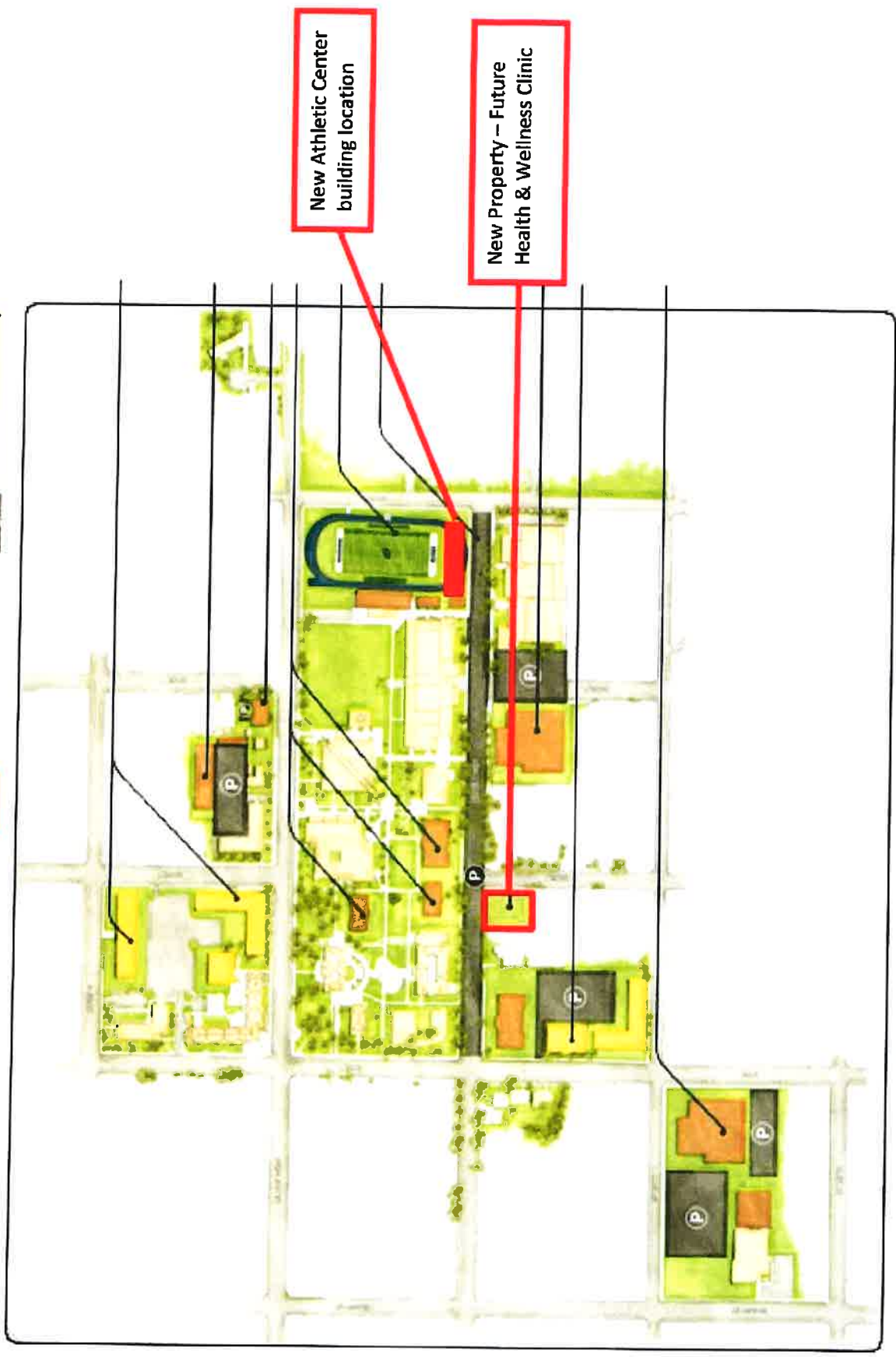
Jake Dettinger

V.P. Finance & Administrative Services

Ephraim Campus Opportunities

Legend

- existing building
- future building opportunity
- future housing opportunity
- future parking opportunity



DRAFT

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Dixie State University – Campus Master Plan Amendment

Issue

Regent policy R706, *Capital Facilities Master Planning* requires the Board of Regents to review and approve institutional campus master plans every two years. Dixie State University seeks approval of a revision to the institutional campus master plan, which was last approved on March 22, 2017.

Background

Dixie State University requests the review and approval of a revision to the institutional campus master plan which was last approved in 2017. A letter from the University describing the updates to the master plan is attached along with a map of the master plan. University officials will be present at the meeting and be available to respond to Board questions.

Commissioner's Recommendation

The Commissioner recommends that the Board approve the Dixie State University Master Plan.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments

Paul C. Morris
Vice President for Administrative Affairs
Phone: 435-652-7504
Email: morris@dixie.edu

May 7, 2019

Commissioner David L. Buhler
Board of Regents Building, Two Gateway
60 South 400 West
Salt Lake City, UT 84101-1284

Commissioner Buhler:

Dixie State University (DSU) recently identified a number of necessary updates to the Campus Master Plan. The updates include improvements to the pedestrian and cycling access to Main Campus, the Academic Precinct, the Student Housing Precinct and the Athletics Precinct. The updates are displayed on the accompanying campus map. DSU administrators would like to present the highlights of the updated plan to the Regents during their May 17, 2019, meeting at Snow College. The presentation will focus on the changes listed below:

1. Campus Access - New Pedestrian and Cycling I15 Underpass at 400 S.
2. Academic Precinct - Placement of the new SET Building
3. Academic Precinct - Future second phase of the SET Building
4. Academic Precinct - Infill of the Graff Fine Arts Building
5. Housing Precinct - Placement of the new Student Housing Building
6. Athletic Precinct - Orientation of the new Tennis Courts
7. Athletic Precinct - Orientation of the New Softball Field

We look forward to making this presentation to the State Board of Regents.

Sincerely,



Paul C. Morris
Vice President for Administrative Affairs

2019 DSU MASTER PLAN

- EXISTING BUILDINGS
- PARKING
- NEW CONSTRUCTION



May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Salt Lake Community College – Acquisition of Property

Issue

Regent Policy R703, *Acquisition of Real Property* requires the Board of Regents to approve institutional property purchases that exceed \$500,000. Salt Lake Community College (SLCC) requests Board approval to purchase 2.5 acres including a 36,600 square foot office building currently leased by the College for instruction at the Westpointe campus for \$7,000,000 using institutional funds and a future budget request for operation and maintenance for the facility.

Background

Salt Lake Community College currently leases a 36,600 square foot office building across the street from the new Westpointe Workforce Training and Education building in Salt Lake City at 2150 West Dauntless Avenue. The lease payment is \$578,857 with a three percent annual escalation. The facility supports academic instruction for electronics, non-destructive testing, flight training, and general education programs as well as student services for the Westpointe campus. SLCC has the opportunity to purchase the 2.5-acre property including the facility and a paved parking lot for the appraised value of \$7,000,000. The College requests Board approval to acquire the property using institutional funds and to make a future budget request of the State Legislature for operation and maintenance funds for the facility.

Additional information about this request may be found in the attached letter and map from SLCC, the executive summary of the property appraisal, and a presentation handout. Representatives from Salt Lake Community College will attend the meeting to provide additional information and respond to questions from the Board.

Commissioner's Recommendation

The Commissioner recommends that the Board authorize Salt Lake Community College to acquire property at 2150 West Dauntless Avenue in Salt Lake City, Utah as proposed.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



26 April 2019

Board of Regents
c/o Commissioner David L. Buhler
Board of Regents Building, Two Gateway
60 South 400 West
Salt Lake City, UT 84101-1284

RE: Acquisition of property located at 2150 W Dauntless Ave, Salt Lake City, UT

Commissioner:

In accordance with the R710, Capital Facilities Policy; SLCC is requesting the property acquisition be placed on the action calendar agenda for the next Board of Regents meeting.

The property is located at 2150 W Dauntless Ave, Salt Lake City, UT and:

- (1) Is contiguous to SLCC's current Westpointe Workforce Training & Education Center property
- (2) Has an appraised value of \$7M
- (3) Has an agreed-upon sales price of \$7M
- (4) To support this acquisition a request for ongoing O&M funds will be made for consideration during the upcoming Legislative Session

The acquisition of this property supports the SLCC Master Plan. The purchase of this property was approved by the Board of Trustees in April 2019.

Thank you for your continued attention to the College's mission of providing great accommodations for our student body. Let me know if there is anything else you need regarding this proposal.

Respectfully submitted,

Malin B. Francis

Malin B. Francis
Director, Planning & Design
cc: Jeffrey J. West





1100 East 6600 South | Suite 201
Salt Lake City, Utah 84121
801-262-3388 phone
800-747-0552 toll-free
valbridge.com

August 21, 2018

Mr. Tyson Gregory
Director of Real Estate and Property Management
Salt Lake Community College
2675 South 900 West, GFSB 122
Salt Lake City, Utah 84119

RE: Narrative Appraisal Report
Existing Office Building
2150 West Dauntless Avenue
Salt Lake City, Utah, 84116

Dear Mr. Gregory:

In accordance with your request, we have prepared the following narrative report on the above-referenced property. This analysis sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to our value opinions.

The subject property is an office building located at 2150 West Dauntless Avenue in Salt Lake City, Utah. The subject is further identified as Assessor's Parcel Number (APN) 08-28-276-002. The site encompasses 2.50 acre or 108,900 square feet and is improved with a low rise office building encompassing 36,638 square feet of gross building area. Based on the configuration of the existing building and site improvements on the site, there is no excess land area that could be independently marketed. Salt Lake Community College is currently leasing the subject and have entered into an agreement to purchase the property for \$7,000,000.

We developed our analyses, opinions, and conclusions and prepared this report in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation; the Interagency Appraisal and Evaluation Guidelines; the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute; and the requirements of our client as we understand them.

Mr. Tyson Gregory of Salt Lake Community College is the client in this assignment. The intended user of this report is Mr. Tyson Gregory of Salt Lake Community College. The purpose of the appraisal is to estimate the "as is" market value of the subject property for possible sale purposes.



Mr. Gregory
August 21, 2018
Page 2

The value opinions reported herein are subject to the definitions, assumptions and limiting conditions, and certification contained in this report.

The acceptance of this appraisal assignment and the completion of the appraisal report submitted herewith are contingent on the following extraordinary assumptions and/or hypothetical conditions:

Extraordinary Assumptions / Hypothetical Conditions:

In the valuation process, the sales comparison and income capitalization approaches were used in determining the value of the property and lead to good correlation of value. The cost approach was not developed due to the fact that the subject building was originally constructed in 2000 and is over 18 years old. Estimating various forms of depreciation is subjective and reduces the reliability of this approach. Based on current market conditions and discussions with local real estate brokers and agents, the estimated marketing time would be 9 to 12 months.

Based on the analysis contained in the following report, our value conclusions involving the subject property are summarized as follows:

Value Conclusions

Valuation Scenario	Effective Date of Value	Value Conclusion
Market Value ("As Is") with Leased Fee Estate Property Rights	August 15, 2018	\$7,000,000



Westpointe Leased Building

- **General Information**
 - 36,638 Square Feet
 - Annual Lease Payment
\$578,857
 - Original Lease started July 2011
 - Landlord – HCPI/Utah II, LLC
 - Property Management by Boyer
 - Built in 2000

Westpointe Leased Building

- **Programs**
 - Electronics
 - Non-Destructive Testing
 - Flight Training
 - General Education

Westpointe Leased Building

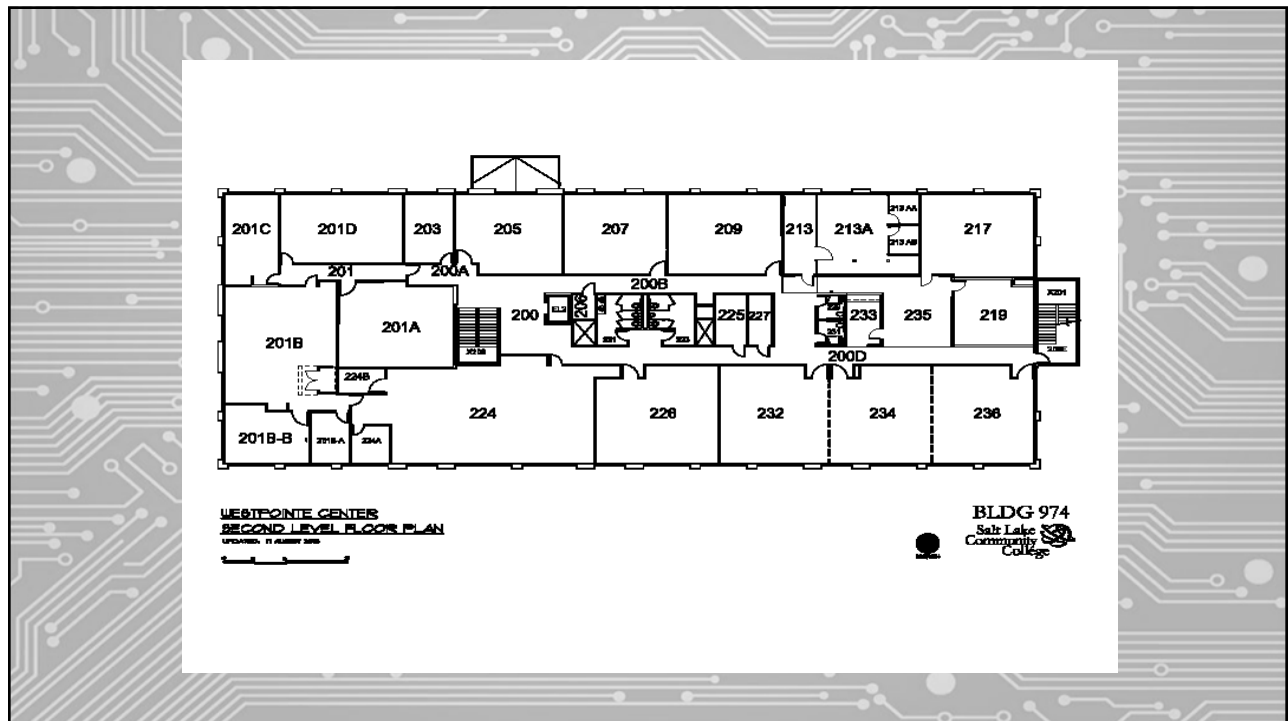
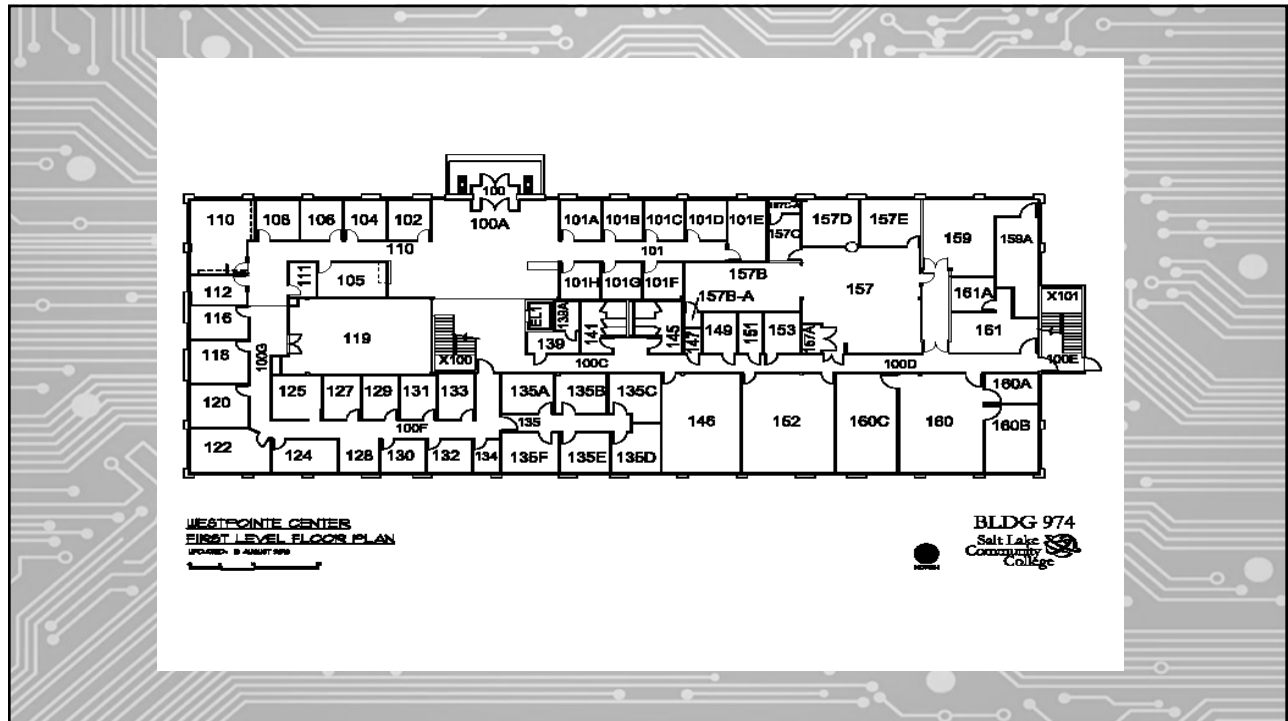
- **Remodel**
 - In 2017 Student Services was added to support the programs in the leased building and also the programs in the newly added Westpointe Workforce Training & Education building
 - Advising
 - Financial Aid
 - Veterans Services
 - DRC
 - Career Services
 - Cashiering
 - Faculty Support
 - Tutoring
 - Writing Center/ePortfolio
 - Testing

Westpointe Leased Building

- **Miscellaneous facts**
 - Easy access from I-215
 - Approximately 150 parking stalls
 - Mature Landscape
 - Building is un-sprinkled
 - \$130K to install code compliance system
 - Completed due diligence in preparation for purchase
 - College Staff performed various condition assessments
 - Electrical systems – plenty of space for new equipment
 - Mechanical systems – relatively in good shape
 - Plumbing systems – generally in good condition
 - Roof condition – nearing life expectancy

Westpointe Leased Building

- **Request**
 - Appraised Value - \$7M
 - Purchase Price - \$ 7M
 - Projected closed date June 2019



May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: University of Utah – Series 2019 General Revenue Bonds

Issue

Regent Policy R590, *Issuance of Revenue Bonds for Colleges and Universities*, requires the Board to review and approve the issuance and sale of revenue bonds that have been affirmatively authorized by the Utah State Legislature. The University of Utah requests Board authorization to issue up to \$125,000,000 of General Revenue Bonds to construct a cancer care center and to upgrade the football stadium as authorized by the 2019 Legislature.

Background

During the 2019 General Session, the Legislature passed Senate Bill 9, *Revenue Bond and Capital Facilities Authorizations*, which authorized the University of Utah to issue revenue bonds for the construction of the Kathryn F. Kirk Center for Comprehensive Cancer Care and Women's Cancers and the Rice-Eccles Stadium South End Zone upgrade. These projects were initially approved by the Board in the November 2018 meeting. Hospital revenue is the primary source of repayment for the cancer care center portion of the bonds. Athletic revenue is the primary source of repayment for the stadium upgrade portion of the bonds.

The legislative authorization allows the issuance of up to \$80,000,000 for the acquisition and construction of the stadium upgrade and \$40,000,000 for the cancer care center in addition to costs of issuance, capitalized interest, and debt service reserve requirements. The attached resolution authorizes the University of Utah to bond for up to \$125,000,000 to construct the projects and cover additional issuance costs and requirements. The relevant parameters of the requested issue are:

- Principal amount not to exceed \$125,000,000 (including costs of issuance and capitalized interest)
- Interest rate not to exceed 6%
- Interest rate for Variable Rate Bonds or Commercial Paper not to exceed 12%
- Discount from par not to exceed 2%
- Final maturity not to exceed 30 years from the date of issue

A copy of the request letter from the University, the Approving Resolution, and a financing summary from the financial advisor is attached. Representatives from the University will be in attendance at the meeting to provide additional information and answer questions from the Board.

Commissioner's Recommendation

The Commissioner recommends approval of the proposed Authorizing Resolution to issue General Revenue Bonds for the University of Utah as proposed.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments

April 24, 2019

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

Dear Commissioner Buhler:

The purpose of this letter is to inform you of the University of Utah's plans to submit a resolution (the "Resolution") to the State Board of Regents of the State of Utah (the "Regents" or the "Board"), to be considered during its May 2019 meeting at Snow College, for the issuance of a General Revenue Bond or Bonds on behalf of the University of Utah (the "University") for the financing of the construction of the Rice-Eccles Stadium South End Zone Project and Huntsman Institute Complex Phase V Project. The resolution will cover both projects.

Details are as follows:

Authorization to Bond up to \$80,000,000 for the Construction of the Rice-Eccles Stadium South End Zone Project – The South End Zone Project is to implement an end zone expansion that will enhance the current stadium to become comparable with the best Division 1 and PAC-12 facilities. The project includes the creation of additional revenue generating opportunities for Auxiliary Services, improved fan experience areas, upgraded crowd flow, and operational efficiency throughout Rice-Eccles Stadium. This new expansion would bring the stadium capacity to 50,000+ and provide premium amenities for fans on game day, events, and if Salt Lake City is selected, the 2030 Winter Olympics.

The total cost for this project is approximately \$80,000,000. Athletic revenue will service the debt on the revenue bonds and pay for ongoing operation and maintenance of the facility.

The University received bonding authorization for this project during the 2019 Legislative Session of up to \$80,000,000 million, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements. No state funds will be requested for the new facility.

Authorization to Bond up to \$40,000,000 for the Construction of the Huntsman Institute Complex Phase V Project - The Kathryn F. Kirk Center for Comprehensive Cancer Care and Women's Cancers will be the 5th phase at the Huntsman Cancer Institute complex and will add an additional 190,000 square feet of hospital, clinical and research space focused on women's

cancers. Approximately 102,000 square feet on four floors of the proposed facility will house 45-50 inpatient rooms, oncology faculty workspace, clinical trial space, and outpatient services. Of the other four floors, half will be used for nonclinical cancer-related operations and the other half (approximately 44,000 square feet) will be shelled for future growth. The new facility will provide additional teaching and educational opportunities for physician residents, medical students, and student nurses. The facility will also accommodate the growing need for inpatient bed-space and outpatient cancer care as the Huntsman Cancer Hospital currently operates at capacity and administrators project ongoing clinical need in the growing and aging Utah population.

The total cost of the project is expected to be \$129,000,000 and will be funded through \$89,000,000 of donations in addition to the \$40,000,000 of revenue bonds. Hospital revenue will service the debt on the revenue bonds and will pay for ongoing operation and maintenance of the facility. No state funds will be requested for the new facility.

The University received bonding authorization for this project during the 2019 Legislative Session of up to \$40,000,000 million, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements.

Please feel free to call me should you or others have questions about the details of this funding request.

Sincerely,

A handwritten signature in black ink, appearing to read "John Nixon", written in a cursive style.

John E. Nixon
Vice President for Administrative Services

c: Ruth V. Watkins, President
Daniel A. Reed, Senior Vice President
Michael L. Good, Senior Vice President
Cathy Anderson, CFO
Mark Harlan, Director of Athletics
Kimberly Henrie
Richard Amon
Blake Wade
Kelly Murdock
Robert Muir

APPROVING RESOLUTION
UNIVERSITY OF UTAH GENERAL REVENUE BONDS
CANCER CARE FACILITY AND STADIUM UPGRADE

Ephraim, Utah

May 17, 2019

The State Board of Regents of the State of Utah (the “Board”) met in regular session (including by electronic means) at Snow College in Ephraim, Utah on May 17, 2019, commencing at 9:00 a.m. The following members were present:

Harris H. Simmons	Chair
Nina Barnes	Vice Chair
Jessellie B. Anderson	Member
Daniel W. Campbell	Member
Wilford W. Clyde	Member
Sanchaita Datta	Member
Marlin K. Jensen	Member
Ronald W. Jibson	Member
Patricia Jones	Member
JaKell Larson	Student Regent
Steven J. Lund	Member
Robert S. Marquardt	Member
Christina Ortega	Member
Robert W. Prince	Member
Mark R. Stoddard	Member
Teresa L. Theurer	Member
Thomas Wright	Member

Absent:

Also Present:

David L. Buhler	Commissioner of Higher Education
Loreen Olney	Secretary

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 agenda noted 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 University of Utah General Revenue Bonds.

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:

AYE:

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 UNIVERSITY OF UTAH GENERAL REVENUE BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$125,000,000, AUTHORIZING THE EXECUTION OF SUPPLEMENTAL INDENTURES, BOND PURCHASE AGREEMENTS AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND APPROVING OFFICIAL STATEMENTS; 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 (the “Utah Code”); and

WHEREAS, pursuant to the provisions of Title 53B, Chapter 1, Utah Code, the Board is authorized to act as the governing authority of the University of Utah (the “University”) for the purpose of exercising the powers contained in Title 53B, Chapter 21, Utah Code and the specific authorization of S.B. 9 of the Utah Legislature’s 2019 General Session (expected to be codified as Section 63B-29-102, Utah Code Annotated 1953, as amended) (collectively, the “Act”); and

WHEREAS, pursuant to a General Indenture of Trust dated as of July 1, 2013, between the Board and Wells Fargo Bank, N.A., as trustee (the “Trustee”), as heretofore amended and supplemented (the “General Indenture”), the Board has issued, for and on behalf of the University, various series of its General Revenue Bonds; and

WHEREAS, pursuant to the Act, the Board, for and on behalf of the University, is authorized to issue bonds (i) for the purpose of constructing a cancer care center (the “Cancer Care Project”) in an amount not to exceed \$40,000,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, pay capitalized interest and fund any debt service reserve requirements and (ii) for the purpose of constructing a stadium upgrade (the “Stadium Project” and collectively with the Cancer Care Project, the “Project”) in an amount not to exceed \$80,000,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, pay capitalized interest and fund any debt service reserve requirements; and

WHEREAS, to accomplish the purposes set forth in the preceding recitals, the Board desires to authorize and approve the issuance and sale of its University of Utah General Revenue Bonds (with such additional or other title and/or series designation(s) as may be determined by the officers of the Board) in one or more series and to be issued from time to time (the “Bonds”) pursuant to the General Indenture and one or more Supplemental Indentures of Trust between the Board and the Trustee (each a

“Supplemental Indenture” and collectively with the General Indenture, the “Indenture”); and

WHEREAS, the 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, 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 the underwriters or purchasers for the Bonds (the “Purchaser”), a form of a Preliminary Official Statement relating to the Bonds, in the event the Bonds are publicly sold (the “Preliminary Official Statement”), and a form of Supplemental Indenture; and

WHEREAS, the Board desires to grant to the Chair and/or Vice Chair of the Board and/or the Chair of the Finance and Facilities Committee of the Board, the authority to approve the interest rates, principal amount, terms, maturities, redemption features, and purchase prices at which the Bonds shall be sold and any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution; provided such terms do not exceed the parameters set forth in this Resolution.

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

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. All actions 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 Bonds are hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes, approves and directs the use and distribution of the Preliminary Official Statement substantially in the form of the Preliminary Official Statement presented to the Board at this meeting in connection with the offering and sale of the Bonds, in the event the Bonds are publicly sold. The Chair, Vice Chair and/or Chair of the Finance and Facilities Committee of the Board and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are hereby authorized to execute and deliver on behalf of the Board and the University a final Official Statement in substantially the same form and with substantially the same content as the form of the Preliminary Official Statement presented to this meeting with any such alterations, changes or additions as may be necessary to finalize the Official Statement. The preparation, use and distribution of the Official Statement is also hereby authorized. The Board and the University may elect to privately place the Bonds (or any portion thereof) with or without the use of an Official Statement.

Section 4. The Supplemental Indenture in substantially the form presented to this meeting is in all respects authorized, approved and confirmed. The Chair, Vice Chair and/or Chair of the Finance and Facilities Committee and Secretary of the Board and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are hereby authorized to execute and deliver one or more Supplemental Indentures in substantially the same form and with substantially the same content as the form of such document presented to this meeting for and on behalf of the Board and the University with such alterations, changes or additions as may be authorized hereby.

Section 5. For the purpose of providing funds to be used for (i) financing the cost of the Project (including capitalized interest) and (ii) paying costs of issuance of the Bonds, the Board hereby authorizes the issuance of the Bonds, from time to time and in one or more series, in the aggregate principal amount of not to exceed \$125,000,000. The Bonds shall mature on such date or dates, be subject to redemption, and bear interest at the rates as shall be approved by the Chair or Vice Chair of the Board or the Chair of the Finance and Facilities Committee, all within the parameters set forth on Exhibit A attached hereto and incorporated herein by reference. The issuance of the 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.

Section 6. The form, terms and provisions of the 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, Vice Chair and/or Chair of the Finance and Facilities Committee and the Secretary of the Board and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are hereby authorized to execute and seal by manual or facsimile signature the Bonds and to deliver the Bonds to the Trustee for authentication. All terms and provisions of the Indenture and the 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 Bonds in accordance with the provisions of the Indenture.

All or a portion of the Bonds may be issued as variable rate bonds or commercial paper and the University may provide the liquidity for the payment of such variable rate bonds or commercial paper from the General Revenues pledged under the Indenture or may limit payment of the purchase price for any optional or mandatory purchase to remarketing proceeds and, if determined advantageous, may also enter into liquidity agreements with credit providers and secure the repayment obligation of the Board and the University under such liquidity agreements as a Security Instrument Agreement all as provided in the Indenture.

Section 7. 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 and/or the Chair of the Finance and Facilities Committee and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are hereby authorized to execute and deliver one or more Bond Purchase Agreements 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 and the University with final terms as may be established for the Bonds within the parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized hereby. The Chair or Vice-Chair of the Board and/or the Chair of the Finance and Facilities Committee and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are hereby authorized to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates (including variable rates), redemption features and purchase price with respect to the Bonds for and on behalf of the Board and the University and any changes thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms are within the parameters set by this Resolution, with such approval to be conclusively established by the execution of the respective Bond Purchase Agreement and Supplemental Indenture. In the event that the foregoing officers determine that all or any portion of the Bonds should be privately placed, the Bond Purchase Agreement and Supplemental Indenture may be modified to conform to the agreement with such Purchasers, including agreement to pay breakage fees, default rates, taxable rates and other similar provisions customary in such placements, provided that such obligations are limited to the sources provided under the Indenture.

The Board intends that the Bonds authorized hereby be issued within 18 months of the date of this Resolution, unless such period is extended by the Board.

Section 8. 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 and Facilities Committee and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University are authorized to make any alterations, changes or additions to the Indenture, the Bonds, the Bond Purchase Agreement, the Preliminary Official Statement, the Official Statement, 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 or to permit the private placement or public sale of the Bonds, to conform such documents to the terms established for the Bonds and to update such documents with current information and practices, including variable rate and tender provisions.

Section 9. The appropriate officials of the Board and the University, including without limitation the Chair, Vice Chair, the Chair of the Finance and Facilities Committee, Commissioner of Higher Education and Secretary of the Board and the President, Chief Financial Officer and/or Vice President for Administrative Services of the University, are hereby authorized and directed to (i) execute and deliver for and on behalf of the Board and the University any or all additional certificates, documents and other papers 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 and (ii) take all action necessary or reasonably required by the Indenture, the Preliminary Official Statement, the Official Statement, 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.

Section 10. Upon their issuance, the 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 Bonds, the Bond Purchase Agreement, the Official Statement, the Indenture or any other instrument executed in connection with the issuance of the Bonds, 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.

Section 11. After any of the Bonds are delivered by the Trustee to or for the account of 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 Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

Section 12. 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.

Section 13. 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.

Section 14. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE STATE BOARD OF REGENTS OF THE
STATE OF UTAH THIS 17TH DAY OF MAY, 2019.

STATE BOARD OF REGENTS OF THE
STATE OF UTAH

Chair

ATTEST:

Secretary

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

I, Loreen Olney, 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 May 17, 2019 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 17th day of May, 2019.

Secretary

(SEAL)

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

I, Loreen Olney, 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:

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice was given of the agenda, date, time and place of the May 17, 2019 public meeting held by the Members of the State Board of Regents by causing a Notice of Public Meeting, in the form attached hereto as Schedule 1 to be: (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah, at least 24 hours prior to the convening of such meeting, 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; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>), at least 24 hours prior to the convening of such meeting; and (iii) provided 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, pursuant to their subscription to the Utah Public Notice Website (<http://pmn.utah.gov>), and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the State Board of Regents;

(b) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice of the 2018-2019 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 said years, by causing a Notice of Annual Meeting Schedule for the State Board of Regents, in the form attached hereto as Schedule 2, to be (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah in November 2018; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year, and (iii) provided to a newspaper of general circulation within the geographic jurisdiction of the State Board of Regents pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>); and

(c) the State Board of Regents has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-207 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 State Board of Regents and to members of the public at least 24 hours before the meeting to allow members of the State Board of Regents and the public to participate in the meeting, including a description of

how they could be connected to the meeting. The State Board of Regents held the meeting (the anchor location) in the building where it would normally meet 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 17th day of May, 2019.

(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

PARAMETERS OF THE BONDS

Principal amount not to exceed	\$125,000,000
Interest rate not to exceed	6.0%
Interest Rate for Variable Rate Bonds or Commercial Paper not to exceed	12.0%
Discount from par not to exceed	2.0%
Final maturity not to exceed	Thirty (30) years from the date thereof
May be non-callable or callable at the option of University as determined at the time of sale	



PRELIMINARY FINANCING SUMMARY
For an Aggregate Principal Amount Not to Exceed
\$125,000,000
State Board of Regents of the State of Utah
UNIVERSITY OF UTAH
General Revenue Bonds
May 17, 2019

Purpose:	To finance, together or separately, (i) the construction of a portion of a cancer care center (the “Cancer Care Project”) in an amount not to exceed \$40,000,000, and (ii) the construction of a stadium upgrade (the “Stadium Project”) in an amount not to exceed \$80,000,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest and fund any debt service reserve requirements, if any.
Not-to-Exceed Par Amount:	\$125,000,000
Security:	The proposed bonds (the “Bonds”) will be payable from and secured by a General Revenue pledge which consists of substantially all income and revenues of the University authorized to be pledged, with the exception of (i) legislative appropriations, (ii) tuition and certain fees, and (iii) certain other revenues and income.
Ratings:	‘Aa1’ and ‘AA+’ ratings <i>are expected</i> by Moody’s Investors Service and S&P Global Ratings, respectively.
Method of Sale:	Negotiated public offering
True Interest Cost:	TBD
Underwriters:	TBD
Sale Date:	TBD – Late 2019 or Early 2020
Closing Date:	TBD – Late 2019 or Early 2020
Principal Payment Dates:	August 1 of each year, with the beginning date to be determined based on need for capitalized interest, if any, or for other reasons
Interest Payment Dates:	August 1 and February 1



Preliminary Financing Summary

May 17, 2019

Page 2 of 2

Interest Basis:	30/360
Parameters:	Not-to-Exceed Par for the Cancer Care Project: \$40,000,000 Not-to-Exceed Par for the Stadium Project: \$80,000,000 Not-to-Exceed Term: 30-years from the date of the Bonds' issuance Not-to-Exceed Interest Rate: 6.00% Not-to-Exceed Interest Rate for Variable-Rate Bonds or Commercial Paper: 12.0% Not-to-Exceed Discount from Par: 2.00%
Optional Redemption:	May be non-callable or callable at the option of the University of Utah, as determined at the time of the sale
University Contacts:	Ms. Cathy Anderson, Chief Financial Officer (801-581-6940) Mr. John Nixon, Vice President for Administrative Services (801-585-0806) Mr. Robert Muir, Director of Treasury Services (801-585-5598)
Bond Counsel:	Mr. Blake Wade, Gilmore & Bell (801-258-2725)
Municipal Advisor:	Mr. Kelly Murdock, George K. Baum & Company (801-538-0351)

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Utah State University – Series 2019 Research Revenue Bonds

Issue

Regent Policy R590, *Issuance of Revenue Bonds for Colleges and Universities*, requires the Board to review and approve the issuance and sale of revenue bonds that have been affirmatively authorized by the Utah State Legislature. Utah State University (USU) requests Board authorization to issue up to \$60,000,000 of Research Revenue Bonds to construct a research building and a high-bay facility for the Space Dynamics Laboratory as authorized by the 2019 Legislature.

Background

During the 2019 General Session the Legislature passed Senate Bill 9, *Revenue Bond and Capital Facilities Authorizations*, which authorized USU to issue revenue bonds for the construction of a Space Dynamics Laboratory (SDL) research building and a high-bay facility. The SDL develops intelligence, surveillance and reconnaissance technologies including technologies used for tactical sensors, data compression, flight testing, and cyber security. The projects were initially approved by the Board in the November 2018 meeting. Research revenue will pay the debt service on these bonds.

The legislative authorization allows for the issuance of up to \$37,700,000 for the SDL research building and \$15,000,000 for the SDL high-bay building in addition to costs of issuance, capitalized interest, and debt service reserve requirements. The attached resolution authorizes USU to bond for up to \$60,000,000 as a maximum parameter to pay for the authorized projects and costs of issuance, as well as to cover estimates by the University and their financial advisor for capitalized interest and a possible debt service reserve fund.

The relevant parameters of the requested issue are:

- Principal amount not to exceed \$60,000,000 (including costs of issuance and capitalized interest)
- Interest rate not to exceed 5.5%
- Discount from par not to exceed 2%
- Final maturity not to exceed 32 years from the date of issue

A copy of the request letter from the University, the Approving Resolution, and a financing summary from the financial advisor are attached. Representatives from USU will be in attendance at the meeting to provide additional information and answer questions from the Board.

Commissioner's Recommendation

The Commissioner recommends approval of the proposed Authorizing Resolution to issue Research Revenue Bonds for Utah State University as proposed.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



April 29, 2019

Commissioner David L. Buhler
Utah State Board of Regents
Board of Regents Building The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Commissioner Buhler:

Utah State University requests that the Board of Regents approve issuing revenue bonds of approximately \$47,720,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirement to finance construction of the High Bay Building and the Research Building for the Space Dynamics Laboratory located on the Innovation Campus (see the attached Preliminary Summary Sheet). Both projects were previously approved by the Board of Trustees, Board of Regents, State Building Board, and the Legislature. Bonds will be repaid with funds received from reimbursed overhead on research projects. This action was approved by the Board of Trustees during the May 1, 2019 meeting.

We appreciate your support and ask that you present this item for Regents approval.

Sincerely,

David T. Cowley
Vice President for
Business and Finance

C: Kimberly Henrie, Associate Commissioner for Finance and Facilities
Noelle Cockett, President
Dan Christensen, Controller
Dwight Davis, Associate Vice President for Business and Finance

APPROVING RESOLUTION
UTAH STATE UNIVERSITY
RESEARCH BONDS (SPACE DYNAMICS LABORATORY
RESEARCH BUILDING AND HIGH BAY BUILDING)

Ephraim, Utah

May 17, 2019

The State Board of Regents of the State of Utah (the “Board”) met in regular session (including by electronic means) at Snow College in Ephraim, Utah on May 17, 2019, commencing at 9:00 a.m. The following members were present:

Harris H. Simmons	Chair
Nina Barnes	Vice Chair
Jesslie B. Anderson	Member
Daniel W. Campbell	Member
Wilford W. Clyde	Member
Sanchaita Datta	Member
Marlin K. Jensen	Member
Ronald W. Jibson	Member
Patricia Jones	Member
JaKell Larson	Student Regent
Steven J. Lund	Member
Robert S. Marquardt	Member
Christina Ortega	Member
Robert W. Prince	Member
Mark R. Stoddard	Member
Teresa L. Theurer	Member
Thomas Wright	Member

Absent:

Also Present:

David L. Buhler	Commissioner of Higher Education
Loreen Olney	Secretary

After the meeting had been duly convened and called to order by the Chair, the roll had been called with the above result, the agenda noted 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, Utah State University Research Revenue Bonds.

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 UTAH STATE UNIVERSITY RESEARCH REVENUE BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$60,000,000; AUTHORIZING THE EXECUTION OF SUPPLEMENTAL INDENTURES AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND APPROVING OFFICIAL STATEMENTS; 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 (the “Utah Code”); and

WHEREAS, pursuant to the provisions of Title 53B, Chapter 1, Utah Code, the Board is authorized to act as the governing authority of Utah State University (the “University”) for the purpose of exercising the powers contained in Title 53B, Chapter 21, of the Utah Code and the specific authorization of S.B. 9 of the Utah Legislature’s 2019 General Session (expected to be codified as Section 63B-29-102, Utah Code Annotated 1953, as amended) (collectively, the “Act”); and

WHEREAS, pursuant to a General Indenture of Trust dated as of August 1, 1995, as heretofore amended and supplemented (the “General Indenture”), between the Board and U.S. Bank, National Association, as trustee (the “Trustee”), the Board, acting for and on behalf of the University has issued various series of its Research Revenue Bonds (the “Outstanding Bonds”); and

WHEREAS, the General Indenture authorizes the issuance of additional bonds to be issued on a parity with the Outstanding Bonds; and

WHEREAS, in accordance with the provisions of the Act, the Board is authorized to issue revenue bonds for and on behalf of the University for the purpose of (i) constructing a Space Dynamics Laboratory Research Building (the “Research Building Project”) in an aggregate principal amount of not to exceed \$37,700,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements and (ii) constructing the Space Dynamics Laboratory High Bay Building (the “High Bay Project” and collectively with the Research Building Project, the “Project”) in an aggregate principal amount of not to exceed \$15,000,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements); and

WHEREAS, the Board intends to issue revenue bonds for and on behalf of the University for the purpose of financing the Project and to pay costs of issuance and fund reserves, all pursuant to the General Indenture, as further supplemented and amended by one or more Supplemental Indentures of Trust (each a “Supplemental Indenture” and together with the General Indenture, the “Indenture”) between the Board and the Trustee, which bonds will be designated as the “State Board of Regents of the State of Utah, Utah State University Research Revenue Bonds” (with such additional or other title and/or series designation(s) as may be determined by the officers of the Board) in one or more series and to be issued from time to time (the “Bonds”); and

WHEREAS, the 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, there has been presented to the Board at this meeting a form of a Preliminary Official Statement relating to the Bonds (the “Preliminary Official Statement”), including a form of an Official Notice of Bond Sale (the “Official Notice of Bond Sale”), in the event the Bonds are publicly sold, a form of Supplemental Indenture and a form of a Bond Purchase Agreement (the “Bond Purchase Agreement”), in the case where the Bonds are sold at a negotiated sale or private placement, to be entered into among the Board, the University and the underwriters or purchasers for the Bonds (the “Purchaser”); and

WHEREAS, the Board desires to grant to the Chair and/or Vice Chair of the Board and/or the Chair of the Finance and Facilities Committee of the Board, the authority to approve the method of sale, interest rates, principal amount, terms, maturities, redemption features, and purchase prices at which the Bonds shall be sold and any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution; provided such terms do not exceed the parameters set forth in this Resolution.

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

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. All actions 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 Bonds are hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes, approves and directs the use and distribution of the Preliminary Official Statement substantially in the form of the Preliminary Official Statement presented to the Board at this meeting in connection with the offering and sale of the Bonds, in the event the Bonds are publicly sold. The Chair, Vice Chair and/or Chair of the Finance and Facilities Committee of the Board and the

President and/or Vice President for Business and Finance of the University are hereby authorized to execute and deliver on behalf of the Board and the University the final Official Statement in substantially the same form and with substantially the same content as the form of the Preliminary Official Statement presented to this meeting with any such alterations, changes or additions as may be necessary to finalize the Official Statement. The preparation, use and distribution of the Official Statement is also hereby authorized. The Board and the University may elect to privately place the Bonds with or without the use of an Official Statement.

Section 4. The Supplemental Indenture in substantially the form presented to this meeting is in all respects authorized, approved and confirmed. The Chair, Vice Chair and/or Chair of the Finance and Facilities Committee and Secretary of the Board and the President and/or Vice President for Business and Finance of the University are hereby authorized to execute and deliver one or more Supplemental Indentures in substantially the same form and with substantially the same content as the form of such document presented to this meeting for and on behalf of the Board and the University with such alterations, changes or additions as may be authorized hereby.

Section 5. For the purpose of providing funds to be used for (i) financing the Project, (ii) funding a reserve fund and (iii) paying costs of issuance of the Bonds, the Board hereby authorizes the issuance of the Bonds, from time to time and in one or more series, in the aggregate principal amount of not to exceed \$60,000,000. The Bonds shall mature on such date or dates, be subject to redemption, and bear interest at the rates as shall be approved by the Chair or Vice Chair of the Board or the Chair of the Finance and Facilities Committee, all within the parameters set forth on Exhibit A attached hereto and incorporated herein by reference. The issuance of the 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.

Section 6. The form, terms and provisions of the 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, Vice Chair and/or Chair of the Finance and Facilities Committee and the Secretary of the Board and the President and/or Vice President for Business and Finance of the University are hereby authorized to execute and seal by manual or facsimile signature the Bonds and to deliver the Bonds to the Trustee for authentication. All terms and provisions of the Indenture and the 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 Bonds in accordance with the provisions of the Indenture.

Section 7. In the case where the Bonds are sold at a competitive sale pursuant to an Official Notice of Bond Sale, the Chair or Vice Chair of the Board and/or the Chair of the Finance and Facilities Committee and the President and/or Vice President for Business and Finance of the University are hereby authorized to execute and deliver a Certificate of Award (the "Certificate of Award") in substantially the same form and with substantially the same content as the form of the Certificate of Award presented at this

meeting for and on behalf of the Board with final terms as may be established for the Bonds within the parameters set forth herein. In the case where the Bonds are sold at a negotiated sale or private placement, 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 and/or the Chair of the Finance and Facilities Committee and the President and/or Vice President for Business and Finance 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 Bonds within the parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized hereby. The Chair or Vice-Chair of the Board and/or the Chair of the Finance and Facilities Committee and the President and/or Vice President for Business and Finance of the University are hereby authorized to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features and purchase price with respect to the Bonds for and on behalf of the Board and the University and any changes thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms are within the parameters set by this Resolution, with such approval to be conclusively established by the execution of the respective Certificate of Award or the Bond Purchase Agreement, as applicable, and Supplemental Indenture. In the event that the foregoing officers determine that the Bonds should be privately placed, the Bond Purchase Agreement and Supplemental Indenture may be modified to conform to the agreement with such Purchasers, including agreement to pay breakage fees, default rates, taxable rates and other similar provisions customary in such placements, provided that such obligations are limited to the sources provided under the Indenture.

The Board intends that the Bonds authorized hereby be issued within 18 months of the date of this Resolution, unless such period is extended by the Board.

Section 8. 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 and Facilities Committee and the President and/or Vice President for Business and Finance of the University are authorized to make any alterations, changes or additions to the Indenture, the Bonds, the Bond Purchase Agreement, the Certificate of Award, the Official Notice of Bond Sale, the Preliminary Official Statement, the Official Statement, 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 or to permit the private placement or public sale of the Bonds, to conform such documents to the terms established for the Bonds and to update such documents with current information and practices.

Section 9. The appropriate officials of the Board and the University, including without limitation the Chair, Vice Chair, Chair of the Finance and Facilities Committee, Commissioner of Higher Education and Secretary of the Board and the President and/or Vice President for Business and Finance of the University, are hereby authorized and

directed to (i) execute and deliver for and on behalf of the Board and the University any or all additional certificates, documents and other papers 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 and (ii) to take all action necessary or reasonably required by the Indenture, the Preliminary Official Statement, the Official Statement, the Official Notice of Bond Sale, 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.

Section 10. Upon their issuance, the 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 Bonds, the Bond Purchase Agreement, the Official Statement, the Indenture or any other instrument executed in connection with the issuance of the Bonds, 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.

Section 11. After any of the Bonds are delivered by the Trustee to or for the account of 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 Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

Section 12. 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.

Section 13. 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.

Section 14. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE STATE BOARD OF REGENTS OF THE
STATE OF UTAH THIS MAY 17, 2019.

STATE BOARD OF REGENTS OF THE
STATE OF UTAH

Chair

(S E A L)

ATTEST:

Secretary

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

I, Loreen Olney, 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:

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice was given of the agenda, date, time and place of the May 17, 2019 public meeting held by the Members of the State Board of Regents by causing a Notice of Public Meeting, in the form attached hereto as Schedule 1 to be: (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah, at least 24 hours prior to the convening of such meeting, 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; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>), at least 24 hours prior to the convening of such meeting; and (iii) provided 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, pursuant to their subscription to the Utah Public Notice Website (<http://pmn.utah.gov>), and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the State Board of Regents;

(b) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice of the 2018-2019 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 said years, by causing a Notice of Annual Meeting Schedule for the State Board of Regents, in the form attached hereto as Schedule 2, to be (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah in November 2018; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year, and (iii) provided to a newspaper of general circulation within the geographic jurisdiction of the State Board of Regents pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>); and

(c) the State Board of Regents has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-207 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 State Board of Regents and to members of the public at least 24 hours before the meeting to allow members of the State Board of Regents and the public to participate in the meeting, including a description of

how they could be connected to the meeting. The State Board of Regents held the meeting (the anchor location) in the building where it would normally meet 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 May 17, 2019.

Secretary

(S E A L)

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

PARAMETERS

Principal amount not to exceed	\$60,000,000
Coupon Interest rates not to exceed	5.5%
Discount from par not to exceed	2.0%
Final Maturity not to exceed	32 years from date of issuance
May be non-callable or callable at the option of University as determined at the time of sale	

**Utah State University
Research Revenue Bonds, Series 2019
Preliminary Summary Sheet**

Proposed Issue: Research Revenue Bonds

Total Approximate Issue Size: \$47,720,000

Use of Funds: To finance the cost of constructing a High Bay Building (\$15,000,000) and Research Building (\$37,700,000) for the Space Dynamics Laboratory, fund capitalized interest and a debt service reserve fund, if needed; and pay associated costs of issuance.

Maximum Parameters of Proposed Series 2019 Bonds:

Principal Amount: Not to exceed \$60,000,000

Interest Rate: Not to exceed 5.5%

Maturity Date: Not to exceed 33 years

Aggregate Discount: Not to exceed 2%

Bond Rating: AA from S&P

Source of Repayment: Research Revenues

Additional Considerations: Regent approval will be sought at the May 17 meeting. Given the different time periods required for the design of each building, bonds may be sold in one or more series. The University anticipates selling bonds by competitive sale, and the underwriter will be whichever provides the lowest borrowing cost as a combination of each bidder's proposed rates and fees.

The \$60 million set as a maximum parameter is sufficient to pay for both authorized projects (\$52.7 million) and bond costs of issuance, and also cover conservative estimates for capitalized interest and a possible debt service reserve fund, as governed by SB 9. The University anticipates issuing an amount well below this authorized maximum, with the final amount to be determined after the results of the competitive sale or sales are known.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Utah State University – Revision to Legislative Bond Authority

Issue

As required by Regent Policy R590, *Issuance of Revenue Boards for Colleges and Universities* Utah State University (USU) requests authorization to seek legislative approval to modify a previous bond authorization for the East Parking Terrace to include the ability to use a portion of the authorization for another smaller parking structure.

Background

Senate Bill 9 (2019), *Revenue Bond and Capital Facilities Authorizations*, authorized USU to issue revenue bonds for the construction of the East Parking Terrace, which was initially approved by the Board in the November 2018 meeting. As USU planned the project and received additional input on the scope and impact of the facility, the University decided to reduce the scope from a five-story, 600-stall parking structure to a smaller four-story facility. The reduced scope of the project will reduce the cost from \$11.7 million to approximately \$8.5 million; however, the parking stalls lost in the reduced scope are still needed on campus to accommodate student housing.

The University proposes to construct a smaller parking facility closer to student housing which would replace the parking stalls lost from the smaller East Parking Terrace. USU would not need any additional bond proceeds beyond the \$11.7 million currently authorized by the legislature, but the legislature would need to authorize the use of the funds for other parking projects beyond the East Parking Terrace. USU requests the Regents approve the revised parking project and allow the University to work with the state legislature to revise the statutory bond authorization.

A copy of the request letter from the University and a map of the proposed parking projects is attached. Representatives from USU will be in attendance at the meeting to provide additional information and answer questions from the Board.

Commissioner's Recommendation

The Commissioner recommends approval of the revision to the Utah State University East Parking Terrace project as proposed, pending legislative authorization.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



April 29, 2019

Commissioner David L. Buhler
Utah State Board of Regents
Board of Regents Building The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Subject: Modification of the East Parking Terrace Project

Dear Commissioner Buhler:

During the 2019 Legislative session, Utah State University received approval to bond and construct a \$11,700,000 East Parking Terrace. After a deeper review of the plans, it is USU's desire to construct the East Parking Terrace with one less level and with a greater setback along 700 North. A second, smaller structure would then be built adjacent to the recently finished Central Suites housing unit to replace the lost stalls.

Since the Legislature approved bonding authority for \$11,700,000 to construct the original, larger parking terrace and since the reduced-scope will require proportionally less bond proceeds to build, it is our intent to return to the upcoming Interim Legislative Session to seek approval to modify this project to be built in two pieces on two sites that are in close proximity and will serve the same needs as originally presented. No additional bonding authority will be requested. The Utah State University Board of Trustees approved this action during the May 1, 2019 meeting.

We appreciate your support and request that you present this item to the Board of Regents during the May 17, 2019 meeting.

Sincerely,

David T. Cowley
Vice President for Business & Finance

cc: Kimberly Henrie, Associate Commissioner for Finance, Facilities, and Research
Noelle Cockett, USU President

NORTH EAST CAMPUS CORE INFORMATION

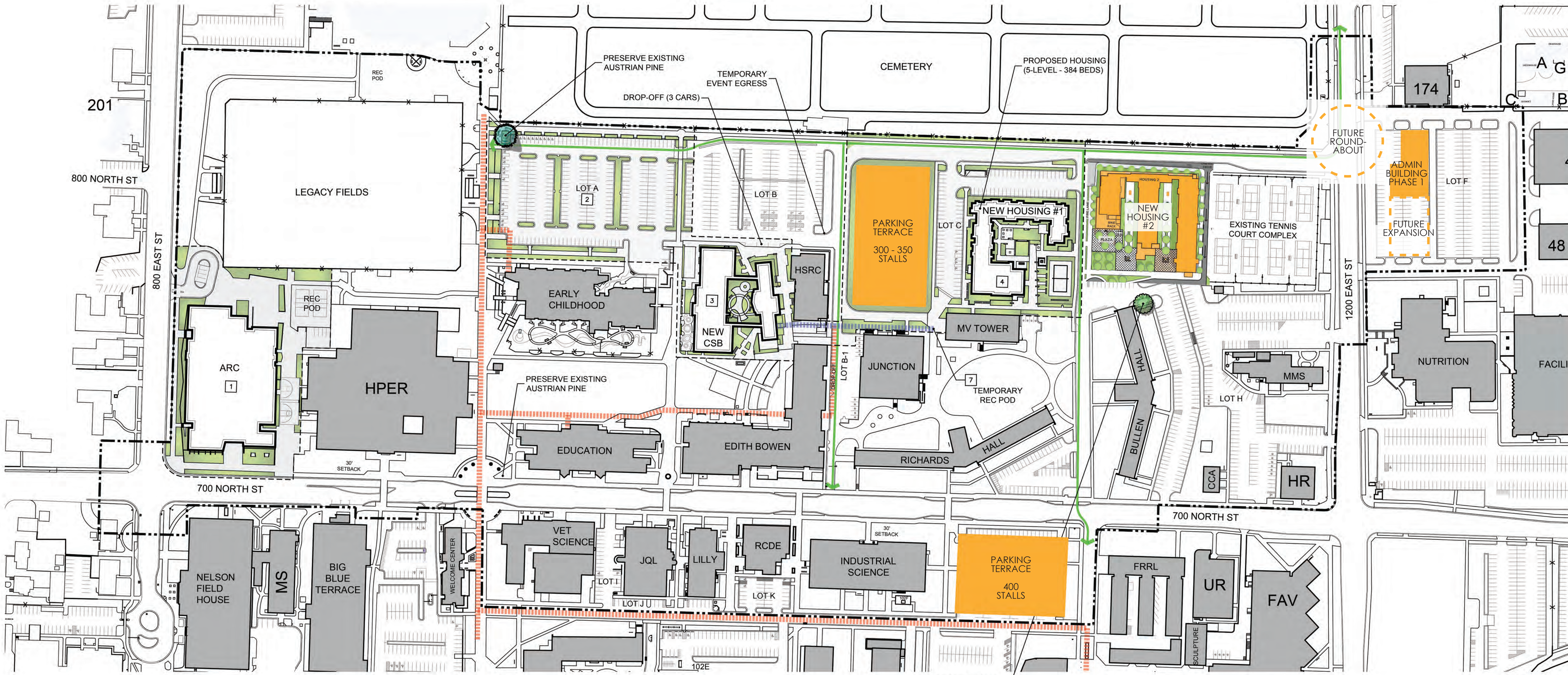
MASTER PLAN STUDY AREA - 66.2 ACRES

GENERAL NOTES

1. ALL PROPOSED PARKING STRUCTURES ARE FOR REFERENCE ONLY. SELECTED LOCATIONS WERE BASED UPON EXISTING OPPORTUNITIES. SEVERAL OTHER POTENTIAL LOCATIONS ARE SUITABLE THROUGHOUT CAMPUS.
2. 30' BUILDING SETBACK (FROM EXISTING CURB) IS RECOMMENDED ALONG 700 NORTH

LEGEND

- EXISTING BUILDING
- OPEN/GREEN SPACE
- STUDY AREA BOUNDARY
- EXISTING TUNNEL
- PROPOSED CAMPUS BIKEWAY
- PROPOSED BUILDING
- PROPOSED HARDSCAPE
- PHASE BOUNDARY
- PROPOSED TUNNEL
- PARKING AREA



PHASE 1A - 0-2 YEARS

DATE PRINTED: 10-09-2017

GRAPHIC SCALE: 1"=100'
 0 100' 200'

NORTH

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Utah State University – Series 2019 Student Fee and Housing Revenue Bonds

Issue

Regent Policy R590, *Issuance of Revenue Bonds for Colleges and Universities*, requires the Board to review and approve the issuance and sale of revenue bonds that have been affirmatively authorized by the Utah State Legislature. Utah State University (USU) requests Board authorization to issue up to \$63,000,000 of Student Fee and Housing Revenue Bonds to construct the Mountain View Residence Hall and USU parking structures as authorized by the state legislature.

Background

During the 2019 General Session the Legislature passed Senate Bill 9, *Revenue Bond and Capital Facilities Authorizations*, which authorized USU to issue revenue bonds for the construction of the Mountain View Residence Hall and the East Parking Terrace. The projects were initially approved by the Board in the November 2018 meeting. Student housing fees are the primary source of repayment for the Mountain View Residence portion of the bonds. Parking fees are the primary source of repayment for the East Parking Terrace portion of the bonds.

The current legislative authorization allows for the issuance of up to \$41,600,000 for the Mountain View Residence Hall and \$11,700,000 for the East Parking Terrace in addition to costs of issuance, capitalized interest, and debt service reserve requirements. The attached resolution authorizes USU to bond for up to \$63,000,000 as a maximum parameter to pay for the authorized projects and costs of issuance, as well as to cover estimates by the University and their financial advisor for capitalized interest and a possible debt service reserve fund. The resolution also includes language authorizing USU to use bond proceeds for additional parking structures if authorized by the state legislature.

The relevant parameters of the requested issue are:

- Principal amount not to exceed \$63,000,000 (including costs of issuance and capitalized interest)
- Interest rate not to exceed 5.5%
- Discount from par not to exceed 2%
- Final maturity not to exceed 33 years from the date of issue

A copy of the request letter from the University, the Approving Resolution, and a financing summary from

the financial advisor are attached. Representatives from USU will be in attendance at the meeting to provide additional information and answer questions from the Board.

Commissioner's Recommendation

The Commissioner recommends approval of the proposed Authorizing Resolution to issue Student Fee and Housing Revenue Bonds for Utah State University as proposed.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



April 29, 2019

Commissioner David L. Buhler
Utah State Board of Regents
Board of Regents Building The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Commissioner Buhler:

Utah State University requests that the Board of Regents approve issuing revenue bonds of approximately \$50,125,000, together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirement to finance the East Parking Terrace and the Mountain View Residence Hall Replacement Building (see the attached Preliminary Summary Sheet). Both projects were previously approved by the Board of Trustees, Board of Regents, State Building Board, and the Legislature. Bonds will be repaid with funds received from on-campus parking revenue and on-campus housing rental revenue. This action was approved by the Board of Trustees during the May 1, 2019 meeting.

We appreciate your support and ask that you present this item for Regents approval.

Sincerely,

David T. Cowley
Vice President for
Business and Finance

C: Kimberly Henrie, Associate Commissioner for Finance and Facilities
Noelle Cockett, President
Dan Christensen, Controller
Dwight Davis, Associate Vice President for Business and Finance

APPROVING RESOLUTION UTAH STATE UNIVERSITY
STUDENT FEE AND HOUSING SYSTEM BONDS

Ephraim, Utah

May 17, 2019

The State Board of Regents of the State of Utah (the “Board”) met in regular session (including by electronic means) at Snow College in Ephraim, Utah on May 17, 2019, commencing at 9:00 a.m. The following members were present:

Harris H. Simmons	Chair
Nina Barnes	Vice Chair
Jessellie B. Anderson	Member
Daniel W. Campbell	Member
Wilford W. Clyde	Member
Sanchaita Datta	Member
Marlin K. Jensen	Member
Ronald W. Jibson	Member
Patricia Jones	Member
JaKell Larson	Student Regent
Steven J. Lund	Member
Robert S. Marquardt	Member
Christina Ortega	Member
Robert W. Prince	Member
Mark R. Stoddard	Member
Teresa L. Theurer	Member
Thomas Wright	Member

Absent:

Also Present:

David L. Buhler	Commissioner of Higher Education
Loreen Olney	Secretary

After the meeting had been duly convened and called to order by the Chair, the roll had been called with the above result, the agenda noted 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, Utah State University Student Fee and Housing System Revenue Bonds.

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:

STATE BOARD OF REGENTS OF THE STATE OF UTAH

SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF

UP TO \$63,000,000
UTAH STATE UNIVERSITY
STUDENT FEE AND HOUSING SYSTEM REVENUE BONDS

Adopted May 17, 2019

TABLE OF CONTENTS

ARTICLE I DEFINITIONS 3

Section 101. Definitions..... 3

Section 102. Authority for Series 2019 Supplemental Resolution. 5

ARTICLE II AUTHORIZATION, TERMS AND ISSUANCE OF SERIES 2019 BONDS 6

Section 201. Authorization of Series 2019 Bonds, Principal Amount, Designation and Series..... 6

Section 202. Purpose..... 6

Section 203. Issue Date..... 6

Section 204. Series 2019 Bonds..... 6

Section 205. Denomination and Numbers. 6

Section 206. Trustee and Paying Agent..... 7

Section 207. Redemption. 7

Section 208. Sale of Series 2019 Bonds. 7

Section 209. Approval of Parameters. 7

Section 210. Delivery of Series 2019 Bonds. 8

Section 211. Delegation Pursuant to Section 53B-21-102(3)(m) of the Utah Code; Further Authority. 8

Section 212. Book-Entry System..... 9

Section 213. Letter of Representations. 11

Section 214. Notices. 11

Section 215. Payments to Cede..... 11

Section 216. Legislative Appropriation. 11

ARTICLE III ESTABLISHMENT OF ACCOUNTS AND SUBACCOUNTS AND APPLICATION OF SERIES 2019 BOND PROCEEDS AND OTHER MONEYS 13

Section 301. Series 2019 Project Account and Series 2019 Cost of Issuance Account.. 13

Section 302. Application of Proceeds of Series 2019 Bonds and Other Moneys..... 13

Section 303. Establishment of Series 2019 Debt Service Subaccount. 13

Section 304. Establishment of Series 2019 Debt Service Reserve Subaccount. 13

ARTICLE IV FORM OF SERIES 2019 BOND 15

Section 401. Form of Series 2019 Bonds..... 15

ARTICLE V MISCELLANEOUS 24

Section 501. Arbitrage Covenant for Series 2019 Bonds; Covenant to Maintain Tax Exemption..... 24

Section 502. Ratification..... 24

Section 503. Severability. 24

Section 504. Conflict.	24
Section 505. Captions.	24
Section 506. Effective Date.	24
 EXHIBIT A – PARAMETERS OF THE BONDS.....	 A-1

SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$63,000,000 AGGREGATE PRINCIPAL AMOUNT OF UTAH STATE UNIVERSITY STUDENT FEE AND HOUSING SYSTEM REVENUE BONDS OF THE STATE BOARD OF REGENTS OF THE STATE OF UTAH; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, pursuant to the provisions of Section 53B-1-103, Utah Code Annotated 1953, as amended (the “Utah Code”), the State Board of Regents of the State of Utah (the “Board”) is authorized to act as the governing authority of Utah State University (the “University”); and

WHEREAS, on March 25, 1994, the Board adopted its Resolution Providing for the Issuance of Utah State University of Agriculture and Applied Science Student Fee and Housing System Revenue Bonds, as heretofore amended and supplemented (the “Master Resolution”); and

WHEREAS, pursuant to Title 53B, Chapter 21, of the Utah Code and S.B. 9 of the Utah Legislature’s 2019 General Session (expected to be codified as Section 63B-29-102, Utah Code), the Board is authorized to issue bonds for the purpose of financing (i) the cost of constructing the Mountain View Residence Hall replacement (the “Mountain View Residence Hall Project”) in an amount not to exceed \$41,600,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, to pay capitalized interest and fund any debt service reserve requirements and (ii) the cost of constructing the East Parking Terrace (or any other or additional projects authorized by the Utah Legislature for the bonds authorized hereby for the East Parking Terrace) (the “East Parking Terrace Project”) in an amount not to exceed \$11,700,000 for acquisition and construction proceeds, together with other amounts necessary to pay costs of issuance, to pay capitalized interest and fund any debt service reserve requirements; and

WHEREAS, the Board deems it advisable and in the interests of the University to adopt a resolution supplementing the Master Resolution for the purpose, among other things, of authorizing the issuance and sale of the Series 2019 Bonds (defined below) in one or more series and to be issued from time to time for the purposes described above; and

WHEREAS, there has been presented to the Board at this meeting a form of a Preliminary Official Statement relating to the Series 2019 Bonds (the “Preliminary Official Statement”), including a form of an Official Notice of Bond Sale (the “Official Notice of Bond Sale”), in the event the Bonds are publicly sold, a form of a Bond Purchase Agreement (the “Bond Purchase Agreement”), in the case where the Bonds are sold at a negotiated sale or private placement, to be entered into among the Board, the University and the underwriters or purchasers for the Bonds (the “Underwriter”); and

WHEREAS, the Board desires to grant to the Chair and/or Vice Chair of the Board and/or the Chair of the Finance and Facilities Committee of the Board, the authority to approve the method of sale, interest rates, principal amount, terms, maturities, redemption

features, and purchase prices at which the Bonds shall be sold and any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution; provided such terms do not exceed the parameters set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the State Board of Regents of the State of Utah as follows:

ARTICLE I

DEFINITIONS

Section 101. Definitions. (a) Except as provided in subsection (b) of this Section, all defined terms contained in the Master Resolution when used in this Series 2019 Supplemental Resolution shall have the same meanings as set forth in the Master Resolution.

(b) As used in this Series 2019 Supplemental Resolution, unless the context shall otherwise require, the following terms shall have the following meanings:

“Cede” means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to any Series of the Series 2019 Bonds pursuant to Section 212 hereof.

“Designated Officer” means (i) with respect to the Board, its Chair, Vice Chair, or, Chair of the Finance and Facilities Committee, and (ii) with respect to the University, its President, Vice President for Business and Finance or its Associate Vice President for Business and Finance.

“DTC” means The Depository Trust Company, New York, New York, and its successors and assigns.

“Letter of Representations” means the Blanket Issuer Letter of Representations from the Board to DTC.

“Master Resolution” means that certain Resolution Providing for the Issuance of Utah State University of Agriculture and Applied Science Student Fee and Housing System Revenue Bonds, adopted by the Board on March 25, 1994, as heretofore amended and supplemented.

“Official Statement” means each official statement relating to a Series of the Series 2019 Bonds, in substantially the form of the Preliminary Official Statement which was before the Board at the time of adoption of this Series 2019 Supplemental Resolution with information established upon the sale of such Series of the Series 2019 Bonds.

“Participants” means those broker-dealers, banks and other financial institutions from time to time for which DTC holds Series 2019 Bonds as securities depository.

“Person” means natural persons, firms, partnerships, associations, corporations, trusts, public bodies and other entities.

“Preliminary Official Statement” means each preliminary official statement relating to a Series of the Series 2019 Bonds, in substantially the form was before the Board at the time of adoption of this Series 2019 Supplemental Resolution as revised prior to sale of such Series of the Series 2019 Bonds.

“Record Date” means, with respect to each Series of the Series 2019 Bonds, the fifteenth day of the month next preceding each respective interest payment date.

“Resolution” means the Master Resolution as supplemented by this Series 2019 Supplemental Resolution.

“Series 2007 Bonds” means the University’s Student Fee and Housing System Revenue Refunding Bonds, Series 2007.

“Series 2015 Bonds” means the University’s Student Fee and Housing System Revenue Bonds, Series 2015.

“Series 2016 Bonds” means the University’s Student Fee and Housing System Revenue Bonds, Series 2016.

“Series 2019 Bonds” means the University’s Student Fee and Housing System Revenue Bonds, authorized by this Series 2019 Supplemental Resolution (with such additional or other title and/or series designation(s) as may be determined by the officers of the Board) which may be issued in one or more series and from time to time.

“Series 2019 Debt Service Reserve Requirement” means for each Series of the Series 2019 Bonds, the amount, if any, set forth in the related Terms Certificate.

“Series 2019 Debt Service Reserve Subaccount” means, if provided for in the related Terms Certificate, the Series Subaccount established in the Debt Service Reserve Account in the Principal and Interest Fund pursuant to Section 5.07(a) of the Master Resolution and Section 304 hereof, which may be titled relating to the Series name of the Series of Series 2019 Bonds.

“Series 2019 Debt Service Subaccount” means each Series Subaccount established in the Debt Service Account in the Principal and Interest Fund pursuant to Section 5.06(a) of the Master Resolution and Section 303 hereof for a related Series of the Series 2019 Bonds.

“Series 2019 Project” means collectively, the construction of the Mountain View Residence Hall replacement and the construction of the East Parking Terrace.

“Series 2019 Supplemental Resolution” means this resolution, adopted by the Board on May 17, 2019, authorizing the issuance of the Series 2019 Bonds.

“Terms Certificate” shall mean each certificate of the Board setting forth the final terms for a Series of the Series 2019 Bonds (within the parameters set forth herein) to be executed by a Designated Officer of each of the Board and the University.

“Trustee” means U.S. Bank National Association, of Salt Lake City, Utah, and its successors and permitted assigns under the Master Resolution.

“Underwriters” means, the underwriter[s] or purchaser[s] for a Series of the Series 2019 Bonds pursuant to the related Terms Certificate.

The terms “hereby”, “hereof”, “hereto”, “herein”, “hereunder”, and any similar terms as used in this Series 2019 Supplemental Resolution, refer to this Series 2019 Supplemental Resolution.

Section 102. Authority for Series 2019 Supplemental Resolution. This Series 2019 Supplemental Resolution is adopted pursuant to the provisions of the Act and the Master Resolution.

ARTICLE II

AUTHORIZATION, TERMS AND ISSUANCE OF SERIES 2019 BONDS

Section 201. Authorization of Series 2019 Bonds, Principal Amount, Designation and Series. For the purposes specified in Section 202 hereof and in accordance with and subject to the terms, conditions and limitations established in the Master Resolution and this Series 2019 Supplemental Resolution, the Board hereby authorizes to be issued from time to time one or more series of Utah State University Student Fee and Housing System Revenue Bonds, in the aggregate principal amount of up to \$63,000,000, to be designated “Utah State University Student Fee and Housing System Revenue Bonds, Series [2019]” (with such additional or other title and/or series designation(s) as may be determined by the officers of the Board).

The Board intends that the Series 2019 Bonds authorized hereby be issued within 18 months of the date of this Resolution, unless such period is extended by the Board.

Section 202. Purpose. (a) The Series 2019 Bonds are being issued to (i) to provide funds to finance all or any part of the Series 2019 Project, (ii) to provide necessary reserves, and (iii) to pay the costs incident to the issuance of the Series 2019 Bonds.

(b) Except for the Series 2007 Bonds, the Series 2015 Bonds, the Series 2016 Bonds, and the Series 2019 Bonds, the Board, on behalf of the University, has not issued any bonds, notes or other obligations currently outstanding pursuant to the Master Resolution or that are payable from or secured by a pledge of the Revenues or any portion thereof.

(c) The Board hereby finds and determines that (i) the principal amount of the Series 2019 Bonds to be issued pursuant to the Resolution is reasonable and necessary to accomplish the purposes set forth in this Section 202 and (ii) the parameters set forth in this Series 2019 Supplemental Resolution with respect to the principal amount, interest rates, purchase price and other terms for the Series 2019 Bonds are reasonable.

Section 203. Issue Date. The Issue Date of each Series of the Series 2019 Bonds shall be the respective date of issuance and delivery thereof (the “Issue Date”).

Section 204. Series 2019 Bonds. The Series 2019 Bonds of each Series shall mature on such dates and in such amounts as shall be determined pursuant to the authority delegated under Section 211(a) hereof and set forth in the related Terms Certificate and shall bear interest (calculated on the basis of a year of 360 days consisting of twelve 30-day months) from their Issue Date, payable semiannually on April 1 and October 1 in each year, commencing as set forth in the related Terms Certificate, or on such other dates and at the rates per annum as shall be determined pursuant to the authority delegated under Section 211(a) hereof.

Section 205. Denomination and Numbers. The Series 2019 Bonds shall be issued only as fully registered Bonds, without coupons, in the denominations of \$5,000 and any

whole multiple thereof unless otherwise provided in the related Terms Certificate. The Series 2019 Bonds shall be numbered from one (1) consecutively upwards with the prefix “R-” preceding each number.

Section 206. Trustee and Paying Agent. U.S. Bank National Association is hereby appointed the Trustee and Paying Agent for the Series 2019 Bonds, subject to Section 7.02 of the Master Resolution. Principal and Redemption Price of the Series 2019 Bonds shall be payable at the principal corporate trust office of the Paying Agent or of its successor as Paying Agent. Payment of interest on any Series 2019 Bonds shall be made to the Owner thereof and shall be paid by check or draft mailed to the Owner thereof as of the close of business on the Record Date at such Owner’s address as it appears on the registration books of the Board maintained by the Trustee or at such other address as is furnished to the Trustee in writing by such Owner as provided in the Master Resolution. The Trustee shall signify acceptance of the duties and obligations imposed upon it by the Resolution and provide its address for purposes of notices delivered pursuant to the Resolution by executing and delivering to the Board and the University a written acceptance thereof prior to the delivery of each Series of the Series 2019 Bonds.

Section 207. Redemption. (a) The Series 2019 Bonds may be subject to redemption, including optional, extraordinary optional or sinking fund redemption if so specified in the Terms Certificate.

(b) In the event any Series 2019 Bonds are called for redemption, in addition to the notice described in Section 4.03 of the Master Resolution, the Trustee shall give further notice of such redemption by posting notice to the Municipal Securities Rulemaking Board’s EMMA website.

Section 208. Sale of Series 2019 Bonds. The Board hereby authorizes, approves and directs the use and distribution of Preliminary Official Statements substantially in the form of the Preliminary Official Statement presented to the Board at this meeting in connection with the offering and sale of each Series of the Series 2019 Bonds, in the event such Series 2019 Bonds are publicly sold. The Chair, Vice Chair and/or Chair of the Finance and Facilities Committee of the Board and the President, Vice President for Business and Finance and/or Associate Vice President for Business and Finance of the University are hereby authorized to execute and deliver on behalf of the Board and the University final Official Statements in substantially the same form and with substantially the same content as the form of the Preliminary Official Statement presented to this meeting with any such alterations, changes or additions as may be necessary to finalize each Official Statement. The preparation, use and distribution of each Official Statement is hereby authorized. The Board and the University may elect to directly place a Series of the Series 2019 Bonds with or without the use of an Official Statement.

Section 209. Approval of Parameters. The Series 2019 Bonds shall mature on such date or dates, be subject to redemption, and bear interest at the rates as shall be approved by a Designated Officer of each of the Board and the University, all within the parameters set forth on Exhibit A attached hereto and incorporated herein by reference.

Section 210. Delivery of Series 2019 Bonds. The Series 2019 Bonds shall be delivered to the Underwriters upon compliance with the provisions of Section 3.02 of the Master Resolution.

Section 211. Delegation Pursuant to Section 53B-21-102(3)(m) of the Utah Code; Further Authority. (a) As authorized by Section 53B-21-102(3)(m) of the Utah Code, the Board hereby delegates to the Designated Officers of the Board and the University the authority for and on behalf of the Board and the University to approve, prior to the original issuance of each Series of the Series 2019 Bonds, the following terms for the Series 2019 Bonds within the applicable parameters for such terms as set forth in Exhibit A:

(i) the final principal amount of such Series of the Series 2019 Bonds;

(ii) the maturity dates (whether by term or serial maturities), principal amount maturing on each such date, the interest payment dates, and interest rates for such Series of the Series 2019 Bonds;

(iii) any redemption provisions;

(iv) the aggregate price to be paid for the Series;

(v) the manner of sale (public sale or direct purchase and using an official notice of sale or Bond Purchase Agreement);

(vi) the type of credit enhancement, if any, and the terms for such credit enhancement; and

(vii) such other terms and provisions for such Series of the Series 2019 Bonds as the Designated Officers, as appropriate, shall determine are necessary or advisable in connection with the issuance, sale and delivery of the Series 2019 Bonds and as are consistent with the terms and provisions of this Series 2019 Supplemental Resolution. In the event that the Designated Officers determine that all or any portion of the Bonds should be privately placed, the Bond Purchase Agreement and Terms Certificate may be modified to conform to the agreement with such purchasers, including agreement to pay breakage fees, default rates, taxable rates and other similar provisions customary in such placements, provided that such obligations are limited to the sources provided under the Resolution. The Designated Officers may also amend the definition of “Student Housing System” found in the Master Resolution (as previously amended) to update the references to the various properties included in the system, including as a result of the construction of the Series 2019 Project and other projects and the elimination of properties replaced by such projects. In the event that the Utah Legislature modifies the authorization for bonds for the East Parking Terrace, to include other or additional projects, the Designated Officers may modify the description of such project accordingly, including after the issuance of the Series 2019 Bonds.

(b) As authorized by Section 53B-21-102(3)(m) of the Utah Code, the Board hereby further delegates to the Designated Officers the authority for and on behalf of the Board to (i) approve the amounts of the proceeds of sale of such Series of the Series 2019 Bonds and certain other moneys to be used and deposited as provided in Section 302 and (ii) determine the related Series 2019 Debt Service Reserve Requirement, if any and the terms for use of a reserve surety, if any.

(c) The Designated Officers, the Secretary of the Board, and all other officers of the Board and the University are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Series 2019 Bonds.

Section 212. Book-Entry System.

(a) Unless otherwise provided in the related Terms Certificate and except as provided in paragraphs (b) and (c) of this Section 212 the Registered Owner of all Series 2019 Bonds and the Series 2019 Bonds shall be registered in the name of Cede & Co. (“Cede”), as nominee of The Depository Trust Company, New York, New York (together with any substitute securities depository appointed pursuant to paragraph (c)(ii) of this Section 212, “DTC”). Payment of the interest on any Series 2019 Bonds shall be made in accordance with the provisions of this Supplemental Resolution to the account of Cede on the Interest Payment Dates for the Series 2019 Bonds at the address indicated for Cede in the registration books of the Bond Registrar.

(b) The Series 2019 Bonds shall be initially issued in the form of a separate single fully registered Bond in the amount of each separate stated maturity and interest rate of the Series 2019 Bonds. Upon initial issuance, the ownership of each such Series 2019 Bond shall be registered in the registration books of the Board kept by the Registrar, in the name of Cede, as nominee of DTC. With respect to Series 2019 Bonds so registered in the name of Cede, the Board, Registrar and any Paying Agent shall have no responsibility or obligation to any DTC participant or to any beneficial owner of any of such Series 2019 Bonds. Without limiting the immediately preceding sentence, the Board, Registrar and any Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any DTC participant with respect to any beneficial ownership interest in the Series 2019 Bonds, (ii) the delivery to any DTC participant, beneficial owner or other person, other than DTC, of any notice with respect to the Series 2019 Bonds, including any notice of redemption, or (iii) the payment to any DTC participant, beneficial owner or other person, other than DTC, of any amount with respect to the principal or redemption price of, or interest on, any of the Series 2019 Bonds. The Board, the Bond Registrar and any Paying Agent may treat DTC as, and deem DTC to be, absolute owner of each Series 2019 Bond for all purposes whatsoever, including (but not limited to) (1) payment of the principal or redemption price of, and interest on, each Series 2019 Bond, (2) giving notices of redemption and other matters with respect to such Series 2019 Bonds and (3)

registering transfers with respect to such Bonds. So long as the Series 2019 Bonds are registered in the name of Cede & Co., the Paying Agent shall pay the principal or redemption price of, and interest on, all Series 2019 Bonds only to or upon the order of DTC, and all such payments shall be valid and effective to satisfy fully and discharge the Board's obligations with respect to such principal or redemption price, and interest, to the extent of the sum or sums so paid. Except as provided in paragraph (c) of this Section 212, no person other than DTC shall receive a Bond evidencing the obligation of the Board to make payments of principal or redemption price of, and interest on, any such Bond pursuant to this Supplemental Resolution. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the transfer provisions of this Supplemental Resolution, the word "Cede" in this Supplemental Resolution shall refer to such new nominee of DTC.

Except as provided in paragraph (c)(iii) of this Section 212, and notwithstanding any other provisions of this Supplemental Resolution, the Series 2019 Bonds may be transferred, in whole but not in part, only to a nominee of DTC, or by a nominee of DTC to DTC or a nominee of DTC, or by DTC or a nominee of DTC to any successor securities depository or any nominee thereof.

(c) (i) DTC may determine to discontinue providing its services with respect to the Series 2019 Bonds at any time by giving written notice to the Board, the Registrar, and the Paying Agent, which notice shall certify that DTC has discharged its responsibilities with respect to the Series 2019 Bonds under applicable law.

(ii) The Board, in its sole discretion and without the consent of any other person, may, by notice to the Registrar, terminate the services of DTC with respect to the Series 2019 Bonds if the Board determines that the continuation of the system of book-entry-only transfers through DTC is not in the best interests of the beneficial owners of the Series 2019 Bonds or the Board; and the Board shall, by notice to the Registrar, terminate the services of DTC with respect to the Series 2019 Bonds upon receipt by the Board, the Registrar, and the Paying Agent of written notice from DTC to the effect that DTC has received written notice from DTC participants having interests, as shown in the records of DTC, in an aggregate principal amount of not less than fifty percent (50%) of the aggregate principal amount of the then outstanding Series 2019 Bonds to the effect that: (1) DTC is unable to discharge its responsibilities with respect to the Series 2019 Bonds; or (2) a continuation of the requirement that all of the outstanding Series 2019 Bonds be registered in the registration books kept by the Registrar in the name of Cede, as nominee of DTC, is not in the best interests of the beneficial owners of the Series 2019 Bonds.

(iii) Upon the termination of the services of DTC with respect to the Series 2019 Bonds pursuant to subsection (c)(ii)(2) hereof, or upon the discontinuance or termination of the services of DTC with respect to the

Series 2019 Bonds pursuant to subsection (c)(i) or subsection (c)(ii)(l) hereof the Board may within 90 days thereafter appoint a substitute securities depository which, in the opinion of the Board, is willing and able to undertake the functions of DTC hereunder upon reasonable and customary terms. If no such successor can be found within such period, the Series 2019 Bonds shall no longer be restricted to being registered in the registration books kept by the Registrar in the name of Cede, as nominee of DTC. In such event, the Board shall execute and the Registrar shall authenticate Series 2019 Bond certificates as requested by DTC of like principal amount, maturity and Series, in authorized denominations to the identifiable beneficial owners in replacement of such beneficial owners' beneficial interest in the Series 2019 Bonds.

The Designated Officers may specify in the related Terms Certificate that a Series of the Series 2019 Bonds be issued in other than book entry form.

Section 213. Letter of Representations. The Letter of Representations has been executed and delivered by the Board to DTC. The execution and delivery of the Letter of Representations shall not in any way limit the provisions of Section 212 hereof or in any other way impose upon the Board or the University any obligation whatsoever with respect to Persons having interests in the Series 2019 Bonds other than the Bondowners, as shown on the registration books kept by the Trustee. In the written acceptance of each Paying Agent and Trustee, such Paying Agent and Trustee, respectively, shall agree to take all action necessary for all representations of the Board in the Letter of Representations with respect to the Paying Agent and Trustee, respectively, to at all times be complied with.

Section 214. Notices. In connection with any notice or other communication to be provided to Holders of Series 2019 Bonds registered in the name of Cede pursuant to this Supplemental Resolution by the Board or the Registrar with respect to any consent or other action to be taken by such Holders, the Board shall establish a record date for such consent or other action by such Holders and give DTC notice of such record date not less than fifteen (15) days in advance of such record date to the extent possible.

Section 215. Payments to Cede. Notwithstanding any other provision of this Series 2019 Supplemental Resolution to the contrary, so long as any Series 2019 Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to principal of and premium, if any, and interest on such Series 2019 Bond and all notices with respect to such Series 2019 Bond shall be made and given, respectively, in the manner provided in the appropriate Letter of Representations.

Section 216. Legislative Appropriation. In order to (a) assure the maintenance of a Series 2019 Debt Service Reserve Subaccount in an amount equal to the related Series 2019 Debt Service Reserve Requirement or pay Reserve Instrument Repayment Obligations and (b) assure the payment of principal and interest on the Series 2019 Bonds, the Board shall cause the Chair, not later than the first day of December in each year, to certify to the Governor and Director of Finance of the State, the amount, if any, required to (i) restore such Series 2019 Debt Service Reserve Subaccount to the related Series 2019

Debt Service Reserve Requirement or pay Reserve Instrument Repayment Obligations or (ii) meet any projected shortfalls of payment of principal or interest or both for the following year on any Series 2019 Bonds issued hereunder. A copy of such Certificate shall be promptly delivered by the Chair to the Trustee. The Governor may request from the Legislature an appropriation of the amount so certified in the second preceding sentence. All sums appropriated by the Legislature, if any, and paid to the Board pursuant to the foregoing procedure shall be deposited respectively in the related Series 2019 Debt Service Reserve Subaccount or Series 2019 Debt Service Subaccount or to repay Reserve Instrument Repayment Obligations, as applicable.

ARTICLE III

ESTABLISHMENT OF ACCOUNTS AND SUBACCOUNTS AND APPLICATION OF SERIES 2019 BOND PROCEEDS AND OTHER MONEYS

Section 301. Series 2019 Project Account and Series 2019 Cost of Issuance Account.

(a) Upon the issuance of each Series of the Series 2019 Bonds, there shall be established in the Construction Fund a Series 2019 Project Account (as further named by Series) which shall be held by the Trustee and used as provided in Section 5.03 of the Master Resolution to pay cost of the Series 2019 Project.

(b) Upon the issuance of each Series of the Series 2019 Bonds, there shall be established a separate account designated as the “Series 2019 Cost of Issuance Account” (as further named by Series) to be held by the Trustee, moneys in which shall be used for the purpose of paying costs of issuance of the related Series of the Series 2019 Bonds. Any moneys remaining in the Series 2019 Cost of Issuance Account on the date of the full and final payment of all costs of issuance of the Series 2019 Bonds, shall be transferred promptly to the related Project Account.

Section 302. Application of Proceeds of Series 2019 Bonds and Other Moneys. From the proceeds of sale of each Series of the Series 2019 Bonds, together with other available money of the University, if any, there shall be paid to the Trustee for use and deposited as follows:

(a) Into the related Series 2019 Debt Service Reserve Subaccount, the amount specified in the Terms Certificate or a surety bond in the amount of the related Series 2019 Debt Service Reserve Requirement determined pursuant to the authority delegated under Section 211(b) hereof;

(b) Into the related Series 2019 Project Account, the amount specified in the Terms Certificate; and

(c) Into the related Series 2019 Cost of Issuance Account, the amount specified in the Terms Certificate.

Section 303. Establishment of Series 2019 Debt Service Subaccount. Pursuant to Section 5.06(a) of the Master Resolution, there shall be established a Series Subaccount in the Debt Service Account in the Principal and Interest Fund designated as the “Series 2019 Debt Service Subaccount” (with any further Series designation). Moneys shall be deposited into and paid from the Series 2019 Debt Service Subaccount in accordance with Sections 5.05(a)(i)(A) and 5.06(b), respectively, of the Master Resolution to pay Debt Service on the related Series 2019 Bonds.

Section 304. Establishment of Series 2019 Debt Service Reserve Subaccount. Pursuant to Section 5.07(a) of the Master Resolution, there may be established a Series

Subaccount in the Debt Service Reserve Account in the Principal and Interest Fund designated as the “Series 2019 Debt Service Reserve Subaccount” (with further Series designation). Moneys shall be deposited into and paid from the Series 2019 Debt Service Reserve Subaccount if, when and as required by the Master Resolution, to remedy deficiencies in the related Series 2019 Debt Service Subaccount in accordance with Section 5.07 of the Master Resolution. The Series 2019 Debt Service Reserve Requirement shall be an amount determined pursuant to the authority delegated under Section 211(b) hereof and may be funded with a reserve surety if provided in related the Terms Certificate.

ARTICLE IV

FORM OF SERIES 2019 BOND

Section 401. Form of Series 2019 Bonds. Subject to the provisions of the Master Resolution, each Series 2019 Bond shall be in substantially the following form, with such insertions or variations as to any redemption or amortization provisions and such other insertions or omissions, endorsements and variations as may be required or permitted by the Resolution (including, but not limited to, such changes as may be necessary if the Series 2019 Bonds at any time are no longer held in book-entry form as permitted hereby):

[FORM OF BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA STATE OF UTAH
STATE BOARD OF REGENTS OF THE STATE OF UTAH
UTAH STATE UNIVERSITY
STUDENT FEE AND HOUSING SYSTEM REVENUE BOND, SERIES [2019]

Number R- _____ \$ _____

Interest Rate Maturity Date Dated Date CUSIP

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS*****

KNOW ALL MEN BY THESE PRESENTS that Utah State University, a body politic and corporate of the State of Utah (the "University") acting by and through the State Board of Regents of the State of Utah, its governing body (the "Board"), acknowledges itself indebted and for value received hereby promises to pay, in the manner and from the sources hereinafter provided, to the registered owner identified above or registered assigns, on the maturity date specified above, upon presentation and surrender hereof, the principal amount identified above (the "Principal Amount"), and to pay to the registered owner hereof interest on the balance of the Principal Amount from time to time remaining unpaid from the interest payment date next preceding the date of registration and authentication of this Bond, unless this Bond is registered and authenticated as of an interest payment date, in which event this Bond shall bear interest from such interest payment date, or unless this Bond is registered and authenticated prior to the first interest payment date, in which event this Bond shall bear interest from the dated date identified above (the "Dated Date"), or unless, as shown by the records of the hereinafter referred to Trustee, interest on the hereinafter referred to Bonds shall be in default, in which event this Bond shall bear interest from the date to which interest has been paid in full, or unless no interest has been paid on this Bond, in which event it shall bear interest from the Dated Date, at the interest rate per annum (calculated on the basis of a year of 360 days consisting of twelve 30-day months) specified above (the "Interest Rate"), payable semiannually on _____ 1 and _____ 1 each year, beginning _____, until payment in full of the Principal Amount. This Bond shall bear interest on overdue principal at the Interest Rate.

Principal of and premium, if any, on this Bond shall be payable at the corporate trust office of U.S. Bank National Association, the paying agent of the Board, or its successor as such paying agent, in any coin or currency of the United States of America that at the time of payment is legal tender for the payment of public and private debts. Payment of the semiannual interest hereon shall be made to the registered owner hereof and shall be paid by check or draft mailed to the person who is the registered owner of record as of the close of business on the fifteenth (15) day of the month next preceding each interest payment date at the address of such registered owner as it appears on the registration books of the Board maintained by the Trustee (as hereinafter defined), or at such other address as is furnished in writing by such registered owner to the Trustee as provided in the Bond Resolution (as hereinafter defined).

This Bond is a special obligation of the University and is one of the Utah State University Student Fee and Housing System Revenue Bonds (the "Bonds") issued under and by virtue of the provisions of Chapter 21 of Title 53B of the Utah Code Annotated 1953, as amended, [63B-29-102(3) and (4)] of the Utah Code Annotated 1953, as amended, and the Registered Public Obligations Act, Chapter 7 of Title 15 of the Utah Code Annotated 1953, as amended (collectively, the "Act"), and under and pursuant to the Resolution Providing For the Issuance of Utah State University of Agriculture and Applied Science Student Fee and Housing System Revenue Bonds, adopted on March 25, 1994 (the "Master Resolution"), as the same from time to time may be amended or supplemented by further resolutions of the Board, including the Supplemental Resolution authorizing the issuance of this Series of Bonds, adopted on May 17, 2019 (such Master Resolution and Supplemental Resolution and any and all such further resolutions being herein collectively called the "Bond Resolution"), for the purpose of providing funds (a) to finance [the construction of the Mountain View Residence Hall replacement][the construction of the East Parking Terrace] for the University, (b) to provide necessary reserves and (c) to pay expenses incident thereto and to the issuance of the Series 2019 Bonds (as defined below).

THE UNIVERSITY IS OBLIGATED TO PAY PRINCIPAL AND REDEMPTION PRICE OF AND INTEREST ON THIS BOND SOLELY FROM THE REVENUES AND OTHER FUNDS OF THE UNIVERSITY PLEDGED THEREFOR UNDER THE TERMS OF THE BOND RESOLUTION. THIS BOND IS NOT A DEBT OF THE STATE OF UTAH, THE BOARD OR THE UNIVERSITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OF INDEBTEDNESS. PURSUANT TO THE BOND RESOLUTION, SUFFICIENT REVENUES HAVE BEEN PLEDGED AND WILL BE SET ASIDE INTO SPECIAL FUNDS BY THE UNIVERSITY TO PROVIDE FOR THE PROMPT PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS BOND AND ALL BONDS OF THE SERIES OF WHICH IT IS A PART.

As provided in the Bond Resolution, bonds, notes and other obligations may be issued from time to time in one or more series in various principal amounts, may mature at different times, may bear interest at different rates and may otherwise vary as provided in the Bond Resolution, and the aggregate principal amount of such bonds, notes and other obligations that may be issued is not limited. In addition to bonds, notes and other obligations issued pursuant to the Bond Resolution, the University may execute Contracts

and incur Security Instrument Repayment Obligations as provided in the Bond Resolution. All bonds, notes and other obligations issued and to be issued under the Bond Resolution (including, but not limited to, the Series 2019 Bonds), all Contracts and all Security Instrument Repayment Obligations are and will be equally and ratably secured by the pledge and covenants made in the Bond Resolution, except as otherwise expressly provided or permitted in or pursuant to the Bond Resolution.

This Bond is one of a Series of Bonds designated as “Utah State University Student Fee and Housing System Revenue Bonds, Series [2019]” (herein called the “Series 2019 Bonds”), limited to the aggregate principal amount of _____ Dollars (\$_____), and duly issued under and by virtue of the Act and under and pursuant to the Bond Resolution. Copies of the Bond Resolution are on file at the office of the Secretary of the Board, in Salt Lake City, Utah, at the office of the Vice President for Business and Finance of the University, in Logan, Utah, and at the respective corporate trust office of U.S. Bank National Association, as trustee under the Bond Resolution (said trustee and any successors thereto under the Bond Resolution being herein called the “Trustee”). Reference to the Bond Resolution and to the Act is made for a description of the pledge and covenants securing the Series 2019 Bonds, the nature, manner and extent of enforcement of such pledge and covenants, the terms and conditions upon which the Series 2019 Bonds are issued, and upon which additional Bonds, notes and other obligations may be issued thereunder, Contracts may be executed thereunder and Security Instrument Repayment Obligations may be incurred thereunder, and a statement of the rights, duties, immunities and obligations of the Board, the University and the Trustee. Such pledge and other obligations of the Board and the University under the Bond Resolution may be discharged at or prior to the maturity or redemption of the Series 2019 Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Bond Resolution.

To the extent and in the respects permitted by the Bond Resolution, the Bond Resolution may be modified or amended by action on behalf of the Board taken in the manner and subject to the conditions and exceptions prescribed in the Bond Resolution. The owner of this Bond shall have no right to enforce the provisions of the Bond Resolution or to institute action to enforce the pledge or covenants made therein or to take any action with respect to an event of default under the Bond Resolution or to institute, appear in or defend any suit or other proceeding with respect thereto, except as provided in the Bond Resolution.

This Bond is transferable, as provided in the Bond Resolution, only upon the books of the University kept for that purpose at the principal corporate trust office of the Trustee, by the registered owner hereof in person or by such owner’s attorney duly authorized in writing, upon surrender hereof to the Trustee together with a written instrument of transfer satisfactory to the Trustee, duly executed by the registered owner or such duly authorized attorney. Thereupon, the Board and the University shall issue in the name of the transferee a new Series 2019 Bond of the same aggregate principal amount and Series, designation, maturity and interest rate as the surrendered Series 2019 Bond, all as provided in the Bond Resolution and upon the payment of the charges therein prescribed. The Board, the University, the Trustee and any paying agent may treat and consider the person in whose

name this Series 2019 Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or Redemption Price hereof and interest due hereon and for all other purposes whatsoever, and neither the Board, the University, the Trustee nor any paying agent shall be affected by any notice to the contrary.

The Series 2019 Bonds are issuable solely in the form of fully registered Bonds, without coupons, in denominations of \$5,000 and any whole multiple thereof.

The Series 2019 Bonds are subject to redemption prior to maturity as follows:

[to be inserted from Terms Certificate]

Except as otherwise provided herein and unless the context clearly indicates otherwise, words and phrases used herein shall have the same meanings as such words and phrases in the Bond Resolution.

This Bond shall not be valid until the Certificate of Authentication hereon shall have been manually signed by the Trustee.

This Bond is one of a Series of Bonds which were certified as legal obligations by the Attorney General of the State of Utah on May 17, 2019.

(Signature page follows.)

IN WITNESS WHEREOF, THE STATE BOARD OF REGENTS OF THE STATE OF UTAH has caused this Bond to be executed on behalf of the University by the Chair of the Board, countersigned by the Vice President for Business and Finance of the University and attested by the Secretary of the Board and has caused the official seal of the Board to be impressed hereon, all as of the Dated Date.

STATE BOARD OF REGENTS OF THE
STATE OF UTAH

(SEAL)

By: _____ /s/ (Do Not Sign)
Chair

COUNTERSIGNED:

By: _____ /s/ (Do Not Sign)
Vice President for Business and Finance
of Utah State University

ATTEST:

(Do Not Sign)
Secretary

[FORM OF TRUSTEE'S CERTIFICATE OF AUTHENTICATION]

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the Utah State University Student Fee and Housing System Revenue Bonds, Series [2019].

U.S. BANK NATIONAL ASSOCIATION,
as Trustee

By: _____
Authorized Officer

Date of registration and authentication: _____

[FORM OF ASSIGNMENT]

The following abbreviations, when used in the inscription on the face of the within Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT _____
(Cust.)

Custodian for _____
(Minor)

Under Uniform Gifts to Minors Act of _____
(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED, _____ the undersigned hereby sells, assigns and transfers unto:

(Social Security or Other Identifying Number of Assignee)

(Please Print or Typewrite Name and Address of Transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney for registration thereof, with full power of substitution in the premises.

DATED:

Signature: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" that is a member of or a participant in a "signature guarantee program" (e.g., the Securities Transfer Agents Medallion Program, the Stock Exchange Medallion Program or the New York Stock Exchange, Inc. Medallion Signature Program).

ARTICLE V

MISCELLANEOUS

Section 501. Arbitrage Covenant for Series 2019 Bonds; Covenant to Maintain Tax Exemption. The Designated Officers and other appropriate officials of the Board and the University are hereby authorized and directed to execute such tax certificates as shall be necessary to establish that (i) the Series 2019 Bonds are not “arbitrage bonds” within the meaning of Section 148 of the Code and the regulations promulgated or proposed thereunder, (ii) the Series 2019 Bonds are not and will not become “private activity bonds” within the meaning of Section 141 of the Code, (iii) all applicable requirements of Section 149 of the Code are and will be met, (iv) the covenants of the Board and the University contained in this Section will be complied with and (v) interest on the Series 2019 Bonds is not and will not become includible in gross income of the Owners thereof for federal income tax purposes under the Code and applicable regulations promulgated or proposed thereunder.

Section 502. Ratification. All proceedings, resolutions and actions of the Board, the University and their respective officers taken in connection with the sale and issuance of the Series 2019 Bonds are hereby ratified, confirmed and approved.

Section 503. Severability. It is hereby declared that all parts of this Series 2019 Supplemental Resolution are severable, and if any section, paragraph, clause or provision of this Series 2019 Supplemental Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Series 2019 Supplemental Resolution.

Section 504. Conflict. All resolutions, orders and regulations or parts thereof heretofore adopted or passed that are in conflict with any of the provisions of this Series 2019 Supplemental Resolution are, to the extent of such conflict, hereby repealed.

Section 505. Captions. The table of contents and captions or headings herein are for convenience of reference only and in no way define, limit or describe the scope or intent of any provisions or sections of this Series 2019 Supplemental Resolution.

Section 506. Effective Date. This Series 2019 Supplemental Resolution shall take effect immediately upon its adoption and approval.

Section 507. Resolution Irrepealable. After any of the Bonds are delivered by the Trustee to or for the account of the Purchaser and upon receipt of payment therefor, this Resolution shall be and remain irrepealable until the principal of, premium, if any, and interest on the Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

(Signature page follows.)

ADOPTED AND APPROVED this May 17, 2019.

STATE BOARD OF REGENTS OF THE
STATE OF UTAH

(SEAL)

By: _____
Chair

ATTEST:

Secretary

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

I, Loreen Olney, 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 May 17, 2019 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 May 17, 2019.

Secretary

(SEAL)

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

I, Loreen Olney, 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:

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice was given of the agenda, date, time and place of the May 17, 2019 public meeting held by the Members of the State Board of Regents by causing a Notice of Public Meeting, in the form attached hereto as Schedule 1 to be: (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah, at least 24 hours prior to the convening of such meeting, 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; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>), at least 24 hours prior to the convening of such meeting; and (iii) provided 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, pursuant to their subscription to the Utah Public Notice Website (<http://pmn.utah.gov>), and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the State Board of Regents;

(b) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice of the 2018-2019 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 said years, by causing a Notice of Annual Meeting Schedule for the State Board of Regents, in the form attached hereto as Schedule 2, to be (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah in November 2018; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year, and (iii) provided to a newspaper of general circulation within the geographic jurisdiction of the State Board of Regents pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>); and

(c) the State Board of Regents has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-207 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 State Board of Regents and to members of the public at least 24 hours before the meeting to allow members of the State Board of Regents and the public to participate in the meeting, including a description of

how they could be connected to the meeting. The State Board of Regents 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 May 17, 2019.

Secretary

(SEAL)

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

PARAMETERS OF THE BONDS

Principal amount not to exceed:	\$63,000,000
Interest rate not to exceed:	5.5%
Discount from par not to exceed:	2.0%
Final maturity not to exceed:	33 years from the date thereof
May be non-callable or callable at the option of University as determined at the time of sale	

Utah State University
Student Fee and Housing System Revenue Bonds, Series 2019
Preliminary Summary Sheet

Proposed Issue: Student Fee and Housing System Revenue Bonds

Total Approximate Issue Size: \$50,125,000

Use of Funds: To finance the cost of constructing a parking terrace (\$11,700,000) and the Mountain View Residence Hall Replacement (\$41,600,000), fund capitalized interest and a debt service reserve fund, if needed; and pay associated costs of issuance.

Maximum Parameters of Proposed Series 2019 Bonds:

Principal Amount: Not to exceed \$63,000,000

Interest Rate: Not to exceed 5.5%

Maturity Date: Not to exceed 33 years

Aggregate Discount: Not to exceed 2%

Bond Rating: AA from S&P

Source of Repayment: Parking and Housing Revenues

Additional Considerations: Regent approval will be sought at the May 17 meeting. Given the different time periods required for the design of each building, bonds may be sold in one or more series. The University anticipates selling bonds by competitive sale, and the underwriter will be whichever provides the lowest borrowing cost as a combination of each bidder's proposed rates and fees.

The \$63 million set as a maximum parameter is sufficient to pay for both authorized projects (\$53.3 million) and bond costs of issuance, and also cover conservative estimates for capitalized interest and a possible debt service reserve fund, as governed by SB 9. The University anticipates issuing an amount well below this authorized maximum, with the final amount to be determined after the results of the competitive sale or sales are known.

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Utah Valley University – Non-traditional Arrangement and Property Acquisition

Issue

Regent policies R712, *Nontraditional Arrangements for Development of Facilities on Campuses* and R587, *Contract or Lease-Purchase Financing* require the Board of Regents to approve institutional property purchases that involve contracts or lease-financing. Utah Valley University (UVU) requests Board approval to purchase a 93,797 square foot office building at Thanksgiving Point in Lehi, Utah for below market value at \$22,108,420 using a combination of cash and the assumption of an existing loan.

Background

Utah Valley University currently leases 13,700 square feet in an office building located at 2912 Executive Parkway in Lehi, Utah for \$360,000 annually. The 93,797 square-foot office building has recently become available to purchase, and the University requests Regent approval to purchase the property for \$22,108,420 including the assumption of an existing loan on the facility for \$10,842,000, which is below the appraised value of \$23,300,000.

In order to assume the existing loan, Regent Policy R587 requires the review of the contract by the Attorney General's office, a careful analysis of the financing, and non-state funding for the purchase. The University has engaged the Attorney General's office, which has reviewed the contract and will continue to provide counsel for the purchase. UVU analyzed the financing options and finds that assuming the existing loan will save \$1.3 million on the purchase price. Institutional funds will be used for the purchase, and existing rental space in the facility will provide a revenue stream to service the loan. Funding will come from institutional revenues not a part of the institution's appropriated budget.

The Thanksgiving Point facility is in a strategic location adjacent to a UTA Front Runner train station and near Utah's Silicon Slopes that will allow the University to serve students in northern Utah County. The leased space currently offers Master's programs in business administration, education, and cybersecurity. Additionally, the property is located in proximity to 10 acres UVU currently owns at Thanksgiving Point and the Mountainland Technical College, which provides an opportunity for future growth and collaboration.

Additional information about this request may be found in the attached map, a letter from the University, and the executive summary of the property appraisal. Representatives from UVU will attend the meeting to provide additional information and respond to questions from the Board.

Commissioner's Recommendation

The Commissioner recommends that the Board authorize Utah Valley University to acquire property at 2912 Executive Parkway in Lehi, Utah as proposed contingent on continued communication and review by the Attorney General's office.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



UTAH VALLEY UNIVERSITY

VICE PRESIDENT FOR FINANCE & ADMINISTRATION

May 6, 2019

Utah Board of Regents
60 South 400 West
Salt Lake City, UT 84101

Members of the Board,

This is a request to purchase a piece of real property located at 2912 Executive Parkway, Thanksgiving Point in Lehi for \$22.1 million dollars. The university would assume an existing loan as part of the purchase agreement:

Existing Loan Balance:	\$10,842,000
<u>Cash Balance:</u>	<u>\$11,266,420</u>
Total:	\$22,108,420

By assuming the existing loan, the university is able to save \$1.3 million dollars on the purchase price. The purchase and sale documents and the loan agreement are being reviewed and approved by the Attorney General's office, as required by Utah Board of Regents policy.

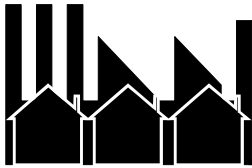
The property is located adjacent to a Front Runner station and includes an attached parking garage. The building has 97,538 square feet of rental space available, of which the university is currently renting 13,700 square feet. The building currently has 77,301 square feet of rental space under contract, which will provide a revenue stream of \$1,704,158 dollars annually.

This building will allow the university to continue to expand its presence in "Silicon Slopes", is ideally located for the convenience of our students, and would provide a steady revenue stream to help offset the costs of expansion as the university slowly converts rental space into classroom space within the facility.

Sincerely,

Val Peterson
UVU, Vice President of Finance





Restricted Appraisal Report

May 10, 2019

Utah Valley University
Attn: Jeana Miner AX 138
1545 W. Business Park Dr.
Orem, Utah 84058

**RE: Professional Office Property
2912 W. Executive Parkway
Lehi, Utah 84043**

Dear Jeana:

At your request, I have performed an appraisal analysis of the above-referenced professional office property. The subject is parcel 53-333-0012 on Utah County records. The Legal Description for the land area is included herein. The site includes 5.613 acres. The building has 93,797 rentable sq. ft. The property includes underground parking and storage, as well as a large fitness and break area on the fourth floor.

This appraisal provides an estimate of the as-is market value with leased fee estate property rights. Based on the results of my analysis, I estimate the as-is market value of the subject property, as of May 8, 2019 (date of inspection), is as follows:

\$23,300,000

**** TWENTY-THREE MILLION THREE HUNDRED THOUSAND DOLLARS ****

The above-concluded value is conditional upon the Extraordinary Assumptions on pages 8-9 of this report. The exposure time to achieve the value estimated herein is approximately nine months. The probable marketing time is up to nine months as well.

According to my agreement and understanding, this is a *Restricted Appraisal Report*. As such, *reliance on the report is limited to the client*. The report conclusions relating to value cannot be understood properly without additional information contained in my appraiser work file. Please note that a full appraisal report is being prepared and will be delivered in the next few business days.

Please advise if I can be of any further assistance.

Respectfully submitted,



TODD GURNEY, MAI

Utah State Certified General Appraiser Certificate 5487768-CG00 Expires 7-31-20
--

File 06719R
Attachments

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Utah Valley University – Property Acquisition

Issue

Regent Policy R703, *Acquisition of Real Property* requires the Board of Regents to approve institutional property purchases that exceed \$500,000. Utah Valley University (UVU) requests Board approval to purchase a residential property contiguous to campus with 1.24 acres for the appraised value of \$900,000 using institutional funds.

Background

Utah Valley University requests authorization to purchase a property adjacent to the Orem campus located at 691 West 925 South that has recently become available. As the Orem campus is landlocked between I-15, University Parkway, and surrounding residences, opportunities for campus expansion are limited. The 1.24-acre parcel borders Campus Drive to the north and provides an opportunity for access to the University as well as the potential for use in hosting community events and visitors. The existing residential home is approximately 7,500 square feet and in good condition. The University will purchase the property at the appraised value of \$900,000 with institutional funds. The Utah Valley University Board of Trustees approved this item in their January 17, 2019 meeting.

Additional information about this request may be found in the attached letter from the University, the executive summary of the property appraisal, and map of the property. Representatives from UVU will be in attendance at the meeting to provide additional information and respond to questions from the Board.

Commissioner's Recommendation

The Commissioner recommends that the Board authorize Utah Valley University to acquire property located at 691 West 925 South in Orem as proposed.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments



UTAH VALLEY UNIVERSITY

VICE PRESIDENT FOR FINANCE & ADMINISTRATION

January 4, 2019

Commissioner David Buhler
Utah System of Higher Education
Board of Regents Building, The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Commissioner Buhler,

Utah Valley University is requesting permission to purchase a home located at 691 West 925 South, Orem.

Homes for sale along the south side of 925 South present an opportunity to expand the campus footprint to the north in a logical manner. The purchase of this property, at a pinch point on college drive, allows for the potential widening of the road. The house has excellent access to the University from Campus Drive. The home is well built and could be used for hosting events or campus visitors. A contract, pending approval of the Board of Trustees and Board of Regents, has been accepted by the owner for the appraised value of \$900,000.

If you have any questions please feel free to contact me.

Sincerely,

Val L. Peterson
Vice President
Finance and Facilities

Maxwell Appraising Inc.
1115 North 560 West
Orem, Utah 84057
801-369-3243

12/12/2018

Utah Valley University
95 N. University Avenue, Provo, Utah 84601

RE: Theobald House

Re: Property: 691 W 925 S
Orem, UT 84058
Borrower: N/A
File No.: 3991812gpar

Opinion of Value: \$ 900,000
Effective Date: 12/07/2018

In accordance with your request, I have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Cordially,



Thomas Maxwell
License or Certification #: 5473489-CR00
State: UT Expires: 04/30/2019
maxwell.appraising@gmail.com

OVERHEAD VIEW OF THE SUBJECT PROPERTY



May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Enrollment Forecasts

Issue

Annually, USHE institutions update their respective 10-year enrollment forecast estimates for Board review and approval. These estimates are prepared to help inform Regents and state-level policymakers about future enrollment levels at USHE institutions, assist in identifying capital development needs, and develop mid- to long-range operation plans.

Background

In order to recognize their distinct missions and goals, the USHE institutions have each developed a unique projection model to estimate future enrollments. When comparing the enrollment projection made in 2018 to last year's reported data, the fall end-of-term 2018 headcount projections were overstated by 1,279 students (difference of .7%), fall end-of-term FTE projections were overstated by 757 FTE (difference of .6%) and the 2017-18 annualized FTE projections were overstated by 1,555 FTE (difference of 1.1%). Institutions continue to refine their estimation models for the 2019 projection data sets.

The enrollment projection models use state and institutional data sets that include (but are not limited to) variables such as Utah population by age (Kem C. Gardner Policy Institute, Utah Population Committee) high school enrollments (Utah State Board of Education), and unemployment estimates (Bureau of Labor Statistics). The models used estimation methods such as Least Squared Regression Models, Bayesian Structural Time Series Analysis, Weighted Growth Models and Trend Analysis to estimate future enrollments. The institution's enrollment projection model is evaluated annually in an open, peer review forum of Institutional Research professionals from each of the eight USHE institutions. This year's discussion occurred on April 11, 2019. The data presented in each of these models were accepted as valid for each of the eight USHE institutions.

The revised estimates project approximately 232,000 students (161,000 FTE) by the fall 2028 semester, with an annualized enrollment of 169,900 full-time equivalent students for the 2028-29 academic year. These projections represent an increase of approximately 43,000 (34,000 Annualized FTE) students enrolled at USHE institutions over the next 10 years (figure 1).

The attached tables display these projections on an institution-by-institution basis. These estimates may be used in concert with additional data points when conducting mid to long-range planning.

Commissioner's Recommendation

The Commissioner recommends the Board approve the 10-year enrollment projections for the Utah System of Higher Education.

David L. Buhler
Commissioner of Higher Education

DLB/CJM/JAC
Attachments

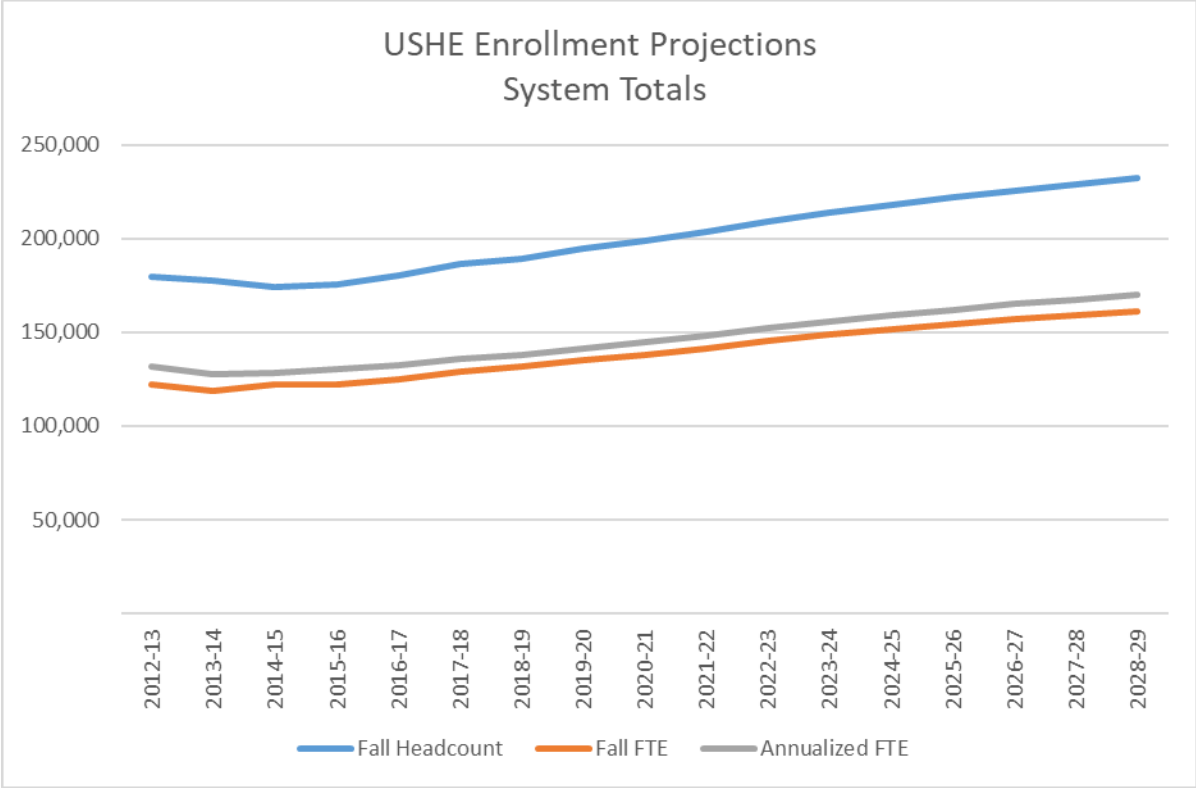


Figure 1 – USHE Projected Enrollment Trends

Enrollment Projections

Utah System of Higher Education

System Total Projections - Proposed to Board of Regents, May 2019

Institution	Fall (End of Term) Headcount											Growth Rate
	Actual 2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	
University of Utah	33,369	33,750	34,342	34,997	35,610	36,050	36,571	36,873	37,086	37,266	37,324	
Annual Growth	0.7%	1.1%	1.8%	1.9%	1.8%	1.2%	1.4%	0.8%	0.6%	0.5%	0.2%	1.1%
Utah State University*	29,367	29,690	30,135	30,738	31,353	31,980	32,620	33,272	33,937	34,616	35,308	
Annual Growth	1.2%	1.1%	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	1.9%
Weber State University	28,700	28,999	29,674	30,333	31,003	31,443	31,784	32,055	32,380	32,709	33,073	
Annual Growth	1.1%	1.0%	2.3%	2.2%	2.2%	1.4%	1.1%	0.9%	1.0%	1.0%	1.1%	1.4%
Southern Utah University	10,772	11,318	11,873	12,416	13,031	13,636	14,218	14,828	15,508	16,214	16,973	
Annual Growth	5.1%	5.1%	4.9%	4.6%	5.0%	4.6%	4.3%	4.3%	4.6%	4.5%	4.7%	4.7%
Snow College	5,574	5,675	5,727	5,779	5,829	5,880	5,931	5,983	6,036	6,089	6,143	
Annual Growth	- 0.3%	1.8%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	1.0%
Dixie State University	9,986	10,811	11,521	12,141	12,794	13,215	13,665	14,096	14,520	14,890	15,340	
Annual Growth	2.9%	8.3%	6.6%	5.4%	5.4%	3.3%	3.4%	3.2%	3.0%	2.6%	3.0%	4.4%
Utah Valley University	40,471	42,678	44,152	45,682	47,270	48,920	50,583	52,332	53,733	54,849	55,836	
Annual Growth	7.1%	5.5%	3.5%	3.5%	3.5%	3.5%	3.4%	3.5%	2.7%	2.1%	1.8%	3.3%
Salt Lake Community College	30,940	31,527	31,419	31,469	31,832	32,462	32,552	32,557	32,490	32,395	32,219	
Annual Growth	- 4.1%	1.9%	- 0.3%	0.2%	1.2%	2.0%	0.3%	0.0%	- 0.2%	- 0.3%	- 0.5%	0.4%
USHE Totals	189,179	194,448	198,844	203,555	208,722	213,586	217,923	221,997	225,690	229,027	232,216	
Annual Growth	1.6%	2.8%	2.3%	2.4%	2.5%	2.3%	2.0%	1.9%	1.7%	1.5%	1.4%	2.1%

Enrollment Projections

Utah System of Higher Education

System Total Projections - Proposed to Board of Regents, May 2019

Fall Semester (End-of-Term) Full Time Equivalent												
Institution	Actual 2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Growth Rate
University of Utah	28,594	29,068	29,611	30,181	30,745	31,124	31,574	31,835	32,019	32,174	32,225	
Annual Growth	1.4%	1.7%	1.9%	1.9%	1.9%	1.2%	1.4%	0.8%	0.6%	0.5%	0.2%	1.2%
Utah State University*	23,153	23,431	23,782	24,258	24,743	25,238	25,743	26,258	26,783	27,318	27,865	
Annual Growth	1.5%	1.2%	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	1.9%
Weber State University	17,465	17,580	18,026	18,514	18,990	19,302	19,551	19,768	20,015	20,253	20,505	
Annual Growth	1.4%	0.7%	2.5%	2.7%	2.6%	1.6%	1.3%	1.1%	1.3%	1.2%	1.2%	1.6%
Southern Utah University	8,268	8,654	9,044	9,433	9,874	10,316	10,741	11,193	11,717	12,249	12,758	
Annual Growth	6.5%	4.7%	4.5%	4.3%	4.7%	4.5%	4.1%	4.2%	4.7%	4.5%	4.2%	4.4%
Snow College	4,022	4,059	4,097	4,135	4,173	4,212	4,251	4,291	4,321	4,362	4,403	
Annual Growth	- 1.8%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	0.9%
Dixie State University	7,539	8,216	8,756	9,227	9,724	10,043	10,385	10,713	11,035	11,317	11,658	
Annual Growth	1.9%	9.0%	6.6%	5.4%	5.4%	3.3%	3.4%	3.2%	3.0%	2.6%	3.0%	4.5%
Utah Valley University	26,770	27,876	28,873	29,940	31,006	31,944	32,868	33,834	34,473	34,997	35,550	
Annual Growth	6.2%	4.1%	3.6%	3.7%	3.6%	3.0%	2.9%	2.9%	1.9%	1.5%	1.6%	2.9%
Salt Lake Community College	15,621	15,917	15,863	15,888	16,071	16,390	16,435	16,437	16,403	16,355	16,267	
Annual Growth	- 4.1%	1.9%	- 0.3%	0.2%	1.2%	2.0%	0.3%	0.0%	- 0.2%	- 0.3%	- 0.5%	1.0%
USHE Totals	131,432	134,802	138,052	141,576	145,326	148,570	151,548	154,329	156,767	159,026	161,230	
Annual Growth	1.9%	2.6%	2.4%	2.6%	2.6%	2.2%	2.0%	1.8%	1.6%	1.4%	1.4%	2.1%

Enrollment Projections

Utah System of Higher Education

System Total Projections - Proposed to Board of Regents, May 2019

Annualized FTE - Academic Year													
Institution	Actual 2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	Growth Rate
University of Utah	30,693	31,100	31,576	32,198	32,780	33,318	33,730	34,218	34,500	34,700	34,868	34,922	
Annual Growth	1.1%	1.3%	1.5%	2.0%	1.8%	1.6%	1.2%	1.4%	0.8%	0.6%	0.5%	0.2%	1.2%
Utah State University*	23,513	23,725	23,962	24,321	24,808	25,304	25,810	26,326	26,853	27,390	27,938	28,496	
Annual Growth	- 0.3%	0.9%	1.0%	1.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	1.8%
Weber State University	18,069	18,096	18,333	18,767	19,283	19,772	20,090	20,346	20,578	20,839	21,081	21,331	
Annual Growth	3.6%	0.1%	1.3%	2.4%	2.7%	2.5%	1.6%	1.3%	1.1%	1.3%	1.2%	1.2%	1.5%
Southern Utah University	8,240	8,881	9,249	9,642	10,061	10,512	10,917	11,376	11,838	12,322	12,822	13,319	
Annual Growth	4.1%	7.8%	4.1%	4.3%	4.3%	4.5%	3.8%	4.2%	4.1%	4.1%	4.1%	3.9%	4.5%
Snow College	3,915	3,861	3,896	3,933	3,969	4,006	4,044	4,081	4,119	4,148	4,187	4,227	
Annual Growth	- 0.4%	- 1.4%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.7%	0.9%	0.9%	0.7%
Dixie State University	7,298	7,414	8,108	8,641	9,106	9,596	9,911	10,248	10,572	10,890	11,168	11,505	
Annual Growth	7.2%	1.6%	9.4%	6.6%	5.4%	5.4%	3.3%	3.4%	3.2%	3.0%	2.6%	3.0%	4.2%
Utah Valley University	26,464	27,771	28,738	29,806	30,917	32,072	33,275	34,460	35,616	36,634	37,510	38,280	
Annual Growth	5.6%	4.9%	3.5%	3.7%	3.7%	3.7%	3.8%	3.6%	3.4%	2.9%	2.4%	2.1%	3.4%
Salt Lake Community College	17,659	17,164	17,490	17,430	17,457	17,659	18,009	18,058	18,061	18,024	17,971	17,874	
Annual Growth	1.3%	- 2.8%	1.9%	- 0.3%	0.2%	1.2%	2.0%	0.3%	0.0%	- 0.2%	- 0.3%	- 0.5%	0.1%
USHE Totals	135,851	138,012	141,352	144,738	148,381	152,240	155,785	159,114	162,137	164,947	167,545	169,954	
Annual Growth	2.5%	1.6%	2.4%	2.4%	2.5%	2.6%	2.3%	2.1%	1.9%	1.7%	1.6%	1.4%	2.1%

* Utah State projection data does not include enrollments at USUE-DWS campus

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – 2019-20 Performance Funding Model and Allocations

Issue

The 2019 Legislature appropriated a total of \$31,500,000 in ongoing funds for Performance Funding to the Board of Regents. These funds can be used to support institutional priorities. Board members are asked to review the proposed allocation using the current model as previously approved by the Board and consistent with statute. A final report on how institutions plan to use these funds will be presented at the August 2, 2019 Board meeting.

Background

Legislators use performance funding to tie new state funding to outputs focused on completion, access, or meeting workforce needs. The Utah legislature first appropriated performance funding in 2013, and in every year since. Twice they have provided policy direction through legislation, SB 232 in 2015, and most recently, SB 117 in 2017. Prior to FY 2019-20, nearly \$27 million in state funding has been provided to USHE institutions for performance funding (\$12.35 million on-going and \$14.5 million one-time).

As required by statute, for each institution, the eligible award amount was divided and weighted among the various performance metrics included in the model. The proposed final award amounts were calculated based on the actual performance achieved for each metric using a five-year rolling average comparison to a single year. In order for institutions to earn 100 percent of their eligible award amount, they must demonstrate at least one percent improvement in the most current year when compared to the previous five years average. If an institution achieves between zero percent and one percent for a particular metric, the award is a prorated percentage.

In March 2019, the Board approved changing the Market Demand metric to align with the Board's Workforce metric, which measures the annual number of degrees and certificates awarded in high market-demand occupation-related programs using the DWS 4- and 5-Star designated job projections. With the addition of 4-Star jobs, Community Colleges and institutions that offer two-year associate's degrees will now participate in this performance category.

Attached for Board review:

- An Issue Brief summarizing the process of allocating performance funding
- \$31.5 million Performance Funding Allocation Detail by Institution

- Performance Funding History for Fiscal Years 2014 - 2020

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve the following amounts based on the 2019-2020 USHE Performance Funding model for \$31.5 million:

1. Approve the following fund allocation for fiscal year 2019-20 as follows:

<u>University of Utah</u>	<u>\$ 9,145,200</u>
<u>Utah State University</u>	<u>\$ 6,321,400</u>
<u>Weber State University</u>	<u>\$ 3,339,100</u>
<u>Southern Utah University</u>	<u>\$ 1,644,300</u>
<u>Snow College</u>	<u>\$ 753,400</u>
<u>Dixie State University</u>	<u>\$ 754,600</u>
<u>Utah Valley University</u>	<u>\$ 4,897,900</u>
<u>Salt Lake Community College</u>	<u>\$ 3,638,300</u>
<u>Unallocated/Cyber Security</u>	<u>\$ 1,005,800</u>
<u>Total</u>	<u>\$31,500,000</u>

2. Direct the Commissioner's Office to use the unallocated \$1,005,800 for system cybersecurity needs, as authorized by legislative intent language.

Prepare an in-depth discussion agenda item of the performance based funding model at the August 2, 2019 Board meeting, and report planned uses of these funds.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/BLS/JC/RPA
Attachments

Performance Funding Summary

There are seven parts to the USHE Performance Funding metrics diagrammed in the illustration below:

1. **Measures:** Legislature sets 5 performance metrics; Regents define detail of “underserved” and “market demand”
2. **Weight:** Regents assign weights to the measures; Legislature requires Market Demand to be weighted at least 25%
3. **Appropriation:** Legislature appropriates funds for performance funding
4. **Allocation:** Legislature allocates the appropriation proportionately to USHE institutions: 50% based on budget and 50% on student FTE
5. **Progress:** Legislature defines progress at meeting performance as a 1% improvement over a 5-year average
6. **Award:** Legislature: Institutions receive 100% of their allocation if they have 1% positive progress or more; \$0 if progress is negative
7. **Balance:** The balance of funds not awarded to an institution is reallocated to other institutions

	Completion	Underserved Students	Market Demand	Research	Awards per FTE	Total	
							1. Measures
2. Weight	Weighting	15%	10%	25%	10%	40%	100%
University of Utah							
	Available Allocation (29.31%)	\$1,175,820	\$ 783,880	\$1,959,700	\$ 783,880	\$3,135,520	\$7,838,800
							3. Appropriation 4. Allocation
5. Progress	1% Progress Measure (increase/decrease)	3.16%	150.46%	5.15%	4.22%	3.17%	
	Actual Award within Available Allocation	\$1,175,820	\$ 783,880	\$1,959,700	\$ 783,880	\$3,135,520	\$7,838,800
	Percent (%) Funded	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
							6. Award
7. Balance	Balance	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

USHE FY 2020 ELIGIBLE PERFORMANCE FUNDING AMOUNT

\$ 31,500,000

DISTRIBUTION 50% ENROLLMENT 50% APPROPRIATIONS

Institution	2017-18 Annualized Budget Related FTE	% of FTE	50% \$ 15,750,000	2018-19 Total State Funded Appropriations	% of Approps	50% \$ 15,750,000	Eligible Performance Funding Amount	% of Total
UU	29,874	24.47%	\$ 3,853,900	\$ 326,655,600	33.60%	\$ 5,291,300	\$ 9,145,200	29.03%
USU	21,498	17.61%	\$ 2,773,400	\$ 219,031,200	22.53%	\$ 3,548,000	\$ 6,321,400	20.07%
WSU	14,476	11.86%	\$ 1,867,500	\$ 90,847,300	9.34%	\$ 1,471,600	\$ 3,339,100	10.60%
SUU	7,385	6.05%	\$ 952,700	\$ 42,697,600	4.39%	\$ 691,600	\$ 1,644,300	5.22%
SNOW	3,647	2.99%	\$ 470,700	\$ 32,960,800	3.39%	\$ 533,900	\$ 1,004,600	3.19%
DSU	6,699	5.49%	\$ 864,300	\$ 39,812,600	4.09%	\$ 644,900	\$ 1,509,200	4.79%
UVU	23,243	19.04%	\$ 2,998,600	\$ 117,252,000	12.06%	\$ 1,899,300	\$ 4,897,900	15.55%
SLCC	15,262	12.50%	\$ 1,968,900	\$ 103,056,500	10.60%	\$ 1,669,400	\$ 3,638,300	11.55%
Total	122,086	100.0%	\$ 15,750,000	\$ 972,313,600	100.0%	\$ 15,750,000	\$ 31,500,000	100.0%

Sources: 2019 Data Book Tab C, Table 2. 2018-19 Appropriations Detail (sideways sheets)

Performance Funding Detail by Institution
Recalibrated Amounts

Research Universities						
	Completion	Underserved Students	Market Demand	Research	Awards per FTE	Total
<i>Weighting</i>	15%	10%	25%	10%	40%	100%
University of Utah						
Available Allocation (29.31%)	\$1,371,780	\$ 914,520	\$2,286,300	\$ 914,520	\$3,658,080	\$9,145,200
1% Progress Measure (increase/decrease)	3.16%	150.46%	5.15%	4.22%	3.17%	
Actual Award within Available Allocation	\$1,371,780	\$ 914,520	\$2,286,300	\$ 914,520	\$3,658,080	\$9,145,200
Percent (%) Funded	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$

Utah State University						
	Completion	Students	Demand	Research	Awards per FTE	Total
Available Allocation (20.27%)	\$ 948,210	\$ 632,140	\$1,580,350	\$ 632,140	\$2,528,560	\$6,321,400
1% Progress Measure (increase/decrease)	8.93%	82.35%	8.06%	3.92%	6.29%	
Actual Award within Available Allocation	\$ 948,210	\$ 632,140	\$1,580,350	\$ 632,140	\$2,528,560	\$6,321,400
Percent (%) Funded	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$

Regional Universities						
	Completion	Students	Demand	Research	Awards per FTE	Total
<i>Weighting</i>	15%	10%	25%		50%	
Weber State University						
Available Allocation (10.61%)	\$ 500,865	\$ 333,910	\$ 834,775		\$1,669,550	\$3,339,100
1% Progress Measure (increase/decrease)	5.06%	94.93%	11.40%		4.07%	
Actual Award within Available Allocation	\$ 500,865	\$ 333,910	\$ 834,775	\$	\$1,669,550	\$3,339,100
Percent (%) Funded	100.0%	100.0%	100.0%		100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0		\$ 0	\$

Southern Utah University						
	Completion	Students	Demand	Research	Awards per FTE	Total
Available Allocation (5.18%)	\$ 246,645	\$ 164,430	\$ 411,075		\$ 822,150	\$1,644,300
1% Progress Measure (increase/decrease)	19.26%	149.54%	17.50%		19.68%	
Actual Award within Available Allocation	\$ 246,645	\$ 164,430	\$ 411,075	\$	\$ 822,150	\$1,644,300
Percent (%) Funded	100.0%	100.0%	100.0%		100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0		\$ 0	\$

Performance Funding Detail by Institution
Recalibrated Amounts

Regional Universities						
	Completion	Underserved Students	Market Demand		Awards per FTE	Total
<i>Weighting</i>	15%	10%	25%		50%	
Dixie State University						
Available Allocation (4.62%)	\$ 226,380	\$ 150,920	\$ 377,300		\$ 754,600	\$1,509,200
1% Progress Measure (increase/decrease)	7.75%	40.32%	14.00%		-8.53%	
Actual Award within Available Allocation	\$ 226,380	\$ 150,920	\$ 377,300	\$	\$	\$ 754,600
Percent (%) Funded	100.0%	100.0%	100.0%		0.0%	50.0%
Balance	\$ 0	\$ 0	\$ 0		\$ 754,600	\$ 754,600
Utah Valley University						
Available Allocation (15.3%)	\$ 734,685	\$ 489,790	\$1,224,475		\$2,448,950	\$4,897,900
1% Progress Measure (increase/decrease)	16.97%	134.39%	25.21%		8.17%	
Actual Award within Available Allocation	\$ 734,685	\$ 489,790	\$1,224,475	\$	\$2,448,950	\$4,897,900
Percent (%) Funded	100.0%	100.0%	100.0%		100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0		\$ 0	\$
Community Colleges						
	Completion	Underserved Students	Market Demand		Awards per FTE	Total
<i>Weighting</i>	15%	10%	25%		50%	
Snow College						
Available Allocation (2.88%)	\$ 150,690	\$ 100,460	\$ 251,150		\$ 502,300	\$1,004,600
1% Progress Measure (increase/decrease)	28.92%	59.48%	-14.07%		8.18%	
Actual Award within Available Allocation	\$ 150,690	\$ 100,460	\$	\$	\$ 502,300	\$ 753,400
Percent (%) Funded	100.0%	100.0%	0.0%		100.0%	75.0%
Balance	\$ 0	\$ 0	\$ 251,150		\$ 0	\$ 251,150
Salt Lake Community						
Available Allocation (11.83%)	\$ 545,745	\$ 363,830	\$ 909,575		\$1,819,150	\$3,638,300
1% Progress Measure (increase/decrease)	2.56%	107.54%	17.07%		28.39%	
Actual Award within Available Allocation	\$ 545,745	\$ 363,830	\$ 909,575	\$	\$1,819,150	\$3,638,300
Percent (%) Funded	100.0%	100.0%	100.0%		100.0%	100.0%
Balance	\$ 0	\$ 0	\$ 0		\$ 0	\$
Remaining Balances (to be reallocated based on performance)						
	Completion	Underserved Students	Market Demand	Research	Awards/FTE	Total
	0	0	251,150.0	0	754,600	\$1,005,800

UTAH SYSTEM OF HIGHER EDUCATION
PERFORMANCE FUNDING HISTORY
FISCAL YEARS 2014 TO 2020

Institution	FY 2014	FY 2015	FY 2016		FY 2017	FY 2018	FY 2019	FY 2020	Total	
	One-time	One-time	On-going	One-time	One-time	On-going	On-going	On-going	On-going	One-time
University of Utah	194,500	328,620	555,700	2,011,400	1,387,306	1,872,900	1,300,400	9,145,200	12,874,200	3,921,826
Utah State University	200,000	328,620	420,100	1,520,600	1,072,945	1,343,400	899,500	6,321,400	8,984,400	3,122,165
Weber State University	120,000	118,860	242,000	876,100	651,510	713,400	482,800	3,339,100	4,777,300	1,766,470
Southern Utah University	55,200	131,450	91,600	331,400	220,916	319,800	235,700	1,644,300	2,291,400	738,966
Snow College	53,600	82,480	51,400	186,200	139,173	180,900	113,100	753,400	1,098,800	461,453
Dixie State University	53,600	118,310	102,600	371,200	243,446	289,800	94,900	754,600	1,241,900	786,556
Utah Valley University	120,000	197,170	285,500	1,033,200	718,993	1,000,900	314,300	4,897,900	6,498,600	2,069,363
Salt Lake Community College	60,000	98,590	251,100	908,900	565,711	778,900	409,300	3,638,300	5,077,600	1,633,201
Total	856,900	1,404,100	2,000,000	7,239,000	5,000,000	6,500,000	3,850,000	30,494,200	42,844,200	14,500,000

Appropriated	1,000,000	1,500,000	2,000,000	7,000,000	5,000,000	6,500,000	3,850,000	31,500,000
Carry forward	-	143,100	-	239,000	-	-	-	-
Unallocated	(143,100)	(239,000)	-	-	-	-	-	(1,005,800)
Allocated	856,900	1,404,100	2,000,000	7,239,000	5,000,000	6,500,000	3,850,000	30,494,200

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE –Capital Development Prioritization Cycle 2020-21– Adoption of Priority Guidelines

Issue

As part of the annual USHE state-funded capital development prioritization, Regent policy R741 *Capital Development Prioritization* requires the Board to establish and adopt priority guidelines which outline how the Board will evaluate proposed capital facilities projects for the next request cycle.

Background

Regent policy R741 describes the Board's process for ranking state-funded capital facility projects. The prioritization process is comprised of a quantitative analysis of institutional needs and a qualitative assessment of how well the proposed project addresses the Board's priority guidelines and strategic plan. Policy requires the Board to establish annual priority guidelines for the qualitative review at the beginning of the project request cycle.

The Regents' Capital Facilities Subcommittee met in April to review the outcomes and lessons learned from last year's process and to review and establish priority guidelines for the upcoming year. In consultation with the Commissioner's Staff, the Subcommittee recommends keeping the process largely the same as last year.

Similar to last year, the Subcommittee recommends that the Commissioner's Office score the quantitative portion of the prioritization and release preliminary scores to the institutions and the Regents prior to the September Regent prioritization meeting. Also, like last year, the qualitative portion of the prioritization process will be broken into two parts: Regent Criteria Points and Regent Discretionary Points.

Institutions requesting state funding consideration for a capital development project will present their project to the full Board of Regents on Thursday, September 12, 2019. Each Board member will score the presentation according to the criteria identified in the attached guidelines which consist of four criteria based on the Regents' strategic objectives of completion, capacity, affordability, and workforce development. For this year, the Subcommittee recommends adjusting the criteria for Affordability to align with language from Senate Bill 102 (2019) and adjusting the possible points for Capacity and Affordability to 3 points each. Regent criteria scores will be collected anonymously and will be aggregated and averaged for the Capital Facilities Subcommittee to produce a Regent Criteria Point score for each institutional project.

The Subcommittee will meet after the institutional presentations on September 12th to review the Board's input on Regent Criteria points and information received from institutional tours and presentations. The Subcommittee will then develop a final recommendation for the Board, including how to allocate the remaining fifteen (15) Discretionary Points. For this year, the Subcommittee recommends moving consideration of alternative funding sources from a point category in the quantitative portion of the prioritization to a factor for consideration in the Discretionary Points. The priority guidelines for 2020-21 follow in the attachment.

Commissioner's Recommendation

The Commissioner recommends approval of the proposed guidelines for use by the Regents and institutions during the upcoming cycle.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments

Capital Development Priority Guidelines for 2020-2021

Regent Priority Points – In addition to the quantitative “Scoring Points,” Regent Policy R741, *Capital Development Prioritization*, allows the Regents to award up to 25 additional points per institution to address critical USHE needs. For the 2020-2021 funding cycle, the award of Regent Priority points will be made in two steps: 1. Regent Criteria Points (up to 10 points) awarded by the full Board based on Institutional presentations and 2. Regent Discretionary Points (up to 15 points) awarded by the Capital Facilities Committee based on facility tours, institutional presentation, and capital project needs statements.

Regent Criteria Points

0-10 Points

Each institution requesting state funding consideration for a capital development project will present the project to the full Board of Regents on Thursday, September 12, 2019. Each Board member will score the presentation according to the following criteria. Board member scores will be collected anonymously and will be aggregated and averaged to produce a score for each institutional project.

Strategic Objective	Regent Criteria	Possible Points	Regent Score
Completion	The project will improve timely completion of students graduating with degrees and certificates.	2	
Capacity	The project will improve space utilization through the elimination of space and equipment that is functionally obsolete or will improve institutional capacity to serve growing student populations.	3	
Affordability	The project is cost effective and an efficient use of resources	3	
Workforce	The project addresses a time-sensitive emerging opportunity to enhance state or regional workforce needs.	2	

Regent Discretionary Points

0-15 Points

These points are designed to position institutions to further develop and enhance their assigned missions and roles (see R741.3.4.1). Consideration may be given to projects using alternative funding sources. Consideration may also be given, where deemed to be appropriate, to projects with prior approved Legislative design and programming funding.

Total Regents Points

25 Points

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Revision of Policy R701, *Capital Facilities*

Issue

Policy R701, *Capital Facilities* governs institutional requests for new capital facility projects. The proposed revisions align the Regent policy with Legislative changes made by Senate Bill 102 from the 2019 General Session.

Background

Senate Bill 102, *Higher Education Capital Facilities* creates two new types of capital facility funding for USHE capital facility needs. The first sets aside funds for USHE capital projects and requires the Board of Regents to determine how to allocate those funds based on a formula. The second is similar to the current Regent capital development prioritization process and requires the Board to prioritize additional USHE capital needs. These changes will require new Regent policies in addition to the revision of R701, *Capital Facilities*, which governs institutional capital facility requests. Changes to R701 include:

- Addition of references to new statutes and policies applicable to Regent capital facilities requests
- Inclusion of the definitions for the two new types of capital facility projects defined by Senate Bill 102
- Revision of Boards of Trustees review to include statutory language concerning the cost effective and efficient use of resources and consistency with institutional mission and need
- Addition of policy approvals for the new formula allocation and use of funds
- Clarification of the existing Regent prioritization process to use new Senate Bill 102 terminology
- Addition of statutory requirement for Regent review of cost and design for completed capital projects

Commissioner's Recommendation

The Commissioner recommends the Regents revise Policy R701 effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments

R701-1 Purpose: To establish the respective roles of the State Board of Regents, the Boards of Trustees and the Presidents regarding capital facilities and institutional requests for new capital facility projects.

R701-2 References

- 2.1. Utah Code §53B-6-101 (Master Plan for Higher Education - Studies and Evaluations)
- 2.2. Utah Code §53B-7-101 (Combined Requests for Appropriations)
- 2.3. Utah Code §53B-20-101 (Property Rights - Title and Control)
- 2.4. [Utah Code §53B-22-201 \(Capital Developments\)](#)
- 2.54. Utah Code Title 63A, Chapter 5 (State Building Board - Division of Facilities Construction and Management)
- 2.65. Regent Policy R711, State Building Board Delegation of Capital Facilities Projects
- 2.76. Regent Policy R706, Capital Facilities Master Planning
- 2.8.7 Regent Policy R741, ~~Capital Development Prioritization~~ [Dedicated Capital Project Allocation Formula](#)
- 2.9. [Regent Policy R742, Process for Institutional Use of Dedicated Capital Project Funds](#)
- 2.10. [Regent Policy R743, Nondedicated Capital Project Prioritization Process](#)

R701-3 Definitions

- 3.1 **Architectural Programming:** A formal decision-making process used to identify and define the goals and uses of a capital project and to define the scope of work and cost prior to design or construction.
- 3.2 **Capital Facilities:** Capital Facilities are defined as fixed capital assets such as buildings and structures, real estate, utilities and distribution infrastructure, landscape features, hardscape (surface parking, plazas, sidewalks, and exterior stairs and ramps), roadways, campus lighting, and other improvements that serve and protect the general purposes of an institution.
- 3.3 **Capital Development:** This policy adopts the definition established in Utah Code 63A-5-104(1)(a).
- 3.4 **Capital Improvement:** This policy adopts the definition established in Utah Code 63A-5-104(1)(b).

¹ Approved September 16, 1975; amended February 16, 1982, June 24, 1988, December 14, 1990, June 18, 1993, September 24, 1993, December 11, 1998, June 4, 1999, April 18, 2008, April 1, 2010, November 16, 2012, January 25, 2013, September 13, 2013, January 24, 2014, May 15, 2015, ~~and~~ July 21, 2017, [and May 19, 2019](#).

3.5. **Dedicated Project:** a capital development project for which state funds from an institution's formulaic allocation under Utah Code 53B-22-201 are requested or used.

3.6. **Nondedicated Project:** a capital development project for which state funds from a source other than an institution's allocation under Utah Code 53B-22-201 are requested or used.

3.5. Remodeling: includes any alteration, modification, or improvement project other than routine maintenance or repair work, regardless of the source of funding.

R701-4 Effective and Efficient Use of Resources: The Utah System of Higher Education seeks to maximize the effective and efficient use of state resources. Institutions must demonstrate that requests for construction of new capital facilities or remodeling of existing facilities meet the standards of approved academic and facilities master plans. Such justification should consider the availability of state resources and include information relating to student enrollments, space utilization, structural obsolescence, operational inefficiencies, and operating budget constraints.

4.1. Remodeling: Institutions should remodel existing capital facilities for the purpose of changing the building's function only when the project is justified by and consistent with ~~the~~ the institution's mission and in accord with the Board of Regents' previously approved goals and objectives.

R701-5. State Funded Capital Projects Approvals

5.1. Boards of Trustee Review of Requests: Institutions shall obtain approval from their respective Boards of Trustees before they may submit a ~~request~~ funding request for ~~dedicated~~capital development, nondedicated, and capital improvement projects to the Board of Regents. Boards of Trustees shall ensure that proposed project requests; are cost effective and an efficient use of resources, are consistent with the institution's Master Plan, are consistent with the institution's mission, and fulfill a critical institutional facility need~~the role assignment of the institution, and institutional goals and objectives.~~

5.2 Commissioner's Office Recommendations: The Commissioner and his staff shall provide annual recommendations for ~~capital facilities development~~dedicated, nondedicated, and improvement projects based on approved allocation and prioritization ~~policies~~ procedures for consideration by the Board in the preparation of its recommendations to the State Building Board, Governor and Legislature.

5.3 **Regent Allocation for Dedicated Projects:** The Board shall establish and annually review a formula for the allocation of dedicated project funding provided by the legislature in accordance with Regent Policy R742, *Dedicated Capital Project Allocation Formula*. The Board shall allocate funds to institutions annually before May 31 in accordance with Policy R742.

5.4 **Institutional Use of Funds for Dedicated Projects:** The process for institutions to request the use of legislative appropriations allocated by the Board for a dedicated project are governed by Regent Policy R743, *Process for Institutional Use of Dedicated Capital Project Funds*. The Board shall annually submit a list of recommended dedicated projects to the State Building Board, the Governor, and the State Legislature.

5.53 Regent Prioritization of ~~State Funded~~Nondedicated Projects: The Board shall annually prioritize ~~capital development~~nondedicated projects for the System of Higher Education in accordance with Regent Policy R741, *Nondedicated Capital Development Project Prioritization Process*, and submit final recommendations to the State Building Board, the Governor, and the State Legislature.

R701-6. Submission of Capital Improvement Requests – Each year institutions shall submit to the Utah State Building Board and the Board of Regents a prioritized list of projects for funding through the state capital improvement program.

6.1. Non-inclusion of Equipment: Institutions may not include acquisition of equipment unless it is an integral component of a capital improvement.

6.2. Non-inclusion of Normal Maintenance: Normal maintenance of fixed capital assets (i.e., unplanned or discretionary) shall be considered part of the annual operating budget and may not be included as a component of a capital improvement project. Normal maintenance excludes preventive and corrective maintenance of equipment scheduled by the Division of Facilities Construction and Management (DFCM), as well as planned or programmed maintenance of major structural components of a facility (i.e., roofs, parking lots).

R701-7 Responsibilities of Institutional Presidents. Presidents or their designees may:

7.1. Other Necessary Actions: Take all necessary actions relating to construction and remodeling activities that do not require State Building Board approval.

7.2. Routine Repair and Maintenance: Assume the responsibility for routine repair and maintenance of existing structures or facilities (i.e., painting, roof repair, plumbing and electrical repairs, etc.). Institutions must adhere to the State Building Board facility maintenance standards.

7.3. Change Orders: Assume the responsibility to approve and recommend to the DFCM any change orders on projects under construction, as long as funds are available and the change order is within the approved purpose of the project.

7.4. Accept Completed Facilities: Accept completed capital facilities from the DFCM.

R701-8 Architectural Programming of State-Funded Capital Development Projects: Prior to entering into a contract for architectural programming services for a future state-funded capital development project that has not been approved by the State Legislature, an institution shall first receive approvals of the institution's Board of Trustees, the Board of Regents, and the State Building Board in that order.

8.1. Institutions do not need Board of Regent approval to architecturally program a facility that has been affirmatively authorized and funded by the State Legislature.

8.2. Institutions that fund an architectural program for a facility using donations, institutional funds, or other funds not appropriated by the State Legislature may request reimbursement for those funds in the state funded capital development request.

[R701-9 Board Review of Completed State-Funded Capital Development Projects: As required by Utah Code 53B-22-204\(8\) the Board shall review the cost and the design of all completed dedicated and nondedicated projects.](#)

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Revision and Renaming of Policy R741, *Capital Development Prioritization – CDP*

Issue

Senate Bill 102, *Higher Education Capital Facilities* (2019) modifies the Regents' capital development prioritization process and requires a revision and a renaming of Policy R741 from *Capital Development Prioritization – CDP* to *Nondedicated Capital Project Prioritization Process*.

Background

Senate Bill 102 provides an ongoing funding source for USHE capital facilities and limits the number of additional state-funded projects (defined as “nondedicated” projects) the Regents may submit for legislative funding. The bill allows the Regents to prioritize nondedicated projects according to their own policy, but requires three criteria in addition to any others defined by the Regents: need, utilization, and age and condition. These statutory requirements require the revision of Policy R741.

The Regent prioritization process currently defined in R741 requires the Regents to evaluate institutional facility requests on the basis of need, non-appropriated funding, institutional priority, and facility condition. Senate Bill 102, requires the addition of utilization as a factor for Regent prioritization and removes the reference to the factor for non-appropriated funding.

The Regents' Capital Facilities Subcommittee met in April to review the changes from Senate Bill 102 and recommends the following changes to Policy R741 to align the Regent policy with the statute:

- Limit the number of projects an institution may submit to the Regents for prioritization to one per institution
- Clarify that institutions may not submit projects to the State Building Board or the State Legislature
- Remove “institutional priority” as a factor for prioritization
- Remove “non-appropriated funding” as a factor for prioritization and instead add it as a factor for the Regent discretionary points defined in the Capital Development Priority Guidelines for FY 2020-21
- Add “utilization” as a factor for prioritization with 15 points possible
- Clarify that the Board of Regents submits USHE capital project priorities to the State Building

Board and the State Legislature

- Limit the number of institutional projects the Regents may prioritize and submit to the State Building Board and the State Legislature according to statute

Additional technical changes to the current policy include new references to the statute and Regent policy, a new definitions section, and changes to reflect established practices and current Regent policy. In addition to the proposed policy changes, the Commissioner's Office also recommends changing the policy title to *Nondedicated Capital Project Prioritization Process*. The new title reflects the naming convention in Senate Bill 102 that defines state-funded capital development projects prioritized by the Regents as "nondedicated" projects.

Commissioner's Recommendation

The Commissioner recommends the Regents rename Policy R741 to *Nondedicated Capital Project Prioritization Process* and incorporate the proposed changes effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/CJM/JAC
Attachments

R741, Nondedicated Capital Development Project Prioritization Process – CDP¹

R741-1. Purpose: To provide the methodology and process for prioritization of system-wide, state-funded, nondedicated capital development project needs for presentation to the Governor and State Legislature for funding. ~~The framework for deriving the integrated and prioritized list of capital development projects recognizes that many considerations affect the relative priority of the projects. These considerations include: the physical condition of existing facilities, determination of space needs, roles and mission of the institutions, long term strategic planning, and areas of current program emphasis and priority. Consequently, the ranking methodology, while quantitative in nature, is designed to provide the opportunity to exercise discretion and judgment in the ranking of projects.~~

R741-2. References

- 2.1. Utah Code §53B-1-103 (Establishment of State Board of Regents -- Powers, duties, and authority) ~~Utah Code §53B-6-101 (Master Planning – Board Establishes Criteria to Meet Capital Budgetary Needs)~~
- 2.2. Utah Code §53B-22-201 (Capital Developments) ~~Utah Code §53B-7-101 (Combined Requests for Appropriations)~~
- 2.3. Utah Code §53B-20-101 (Property of Institutions to Vest in State Board)
- 2.4. Utah Code § 63A, Chapter 5 (State Building Board ~~– Division of Facilities Construction and Management~~)
- 2.5. Policy and Procedures R740~~1~~, Capital Facilities
- 2.6. Policy and Procedures R702, Non-State Funded Property
- 2.7. Policy and Procedures R703, Acquisition of Real Property
- 2.8~~6~~. Policy and Procedures ~~- R706~~R720, Capital Facilities Master Planning
- 2.9. Policy and Procedures R751, Institutional Facilities Space Utilization

R741-3 Definitions

- 3.1. Capital Development: This policy adopts the definition established in Utah Code 63A-5-104(1)(a).
- 3.2. Non-Appropriated Funds: Contributions such as donations to capital projects from sources other than appropriations of the State Legislature. Student fees are not considered non-appropriated funds for purposes of this policy.

¹ Amended May 20, 2011, September 13, 2013, ~~and~~ November 14, 2014, and May 17, 2019.

3.3. State Funded Project: A capital development project submitted by an institution of Higher Education requiring appropriations of the State Legislature to fund the design, construction, and/or operations and maintenance.

3.4. Dedicated Project: a capital development project for which state funds from an institution's formulaic allocation under Utah Code 53B-22-201 are requested or used.

3.5. Nondedicated Project: a capital development project for which state funds from a source other than an institution's allocation under Utah Code 53B-22-201 are requested or used.

R741-43. Nondedicated Project Prioritization Process ~~Capital Development Project Evaluation Cycle~~ - The Board of Regents shall annually review and prioritize nondedicated projects submitted by USHE institutions. The annual ~~nondedicated project~~ ~~Capital Development Project Evaluation Cycle for analysis and~~ prioritization of needed facilities ~~process~~ consists of ~~four~~ five (54) fundamental steps:

43.1. Step 1 – Establishment of Priority Guidelines: At the beginning of each year's capital development project prioritization process, the Board shall adopt priority guidelines pertaining to the most pressing and critical capital needs for the Utah System of Higher Education not funded through dedicated projects. These priorities, though not binding, are designed to guide the subsequent use of Regents' Priority Points (~~section 3.4.1~~ Step 4).

43.2. Step 2 – Submission of Requests: Institutions submit their highest priority capital development needs to the Office of the Commissioner of Higher Education for evaluation. Each institution may submit ~~more than~~ up to one project, ~~but for scoring purposes, except for research institutions, only the top project will be scored.~~ Each research university may have up to two projects scored each year. ~~The capital development project categories are:~~ per year and shall review the institution's allocation for dedicated projects prior to deciding to submit a nondedicated project. Institutions may not submit project requests directly to the State Building Board or the State Legislature.

~~1. ——— Mission and Role — These are projects that provide the space in which to house the primary programs and activities of the institutions and facilitate accomplishment of their approved missions and roles. This category includes projects to accommodate growth in instructional and research demand; to address program deficiencies; to strengthen academic programs within the approved missions of the institutions; and to address role and mission changes. Mission and role projects are broken down into two subcategories:~~

~~a. ——— Renovation and Replacement Projects — This category includes projects to improve the condition of existing facilities, to restore building life, to update space to meet current program requirements, and to replace failing permanent buildings. Decisions pertaining to whether an aging facility should be renovated or replaced should be made taking into consideration the historic nature and value of the facility, as well as the cost of renovation versus the cost of replacement.~~

~~b. ——— New Construction Projects — This category includes projects needed to support and enhance institutional missions for which existing levels and/or types of space are inadequate. It includes funding to accommodate: undergraduate student enrollment growth, graduate student enrollment growth, research that supports graduate degree programs and promotes economic growth and innovation, changes and enhancements in institutional missions and roles, changes in the technological infrastructure needed for evolving instruction and research programs, etc.~~

~~Before any project can be evaluated it must be included in the approved master plan of an institution and the programs to be housed therein must have been approved by the Board of Regents. If those approvals have not been received, the project will not be considered.~~

~~2. Major Infrastructure Projects—Requests for funding in this category should be limited to pressing needs that cannot be met with funding appropriated annually by the Legislature in the Capital Improvement Funding process and allocated to the institutions by the State Building Board. This category has a major focus on projects that address: critical life safety, fire and seismic deficiencies; problems that pose a real and ongoing threat to the daily operations of the institutions; and the need to preserve and repair critical infrastructure items such as utilities.~~

~~**4.3. Step 3 – Quantitative Analysis and Scoring of Needs:** The Office of the Commissioner reviews institutional state funded projects and assigns up to 80 points for each project in three areas: Needs Analysis, Facility Condition, and Utilization. “Scoring” of the needs is addressed by a process structured to give appropriate consideration to the various “Mission and Role” and “Major Infrastructure” projects. It includes the important issue of access to institutions in the Utah System of Higher Education (USHE) where growth is occurring, while also providing the mechanism to give appropriate consideration to mission-based needs, remodeling and renovation of current facilities, functional obsolescence, critical infrastructure needs, etc. The components and procedures of the scoring system are as follows:~~

4.4. Step 4 – Regent Points and Prioritization of Projects: The Capital Facilities Committee of the Board of Regents meets annually to review state funded projects and the quantitative scoring by the Office of the Commissioner. The Committee allocates up to 25 Regents’ Priority Points to the projects and submits a recommendation for the prioritization of state funded projects to the full Board of Regents, which adopts or amends the recommendation and takes final action.

4.5. Step 5 – Regent Submission of Prioritized of Projects: The Board of Regents submits finalized priorities to the State Building Board, the Governor, and the State Legislature for further consideration and funding. State statute limits the number of building requests the Regents may submit as follows:

4.5.1 3 Projects if legislative funding for dedicated projects equals \$100 million or more

4.5.2 2 Projects if legislative funding for dedicated projects is between \$50 million and \$100 million

4.5.3 1 Project if legislative funding for dedicated projects equals less than \$50 million

R741-5. Needs Analysis Points:

~~**3.3.1.1.** For each institutional mission and role project, a value of need will be calculated that reflects the gap between the calculated need (based on the “Space Standards”) and the currently available space for a specific category of space. For those institutional mission and role projects that include more than one category of space, the need gap will be calculated for each category of space in the project (again based on the “Space Standards”), and then a value for the entire project will be calculated based on the relative weight given for each of the categories of space included in the total assignable square feet of the project. The detail of the “Space Standards,” definitions and instructions pertaining to this analysis are attached to this policy as **Appendix A**.~~

~~**3.3.1.2.** The total values for each of the projects resulting from the calculations described in section 3.3.1.1 above will then be listed sequentially in point-value order from the highest to the lowest.~~

“Scoring Points” will be assigned as follows:

~~a. **5.1.** 50 points will be assigned to the project with the highest calculated value.~~

5.2. Descending points will be assigned to the remaining projects based on the difference in calculated value between a project and the immediately preceding project as follows:

- ~~b.~~
 - i. **5.2.1** Projects with a calculated value difference of less than one will be assigned the same number of points.
 - ii. **5.2.2** A two point differential between projects with a calculated value difference up to 20.
 - iii. ~~5.2.3~~ **5.2.3** A three point differential between projects with a calculated value difference greater than 20.

~~**3.3.2. Non-appropriated Funding:** Points may be awarded based on the documented portion of the project's anticipated costs to be derived from non-appropriated sources of funds. One point will be awarded when the non-appropriated contribution reaches 5 percent. Thereafter, additional points will be awarded as follows:~~

- ~~a. Research Institutions: one point for each 5 percent increase in donated funds up to a maximum total of 15 points.~~
- ~~b. Baccalaureate and Masters Degree Granting Institutions: one point for each 4 percent increase in donated funds up to a maximum total of 15 points.~~
- ~~c. Community Colleges: one point for each 3 percent increase in donated funds up to a maximum total of 15 points.~~

~~**3.3.2.1.** Non-appropriated funding may not create a future liability for the state: Non-appropriated funds must be given to the institution with no expectation of future payback. Any contribution from a partnering private entity or state/local government agency that creates a property right for the partner will not be considered in the calculation of points for non-appropriated funds. Student fees may not be counted as non-appropriated funds.~~

~~**3.3.2.2.** Office of the Commissioner to determine viability of non-appropriated funds: Each institution seeking points for non-appropriated funds shall provide evidence of the pending donation to the Office of the Commissioner. The Associate Commissioner for Finance and Facilities will review the gift and make a determination as to whether it is viable and should be accepted for points in the process. Institutions may appeal the Associate Commissioner's finding to the Commissioner.~~

~~**3.3.3 Institutional Priorities:** Additional points are added to each project total based on the priority given to each project by the institution. The awarding of points for institutional priority is based on the following:~~

~~**3.3.3.1.** The total number of points available to a given institution to distribute to its Capital Facilities Development projects is based on the number of projects authorized for scoring. Available points are as follows:~~

- ~~_____ Research Universities — 47 Points~~
- ~~_____ All Other Institutions — 25 Points~~

~~**3.3.3.2.** No project can receive more than 25 institutional priority points. This assures that the top priority project at a smaller institution is of equal value to the top priority project of a larger institution. The interval between the points assigned to an institution's top priority and each priority thereafter must be at least 3 points. For example: if an institution assigns 25 institutional priority points to its top project, it may assign no more than 22 points to its second priority.~~

R741-6. 3.3.4. Facility Condition Assessment Points – Facility condition assessment points apply to projects designed to resolve issues that pose a disruption in daily operations or that pose serious life safety threats. —These points can be awarded to projects designed to resolve issues where there is substantiated legal and/or life threatening liability; where facilities are threatened with immediate loss of function due to natural disaster; where

closure is imminent because of violations of legal/safety/other requirements; or similar circumstances. These Facility Condition Assessment points can be applied only under the following circumstances:

~~3.3.4.1—Only if the project has been given the highest possible priority by the institution requesting support (or if all projects above it on the institution's priority list are of the same urgency due to liability or imminent closure and have met all the conditions listed).~~

6.1. ~~3.3.4.2~~—Associated liability and imminent loss of function - Points may be awarded where the institution has substantiated by documentation from a qualified engineer, fire marshal, attorney, or other qualified professional that a very significant legal and/or health/life safety risk is being solved by completion of the proposed project. "Very significant" is defined as, "the realistic estimate of the liability exceeds the cost of the project," as determined by the Commissioner's Office with assistance from an external consultant or the Utah Division of Facilities Construction and Management, and funded by the submitting institution. Also, these points may be awarded if there is a substantiation of the threatened, imminent loss of the function should the project not be authorized, as is the case when natural disasters have destroyed a particular academic building or code violations cause the structure to be closed. Points awarded range from zero to 15 per project based upon the severity of liability or loss of function as determined above.

6.2. ~~3.3.4.3~~—Buildings that can no longer function for the purpose designed may be considered for "Facility Condition Points" as recommended by the Office of the Commissioner. Points may be awarded in instances where aging facilities do not pose a safety hazard but lack appropriate size, mechanical/electrical capacity or technology upgrades to accommodate modern instructional resources. The Commissioner's Office should award points in this category only in exceptional circumstances and should strongly consider the impact of institutional actions that led to the existing condition. Points awarded range from zero to 15 per project based on the severity of liability or loss of function as determined above.

6.3. An institution may receive a maximum of 15 Points awarded under both 6.1 and 6.2, and those points are then adjusted proportionate to size of the deficient buildings relative to the total square footage of the requested facility.

R741-7. Utilization Points: Institutions receive up to 15 points for the utilization of classroom facilities on main campuses during the Fall semester as reported in the annual USHE Utilization Report required by R751, *Institutional Facilities Space Utilization*. Points are assigned as follows:

7.1. Weekly Room Utilization Rate (RUR) – An institution receives 10 points if it meets or exceeds the RUR standard set by the Board in R751 for Fall semester main campus classrooms. Institutions not meeting the adopted Regent standard receive a proportionate share of the 10 points based on the reported RUR score.

7.2. Seat Occupancy Rate (SOR) – An institution receives 5 points if it meets or exceeds the SOR standard set by the Board in R751 for Fall semester main campus classrooms. Institutions not meeting the adopted Regent standard receive a proportionate share of the 5 points based on the reported SOR score.

R741-8. 3.3.5.—Major Infrastructure Projects Points: The Office of the Commissioner, in consultation with the Division of Facilities Construction and Management, may award points for major infrastructure projects that address critical life safety, fire and seismic deficiencies and the need to preserve and repair critical infrastructure such as utilities. Such projects do not receive Needs Analysis, Utilization, or Facility Condition points. Up to 60 points can be applied based on the degree of severity of need as follows:

8.1. a. — Imminent Nonfunctionality – Where circumstances exist that pose imminent nonfunctionality threats to the facility or the campus, points in the range of 41-60 can be assigned. To be considered for this level of support the project must be the institution's top priority.

8.2. b. — Operational but Seriously Deficient – Facilities in this condition can qualify for points in the range of 21-40.

8.3. c. — Operational but Deficient – Facilities in this condition can qualify for points in the range of 1-20.

3.4. Step 4 – Prioritization of Projects for Funding Consideration: ~~The final step in the annual Capital Facilities Evaluation process is to prioritize the projects for funding consideration. The projects have been ordered from highest to lowest through the scoring process resulting in the institutional infrastructure and mission and role projects being combined into one list.~~

R741.9. 3.4.1. Regents' Priority Points — ~~In addition to the "Scoring Points" of the projects, the The Capital Facilities Committee of the Board of -Regents may award up to 25 additional points per nondedicated project based on priority guidelines adopted by the Board of Regents for the current prioritization cycle.institution. These points are designed to position institutions to further develop and enhance their assigned missions and roles, and including projects to: improve existing facilities and restore building life, update existing space to meet current and emerging program requirements, changes in role and mission, emerging needs in branch and satellite campuses, projects for which a prior year commitment has been made, projects to resolve major infrastructure problems, etc. These points, ranging from 0-25, are to be assigned discretionarily by the Regents in the context of the approved capital facilities priority guidelines, and after careful consideration of the relative importance and/or seriousness of the need for the affected projects as determined by the Regents. ~~These points should be used in a consistent manner that enables USHE institutions to pursue strategic and long-term capital development planning while also providing the means to respond to external time-sensitive factors such as: the existing funding climate; environmental, political, demographic, and economic development considerations; technological needs; et al.~~~~

R741.10 3.4.2. Final Priority Ranking – After the Regents Priority Points are added to the "Scoring Points," the projects are recommended by the Regents for funding in the resulting rank order, with the project having the highest point total being the highest-ranked project.

R741.11 4. Operation and Maintenance Costs (O & M): The estimated O & M costs for each facility and the source of funding those costs will be listed for each facility on the priority list and will be approved by the Regents as part of the approval process for construction or acquisition of each facility. In prioritizing nondedicated projects,

4.1. — ~~In determining the number of facilities to be recommended for construction or acquisition,~~ the Regents will consider the magnitude of future O & M obligations and the potential impact of approval on other components of the operating budget. The goal of the Regents is that future annual state funded O & M costs on approved new facilities should not represent a disproportionate share of new ongoing appropriated state tax funds.

4.2. — ~~The intent of the Regents is to encourage proper consideration of the O & M impact on future operating budgets at the time new capital facility projects are approved, since O & M costs cease to be optional after facilities are in place and will be recommended for funding under the Regents' O & M policy.~~

R741.125. Projects Funded from Non-State Appropriated Funds – Proposals from institutions for approval of capital development projects to be financed by non-state appropriated funds are subject to the approval process outlined in Policy R702, Non-State Funded Projects. ~~R710, Capital Facilities. This includes determination of whether the projects qualify for state appropriated funding for ongoing O&M needs. Consistent with provisions of this~~

~~policy, before any project can be considered for approval it must be included in the approved master plan of an institution, and the programs to be housed therein must have been approved by the Board of Regents. If those approvals have not been received, the project will not be considered.~~

R741.13.6 ~~—————~~ **Land Bank Acquisition Requests** – Requests for purchase of land from funds to be appropriated by the state Legislature for future use of an institution must be reviewed and approved by the Board of Regents. In reviewing such requests, the Board shall use the guidelines in Policy R703, *Acquisition of Real Property* and shall ensure that the request is consistent with the institutional master plan (see Policy R706, *Capital Facilities Master Planning*).

~~Recommendations to the State Building Board, Governor and Legislature for such purchases shall be based upon approved programmatic planning and facilities master plan requirements of the institutions (Policy R710.4.5.3). The following considerations will be taken into account in evaluation of these requests for inclusion in the annual request for land bank funding:~~

~~————— 6.1. ——— Location and description of the property including any existing permanent structures.~~

~~————— 6.2. ——— Current availability of the land and “time sensitivity” of the window of opportunity for its purchase.~~

~~6.3. ——— Intended use of the land and its relative importance in the context of the institutions role and mission assignment, campus master plan, and strategic plan for the future.~~

~~6.4. ——— Suitability of the property for the intended use (ingress/egress, proximity of utilities, percentage of buildable area, ground tests, etc. where applicable).~~

~~6.5. ——— Reasonableness of cost as determined by an appraisal or other reasonable estimate of the value of the land.~~

~~6.6. ——— Condition of the land, including the potential liability of the institution pertaining to clearing the property, potential existence of hazardous waste, greenhouse gas emissions, etc.~~

~~6.7. ——— Condition and potential use of existing structures, if any.~~

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Capital Improvement Update

Issue

The State Building Board met on April 3, 2019, and allocated close to \$71 million to USHE institutions for capital improvement projects in FY 2020 (55 percent of the allocation). Capital improvement projects help maintain existing facilities. The \$138 million appropriated by the State Legislature for FY 2020 is the largest amount of capital improvement funding provided by the Legislature.

Background

Capital improvement projects are also known as alterations, repairs, and improvements or AR&I. These projects help maintain existing facilities by repairing and replacing old and failing components, systems, and equipment. Typical projects include utility upgrades, correction of code violations, roofing repairs, structural improvement, hazardous materials abatement, and the remodeling of nonfunctional space.

Utah statute defines capital improvements as projects costing less than \$3.5 million and requires the state Legislature to fund capital improvement projects at 1.1 percent of the replacement value of state facilities. Revenue shortfalls following the recession of 2008 slowly eroded capital improvement funding to a low in FY 2011 of \$50.7 million (0.6 percent of replacement value). Since that time the Utah State Legislature has made a concerted effort to restore capital improvement funding to the 1.1 percent level required by statute. This year marks the fifth straight year of funding at or above the 1.1 percent level, and the appropriation of \$138 million is the highest amount funded by the Legislature for capital improvements.

By statute, the State Legislature delegates authority to the State Building Board to allocate capital improvement funds to specific agency and institutional projects. Institutions request projects each year based on each institution's inventory of needed capital improvements. Despite high levels of funding over the last several years, institutions continue to have a greater need than available funding. For FY 2020 USHE institutions requested \$123 million of capital improvement projects and received funding of \$71 million. It should also be noted that annual project requests are those proposed to be funded in a given year and do not include all of the capital improvement needs at an institution.

The materials attached provide additional information and detail on the capital improvement funding for FY 2020. The attachments include: (1) a five-year summary of capital improvement funding and (2) the detail of the projects requested and funded for USHE institutions in FY 2020.

Commissioner's Recommendation

This is an information item; no action is required.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA
Attachments

ATTACHMENT A - Five-Year Capital Improvement Funding History

Agencies / Institutions	FY 2016	%	FY 2017	%	FY 2018	%	FY 2019	%	FY 2020	%
University of Utah	28,960,402	28%	26,688,800	25%	26,877,755	24%	25,725,000	23%	28,510,000	22%
Utah State University	11,255,000	11%	12,365,000	12%	12,565,000	11%	12,821,000	11%	13,467,900	10%
Weber State University	4,394,000	4%	4,875,500	5%	4,828,130	4%	5,001,303	4%	5,794,538	5%
Southern Utah University	3,001,830	3%	3,547,387	3%	3,385,644	3%	3,442,855	3%	5,233,826	4%
Snow College	2,235,065	2%	2,651,368	2%	2,501,062	2%	2,666,629	2%	2,910,062	2%
Dixie State University	1,954,409	2%	2,646,000	2%	2,476,438	2%	2,789,840	2%	3,820,594	3%
Utah Valley University	4,010,961	4%	4,000,000	4%	4,245,000	4%	4,516,328	4%	4,940,000	4%
Salt Lake Community College	4,354,648	4%	4,906,361	5%	4,789,134	4%	5,095,157	4%	6,187,828	5%
Total USHE	\$ 60,166,315	58%	\$ 61,680,416	58%	\$ 61,668,163	56%	\$ 62,058,112	55%	\$ 70,864,748	55%
UCAT	5,609,668	5%	5,922,462	6%	5,317,235	5%	6,296,388	6%	6,831,622	5%
Alcoholic Beverage Control	459,049	0%	1,090,451	1%	742,625	1%	918,215	1%	962,282	1%
Capitol Preservation Board	1,617,550	2%	2,416,129	2%	2,255,000	2%	2,733,016	2%	1,996,466	2%
Corrections	3,757,918	4%	3,625,835	3%	3,594,057	3%	4,511,826	4%	6,056,420	5%
Courts	3,982,057	4%	4,527,120	4%	4,533,507	4%	5,598,419	5%	5,578,283	4%
DFCM	5,619,440	5%	5,632,305	5%	5,841,581	5%	5,660,411	5%	5,380,928	4%
Fairpark	1,737,839	2%	1,355,637	1%	2,123,764	2%	3,117,445	3%	2,432,478	2%
Health	1,131,779	1%	943,493	1%	1,317,175	1%	1,181,506	1%	3,230,758	3%
Human Services	5,279,033	5%	4,316,205	4%	5,239,484	5%	5,596,037	5%	6,095,319	5%
National Guard	2,800,610	3%	2,610,000	2%	5,441,496	5%	1,077,278	1%	2,909,167	2%
Natural Resources	5,963,715	6%	5,255,533	5%	5,008,800	5%	6,123,105	5%	7,725,270	6%
Public Ed/Rehab/Deaf & Blind	1,828,700	2%	1,621,000	2%	1,163,000	1%	1,282,715	1%	919,309	1%
Transportation	1,128,428	1%	2,054,634	2%	1,594,211	1%	2,369,333	2%	2,667,615	2%
Workforces Services	970,107	1%	1,085,838	1%	1,202,000	1%	1,348,458	1%	1,439,145	1%
Other State Agencies	2,324,732	2%	2,634,042	2%	3,391,702	3%	3,631,536	3%	3,579,557	3%
Total State Agencies	38,600,957	37%	39,168,222	37%	43,448,402	39%	45,149,300	40%	50,972,997	40%
Subtotal	\$ 104,376,940	100%	\$ 106,771,100	100%	\$ 110,433,800	100%	\$ 113,503,800	100%	\$ 128,669,367	100%
High Priority Projects	\$ 1,500,000		\$ 5,822,000		\$ 4,150,000		\$ 220,000		\$ 3,023,733	
Statewide Funding	5,669,960		5,232,000		4,485,000		5,345,000		6,646,000	
Grand Total	\$ 111,546,900		\$ 117,825,100		\$ 119,068,800		\$ 119,068,800		\$ 138,339,100	

ATTACHMENT B – USHE Capital Improvement Requests and Allocations 2019-20

Capital Improvement Project Description	Amount Requested	Board Allocation
University of Utah		
Infrastructure Bond Debt Service	\$ 1,500,000	\$ 1,500,000
Marriott Library Rare Books Vault Dehumidification/ Cooling	313,000	301,300
Chemistry Lab Rebuilds on 2nd & 4th Floors	3,500,000	3,500,000
North Chemistry Building SE Reroof	750,000	864,600
Widstoe Bldg. Chiller Replacement	500,000	511,000
Merrill Engineering Penthouse 1 Roof Replacement with Structural Upgrade	2,475,000	2,484,600
Study & Design Funds	250,000	243,600
Wasatch Drive Area Road Rebuild Phase 2	3,500,000	3,500,000
Field House Seismic & Fire Protection Upgrade	1,500,000	2,991,000
Biology Fume hood & HVAC Upgrade	3,250,000	3,250,000
Performing Arts Bldg. HVAC Upgrades	1,000,000	1,077,000
HTW Plant Seismic Upgrade	3,500,000	3,500,000
Critical Repairs for Four Old Hydraulic Elevators	450,000	465,900
HEB Plaza Paver Replacement	615,000	640,500
Park Building Level 1 Structural & System Upgrades	600,000	1,129,000
HPER East & West System Upgrades	2,500,000	2,051,500
Site Lighting to Address Safety Concerns	500,000	500,000
Bldg. 72 HVAC, Fire, Plumbing & Electrical Upgrades	2,422,000	
Eye Wash Stations	500,000	
Film & Media Arts HVAC & Electrical Upgrade	3,000,000	
Sidewalk & Bike Path Improvements	500,000	
Culinary Water System Study & Partial Design	150,000	
Replace Browning Bldg. Air Handler Fans	1,200,000	
Replace Chiller Plants in BehS & Library	3,000,000	
Life Sciences Structural & System Upgrades	3,500,000	
Storm Water Retention/Drainage Systems	2,000,000	
Total University of Utah	\$ 42,975,000	\$ 28,510,000

Capital Improvement Project Description	Amount Requested	Board Allocation
Utah State University		
Medium Voltage Upgrade	\$ 500,000	\$ 500,000
Planning and Design Fund	175,000	175,000
Campus-Wide Health, Life Safety, Code Compliance & Asbestos Abatement	150,000	150,000
Campus Concrete Replacement	300,000	300,000
Campus-Wide Bike Racks & Site Furnishings	60,000	60,000
Campus-Wide Electronic Access Control	200,000	200,000
Campus Sign System	50,000	50,000
Campus Wide Classroom	250,000	250,000
Morgan Theater Stage Rebuild	150,000	150,000
BNR Mechanical Infrastructure Upgrade	1,500,000	1,500,000
NFS Generator Replacement	485,000	485,000
LARC - Laboratory Ventilation System upgrade	175,000	175,000
Site & Safety Lighting	350,000	350,000
Merrill Library Roof Replacement – Original Bldg.	350,000	350,000
USU Eastern Utility Master Plan	100,000	100,000
MCC Building Ventilation	25,000	25,000
USU Eastern MCC Building Elevator Replacement	195,000	195,000
USU Eastern BDAC Controls Upgrade	350,000	350,000
USU Eastern / Blanding Access Control	200,000	200,000
USU Eastern Blanding Parking Lots	116,300	116,300
USU Eastern Price Parking lots	196,600	196,600
USU Eastern Access Control	100,000	100,000
USUE Trucking Building Re-side and repair façade and windows	300,000	300,000
USU Eastern Parking Lots	205,000	205,000
Irrigation Central Control Replace Ph. II	350,000	350,000
700 North Street Improvements	2,200,000	2,200,000
850 North / North Core Campus Improvements	1,600,000	1,600,000
1000 North Sidewalk/Lighting	750,000	750,000
CPD Building heating system.	175,000	175,000
NFS Building Reroof	850,000	850,000
Lighting Control Panel Upgrades	185,000	185,000
University Reserve Building Chilled Water Upgrade	275,000	275,000
Heating Storage Bldg. Reroof & Vehicle Storage Recoat	205,000	205,000
Lathe house Replacement and equipment shed	395,000	395,000
Parking Lot Paving	1,200,000	
Business Building HVAC Floors 5-9	2,053,560	
Business Building Window Replacement	1,200,000	
Upgrade Water Irrigation Infrastructure Ph. I	500,000	
Innovation Campus Infrastructure Upgrade.	200,000	
Old Main Masonry Restoration – Phase 3	500,000	
Old Main Painting	500,000	
Fine Arts Center Snow melt system	55,000	
Business Building Window Replacement	1,200,000	
Facilities Building Air Handler Replacement	450,000	
Total Utah State University	\$ 21,326,460	\$ 13,467,900

Capital Improvement Project Description	Amount Requested	Board Allocation
Weber State University		
Fire System Replacement - Phase 2	\$ 326,535	\$ 326,535
Student Services to Elizabeth Hall - Medium Voltage Cable Replacement	298,350	298,350
Engineering Studies -	50,000	50,000
Parking Lots - FY 2020	297,418	316,333
Lind Lecture - MEP Phase 2 Funds	1,800,000	1,800,000
193 Entrance - Phase 1	750,000	750,000
Engineering Technology MEP Renovation Phase 1	1,200,000	1,200,000
Weatherproofing Phase 2 - Allied Health, D2	152,371	152,371
Wattis Smith Auditorium - Ceiling Replacement	65,626	86,855
Library - East hill side water protection & pump replacement - Mechanical Room Drain	120,128	144,034
Irrigation Upgrades - Southeast of Lind Lecture	100,000	124,530
FY 2020 ADA Upgrades	100,000	100,000
Phase VII: High Voltage Substation and Building Switching Upgrades	190,000	231,594
SR-193 Entrance Phase 2	750,000	
Visual Arts Roof	607,163	213,936
Boiler 3 Removal and Space Modifications	450,000	
Parking Lots - FY 2021	300,000	
Concrete Repairs - FY 2021	200,000	
ADA Compliance Upgrades - FY 2021	102,000	
Student Services MEP Replacement Phase 1	2,125,000	
Library - Mech Room Roof Replacement	200,000	
Eccles and Allred Floor Replacement	150,000	
FM Roof, Soffit, Fascia, Heat Tape -	350,000	
Boiler Replacement- Ground source conversion - Phase 3 - W4/W5	906,477	
Campus Wide Electronic Access Installations	250,000	
Phase VII: High Voltage Substation and Building Switching Upgrades (Library Switching)	400,000	
OSHA - Tunnel Safety Communication System	100,000	
Student Services MEP Replacement Phase 2	2,125,000	
ADA Compliance Upgrades - Phase 3	102,397	
Fire System Replacement - Phase 3	246,833	
Engineering Tech MEP Replacement - Phase 2	2,000,000	
Phase IX: Steam Tunnel Repairs (Chilled water valving to support VRF systems)	400,000	
Total Weber State University	\$ 17,215,298	\$ 5,794,538

Capital Improvement Project Description	Amount Requested	Board Allocation
Southern Utah University		
SUU-Eccles Coliseum roof replacement	\$ 110,000	\$ 110,000
SUU-Hunter Conference Center Fire Alarm System Upgrade	271,000	271,000
SUU-Hunter Conference Center Replace AHU-VAV system	235,000	235,000
SUU-Hunter Conference Center: Upgrade from pneumatic controls to DDC	190,000	190,000
SUU-Technology Building Parking Lot	108,000	299,500
SUU-Hunter Conference Center Door and Storefront replacement	292,000	292,000
SUU-Harris Center Turnout Asphalt Replacement	55,000	69,201
SUU- Interior stairway repair and ADA Compliance	125,000	125,000
SUU-Bennion Building IT Infrastructure Components Upgrade	196,000	196,000
SUU-Randall Jones Theater Windows	510,000	510,000
SUU-Hunter Conference Center: Refurbish patio	140,000	140,000
SUU- Electronic Access Control Mercury Panel Upgrade	175,000	175,000
SUU-PE Generator Replacement	85,000	85,000
SUU- ADA Sidewalk improvement	150,000	150,000
SUU- Campus Pedestrian Safety	180,000	180,000
SUU-Harris Center Concrete replacement	105,000	105,000
SUU-Building Riggings upgrade Phase 2	200,000	200,000
SUU-Old Baseball Parking Lot Replacement	256,000	150,250
SUU Hazardous Material Abatement	50,000	50,000
SUU-Harris Center IT Infrastructure Components Upgrade	50,000	50,000
SUU-Utility Metering - Phase II	200,000	
SUU- Event Center Parking Lot Overlay	90,000	150,875
SUU-Bennion Building Air Handler upgrade	300,000	
SUU-Bennion Building DDC	210,000	
SUU-Sharwan Smith Center Air Handler	310,000	
SUU-Leadership Engagement Center: Main Access ADA improvements	250,000	
SUU-PE Building Chiller Replacement	650,000	
SUU-Technology: Window Replacement	250,000	
SUU-Smith Center Theater Entrance: Landscape Slope	80,000	
SUU-General Classroom building - IT project: Data Cabling	400,000	
SUU-Bennion & Technology buildings: Replace Electrical Switch boards	175,000	
SUU-ADA hardscape repairs	100,000	
SUU-ELC Chiller Replacement	360,000	
SUU-President Residence Repurpose to Day Care Center	1,500,000	1,500,000
Total Southern Utah University	\$ 8,358,000	\$ 5,233,826

Capital Improvement Project Description	Amount Requested	Board Allocation
Snow College		
Phase 1 Electrical Upgrade - Transformer Replacement	\$ 207,435	\$ 209,795
Activity Center HVAC System Upgrade and Replacement	1,191,637	1,123,256
Activity Center Plumbing Upgrade	467,033	473,550
Asbestos Abatement Snow Hall	169,951	-
SVC LED Lighting Upgrade	166,724	178,461
Activity Center Roof Replacement	1,213,849	
Richfield Campus Parking Lot Improvement	263,208	
West Campus Boiler Replacement	467,872	
Phase 2 Electrical Upgrade	1,805,925	
AC Wooden Bleacher Replacement	225,631	650,000
Re-key Richfield Admin, Washburn & SVC buildings	189,853	
External Brick Staining PAC	53,100	
Snow Glenwood Student Center Roofing B deck	150,000	150,000
Performing Arts Lighting Upgrade	125,000	125,000
Total Snow College	\$ 6,697,218	\$ 2,910,062
Dixie State University		
Graff Fine Arts Building Music Practice Rooms	\$ 910,000	\$ 499,000
Heating Plant Replace CH-1 Centrifugal Chiller	1,783,839	1,783,839
Power Loop Upgrade - North Campus	575,000	575,000
Fire Sprinkler System for Innovation Plaza	280,000	280,000
Remodel existing Facility Building for IT Helpdesk and Surplus	150,000	
Facilities Yard to Student Parking	525,000	
Fire Alarm Upgrade Phase 1	350,000	
Chiller Plant Plate and Frame Heat Exchanger	590,000	
Fire Lane Re-route and Fire Line Changes	480,000	
Facility Yard to Parking Lot	266,760	
Resurface North Campus Parking Lot - Phase 1	170,000	
Campus Storm Water Plan	40,000	
Sidewalk and Fire lane repair - campus wide	50,000	
Liquid Fertilizer addition to Main Irrigation System	24,000	
Replace outdated Rooftop HVAC units.	270,000	
SAC Sewage Ejector Replacement	20,000	
Sump Pump Replacement	30,000	
Reroof Eccles Fine Arts Building	685,000	682,755
Total Dixie State University	\$ 7,199,599	\$ 3,820,594

Capital Improvement Project Description	Amount Requested	Board Allocation
Utah Valley University		
StruxureWare Migration Phase 2	\$ 400,000	\$ 453,104
Central #1 Plant Well House Upgrade	800,000	833,450
UCCU HVAC Improvements to systems	300,000	360,975
Restroom remodels/upgrade Campus wide LC, GT, BA, GT	700,000	700,000
Central Plant #2 Chiller 6 and 7 replacement	800,000	1,195,000
Campus wide lighting controls upgrade (CS, LC, GT, BA, PS)	400,000	398,044
Building L CHW and CW Pumps	100,000	100,000
Proximity Lock for Exterior Door Campus wide	150,000	150,000
Install HVAC controls on Faculty Annex	45,000	50,041
ADA Hardware replacement Campus wide	125,000	125,000
Supplemental Heat Rejection (CP-3 Cooling Tower)	400,000	
UCCU Ball park paint Canopy	150,000	150,000
Central Loop Heat rejection SW loop	85,000	85,000
Auto Trades Replace Roof Top Units install VAV	80,000	89,507
Concourse Relight LED's phase II	250,000	249,879
UCCU lighting upgrade LED	250,000	
UCCU Ball park HVAC Improvements & Controls	90,000	
WC AHU Fan Wall & Building Pressure Control Upgrade	300,000	
UCCU Event Center Bridge Fan Coil Replacement	150,000	
Upgrade components-Air handlers BA	200,000	
WB Roof replacement	900,000	
Install piping from Main campus loop to existing CT	475,000	
RL roof replacement	625,000	
Handrail Guardrail Improvements campus wide	250,000	
Total Utah Valley University	\$ 8,025,000	\$ 4,940,000

Capital Improvement Project Description	Amount Requested	Board Allocation
Salt Lake Community College		
Scc Rrc & Lhm- Dock Sump Replacement	165,000	165,000
SLCC Exterior Sealant & Envelope Repairs	600,000	608,000
RRC- S&I Site Concrete & West Entrance Replacement	97,500	97,500
RRC- Custodial Building Roof Replacement	36,225	36,225
LHM- MCPC Roof Replacement	258,257	258,257
RRC- BB Roof Replacement	527,380	527,380
RRC- CT Roof Replacement	811,913	1,134,373
SLCC All Campuses - Complete Promimity Lock Installation	250,000	250,000
RRC- ATC Roof Replacement	1,020,523	771,114
RRC- Campus MDP Panel Replacement	619,854	619,854
RRC- TB Roof Replacement	328,188	328,188
RRC- Cdl Child Dev Lab Kitchen Remodel	110,390	110,390
SLCC All Campuses – Upgrade Irrigation Controls	183,825	183,825
SCC- Brick & Masonry Repair At Parapet Walls & Corners Phase Iii	950,105	
RRC- ATC HVAC & Mechanical Upgrades & Maintenance	1,064,734	
SLCC All Campuses – Upgrade Hvac Controls	190,000	197,722
RRC- Tennis Court Replacement	318,000	
MBC- BLDG A&C Roof Replacement	776,131	
SLCC Mechanical Upgrades	1,237,500	
SCM- Heating Plant Boiler	585,000	
JC- Dental Hygiene Clinic Flooring Replacement	125,545	
SCC - Scm Electrical Pull Box Replacement	42,000	
SLCC Dumpster Enclosure Modifications	138,000	
RRC- S&I Countertop Replacement	60,000	
JC- Site Concrete Replacement	162,750	
Tech Building Fire Sprinkler Upgrade	600,000	600,000
HVAC Controls Network Module Replacement	300,000	300,000
Total Salt Lake Community College	\$ 11,558,820	\$ 6,187,828
UTAH SYSTEM OF HIGHER EDUCATION TOTALS		
	\$ 123,355,395	\$ 70,864,748

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Institutions’ Health Plan Changes 2019-20

Issue

Annually, the Board of Regents receives a summary report regarding USHE institutional health benefit plans for the upcoming fiscal year.

Background

The attached report provides Regents with several key metrics for an institution’s health benefit plans including:

- Number of plans available
- Annual costs for employer and employee
- Cost increases (total, employer, employee)
- Major plan design changes

The health benefits package is a critical component of the overall compensation package provided to institutional employees, and is subject to significant conversation and review at each institution. Several institutions’ insurance plans will be experiencing design changes as outlined in the attached information.

Commissioner’s Recommendation

This is an informational item only; no action is required.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/BLS
Attachment

Summary of USHE Medical Benefit Changes | FY 2020

Institution and Medical Provider	Number of Plans	Annual Medical Employer/ Employee Costs	Premium Split	Cost % Increase Total	Cost % Increase for Employer	Cost % Increase for Employee	Information (e.g., Plan Design Changes)
UU Health Care and Regence Blue Cross/ Blue Shield partnership (self-insured)	5	Advantage <u>Single</u> \$7,398/\$814 <u>Two-Party</u> \$12,947/\$1,423 <u>Family</u> \$19,532/\$2,148	90/10	4.35%	4.35%	4.35%	<ul style="list-style-type: none"> • Changing copay on ER visits from \$150 to \$200 • Changing per-script Out-of-pocket maximum for non U pharmacies from \$150 to \$200/\$250 • Adding prior authorization requirements on a few prescription drug classes • Removing lifetime limit of 2 courses of treatment for substance abuse
USU Blue Cross/Blue Shield (self-insured)	6	Blue Plan <u>Single</u> \$5,652/\$1,228 <u>Two-Party</u> \$12,760/\$2,763 <u>Family</u> \$18,413/\$3,991	90/10	1.0%	0.0%	5.0%	<ul style="list-style-type: none"> • No major changes
WSU PEHP (not self-insured)	2	Traditional Advantage/Summit <u>Single</u> \$6,383/\$709 <u>Two-Party</u> \$13,161/\$1,462 <u>Family</u> \$17,570/\$1,952	90/10	4.3%	4.3%	4.3%	<ul style="list-style-type: none"> • No major changes
SUU Educators Mutual (self-insured)	1	High Deductible <u>Single</u> \$5,448/\$1,620 <u>Two-Party</u> \$12,252/\$3,672 <u>Family</u> \$17,568/\$5,280	77/23	9.0%	14.0%	10.1%	<ul style="list-style-type: none"> • Due to rising claim costs and to minimize employee/employer premium increases, adjusted the in network deductible from \$500 individual/\$1,000 family to \$750 individual/\$1,500 family
SNOW PEHP (not self-insured)	4	Traditional Advantage/Summit <u>Single</u> \$6,508/\$585 <u>Two-Party</u> \$13,418/\$1,206 <u>Family</u> \$17,912/\$1,610	92/8	4.3%	4.3%	4.3%	<ul style="list-style-type: none"> • No major plan changes

Summary of USHE Medical Benefit Changes | FY 2020

Institution and Medical Provider	Number of Plans	Annual Medical Employer/ Employee Costs	Premium Split	Cost % Increase Total	Cost % Increase for Employer	Cost % Increase for Employee	Information (e.g., Plan Design Changes)
DSU PEHP (not self-insured)	2	Traditional Advantage/Summit <u>Single</u> \$6,508/\$585 <u>Two-Party</u> \$13,418/\$1,206 <u>Family</u> \$17,912/\$1,610	92/8	4.4%	4.4%	4.3%	<ul style="list-style-type: none"> No major plan changes
UVU Choice Plus Traditional (self-insured)	4	Traditional <u>Single</u> \$6,311/\$701 <u>Two-Party</u> \$14,579/\$1,602 <u>Family</u> \$20,056/\$2,339	90/10	4.3%	4.3%	4.3%	<ul style="list-style-type: none"> Changed healthcare administrator and expanded network Removed age limit for autism treatment Removed autism assessment and therapy combined services hours limit Added coverage for gender dysphoria behavioral therapy Added coverage for gender dysphoria hormone therapy
SLCC Blue Cross/Blue Shield (self-insured)	6	Traditional ValueCare <u>Single</u> \$6,824/\$768 <u>Two-Party</u> \$15,373/\$1,704 <u>Family</u> \$21,505/\$2,328	90/10	0.0%	0.0%	0.0%	<ul style="list-style-type: none"> Copay amounts for office, specialist, and urgent visits have been lowered from \$35/\$45/\$50 to \$25/\$35/\$35

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: General Consent Calendar

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

A. Minutes

1. Minutes of the Board Meeting March 28 and 29, 2019, Salt Lake Community College, Salt Lake City, Utah (Attachment), April 19, 2019, Conference Call, Salt Lake City, Utah (Attachment), April 29, 2019, Conference Call, Salt Lake City, Utah (Attachment).

B. Grant Proposals

1. University of Utah – National Science Foundation; “NSF NRT: Air Quality”; \$3,000,208. Cynthia M Furse, Principal Investigator.
2. University of Utah – US Department of Energy: “Neural Network Optimization”; \$2,992,781. Kody Merlin Powell, Principal Investigator.
3. University of Utah – DOD Office of Economic Adjustment; “Mountainwest AM Network”; \$2,681,108. Bart Raeymaekers, Principal Investigator.
4. University of Utah – National Science Foundation; “QII – TAWS: Quantum Gas Sensor”; \$1,988,421. Hanseup Kim, Principal Investigator.
5. University of Utah – NIH National Inst of General medical SCI; “Drug-Free”; \$1,906,250. Jindrich Kopecek, Principal Investigator.
6. University of Utah – National Science Foundation; “Perching In Plan Canopies”; #1,193,994. Mark Andrew Minor, Principal Investigator.
7. University of Utah – DHHS National Institutes of Health; “R01-PRDM16 NHLBI”; \$3,148,622. Sihem Boudina, Principal Investigator.
8. University of Utah – DHHS National Institutes of Health; “R01-Progenitor Niddk”; \$2,459,530. Sihem Boudina, Principal Investigator.

9. University of Utah – DHHS National Institutes of Health; “R01-Brown Fat”; \$1,906,250. Bhagirath Chaurasia PhD, Principal Investigator.
10. University of Utah – NIH National Inst Child Hlth & Human Dev; “Genomic Testing in Art”; \$1,899,457. Erin Witter Con Rothwell, Principal Investigator.
11. University of Utah – DHHS National Institutes of Health; “Oral Nanomedicine: Absorption”; \$1,906,250. You Han Bae, Principal Investigator.
12. University of Utah – NIH Natl Inst Neurology Disorders Stroke; “Music Epilepsy”; “\$1,794,049. Grzegorz Bulaj, Principal Investigator.
13. University of Utah – DHHS National Institutes of Health; “Quantitation of Drugs of Abuse”; \$1,157,719. Dave E Moody, Principal Investigator.
14. University of Utah – NIH Natl Int Allergy & Infectious Dis; “Pathogenic Interaction”; \$3,348,586. Kelly T Hughes, Principal Investigator.
15. University of Utah – National Science Foundation; “Majorana Fermions”; \$1,661,786. Vikram V Deshpande, Principal Investigator.
16. University of Utah – National Science Foundation; “Ecosystem Processes”; \$1,463,598. Diane E Pataki, Principal Investigator.
17. University of Utah – National Science Foundation; “NRT: Convergent Human”; \$2,998,746. Andrea R Brunelle, Principal Investigator.
18. University of Utah – DHHS National Institutes of Health; “Pollution and Academics”; \$2,068,434. Sara Elizabeth Grineski, Principal Investigator.
19. University of Utah – National Science Foundation; “Conflict Studies”; \$1,569,288. Richard Matthew Medina, Principal Investigator.
20. University of Utah – Univ of North Carolina at Chapel Hill; “Predicting Binge and Burge”; \$1,163,924. Jonathan Butner, Principal Investigator.
21. University of Utah – national Science Foundation; “RIDIR: Prehistoric Land Use”; \$1,012,006. Brian Frank Codding, Principal Investigator.
22. University of Utah – NIH National Cancer Institutes; “Cancer Predisposition”; \$13,712,378. Sean Vahram Tavtigian PhD, Principal Investigator.

23. University of Utah – NIH National Cancer Institute; “02.05.19_NIH_R01_CAMP”; \$3,812,265. Nicola J Camp, Principal Investigator.
24. University of Utah – NIH National Cancer Institute; “03.05.18_WU_Resubmission”; \$3,634,442. Yelena Ping Wu, Principal Investigator.
25. University of Utah – NIH National Cancer Institute; “02.05.19_WU_R01_New”; \$3,571,623. Yelena Ping Wu, Principal Investigator.
26. University of Utah – DHHS National Institutes of Health; “ERK Adhesions”; \$2,606,668. Michelle C Mendoza, Principal Investigator.
27. University of Utah – NIH National Cancer Institute; “Squamous Tans”; \$2,435,030. Trudy Oliver, Principal Investigator.
28. University of Utah – NIH National Cancer Institute; “Ayer_01.30.19_NIH_R01”; \$2,382,990. Donald E Ayer, Principal Investigator.
29. University of Utah – DHHS National Institutes of Health; “R01 Translational Control”; \$1,906,250. Corrine Kolka Welt, Principal Investigator.
30. University of Utah – NIH National Inst of General Sci; “Drug Discovery Technology”; \$1,705,979. Raphael Franzini, Principal Investigator.
31. University of Utah – NIH National heart Lung & Blood Inst; “Cardiac Hypertrophy SMYD1”; \$1,525,000. Sarah Franklin, Principal Investigator.
32. University of Utah – NIH National Cancer Institute; “02.12.19 K99 R00 Zeng”; \$1,513,560. Martin McMahon, Principal Investigator.
33. University of Utah – DHHS National Institutes of Health; “Potterl_K99R00”; \$1,351,147. David Wetter, Principal Investigator.
34. University of Utah – Mayo Clinic Rochester; “Feb 2018 Camp Mayo Sub”; \$1,223,615. Nicola J Camp, Principal Investigator.
35. University of Utah – Thomas Jefferson University; “SUBTJU-PAR4 Thrombosis”; \$1,223,615. Paul Francis Bray, Principal Investigator.
36. University of Utah – NIH National Cancer Institute; “A new ADC to Treat AML”; \$1,906,250. Paul J Shami, Principal Investigator.

37. University of Utah – NIH National Int of General Medical Sci: “Ullman NIH R01 02.15.18”; \$1,715,625. Katharine S Ullman, Principal Investigator.
38. University of Utah – DHHS National Institutes of health; “Ozanne R01 Ct due 2-5-19”; \$3,787,197. Ellisa Ozanne, Principal Investigator.
39. University of Utah – NIH National Institute Environl Hlth Sci; “Arapaho Community”; \$3,357,777. Darrah Kaye Howe, Principal Investigator.
40. University of Utah – DHHS National Institutes of Health; “Antimicrobial Pouch Dev-R01”; \$3,126,330. Dustin lee Williams, Principal Investigator.
41. University of Utah – DHHS National Institutes of Health; “R01 Durable Schistosome”; \$3,079,980. Keke Fairfax, Principal Investigator.
42. University of Utah – DHHS National Institutes of health; “LAI Mayo R01 Feb 2019”; \$2,049,635, Kent Lai, Principal Investigator.
43. University of Utah – NIH National Institute of Nursing Rsrch; “Sleep hypertension”; \$2,927,884. Kelly Glazer Baron, Principal Investigator.
44. University of Utah – DHHS National Institutes of health; “R01 PA-19-056 Matt Williams”; \$2,842,160. Matthew A Williams, Principal Investigator.
45. University of Utah – DHHS National Institutes of Health; “Dibella NIH R01”; \$2,743,284. Edward Victor Rebok Di Bella, Principal Investigator.
46. University of Utah – DHHS National Institutes of Health; “%01 Claudio Villanueva”; \$2,619,220. Claudio Javier Villanueva, Principal Investigator.
47. University of Utah – DHHS National Institutes of Health; “R01 Resub Impingement Nov 18”; \$2,570,682. Andrew Edward Anderson, Principal Investigator.
48. University of Utah – DHHS National Institutes of Health; “R01 PA-19-056 Adam Bress”; \$2,558,587. Adam Bress, Principal Investigator.
49. University of Utah – Burroughs Wellcome Fund; “BWF PSIA Digital health Innov”; \$2,499,987. Jeffrey Charles Humphreys, Principal Investigator.
50. University of Utah – University of Cincinnati; “Moms Cincinnati CTN”; \$2,238,704. Gerald Thomas Cochran, Principal Investigator.

51. University of Utah – NIH National Institute of Drug Abuse; “Maternal Marijuana Use”; \$2,186,583. Torri Derback Metz, Principal Investigator.
52. University of Utah – DHHS National Institutes of Health; “R01 Diane Ward”; \$2,133,970. Diane M Ward, Principal Investigator.
53. University of Utah – DHHS National Institutes of Health; “LAI UC DENVER R01 Feb 2019”; \$2,031,475. Kent Lai, Principal Investigator.
54. University of Utah – DHHS National Institutes of Health; “R01 Par-18-654 Younghee Lee”; \$1,985,416. Younghee Lee, Principal Investigator.
55. University of Utah – DHHS National Institutes of Health; “MIMCHE R01 w/sub Due 2-5-19”; \$1,966,875. Patrice Nsangou Mimche, Principal Investigator.
56. University of Utah – NIH Natl Inst Deaf & Other Comm Disorder; “NIDCD R01”; \$1,906,250. Jun Yang, Principal Investigator.
57. University of Utah – NIH National Inst Child Hlth & Human Dev; “Effectiveness of PGT-A”; \$1,906,250. Sarah L Berga, Principal Investigator.
58. University of Utah – NIH National Institute of Mental Health; “Fung/Bonkowsky R01 Feb 2019”; \$1,906,250. Camille Fung, Principal Investigator.
59. University of Utah – DHHS National Institutes of Health; “Chow R01 02 2019”; \$1,906,250. Clement Chow, Principal Investigator.
60. University of Utah – DHHS National Institutes of Health; “5-HTP and Creatine for MDD”; \$1,904,285. Brent Michael Kious, Principal Investigator.
61. University of Utah – DHHS National institutes of health; “MRI FUS – Spinal Cory Injury”; \$1,805,884. Donna Cross, Principal Investigator.
62. University of Utah – Shire Human Genetic Therapies; “SHP611-201”; \$1,781,180. Joshua Leitch Bonkowsky, Principal Investigator.
63. University of Utah – DHHS National institutes of health; “Cystitis & Chronic Prostatitis”; \$1,536,137. Kristina Lisa Allen Brady, Principal Investigator.
64. University of Utah – NIH Natl Inst Neurolog Disorders Stroke; “Schober R01 Feb 2019”; \$1,525,000. Michelle E Schober, Principal Investigator.

65. University of Utah – NIH National Inst Diabetes Digest Kidney Dis; “Joss-Moore R01 Feb 2019”; \$1,753,750. Lisa Anne Joss-Moore, Principal Investigator.
66. University of Utah – DHHS National Institutes of Health; “Novel Therapeutics”; \$1,310,115. Robert B Weiss, Principal Investigator.
67. University of Utah – University of Pennsylvania; “U Penn Sub NIH Project”; \$1,080,845. Jason Dennis Shepherd, Principal Investigator.
68. University of Utah – University of Pennsylvania; “U Penn Sub NSF Project”; \$1,080,845. Jason Dennis Shepherd, Principal Investigator.
69. University of Utah – National Science Foundation; “SPX: AMTPPL-Programming Model”; \$1,690,618. Martin Berzins, Principal Investigator.
70. University of Utah – NIH Natl Inst Biomedical Imaging & Bioeng; “Bioelectric Field Simulation”; \$1,143,750. Robert S Macleod, Principal Investigator.
71. University of Utah – US Department of Energy; “Machine learning/Coal Boiler”; \$1,998,296. Philip J Smith, Principal Investigator.
72. University of Utah – National Science Foundation; “NSF FW HTF”; \$1,447,743. Eric Glibert Poitras, Principal Investigator.
73. University of Utah – DO Defense Advanced Resrch Prjcts Agcy; “Analog Modulated Photonic”; \$3,544,607. Seyed Armin Tajalli, Principal Investigator.
74. University of Utah – DHHS National Institutes of Health; “Lightweight Prosthesis”; \$2,834,476. Tommaso Lenzi, Principal Investigator.
75. University of Utah – UT Department of Transportation; “L3 AV Demo”; \$2,832,931. Xianfeng Yang, Principal Investigator.
76. University of Utah – US Department of Energy; “Ultrasonic measurements”; \$2,295,714. Mikhail Skliar, Principal Investigator.
77. University of Utah – NIH Office of the Director; “YU R01A1 Collagen Hybrid”; \$1,906,250. Michael Seungchu Yu, Principal Investigator.
78. University of Utah NIH Office of the Director; “Bock HA VLP Vaccine”; \$1,893,285. Susan C Bock, Principal Investigator.

79. University of Utah – National Science Foundation; “FEMSHOP”; \$1,510,074. Hari Sundar, Principal Investigator.
80. University of Utah – Columbia University; “Transcend”; \$1,284,500. Florian Solzbacher, Principal Investigator.
81. University of Utah – US Department of Energy; “Hierarchial hybrid Materials”; \$1,372,500. Dmitro Bedrov, Principal Investigator.
82. University of Utah – DOD Defense Advnaced Resrch Prjcts Agcy; “High Speed PLL”; \$1,289,444. Seyed Armin Tajalli, Principal Investigator.
83. University of Utah – NIH Natl Inst Arthrit Muscoskel Skin Dis; “Heal BACPAC”; \$4,373,792. Julie Mae Fritz, Principal Investigator.
84. University of Utah – NIH Natl Ctr for Advncing Translt Scnces; “Heal Grant”; \$2,865,721. Scott Summers, Principal Investigator.
85. University of Utah – DHHS National Institutes of Health; “R01 Ren – Redox-Modulation”; \$2,155,090. Sihem Boudina, Principal Investigator.
86. University of Utah – National Science Foundation; “Mid-Scale RI-1 (M1:IP)”; \$19,622,525. Anna Gannet Hallar, Principal Investigator.
87. University of Utah 0 NIH National Inst of Medical Sci; “Muclei Acid Core Renewal”; \$1,906,250. Thomas E Cheatham, Principal Investigator.
88. University of Utah – Army Medical Research & Materiel Command; “KT-1 Combined Antipd1 Thera”; \$1,509,750. Jiyuan Yang, Principal Investigator.
89. University of Utah – National Science Foundation; “Edge CT: Developing Tools”; \$1,996,926. Collen G Farmer, Principal Investigator.
90. University of Utah – National Science Foundation; “CNHS-L: Dynamically Linked”; \$1,532,695. Richard R Paine, Principal Investigator.
91. University of Utah – NIH national Inst Child Hlth & Human Dev; “COMBO”; \$7,331,595. Erica Boiman Johnstone, Principal Investigator.
92. University of Utah – DHHS National Institutes of health; “EEJ C06 Biomed Facilities”; \$5,845,704. Andrew s Weyrich, Principal Investigator.

93. University of Utah – NIH National Institutes of Health; “R01 Resub Foxn3”; \$2,827,561. Amnon Schlegel, Principal Investigator.
94. University of Utah – DHHS National Institutes of Health; “Kadrmass_Yoshigi_R01”; \$1,906,250. Julie L Kadrmass, Principal Investigator.
95. University of Utah – DOE National Energy Technology Lab; “Cane Creek Emerging Play”; \$7,999,865. Brian James McPherson, Principal Investigator.
96. University of Utah – NIH National Cancer Institute; “Risk Characterization”; \$3,812,500. Craig Carl Teerlink, Principal Investigator.
97. University of Utah – NIH National Heart Lung & Blood Inst; “Neural Crest Cardiomyocytes”; \$3,593,522. H Joseph Yost, Principal Investigator.
98. University of Utah – DHHS National Institutes of Health; “Analysis of Brain Dynamics”; \$3,350,901. Jeffrey Anderson, Principal Investigator.
99. University of Utah – NIH Natl Inst Allergy & Infectious Dis; “R01 Multi-Omics of HIV”; \$3,140,370.
100. University of Utah – DHHS Agency for Healthcare Resh & Quality; “CARB”; \$2,500,000. Matthew H Samore, Principal Investigator.
101. University of Utah – DHHS National Institutes of Health; “Obstructive Lung Disease”; \$2,433,464. Eun-Kee Jeong, Principal Investigator.
102. University of Utah – CDC Natl Ctr for Chronic Disease Prvntn; “Hersh CDC March 2019”; \$2,384,588. Aimee O Hersh, Principal Investigator.
103. University of Utah – NIH Natl Inst Diabetes Digest Kidney Dis; “RNA-Binding Protein Hur”; \$2,359,125. Yufeng Huang, Principal Investigator.
104. University of Utah – DHHS National Institutes of Health; “R01 PA-19-056 Janis Weis”; \$2,271,263. Janis J Weis, Principal Investigator.
105. University of Utah – NIH Natl Inst Neurolog Disorders Stroke; “Cell Death and Epilepsy R01”; \$1,906,250. Jay Spampinato, Principal Investigator.
106. University of Utah – NIH Natl Int Diabetes Digest Kidney Dis; “Evaluation of Ticagrelor”; \$1,895,750. Bellamkondak Kishore, Principal Investigator.

107. University of Utah – DHHS National Institutes of Health; “MIRA R25 SHEN”; \$1,887,188. Peter Shaw Shen, Principal Investigator.
108. University of Utah – Rhode Island Hospital; “Casper RIH Sub Feb 2019”; \$1,629,053. Theron Charles Casper, Principal Investigator.
109. University of Utah – DHHS National Institutes of Health; “Multifunctional Carriers”; \$1,525,000. Xuli Wang, Principal Investigator.
110. University of Utah – DHHS Agency for Healthcare Resh & Quality; “Jordan King’s Transfer AHRQ R”; \$1,499,973. Jordan D King, Principal Investigator.
111. University of Utah – NIH National Heart Lung & Blood Inst; “OHLS U01 Transfer Mar 2019”; \$1,314,230. Robin Kjerstin Ohls, Principal Investigator.
112. University of Utah – Patient Centered Outcomes Resh Inst; “NKOY PCORI Apr 2019”; \$1,171,732. Flory Lumu Nkoy, Principal Investigator.
113. University of Utah – Intermountain Healthcare; “SISS-Intermountain Sub”; \$1,149,586. Benjamin Haaland, Principal Investigator.
114. Utah State University – US National Science Foundation; “Collaborative Research: Dimensions US-South Africa: Legacy effects of megacarcasses on genetic, phylogenetic, and functional dimensions of savanna biodiversity”; \$1,556,176. Johan Truter Du Toit, Principal Investigator; William David Pearse, Tallian, Aimee, Bonnie Grace Waring, Co-Investigators.
115. Utah State University – Cystic Fibrosis Foundation; “Prenatal therapeutic gene editing of mutant CFTR in sheep models of cystic fibrosis”; \$2,407,025. Irina Polejaeva, Principal Investigator; Kenneth L White, Co-Investigator.
116. Utah State University – Administration for Community Living; “WebAIM Web Accessibility Research Institute on Community Living and Participation”; \$2,499,999. Cynthia J Rowland, Principal Investigator; Jared W Smith, Co-Investigator.
117. Utah State University – Administration for Community Living; “A Socio-Ecologic Framework Supporting Individuals with Disabilities’ Community Living and Participation”; \$2,500,000. Keith M Christensen, Principal Investigator; Ziqi Song, Co-Investigator.
118. Utah State University – Administration for Community Living; “Public Charging Infrastructure for Enhanced Mobility, Independence, and Community Participation for the Users of Electrically Powered Mobility Devices”; \$2,490,520. Zeljko Pantic, Principal Investigator; Cathy Bodine, Co-Investigator.

C. Awards

1. University of Utah – Patient Centered Outcomes Resh Inst; “Cessation at FQHCS”; \$9,523,723. David Wetter, Principal Investigator.
2. University of Utah – Anonymous; “FP Elevated Anonymous”; \$1,500,000. David Turok, Principal Investigator
3. University of Utah – DHHS Centers for Disease Control & Prev; “Antibiotic Stewardship”; \$1,004,669. Matthew H Samore, Principal Investigator.
4. University of Utah – DOD office of Economic Adjustment; “Mountainwest AM Network”; \$2,681,113. Bart Raeymaekers, Principal Investigator.
5. University of Utah – US Agency for International Development; “SIAD-PCASW”; \$1,548,279. Steven John Burian, Principal Investigator.
6. University of Utah – Army Research Office; “Minteer Muri Multistep Catalys”; \$1,482,809. Shelley D Minteer, Principal Investigator.
7. University of Utah – NIH Natl Ctr for Advncing Translt Scnces; CTSA UL1”; \$3,542,367. Willard Honglen Dere, Principal Investigator.
8. University of Utah – US Department of Defense; “Spinal Cord Perfusion Strategy”; \$1,793,571. Candace Lorraine Floyd, Principal Investigator.
9. University of Utah – Biogen; “Biogen 221AD302”; \$1,268,661. Norman Foster, Principal Investigator.

D. Academic and Student Affairs Items

Action Items:

3 Year Review

- Utah Valley University – BFA in Theatre Arts
- Utah Valley University – BS in Animation and Game Development
- Utah Valley University – BS in Digital Audio
- Utah Valley University – BS in Digital Cinema
- Utah Valley University – BS in Entrepreneurship
- Utah Valley University – BS in Mechatronics Engineering Technology
- Utah Valley University – BS in Web Design and Development with Emphases in Web and App

7 Year Review

- University of Utah – Environmental Humanities Program

Information items:

- University of Utah – Master of Business Creation
- University of Utah – Bachelor of Science in Data Science

Notification Items:

New Program

- University of Utah – Dual Degree: Master of City & Metropolitan Planning/Master of Public Administration
- University of Utah – Dual Degree: Master of City & Metropolitan Planning/Master of Public Policy
- University of Utah – Emphasis in Genetics & Genomics within the BA/BS in Biology
- University of Utah – Emphasis in Microbiology within the BA/BS in Biology
- University of Utah – Emphasis in Neurobiology within the BA/BS in Biology
- University of Utah – Emphasis in Plant Biology within the BA/BS in Biology
- University of Utah – Emphasis in Science, Health, Environmental, and Risk Communication within the BA/BS in Communication
- University of Utah – Post-Baccalaureate Certificate in Public Policy
- University of Utah – Emphasis in Chinese within the MA in Language Pedagogy
- University of Utah – Emphasis in Japanese within the MA in Language Pedagogy
- University of Utah – Emphasis in Portuguese within the MA in Language Pedagogy
- University of Utah – Emphasis in Russian within the MA in Language Pedagogy
- University of Utah – Minor in Management
- Weber State University – Certificate of Proficiency in American Sign Language
- Weber State University – Certificate of Proficiency in Building Design & Construction Essentials
- Weber State University – Certificate of Proficiency in Chinese
- Weber State University – Certificate of Proficiency in French
- Weber State University – Certificate of Proficiency in Geospatial Technology
- Weber State University – Certificate of Proficiency in German
- Weber State University – Certificate of Proficiency in Japanese
- Weber State University – Minor in Finance
- Weber State University – Minor in Music Studies
- Southern Utah University – Emphasis in English as a Second Language within the Master of Education
- Utah Valley University – Certificate of Proficiency in Surveying Technology

Name Change and Program Transfer

- Weber State University - AAS in Interior Design Technology to AAS in Interior Design – and Transfer from Department of Professional Sales to Department of Construction and Building Sciences

Name Change and Program Restructure

- Weber State University – AS in Biotechnician to AS in Biology

Name Change

- University of Utah – Emphasis in Ecology & Organismal Biology to Emphasis in Ecology, Evolution, and Environment within the BA/BS in Biology
- Utah Valley University – AS/BS in Geomatics to AS/BS in Surveying and Mapping
- Utah Valley University – Department of Engineering Design Technology to Architecture and Engineering Design

Program Transfer

- Weber State University – Minor in Interior Design from Department of Professional Sales to Department of Construction and Building Sciences

Discontinuation

- Utah Valley University – Emphasis in Graphic Design within the BA/BS in Integrated Studies
- Utah Valley University – Emphasis in Forensic Chemistry within the BS in Chemistry

E. Resolutions

Resolutions for the following: Commissioner David L. Buhler, Regent Daniel W. Campbell, Regent Robert S. Marquardt, Regent Teresa Thuerer, Regent JaKell Larson, Associate Commissioner Kimberly L. Henrie, President Gary L. Carlston.

David L. Buhler
Commissioner of Higher Education

STATE BOARD OF REGENTS
SALT LAKE COMMUNITY COLLEGE, SOUTH JORDAN, UTAH
MILLER CAMPUS, MILLER CONFERENCE CENTER
MARCH 28, 2019

Contents of Minutes

Attendance	1
Institutional Presentations and Student Fee Proposals for FY2020	1
Adjournment	3

STATE BOARD OF REGENTS
SALT LAKE COMMUNITY COLLEGE, SALT LAKE CITY, UTAH
MILLER CAMPUS, KAREN GAIL MILLER CONFERENCE CENTER
THURSDAY, MARCH 28, 2019

COMMITTEE OF THE WHOLE
MINUTES

Regents Present

Harris Simmons, Chair
Nina R. Barnes, Vice Chair
Daniel W. Campbell
Wilford W. Clyde
Sanchiata Datta
Marlin K. Jensen
Ron Jibson
Patricia Jones
JaKell Larson
Steve Lund
Robert W. Prince
Mark Stoddard
Teresa L. Theurer
Thomas E. Wright

Regents Absent

Jessellie B. Anderson
Robert S. Marquardt
Cristina Ortega

Office of the Commissioner

David L. Buhler, Commissioner of Higher Education
Kimberly L. Henrie, Associate Commissioner for Planning, Finance and Facilities

Institutional Presidents Present

Ruth Watkins, University of Utah
Noelle Cockett, Utah State University
Scott L Wyatt, Southern Utah University
Astrid S. Tuminez, Utah Valley University
Richard B. Williams, Dixie State University
Deneece G. Huftalin, Salt Lake Community College
Brad Mortensen, Weber State University
Gary Carlston, Snow College

Other Commissioner's Office and institutional personnel were also present. The signed role is on file in the Commissioner's Office.

Chair Simmons called the meeting to order at 11:00 a.m. He began by thanking those who attended the inauguration of President Tuminez. He turned the time to Commissioner Buhler. Commissioner Buhler provided an overview of the process over the next couple day. He noted one of the key responsibilities of the Regents is setting tuition, noting the policy for setting tuition was revised last November. New this year

is a single proposed rate for each institution. Each institution's trustees have reviewed and approved the tuition requests, and truth in tuition hearings were held on each campus.

Associate Commissioner Kimberly Henrie provided a presentation on the tuition process. She reiterated the Regents' commitment to affordable college, reviewing affordability considerations prior to approving tuition adjustments. She reviewed the 2020 Legislative funding as well as provided a historical overview. There was also a review of student financial aid awarded in FY2017-18 and student debt. She provided three scenarios to tuition rates: freeze tuition, minimum tuition increase to cover required legislative matches, and Regent Affordability Metric that would increase tuition to Board approved threshold of State's median household income (presentation slides attached).

The Regents heard presentations on tuition requests from the presidents of each institution:

- Salt Lake Community College (attached)
- Snow College (attached)
- Dixie State University (attached)
- Southern Utah University
- Weber State University (attached)
- Utah Valley University (attached)
- University of Utah (attached)
- Utah State University (attached)

Regent Larson stated the Student Body Presidents of the USHE institutions meet each month and tuition and student fees has been a topic for months.

The Regents heard comments from the institutions' Student Body Presidents. All comments were positive and in support of the tuition and student fee increases. Regent Larson followed up stating the three Student Body Presidents not present today from, Dixie State University, Southern Utah University, and University of Utah, all expressed their support and have sent letters of support to the regents.

Chair Simmons opened the meeting to the public for comment. There were no comments made. **Regent Theurer made a motion to close the public comment portion of the meeting; the motion was seconded by Regent Barnes.**

There was discussion about the current process of setting tuition and the timing of receiving and providing information in order to determine tuition needs.

Regent Campbell said with the turnout at the Truth and Tuition hearings, and here at this meeting, it appears that people are okay with the tuition increases. He asked, as we get ready to vote tomorrow, he wants to make sure he understand his role. He believes it is not just a matter of thinking "is tuition too high?" It is, "is the tuition being well invested for the benefit of our students and the future of the institutions?"

Commissioner Buhler said it is both. The role of the Regents is to ensure all Utahns can affordably access a quality post-secondary education; it is access and quality.

Regent Clyde said he believes the process is a good process. While it may be short on time, we have to do the best we can. We have the opportunity for public input at the institutions, the students have an opportunity to review, the trustees have reviewed and approved. He feels the presenters today have justified their requests and feels very comfortable where we are, and it is where we should be.

Regent Theurer motioned to adjourn meeting; the motion was seconded by Regent Datta.

The meeting adjourned at 5:38 p.m.

Loreen Olney, Executive Secretary

Date Approved: May 17, 2019

UTAH SYSTEM OF
HIGHER EDUCATION

Tuition Proposal Hearing

Annual Examination and Review

March 2019

March 28 Meeting Schedule

Morning Session

11:00 Commissioner's Office

11:45 SLCC

12:15 SNOW

Break for Lunch

12:45-1:30

Afternoon Session

1:30 DSU

2:00 SUU

2:30 WSU

3:00 UVU

3:30 UU

4:00 USU

4:30 Student Leaders & Public

5:00 Board Discussion

Regents' Commitment to Affordable College

“Ensure all Utahns can affordably access a quality postsecondary education with the tools, resources, and information that start them on the path to completion, especially for underserved populations and first-generation college students.”



Revisions to Board Tuition Setting Procedures

- Discontinued uniform first-tier + institution second-tier tuition structure to an institution specific tuition rate approach (2019-20)
- Additional detail from institutions including:
 - A detailed list of uses for tuition revenue
 - Demonstrated support from students and Trustees
 - Anticipated impact on student access, retention, and completion rates
 - Dollar and percentage adjustment being requested
- Institutions use of tuition dollars will be subject to spot audits



Truth-in-Tuition Hearings & Public Review

- USHE institutions must hold public “Truth-in-Tuition” meetings with students to explain the institution’s tuition proposal and rationale. *(UCA53B-7-101.5)*
- The Board shall hold a public hearing as part of the regularly scheduled Board meeting, and provide written notice to student body presidents one-week prior to the hearing date. *(Regent Policy R511, Tuition Disclosures and Consultation)*

	<u>Truth-in-Tuition Hearings</u>	<u>Board of Trustee Review</u>	<u>Board of Regents Considerations</u>	
Utah:	March 19	March 12	Tuition Presentations	March 28
USU:	March 6	March 8	Public Hearing	March 28
WSU:	March 11	March 19		
SUU:	March 5	March 21	Final Tuition Decisions	March 29
SNOW:	March 13	March 15		
DSU:	March 5	March 22		
UVU:	March 7	March 14		
SLCC:	March 7	March 13		

Affordability Considerations prior to Approving Tuition Adjustments

- Annual Use of Tuition Reviews
- How the proposed tuition rate compares to the state's median income statistics
- State funding received by the legislature for the year
- National and regional tuition and fee comparisons for each institution
- Institution cost data
- Average student debt load in Utah
- Combined impact of tuition rate adjustments and general student fee increases
- Institution presentations and internal reallocations
- Student and public comment



Commissioner's Office Audit Report

FY2018 Use of Tuition Proceeds @ Weber State & Salt Lake Community

Audit Results:

1. The use of Tier 1 and Tier 2 tuition increases at WSU and SLCC appears appropriate for the 2017-2018 academic year
2. The Board of Regents could benefit from detailed information regarding the proposed and actual use of increased tuition funds

Recommendations:

1. Institutions include detailed information regarding the proposed use of funds generated through requested tuition increases
2. Institutions annually report the use of funds actually generated from tuition increases to the Board of Regents

By the Numbers

Board of Regents Affordability Metric

Mission	Institution	Benchmark	2019 Published Tuition & Fees as % of State Median Household Income
Research	UU	15%	14.8%
	USU – Main Campus		11.9%
Regional	WSU	10%	9.4%
	SUU		10.8%
	DSU		8.4%
	UVU		9.2%
Community College	USU – Eastern	7%	6.2%
	SNOW		6.0%
	SLCC		6.1%

By the Numbers

2020 Legislative Funding

Budget Request Category	Board Request <i>(Ongoing)</i>	Legislative Appropriation* <i>(Ongoing)</i>
Compensation	\$26,162,039	\$29,887,900
Affordable Access	\$14,180,200	\$4,677,400
Timely Completion	\$15,366,287	\$3,800,000
Workforce & Research	\$10,019,800	\$7,050,000
Student Growth & Capacity	\$18,646,800	\$12,956,000
Performance Funding		\$31,500,000
ISF & O&M (Mandatory Costs)		\$6,268,900
Total	\$84,375,126	\$96,140,200

*The Legislative Appropriation has been aligned with the Board's broad budget categories, but may fund items not originally requested by the Board.

By the Numbers

Historic Tax and Tuition Funds per Student FTE

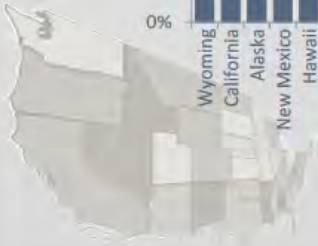
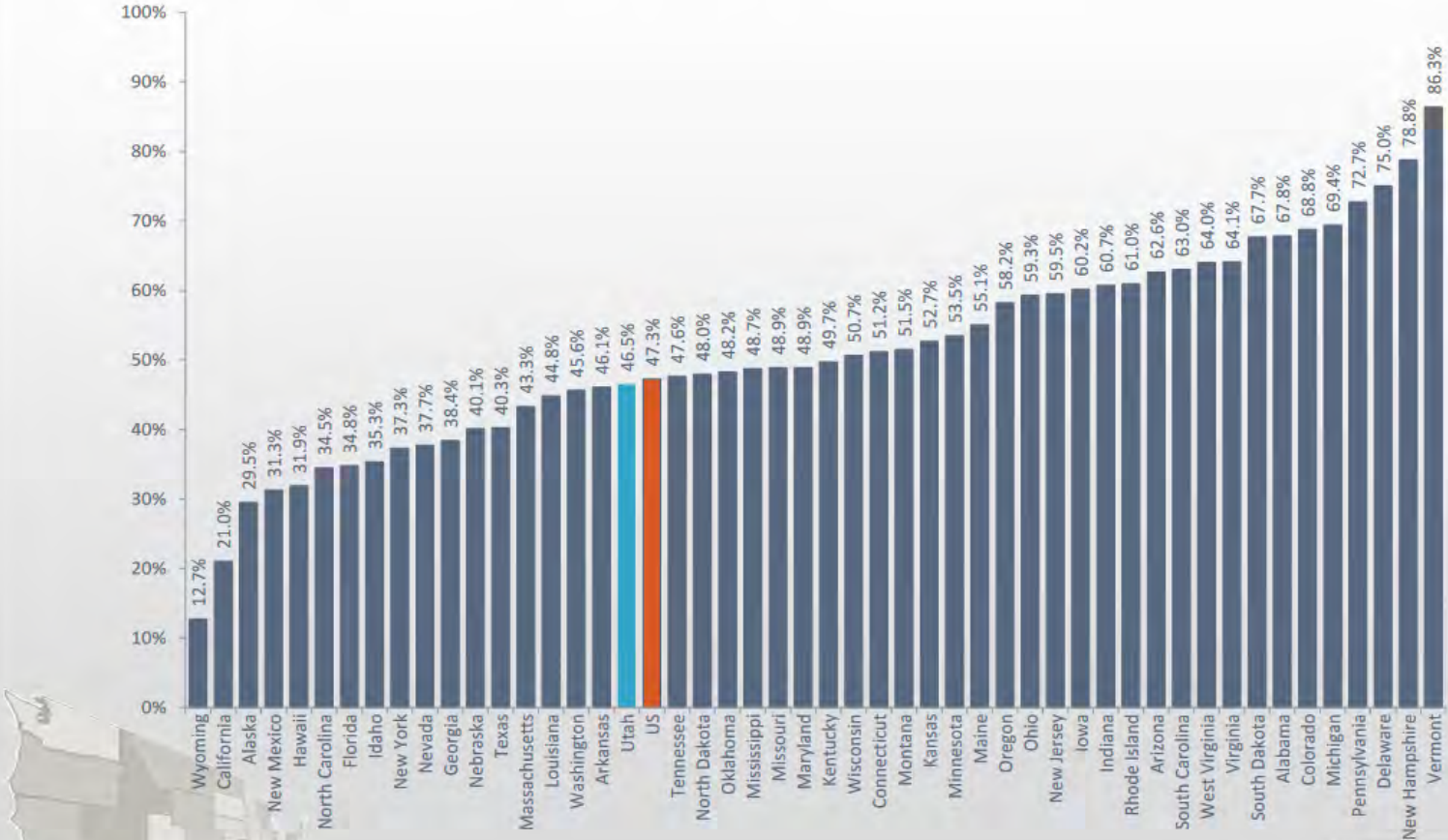
Public FTE Enrollment and Educational Appropriations per FTE, Utah, FY 1992-2017



By the Numbers

Net Tuition as a Percentage of Total Higher Ed Funding

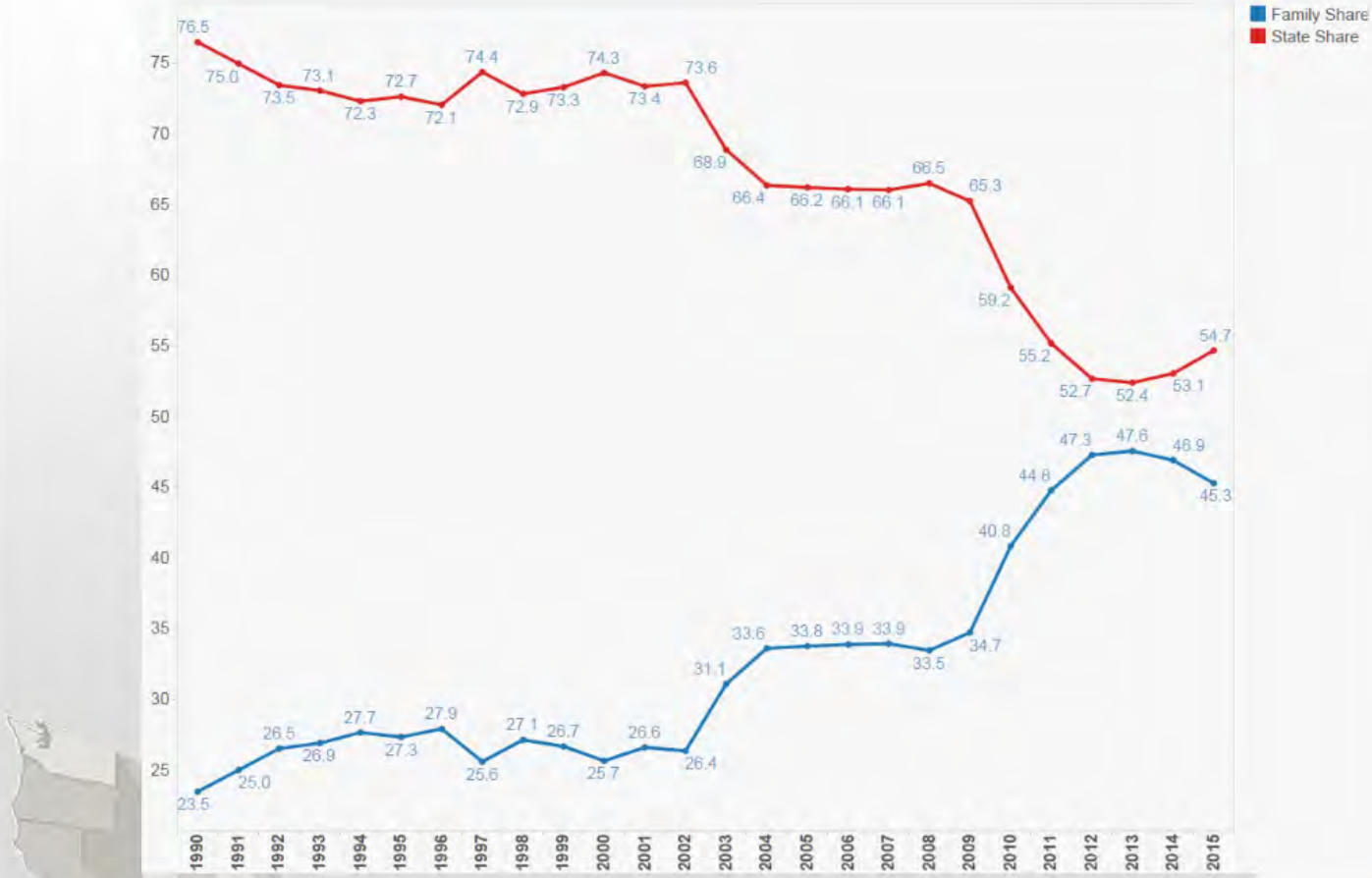
Net Tuition as a Percent of Public Higher Education Total Educational Revenue by State, FY 2016



By the Numbers

Family Share of Public Higher Education Revenues

Family Share of Public Higher Education Operating Revenues, Utah



Source: SHEEO



By the Numbers

Institution Tax Fund and Tuition Fund Mix

Institution	FY 18 % Tax Funded	FY 18 % Tuition Funded
University of Utah	49%	51%
Utah State University	57%	43%
Weber State University	53%	47%
Southern Utah University	46%	54%
Snow College	67%	33%
Dixie State University	52%	48%
Utah Valley University	44%	56%
Salt Lake Community College	62%	38%
USHE System Average	51%	49%

By the Numbers

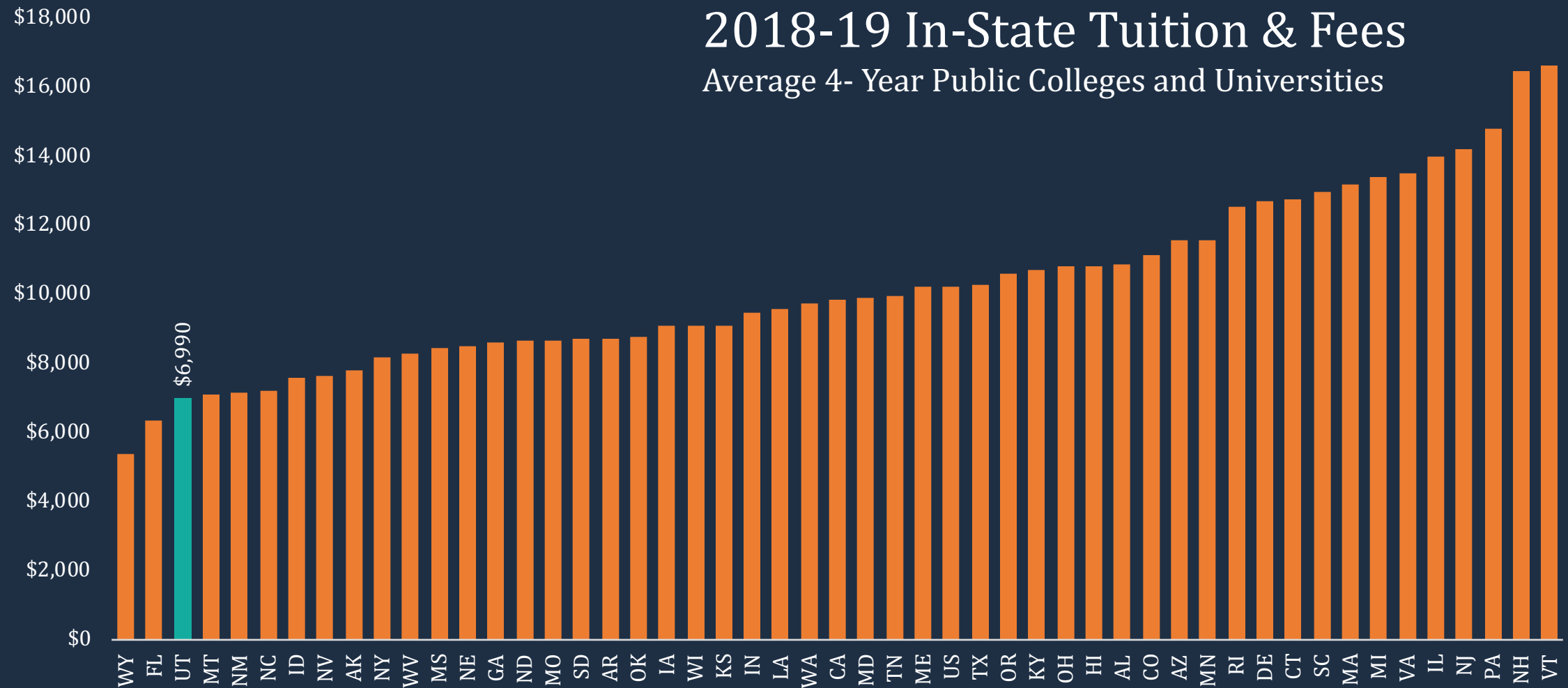
Historic Price Indices and Historic USHE Institution Tuition Increases

	13-14	14-15	15-16	16-17	17-18	18-19
CPI	1.6%	0.7%	0.7%	1.8%	2.3%	N/A
HEPI	3.0%	2.1%	1.8%	3.3%	2.8%	N/A
WICHE 4-year Resident	3.1%	2.3%	2.7%	1.6%	4.8%	2.0%
WICHE 2-year Resident	2.6%	1.4%	1.4%	1.8%	3.5%	2.1%

Institution	13-14	14-15	15-16	16-17	17-18	18-19
University of Utah	5.0%	5.8%	3.5%	3.9%	3.9%	3.9%
Utah State University	5.0%	3.4%	3.0%	3.5%	5.0%	3.9%
Weber State University	5.0%	4.0%	3.0%	3.5%	3.5%	2.5%
Southern Utah University	5.0%	4.0%	3.0%	3.5%	2.5%	1.5%
Snow College	5.0%	5.9%	3.0%	3.5%	2.5%	1.5%
Dixie State University	5.0%	4.2%	3.0%	5.0%	5.0%	3.5%
Utah Valley University	6.0%	4.0%	3.0%	3.5%	2.5%	1.5%
Salt Lake Community College	6.0%	4.0%	3.0%	3.5%	2.5%	1.5%

By the Numbers

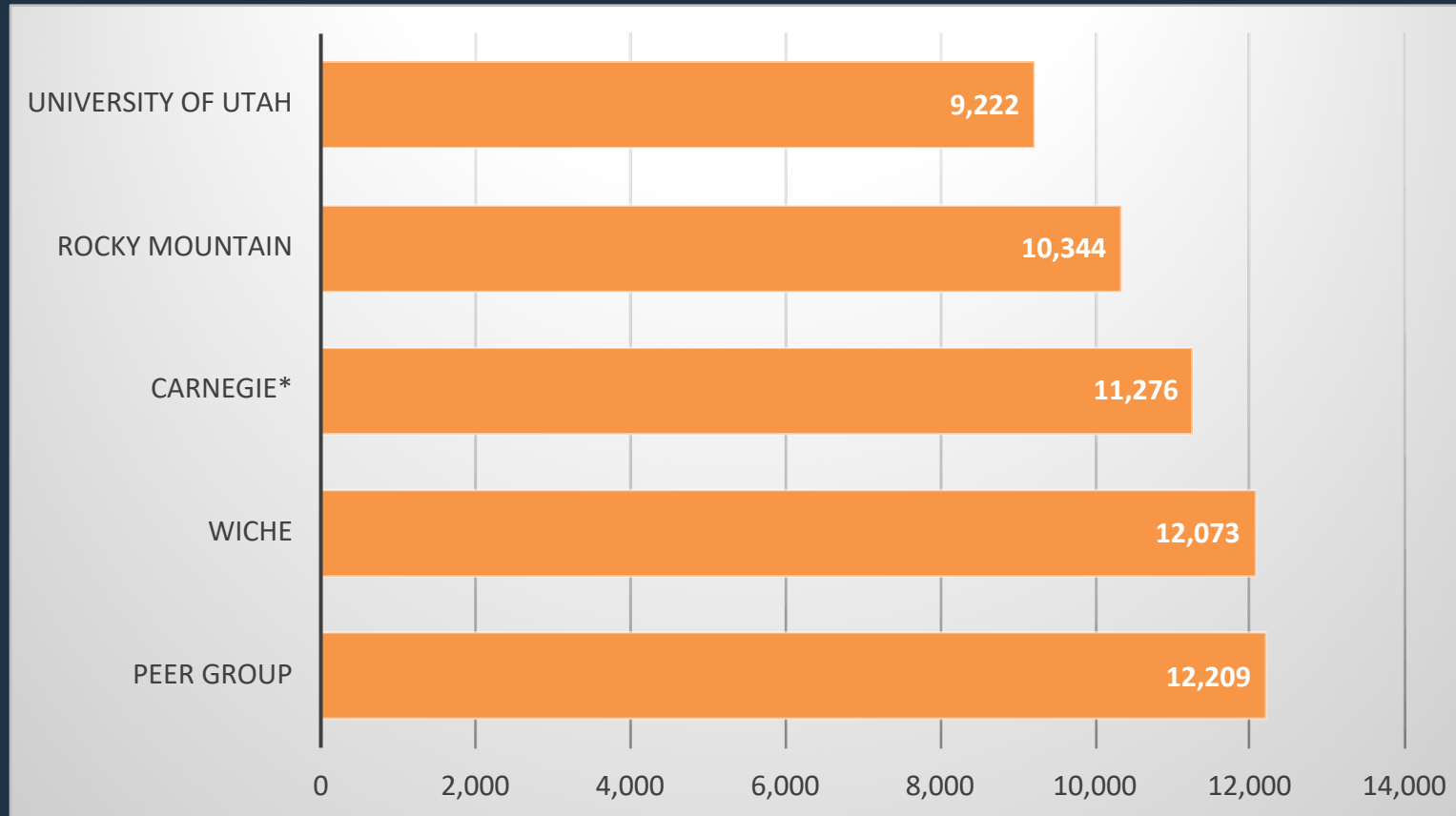
National & Regional Comparisons



By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

University of Utah

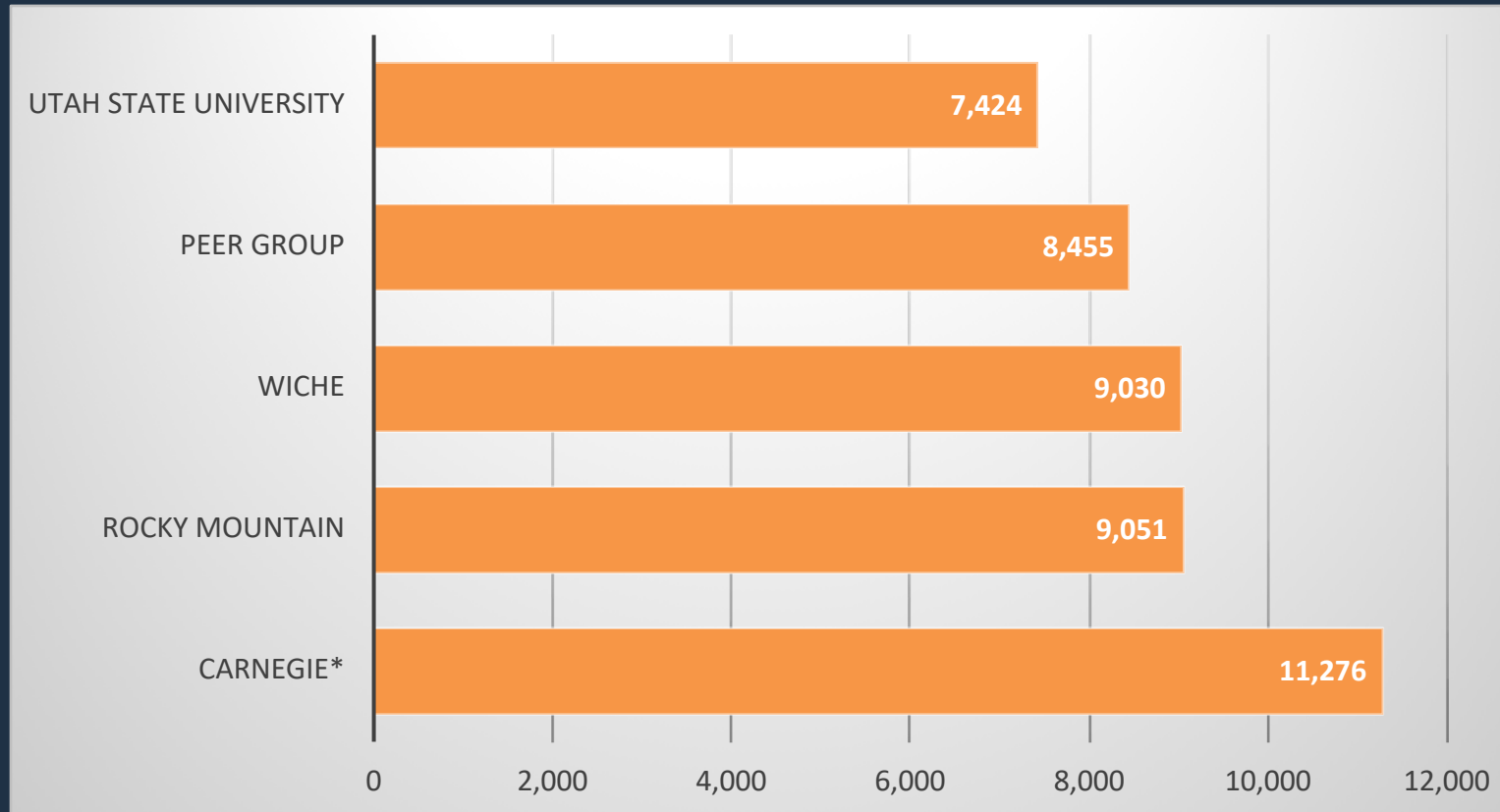


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Utah State University

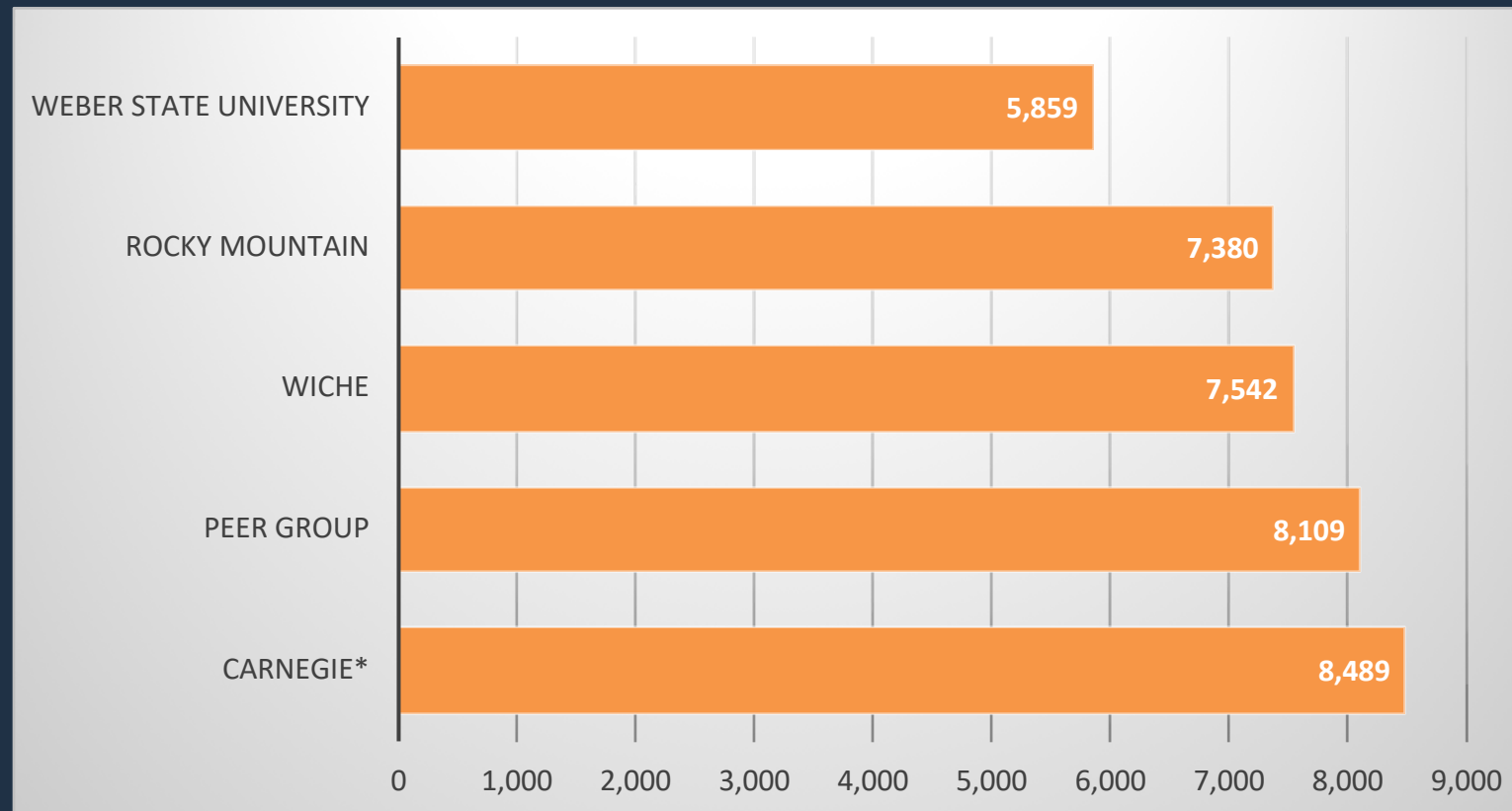


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Weber State University

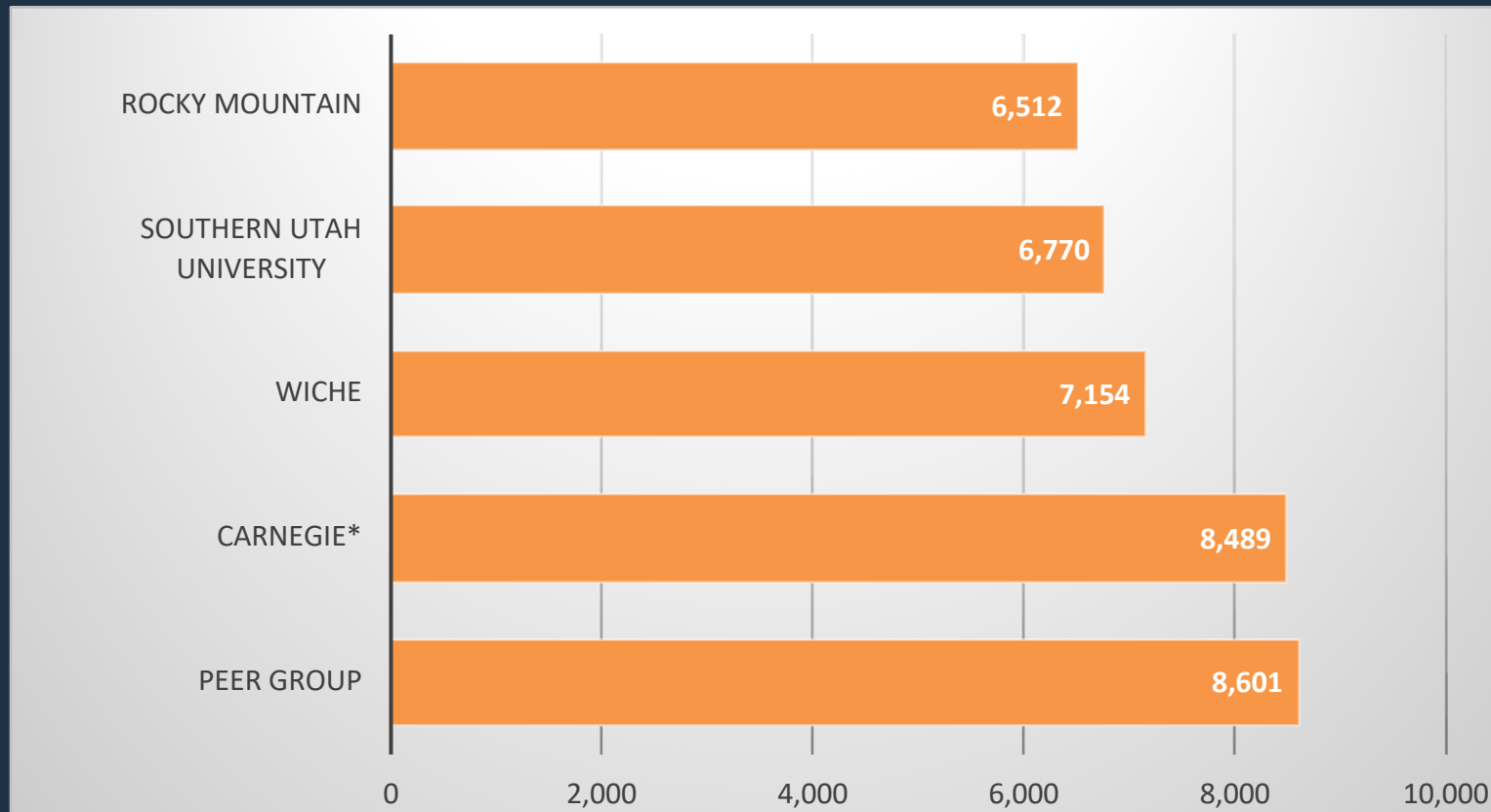


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Southern Utah University

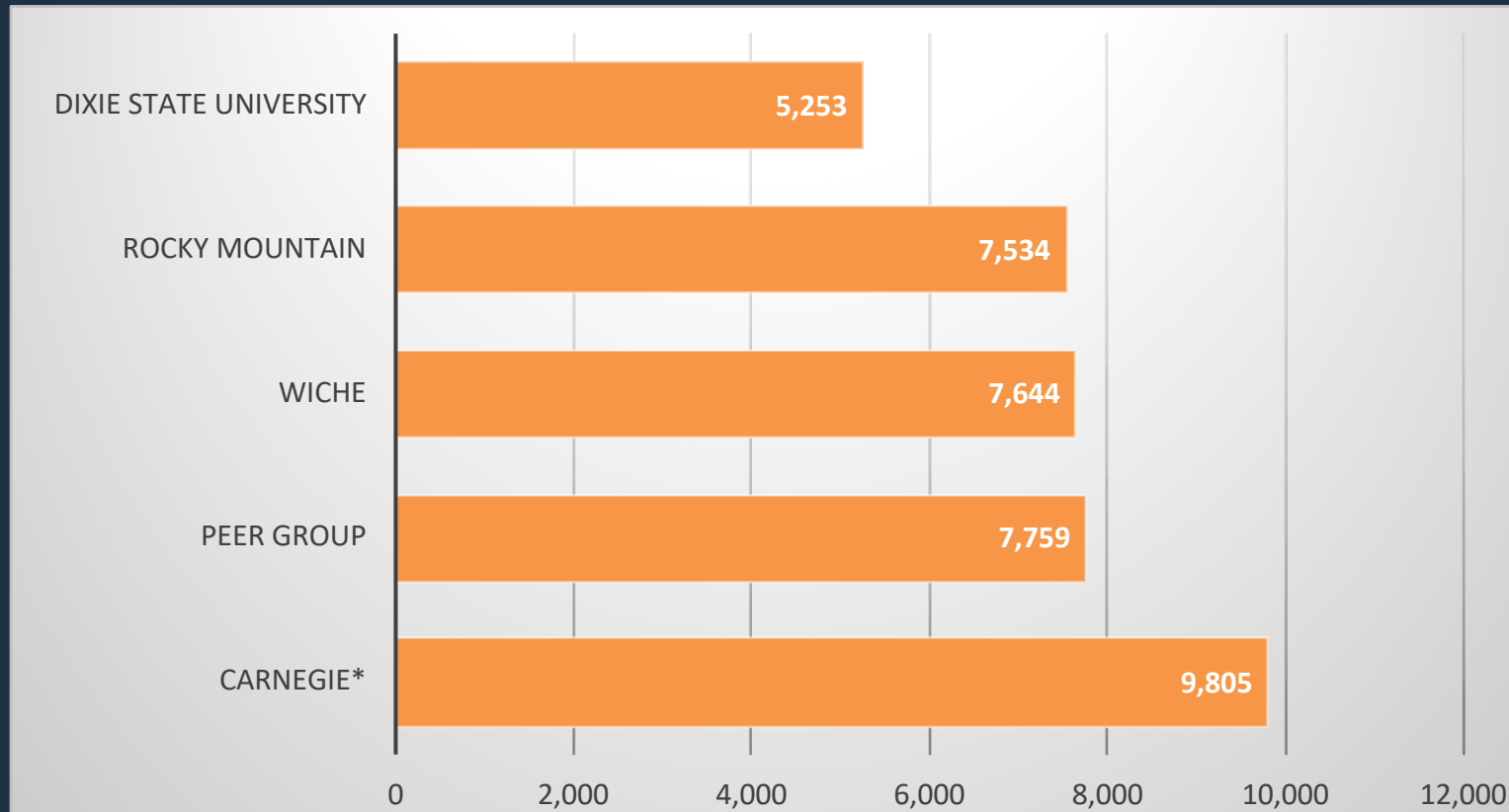


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Dixie State University

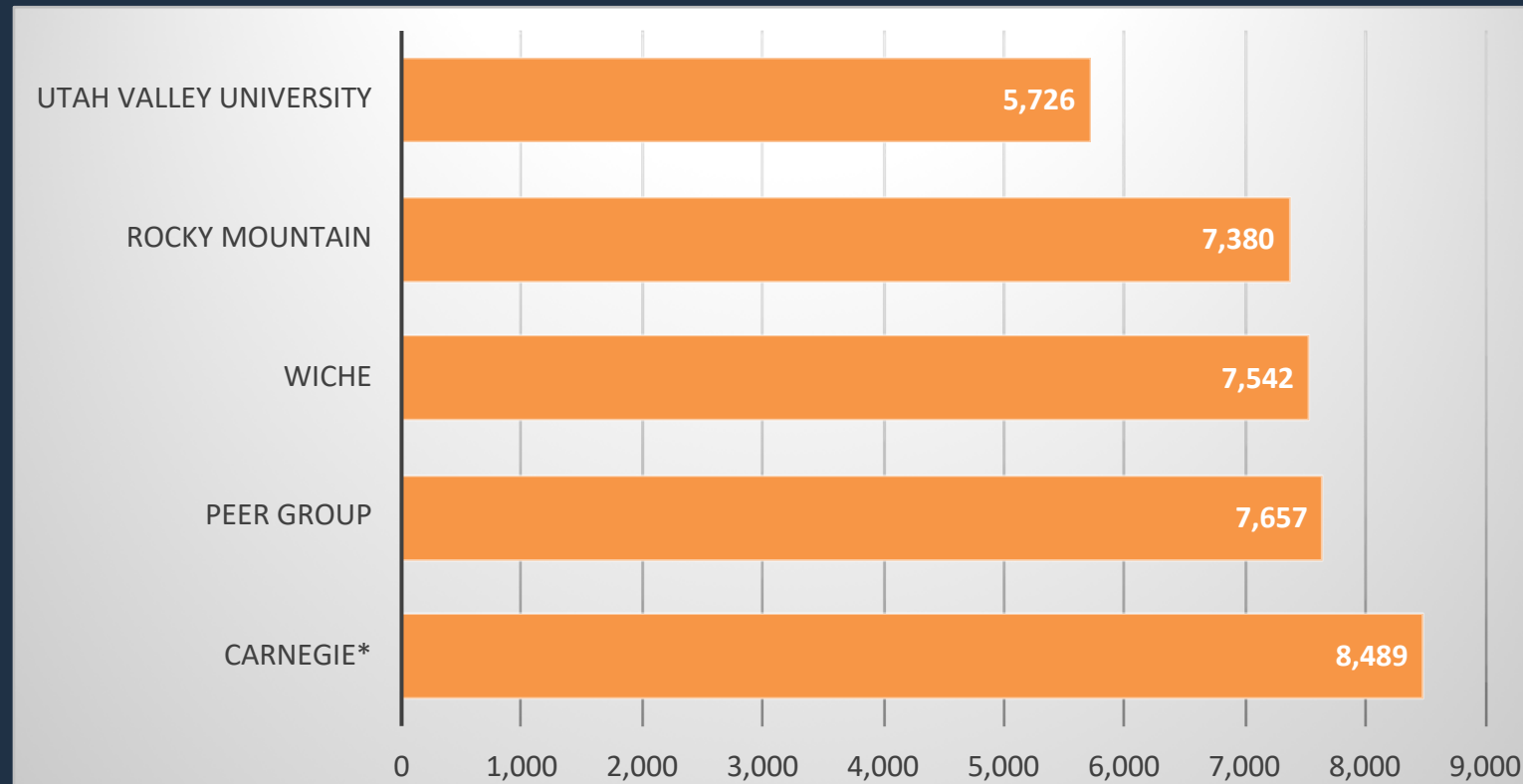


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Utah Valley University

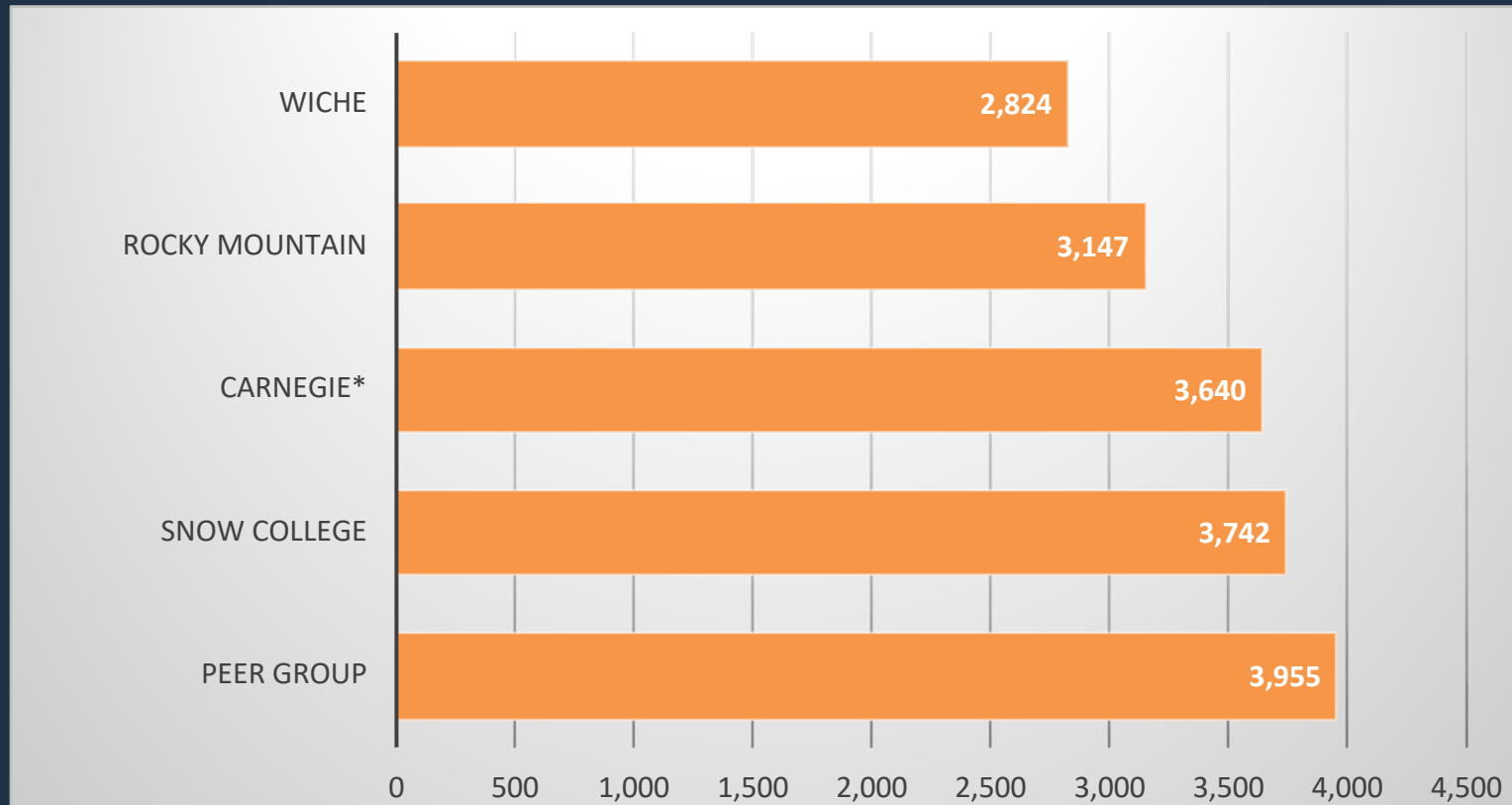


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Snow College

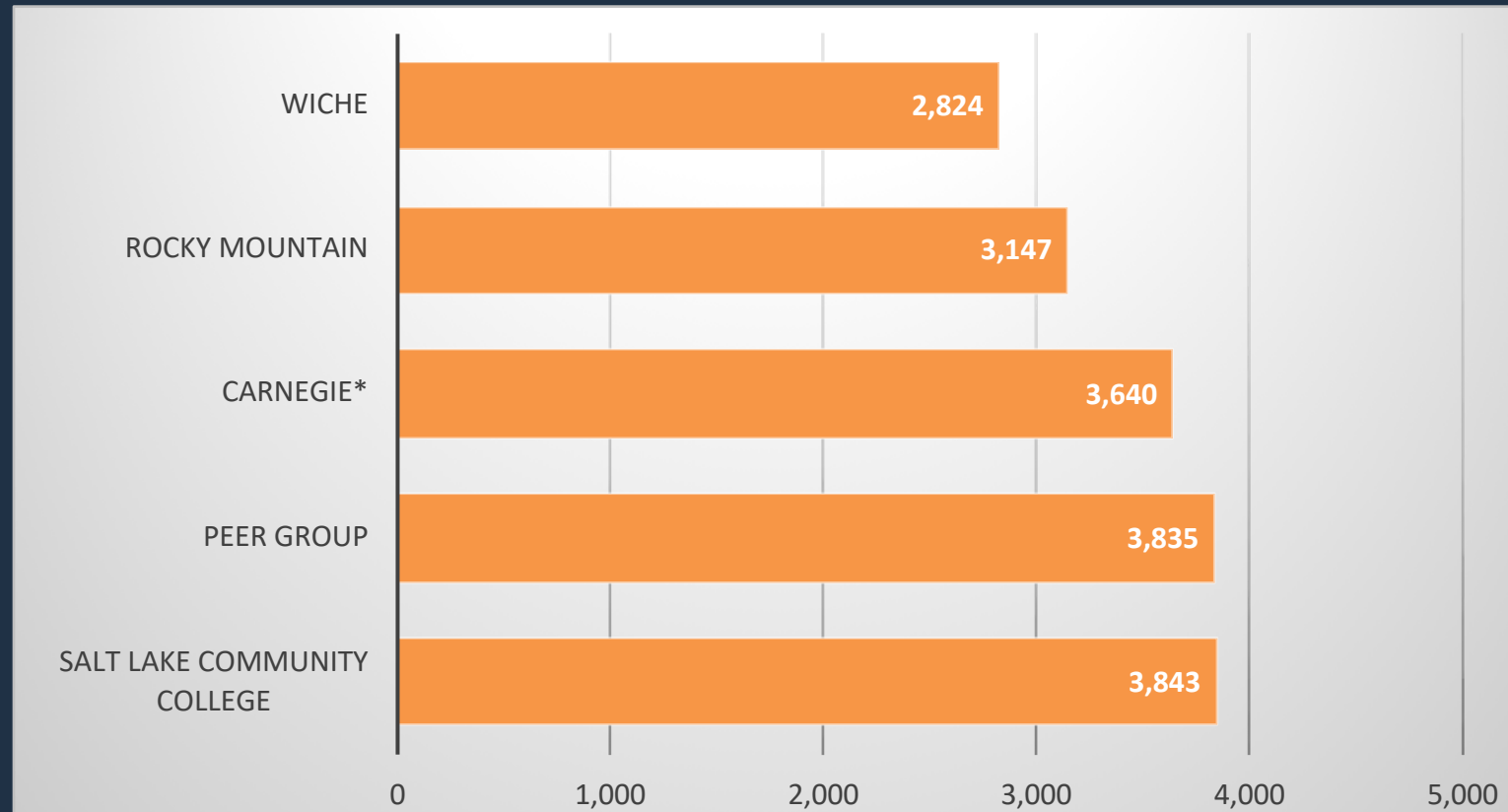


*Latest IPEDS data as of 2017-18

By the Numbers

2018-19 Annual Undergraduate Resident Tuition & Fee Peer Comparisons

Salt Lake Community College



*Latest IPEDS data as of 2017-18

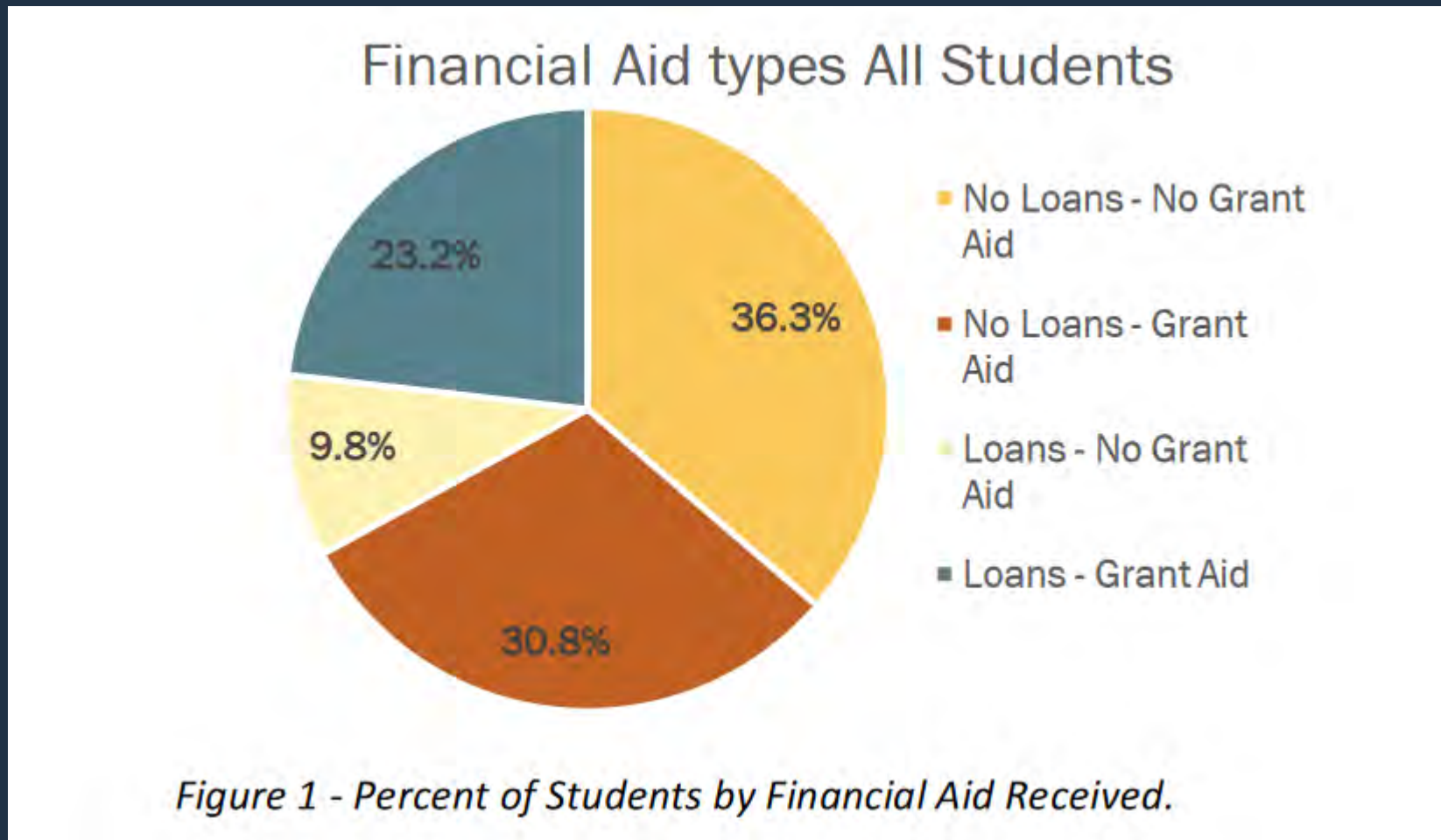
By the Numbers

Institution Costs

Institution	FY 18 % Tuition Funded	FY18 Total Cost per Award	FY18 Average Annual Total Cost per FTE
University of Utah	51%	61,982	17,851
Utah State University	43%	45,969	14,203
Weber State University	47%	29,628	11,011
Southern Utah University	54%	35,323	11,273
Snow College	33%	32,216	9,319
Dixie State University	48%	32,170	9,768
Utah Valley University	56%	39,596	10,364
Salt Lake Community College	38%	27,204	10,132
USHE System Average	49%	41,655	12,911

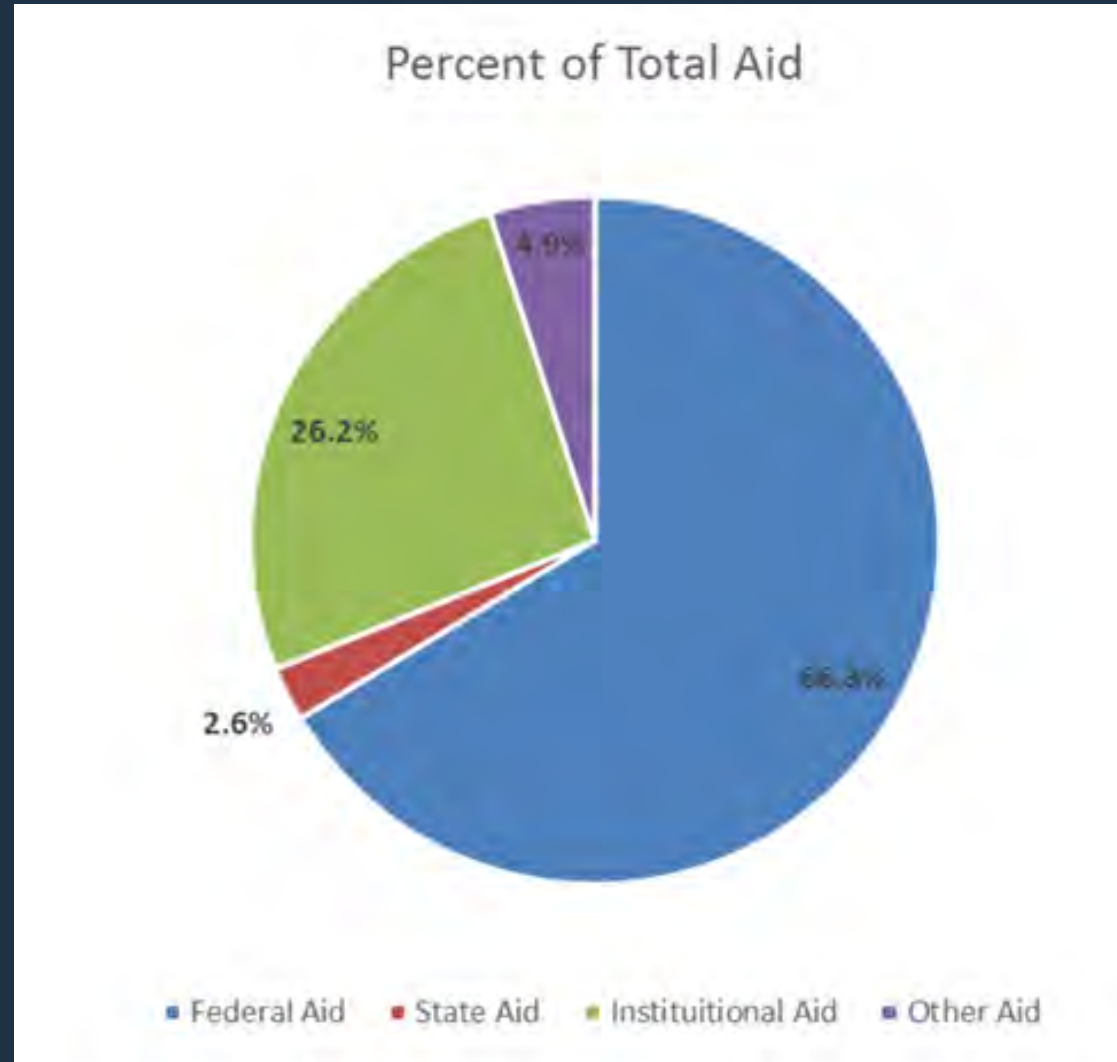
By the Numbers

Student Financial Aid Availability (FY14-15)



By the Numbers

Types of Student Financial Aid Availability (FY14-15)



By the Numbers

Student Financial Aid Awarded (FY2017-18)

For 2020 the annual Federal Pell Grant will increase \$100 to \$6195 (a 1.64% increase)

Federal Financial Aid

- 57,594 students received Pell Grants (\$223,390,405)
- 10,845 students participated in Perkins loans, federal work study, FSEOG and LEAP programs (\$13,350,441)

Institution Aid

- Resident waivers \$51,096,119
- Non-resident waivers \$87,379,434
- Need-based tuition scholarships \$5,167,952

State Aid Programs

- Ed Disadvantage scholarships \$645,913
- TH Bell Teacher Loans \$1,781,791
- Engineering and CS Scholarships \$51,534
- Vet Gap \$128,049

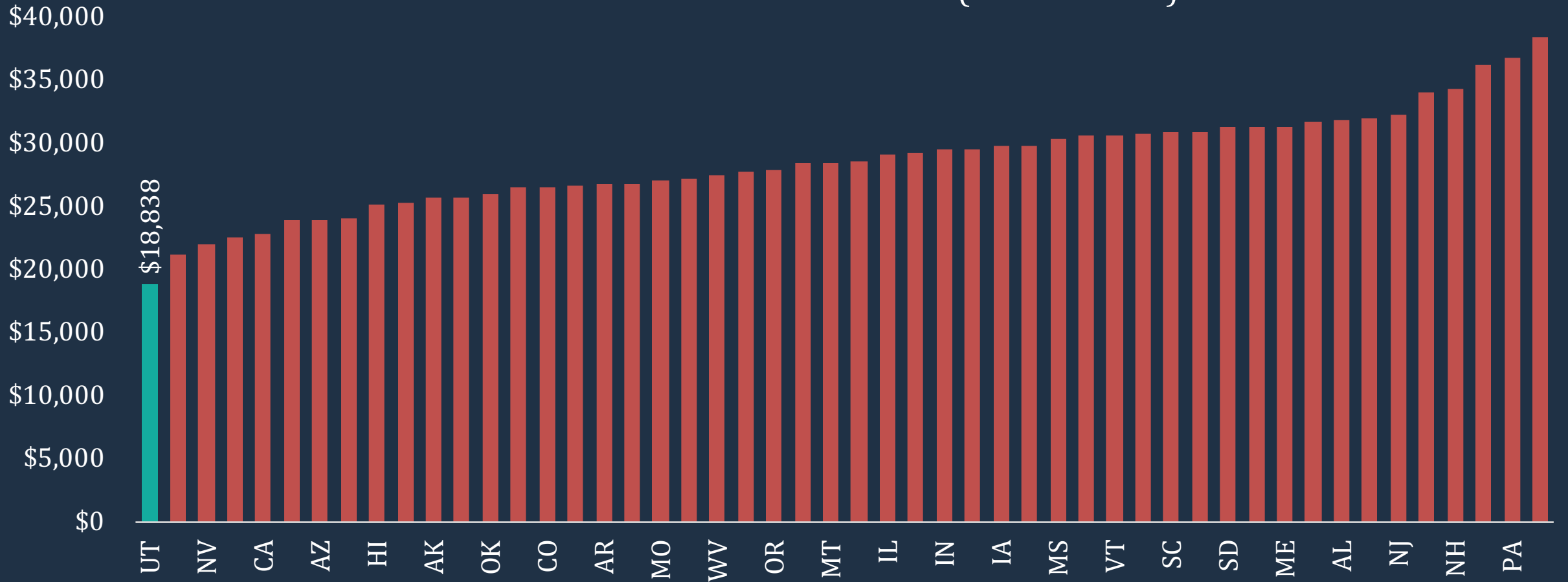
Private Scholarships

- The Commissioner's Office does not currently have access to or collect this information

By the Numbers

Student Debt Loads

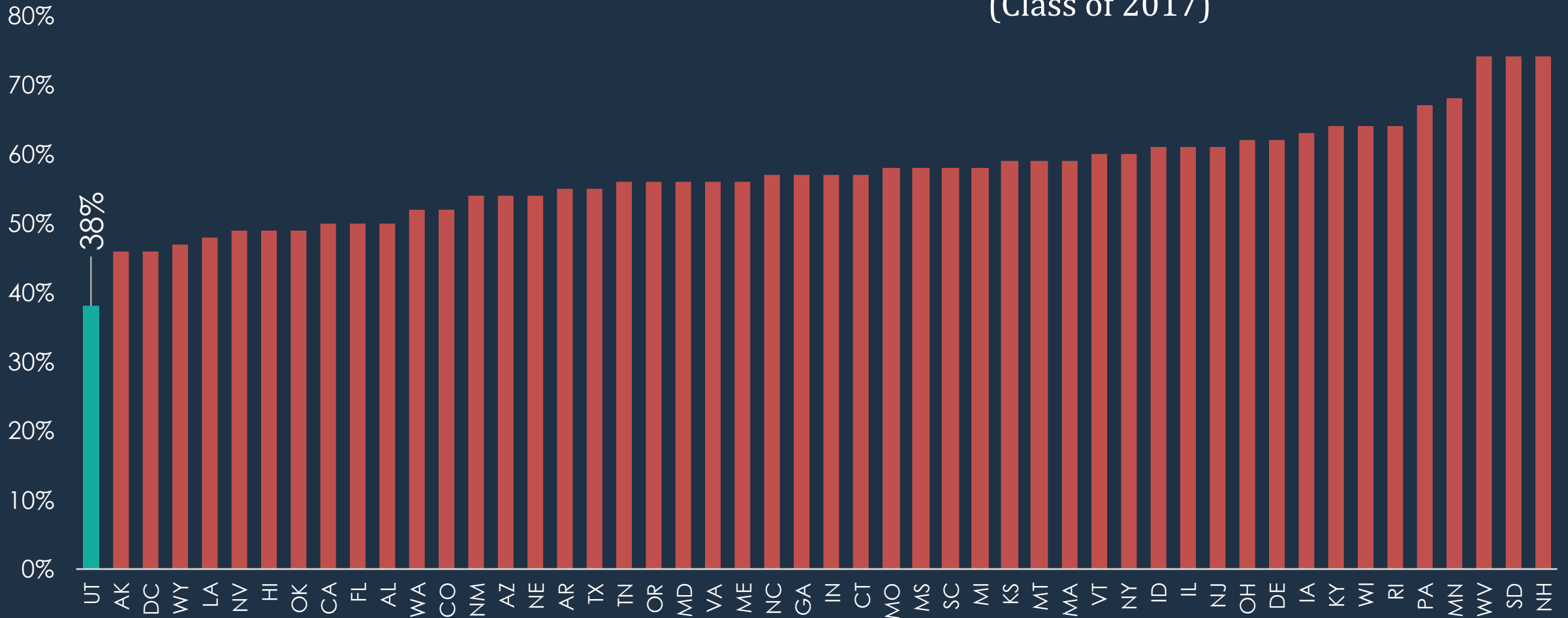
Average Student Debt of
Those with Loans at Graduation
(Class of 2017)



By the Numbers

Student Debt Levels

% who Graduate with Debt
(Class of 2017)



Alternative Scenario 1

Freeze Tuition at FY 2019 Rates

0% Increase for each USHE institution

- Would require institutions reallocate existing resources to address the legislative compensation and ISF Rate Match and other institution priorities

Alternative Scenario 2

Legislative Dedicated Credits Increase: Minimum tuition increase to cover required legislative matches

Institution	FY 19 Tuition Base Budget	FY20 Legislative Dedicated Credits Increase*	Estimated FY 20 Minimum Tuition Increase
University of Utah	\$327,179,000	\$4,083,376	1.25%
Utah State University	154,226,000	1,948,875	1.26%
Logan	123,318,000	1,685,742	1.37%
Eastern	3,150,000	80,267	2.55%
Uintah Basin	4,030,000	47,538	1.18%
Brigham City	12,986,000	55,152	0.42%
Tooele	9,412,000	56,864	0.60%
Blanding	1,330,000	23,313	1.75%
Weber State University	75,173,179	1,001,337	1.33%
Southern Utah University	48,208,000	524,585	1.09%
Snow College	11,856,090	210,195	1.77%
Dixie State University	32,765,000	423,249	1.29%
Utah Valley University	134,092,000	1,609,647	1.20%
Salt Lake Community College	58,496,500	878,793	1.50%

*Legislative Dedicated Credits increase used to cover institution share of the compensation package and Internal Service Fund rate changes

Alternative Scenario 3

Regent Affordability Metric: Increase Tuition to Board Approved Threshold of State's Median Household Income

Institution	State Median Household Income	Board Approved Threshold	FY 19 Published Tuition & Fees	Current % of Household Income	\$ Increase to Threshold	Max % Proposed Change
University of Utah	\$62,518	15%	9,222	14.8%	156	1.7%
Utah State University	\$62,518	15%	7,424	11.9%	1,954	26.3%
Weber State University	\$62,518	10%	5,859	9.4%	393	6.7%
Southern Utah University	\$62,518	10%	6,770	10.8%	-518	-7.7%
Snow College	\$62,518	7%	3,742	6.0%	634	16.9%
Dixie State University	\$62,518	10%	5,253	8.4%	999	19.0%
Utah Valley University	\$62,518	10%	5,726	9.2%	526	9.2%
Salt Lake Community College	\$62,518	7%	3,843	6.1%	533	13.9%
Utah State University – USU Eastern	\$62,518	7%	3,896	6.2%	480	12.3%

Institution Proposals

Impact of 2020 Institution Proposed Tuition and Student Fee Increases

USHE Institution	2018-19 Tuition and Fees	Student Fee \$ Increase Proposal	Student Fee % Increase	Tuition \$ Increase Proposal	Institution % Tuition Proposal	Proposed 2019-20 Tuition & Fees	Total Annual Student \$ Impact	Total % Increase
Utah	\$9,222	\$22.00	1.8%	\$256	3.2%	\$9,500	\$278	3.0%
USU	\$7,424	\$25.78	2.4%	\$206	3.25%	\$7,655.78	\$231.78	3.12%
WSU	\$5,859	\$29.02	3.0%	\$98	2.0%	\$6,022	\$127.02	2.17%
SUU	\$6,770	\$0.00	0.0%	\$0	0.0%	\$6,770	\$0	0.0%
SNOW	\$3,742	\$10.00	2.4%	\$83	2.5%	\$3,835	\$93	2.48%
DSU	\$5,253	\$21.00	2.6%	\$223	5.0%	\$5,497	\$244	4.64%
UVU	\$5,726	\$8.00	1.2%	\$86	1.7%	\$5,820	\$94	1.64%
SLCC	\$3,843	\$18.00	3.8%	\$67	2.0%	\$3,928	\$85	2.21%
USU – Eastern	\$3,896	\$0.00	0.0%	\$163.63	4.2%	\$4059.63	\$163.63	4.19%

Institution Proposals

New FY20 Revenue to meet the Boards 2025 Strategic Plan Objectives

USHE	FY19 Operating Budget (Tax & Tuition)	FY 20 Total New Tax Funds	FY 20 Est. New Performance Funds	FY 20 Est. New Tuition Funds (Institutions)	FY 20 Estimated New Operating Budget	Est. Total Revenue Increase	Total %
Utah	\$652,929,400	\$25,237,300	\$9,145,200	\$10,536,500	\$697,848,400	\$44,919,000	6.88%
USU	\$370,706,800	\$10,833,700	\$6,321,400	\$4,311,700	\$392,173,600	\$21,466,800	5.79%
WSU	\$166,418,379	\$3,695,600	\$3,339,100	\$1,509,200	\$174,962,279	\$8,543,900	5.13%
SUU	\$90,799,300	\$5,745,100	\$1,644,300	\$0	\$98,188,700	\$7,389,400	8.14%
SNOW	\$39,816,890	\$1,204,800	\$753,450	\$296,195	\$42,071,335	\$2,254,445	5.66%
DSU	\$73,172,600	\$2,690,500	\$754,600	\$1,500,000	\$78,117,700	\$4,945,100	6.76%
UVU	\$251,830,400	\$6,298,900	\$4,897,900	\$2,279,564	\$265,306,764	\$13,476,364	5.35%
SLCC	\$160,964,700	\$3,327,500	\$3,638,300	\$1,108,793	\$169,039,293	\$8,074,593	5.02%
USHE Total	\$1,806,638,469	\$59,033,400	\$30,494,250	\$21,541,952	\$1,917,708,071	\$111,069,602	6.15%

Summary

Review of FY20 Tuition Increase Scenarios and Institution Proposals

USHE Institution	Pell Grant %	Scenario 1 Freeze	Scenario 2 Legislative Match	Scenario 3 Regent Metric Max	Institution Tuition Proposal
Utah	1.64%	0%	1.25%	1.7%	3.2%
USU	1.64%	0%	1.26%	26.3%	3.25%
WSU	1.64%	0%	1.33%	6.7%	2.0%
SUU	1.64%	0%	1.09%	-7.7%	0.0%
SNOW	1.64%	0%	1.77%	16.9%	2.5%
DSU	1.64%	0%	1.29%	19.0%	5.0%
UVU	1.64%	0%	1.20%	9.2%	1.7%
SLCC	1.64%	0%	1.50%	13.9%	2.0%
USU - Eastern	1.64%	0%	2.55%	12.3%	4.2%

Questions?

UTAH SYSTEM OF
HIGHER EDUCATION



SLCC

SLCC TUITION AND FEES

BOARD OF REGENTS, MARCH 28-29, 2019

SLCC TUITION INCREASE HISTORY

USHE COMPARISON: 2014-15 THRU 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19
<i>U of U</i>	5.8%	3.5%	3.9%	3.9%	3.9%
<i>USU</i>	5.5%	3.0%	3.5%	5.0%	3.9%
<i>Weber</i>	4.0%	3.0%	3.5%	3.5%	2.5%
<i>SUU</i>	4.0%	3.0%	3.5%	2.5%	1.5%
<i>Dixie</i>	4.0%	3.0%	5.4%	5.0%	3.5%
<i>Snow</i>	6.0%	3.0%	3.5%	2.5%	1.5%
<i>UVU</i>	4.0%	3.0%	3.5%	2.5%	1.5%
<i>SLCC</i>	4.0%	3.0%	3.5%	2.5%	1.5%
<i>1st Tier</i>	4.0%	3.0%	3.5%	2.5%	1.5%

*Over the past 5 years, SLCC has only increased tuition to the first-tier amount.

PAST USES OF TUITION FUNDS

The College has focused on maintaining low tuition increases. Primarily tuition increases have funded the legislative match for compensation and health insurance increases. Any excess tuition revenues have gone towards student success initiatives.

2018-19: 1.5% Tuition Increase Uses:

- 2.5% Compensation: \$596,600 (25% Tuition match)*
- Health Benefits: \$144,700 (25% Tuition match)*
- No Tuition Excess in 2018-19*

2017-18: 2.5% Tuition Increase Uses:

- 2.0% Compensation: \$475,800 (25% Tuition match)*
- Health Benefits: \$273,500 (25% Tuition match)*
- Admissions Office Staffing : \$186,500*
- West Valley Center Support: \$328,300*

INSTITUTIONAL EFFICIENCIES

Enrollment fluctuations result in continuous efforts to identify institutional efficiencies without raising tuition.

Institutional Actions prior to starting 2018-19:

- Eliminated 7 faculty and 10 administrative positions*
- Repurposed 10 faculty positions to high demand programs*
- Repurposed 7 open staff positions to critical need areas*
- Installed 1 megawatt of solar panels at Westpointe*

TRUTH IN TUITION HEARING

MARCH 7, 2019

Highlights:

- Over 180 students, staff, and faculty participated
- Meeting was streamed to 8 of our campuses
- A range was provided to show the dollar impact on students as follows:

Total Proposed Tuition Increases	1.5%	2.5%	3.5%
Tuition Cost Increase for 12-18 Credit Hours per Semester	\$25.27	\$42.11	\$58.95
Anticipated Tuition Generated	\$750,000	\$1,250,000	\$1,750,000

Proposed Uses of New Dollars:

- 25% match for compensation increase
- 25% match for health insurance increase
- 37% match for state risk insurance increase
- Campus safety
- Student advising and support services

IMPACT OF 0% OR 2% TUITION INCREASE

Tuition %	Impact
<p>0%; No Increase</p>	<p><i>This would create a \$1 million revenue shortfall needed to cover the 2.5% compensation increase & other mandatory cost increases.</i></p>
	<p><i>The College would need to reduce budgets and provide a lower compensation increase. This would negatively impact morale & could increase employee turnover.</i></p>
<p>2% Increase</p>	<p><i>The tuition would cover the 2.5% appropriated compensation match (\$642,829); health insurance increase match (\$170,664); and state risk insurance increase (\$65,300).</i></p>
	<p><i>Excess revenue would help cover the increased need for Campus Security (\$130,000) and Student Advising (\$100,000).</i></p>

STUDENT FEE ADJUSTMENTS

<i>Student Fee</i>	<i>Dollar Change</i>	<i>Planned Use</i>
<i>Athletics Fee</i>	<i>\$2.00</i>	<i>Program sustainability</i>
<i>Health & Counseling</i>	<i>\$3.75</i>	<i>Mental health services</i>
<i>Community Service</i>	<i>\$0.50</i>	<i>Program support</i>
<i>Child Care Services</i>	<i>\$1.00</i>	<i>Program support</i>
<i>Transportation</i>	<i>\$0.50</i>	<i>UTA pass costs for students</i>
<i>Gender & Sexuality Resource Center</i>	<i>\$2.00</i>	<i>New program</i>
<i>Student Center Operations</i>	<i>(-\$0.50)</i>	<i>Fee reduction due to fund balance</i>
<i>Arts & Cultural Event</i>	<i>(-\$0.25)</i>	<i>Fee reduction due to fund balance</i>
<i>Total</i>	<i>\$9.00</i>	

SLCC 2019-20 TUITION AND FEE COSTS PER SEMESTER

<i>Tuition and Fees</i>	<i>2018-19</i>	<i>Cost Increase</i>	<i>2019-20</i>
<i>Tuition Cost for a Full-time Student Per Semester (based on a 2.0% tuition increase)</i>	\$1,684.50	\$33.69	\$1,718.19
<i>Student Fee Costs</i>	\$237	\$9	\$246
<i>Total Cost</i>	\$1,921.50	\$42.69	\$1,964.19

Questions?



SNOW COLLEGE

www.snow.edu

A TUITION & FEES PROPOSAL to the
Utah State Board of Regents
March 28, 2019

One Institution – Two Campuses



Our Mission

Snow College is dedicated to fulfilling its mission of excellence, innovation, and engagement for all. Celebrating our status as an **open-enrollment** institution, **keeping tuition and fees low**, and continuing a **promise of success** to all students are essential elements of mission fulfillment.



Snow College Strategic Plan

- Help ensure access to college for all students
- Keep tuition and fees affordable
- Help retain students to complete their programs

Performance Metrics

- Affordable Participation
- Timely Completion
- Workforce
- Capacity

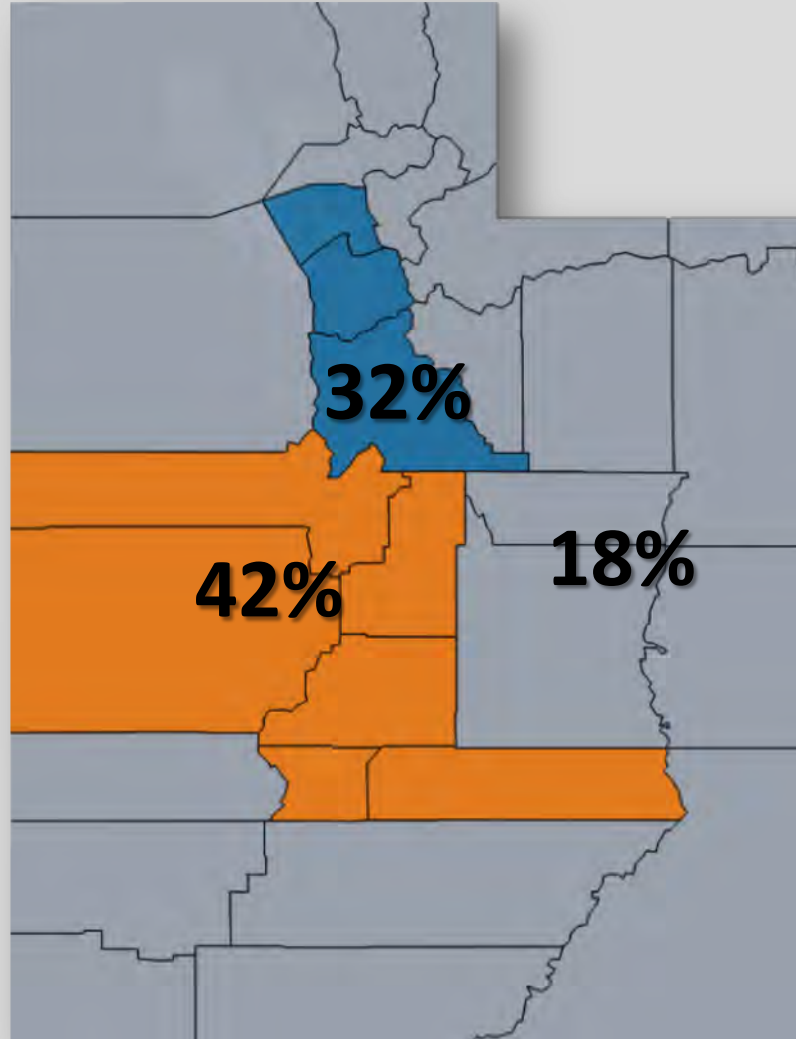
The Process

- Assessed needs
- Established priorities
 - Strategic Plan
 - SEM
 - Cabinet
- Met with stakeholders (both campuses), including:
 - Student leaders
 - Student Fee Committee
 - Deans Council and Department Chairs
 - Budget Task Force
 - College Council

Student Population

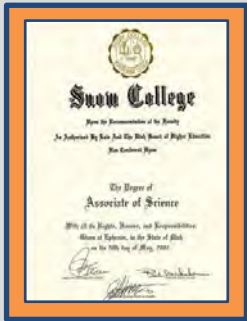
Fall 2018 Student Enrollment

- **92%** of students are from Utah
- **56%** are Female 
- **44%** are Male 
- **16%** represent Minority groups



Data taken from Fall 2018 3rd Week report

Success Rate



Class of 2018

1,055 degrees awarded

28 Degrees per 100 FTE

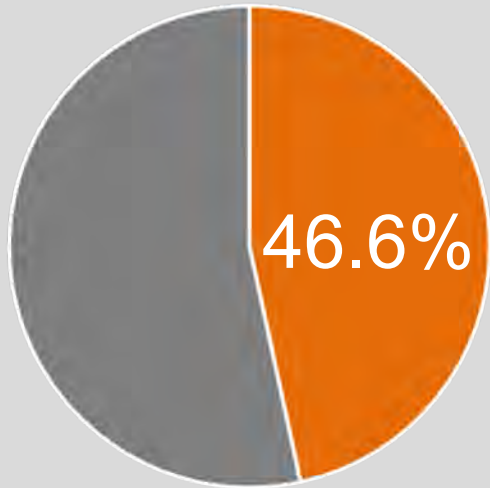


45% Graduation
39% Transfer

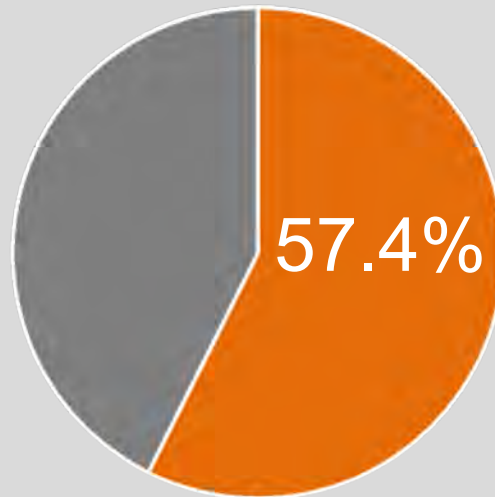
Data taken from 2018 IPEDS Graduation Rate Component, representing the 2012 cohort

Financial Aid

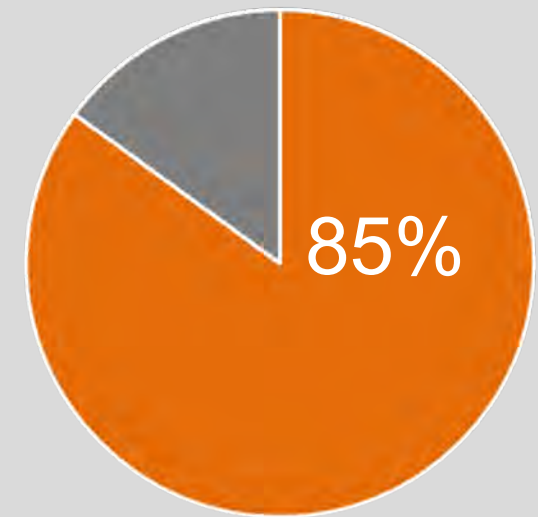
Eligible Students who Receive Pell



Eligible Students who Receive Federal Aid, including Loans

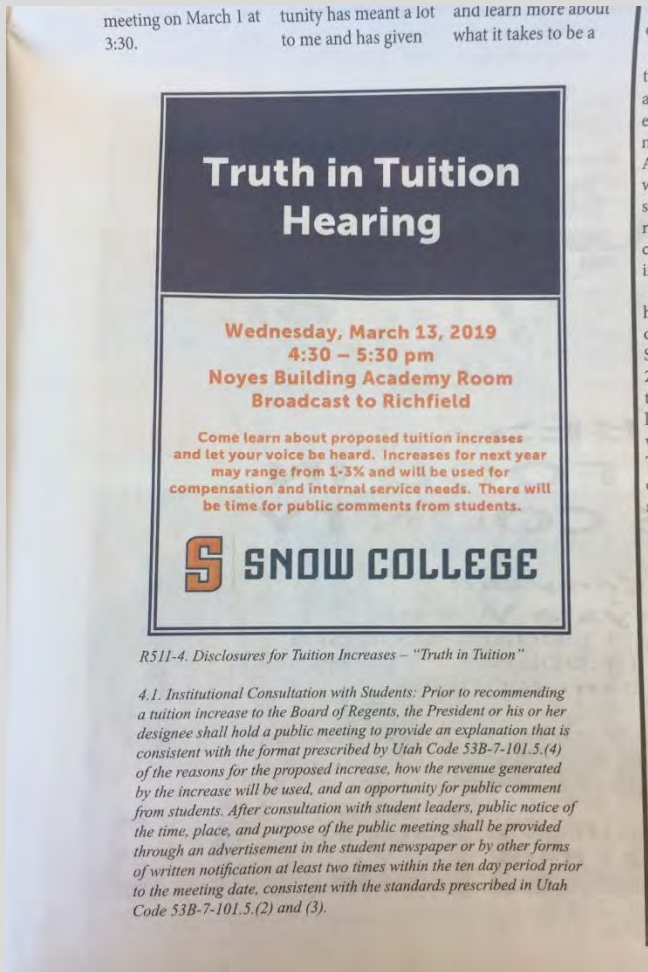


Eligible Students who Receive Federal, State, and Institutional Funds

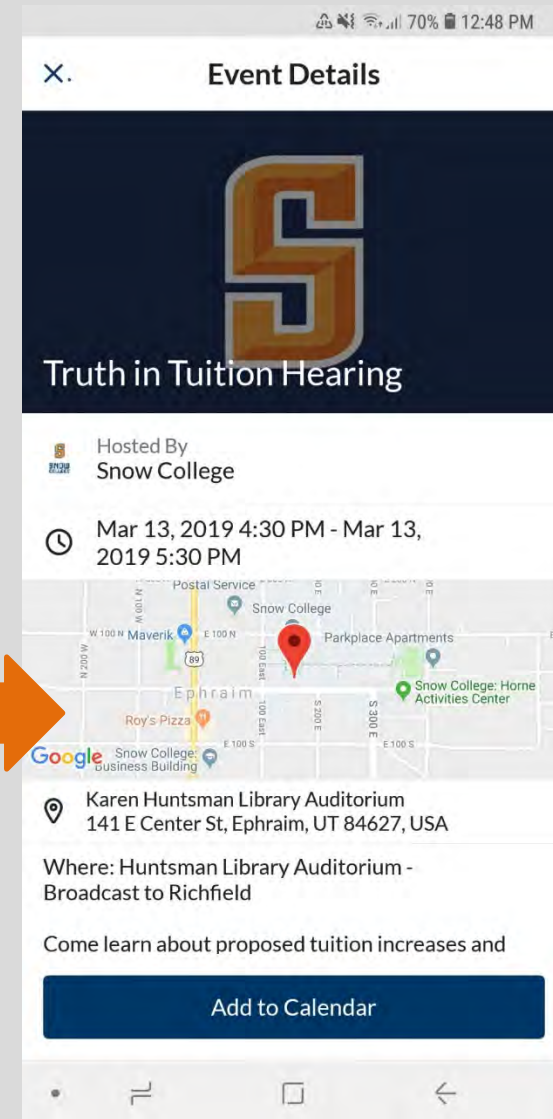


Average Loan Debt 2018-2019 = \$3,341

Broadly Advertised



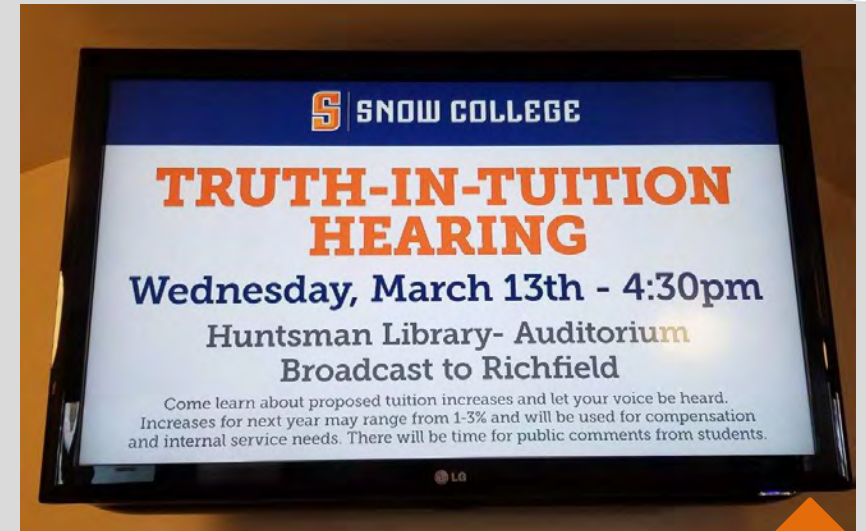
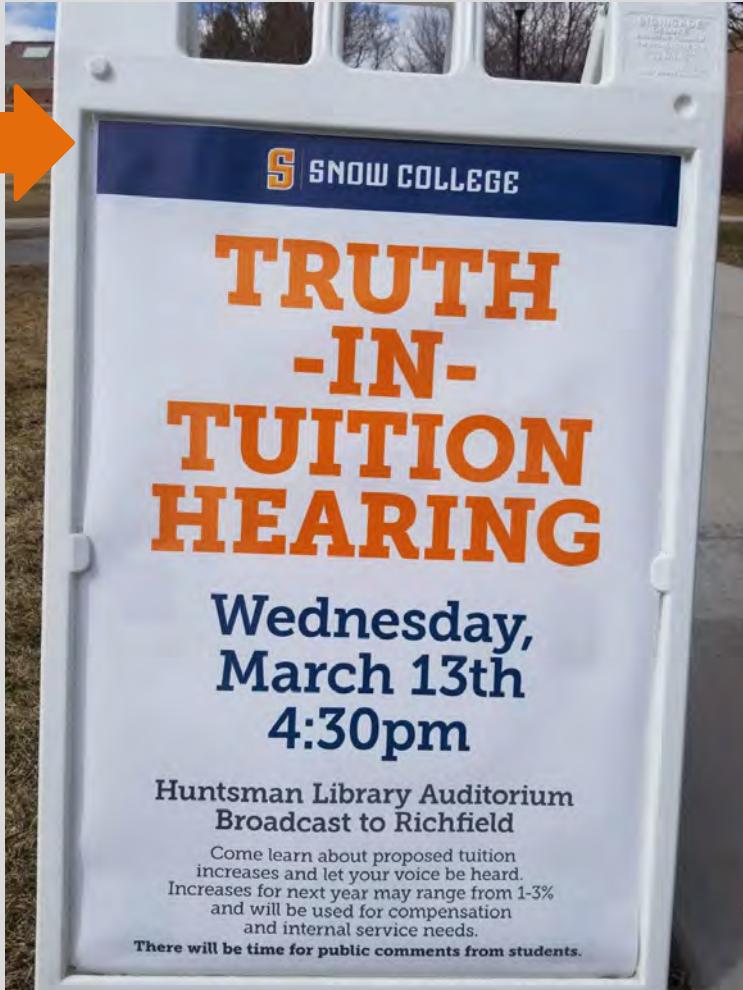
Printed in the Snowdrift newspaper on February 5 and February 26



Added to the college app as a calendar item

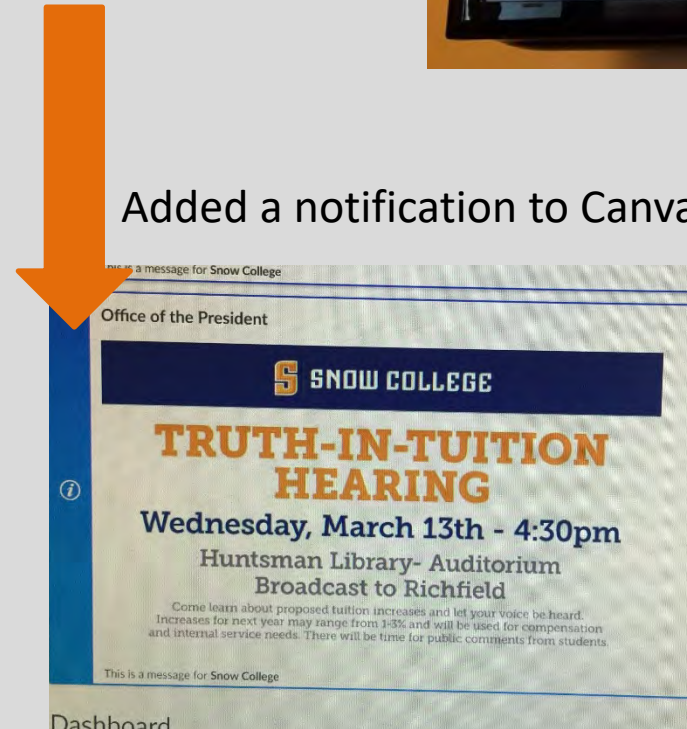
Advertising, continued

Placed A-frames
around campus



Included on
monitors
throughout
campus

Added a notification to Canvas



Advertising, continued

Tweet Activity

Snow College @SnowCollege
Come to the Truth in Tuition hearing to learn and discuss the tuition for the 2019-20 school year. You can read more about the upcoming changes in the release below. It will be held tomorrow, March 13th at 4:30pm in the Huntsman Library. #SnowCollege <https://bit.ly/2NWY0Hn>


Reach a bigger audience
Get more engagements by promoting this Tweet

Get started

Posted on social media

Snow College
Published by Sprout Social (?) · 22 hrs ·

Come to the Truth in Tuition hearing to learn and discuss the tuition for the 2019-20 school year. You can read more about the upcoming changes in the release below. It will be held tomorrow, March 13th at 4:30pm in the Huntsman Library. #SnowCollege <https://bit.ly/2NWY0Hn>



SNOW.EDU
Tuition Hearing Scheduled for March 13
Snow College to set next year's tuition rates

1,150 People Reached 39 Engagements Boost Post

Liz, Kylee McClure and 2 others 1 Share

Comment Share

Extended personal invitations



Snow College @SnowCollege

Come to the Truth in Tuition hearing to learn and discuss the tuition for the 2019-20 school year. You can read more about the upcoming changes in the release below. It will be held tomorrow, March 13th at 4:30pm in the Huntsman Library. #SnowCollege



Tuition Hearing Scheduled for March 13

1:15 PM · 12 Mar 2019

2 Likes

<https://www.snow.edu/news/>

Questions to Students

- How important is low tuition for you to attend college?
- Should Snow College keep its tuition and fees the ***most affordable*** in Utah?
- How do you feel about a \$5 per semester tuition increase to support scholarships for students to attend Snow College?
- Do you support a \$5 per semester for graduation processing?
(Currently students pay \$25 graduation processing fee, plus a late fee if applicable)
- Do you support the tuition goals and proposed increases for 2019-2020?



What We Learned

- Advertising the tuition hearing in multiples ways and multiple times is critical to get student to attend hearing (51 students, faculty and staff from both campuses participated in the hearing)
- Students are interested and once engaged really participated in the discussion
- They had strong and reasoned opinions regarding tuition and fees



What We Learned, continued

- Students expressly voiced that affordability is a major consideration for them to attend Snow College
- When asked about the quality of their instruction and experience at Snow they unanimously stated both were of highest quality
- When asked about both **affordability** and **quality**, students said Snow was providing both and they believe the College should **remain the most affordable** in combined tuition and fees in the state



What We Learned, continued

- Students were very supportive of a \$5 per semester increase to go to the general scholarship fund
- They understood the proposal to change the graduation processing fee to \$5 per semester and appreciated that it would be spread across four semesters
- Students participating in the pre-hearing discussions and the tuition hearing expressed near unanimous support for the overall proposed tuition and fee increase

What We Learned, continued

- Trustees were also very engaged in the proposed tuition and fees discussion and theirs was a very robust discussion
- The trustees also discussed affordability and the assurance of quality instruction and the overall experience for students at Snow College
- They agreed that Snow should be the **most affordable** institution for students in combined tuition and fees to ensure student access, program completion, and align with the College mission

What We Learned, continued

- Trustees expressed that the quality of the student experience and success at Snow should be marketed equally (participation by faculty and staff expressed similar opinions)
- The Board of Trustees unanimously supported the proposed tuition and fee schedule for the academic year 2019-20

Recent Tuition Increases

	Tuition Increase	Use	Fee Increase	Use
2019	1.50%	Compensation & Benefits	\$0	
2018	2.50%	Compensation & Benefits	\$10	Additional Wellness Counselor
2017	3.50%	Compensation & Benefits, Critical Staff & Faculty Positions	\$0	
2016	3.00%	Compensation & Benefits, Critical Staff & Faculty Positions	\$3	Student Fitness Center

The Proposal, Tuition

Proposed Use	Total Amount	Snow's Portion	Rationale
Compensation (2.5%) and Benefits (4.5%)	\$783,980	\$195,995 (1.65% increase)	State appropriation funds 75% of salary and benefit increases. The primary funding for the other 25% is tuition.
Internal Service Fund Increases	\$56,800	\$14,200 (0.12% increase)	State appropriation funds 75% of ISF rate increases. The primary funding for the other 25% is tuition
Advancement & Tenure	\$45,000	\$45,000 (0.38% increase)	Funding to increase FT salaries for those who advance or receive degrees/certificates that enhance their ability to perform in their employment. The college is wholly responsible; tuition is the primary funding for these increases.
Departmental Scholarships	\$41,000	\$41,000 (0.35% increase)	As tuition increases, scholarship funds need to increase to retain their value. Tuition is the primary source of funding.
Total	\$926,780	\$296,195 2.5% increase	

The Proposal, Fees

Proposed Use	Total Amount	Students' Portion	Rationale
Graduation Processing Fee (2.4% in student fees)	\$5/semester (\$208 to \$213)	100%	Students have been charged a \$25 fee (with additional late fees, if applicable) when they apply to graduate. This has disincentivized students to formally complete their programs. Changing the timing of the application fee will encourage completion. The Student Fee Committee approved this fee and all students polled were in favor of this approach as opposed to our current practice.

Proposed 2020 Tuition & Fee Rates

Proposed Full-time Resident Tuition per semester				
	FY18-19 current	% Increase	FY19-20 proposed	Difference
Resident tuition	\$1,663	2.5%	\$1,705	\$42
General fees	\$208	2.4%	\$213	\$5
Total	\$1,871		\$1,918	\$47

Proposed Full-time Non-Resident Tuition per semester				
	FY18-19 current	% Increase	FY19-20 proposed	Difference
Non-resident tuition	\$6,073	2.5%	\$6,225	\$152
General fees	\$208	2.4%	\$213	\$5
Total	\$6,281		\$6,438	\$157

Proposed 2020 Tuition, BS and WUE

Proposed Bachelor Tuition (3000 & 4000 Level) per semester				
	FY18-19 current	% Increase	FY19-20 proposed	Difference
Resident tuition	+\$36/credit	2.5%	+\$37	\$1
Non-resident tuition	+\$129/credit	2.5%	+\$132	\$3

Proposed Full-time WUE Tuition (New Rate) per semester				
	FY18-19 current	% Increase	FY19-20 proposed	Difference
Resident tuition	N/A	N/A	\$2,558	N/A
General fees	\$208	2.4%	\$213	\$5
Total	N/A	N/A	\$2,771	N/A

Comparison

*Most affordable in
annual tuition and fees
for resident students
(2018-19)*

Tuition:
Fees: \$3,326
\$4,166

*Most affordable (hopeful)
in annual tuition and fees
for resident students
(2019-20)*

Tuition:
Fees: \$3,410
\$4,266

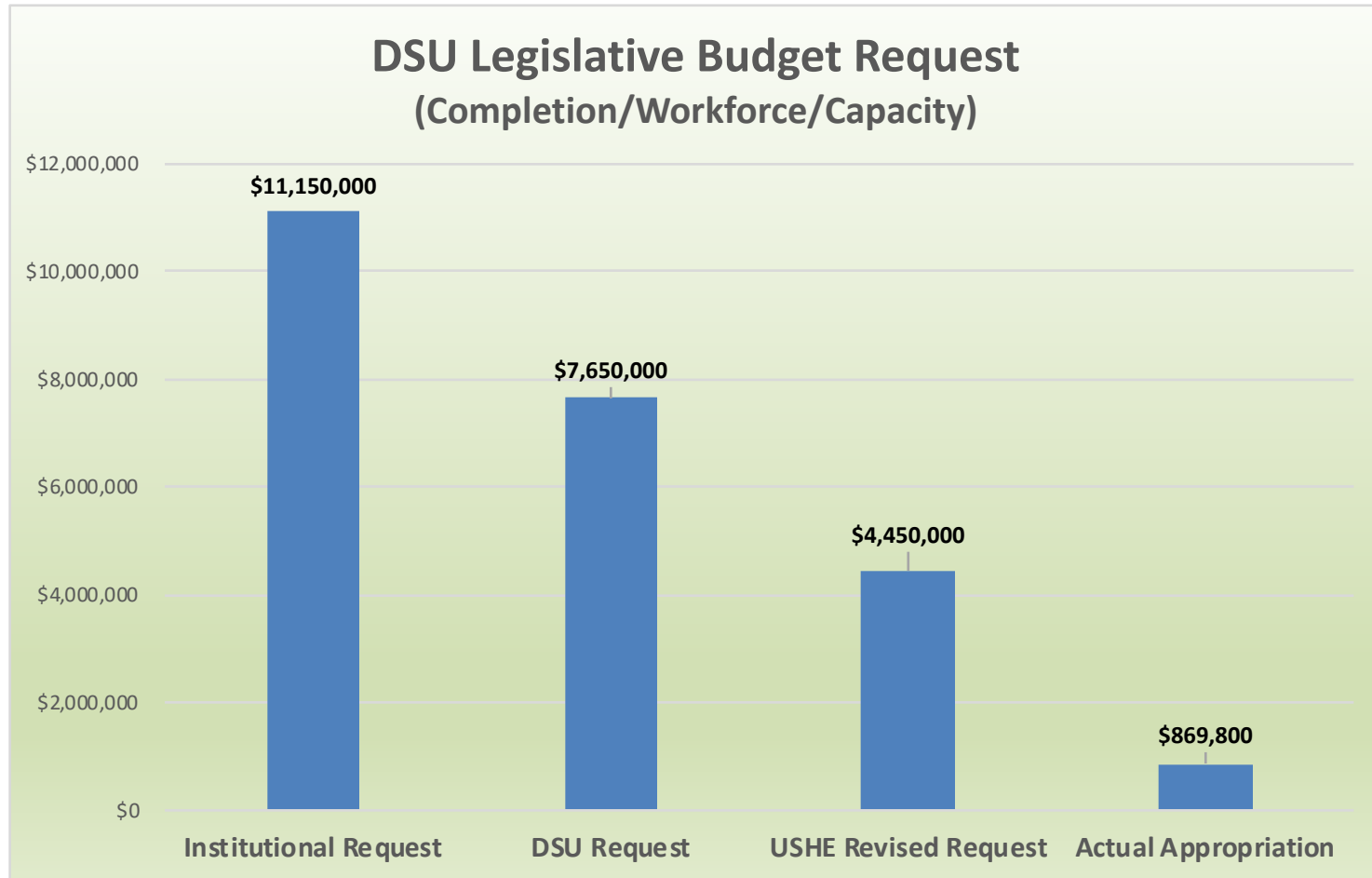
Total annual tuition increase = \$84
Total annual fees increase = \$10

THANK
YOU

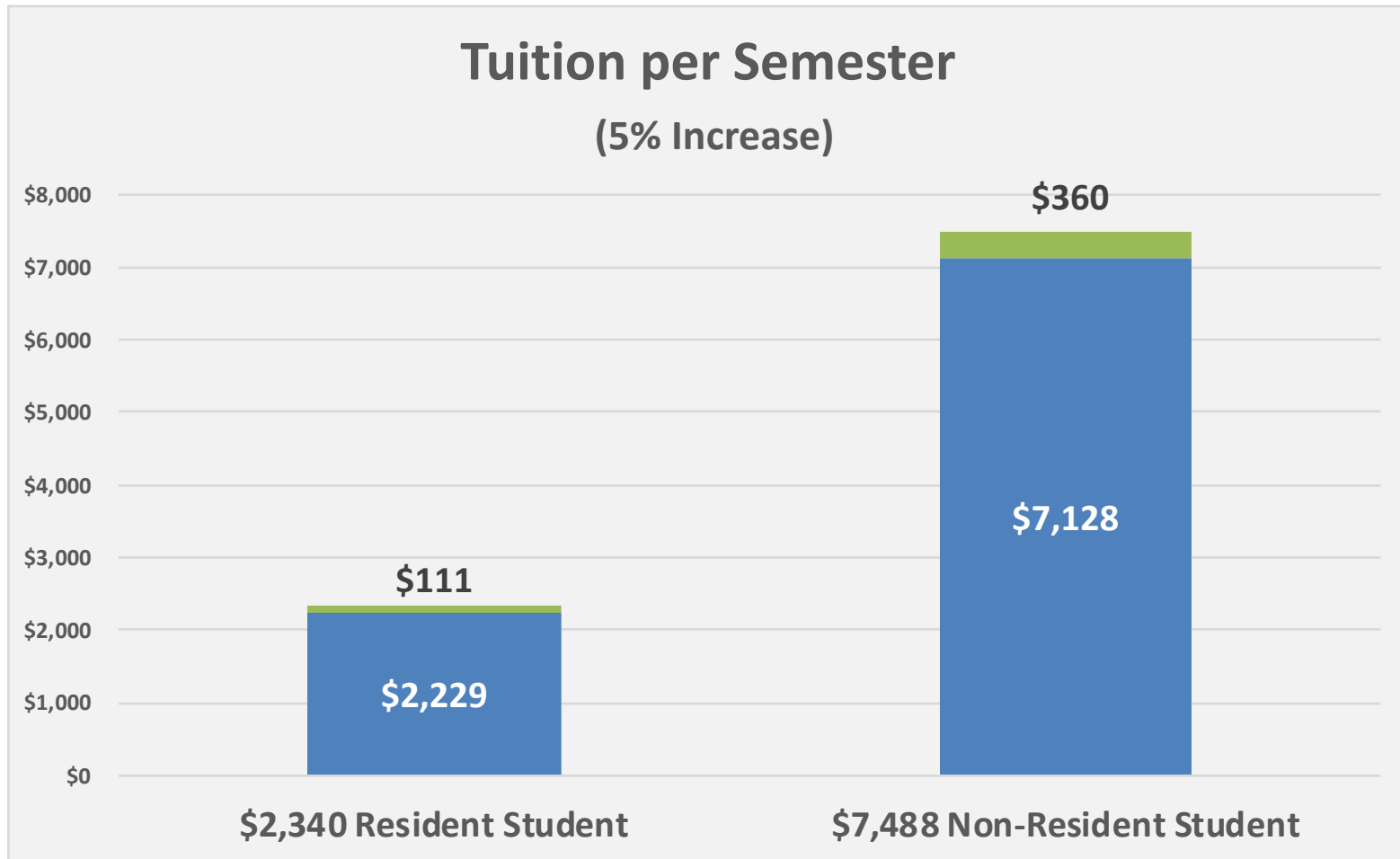
Dixie State University Tuition Increase Proposal

March 28, 2019

2019-20 Tuition Proposal



2019-20 Tuition Proposal



2019-20 Tuition Proposal

- 1% tuition increase generates \$300,000
- 5% increase = **\$1,500,000** ongoing

2019-20 Tuition Proposal

Use of Funding

State Funding Mandates

- 2.5% Salary Increase \$290,000
- 4.35% Health Insurance Increase \$85,000
- State Risk Premium Increase \$50,000

2019-20 Tuition Proposal

Use of Funding

NCAA Division I

- \$500,000 - New Student Athlete Scholarships
- \$50,000 - Athletics Academics Administrator
- \$50,000 - Compliance Assistant

2019-20 Tuition Proposal

Use of Funding

Institutional Funding Mandates

- Faculty Rank Advancements \$150,000

New Master's of Athletic Training

- Two new Faculty Positions
- Operating Budget

2019-20 Tuition Proposal

Use of Funding

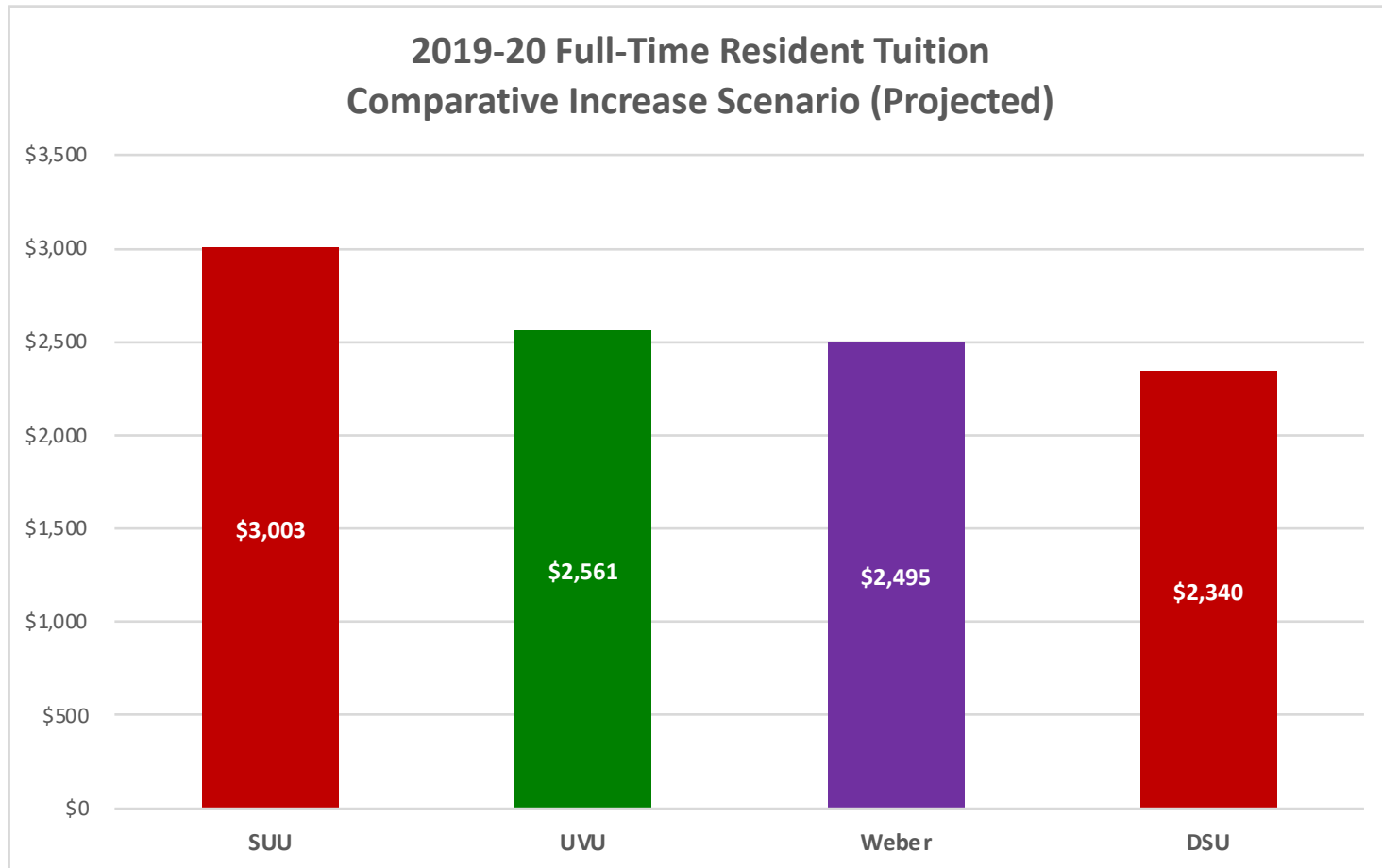
Campus Police Personnel

- \$75,000 - New Sergeant Position
- Existing Officer Salaries to Benchmarks
- Funding for Reserve Officers

In Summary...

Description	Amount	% Increase
2.5% Base Compensation Increase (25% of Cost)	\$375,000	1.25%
ISF Institutional Match (State Risk Insurance)	\$50,000	0.17%
Faculty Rank Advancements	\$150,000	.50%
Division I Athletics (Initial Contribution)	\$600,000	2.00%
Master's of Athletic Training: Faculty & Operations	\$250,000	0.83%
Campus Security Personnel	\$75,000	0.25%
Total	\$1,500,000	5.00%

Tuition Comparisons



Annual Tuition/Fees: Regional Institutions (2018-19 Resident Undergraduate)

- \$10,408 - Colorado State University-Pueblo
- \$10,114 - Western State Colorado University
- \$9,243 - Colorado Mesa University
- \$9,049 - Fort Lewis College
- \$7,666 - Metropolitan State College of Denver
- \$7,411 - Montana Tech, University of Montana
- \$6,618 - Lewis-Clark State College
- \$5,956 - Montana State University, Northern
- \$5,717 - University of Montana, Western
- \$5,438 - Nevada State College
- **\$5,253 - Dixie State University**

Annual Tuition/Fees: Peer Institutions (2018-19 Resident Undergraduate)

- \$16,740 - Pennsylvania College of Technology
- \$9,615 - Southern Oregon University
- \$8,389 - SUNY College of Technology at Canton
- \$8,159 - Austin Peay State University
- \$7,798 - Sonoma State University
- \$7,152 - CUNY Medgar Evers College
- \$6,667 - Missouri Southern State University
- \$6,496 - Missouri Western State University
- \$5,928 - Montana State University-Billings
- \$5,593 - University of Arkansas-Fort Smith
- **\$5,253 - Dixie State University**

Peer Institutions

Instructional Expenses per FTE Enrollment

- \$13,562 - CUNY Medgar Evers College
- \$13,271 - Pennsylvania College of Technology
- \$9,466 - SUNY College of Technology at Canton
- \$8,698 - Missouri Western State University
- \$7,964 - Southern Oregon University
- \$7,895 - Sonoma State University
- \$7,376 - Montana State University-Billings
- \$7,183 - Austin Peay State University
- \$6,543 - Missouri Southern State University
- \$5,860 - University of Arkansas-Fort Smith
- **\$4,771 - Dixie State University**

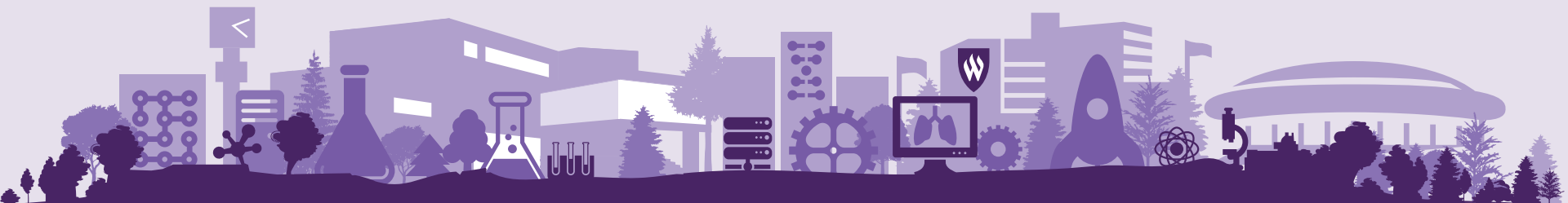
Thank You!

Questions?

2019-20 Tuition Increase Proposal

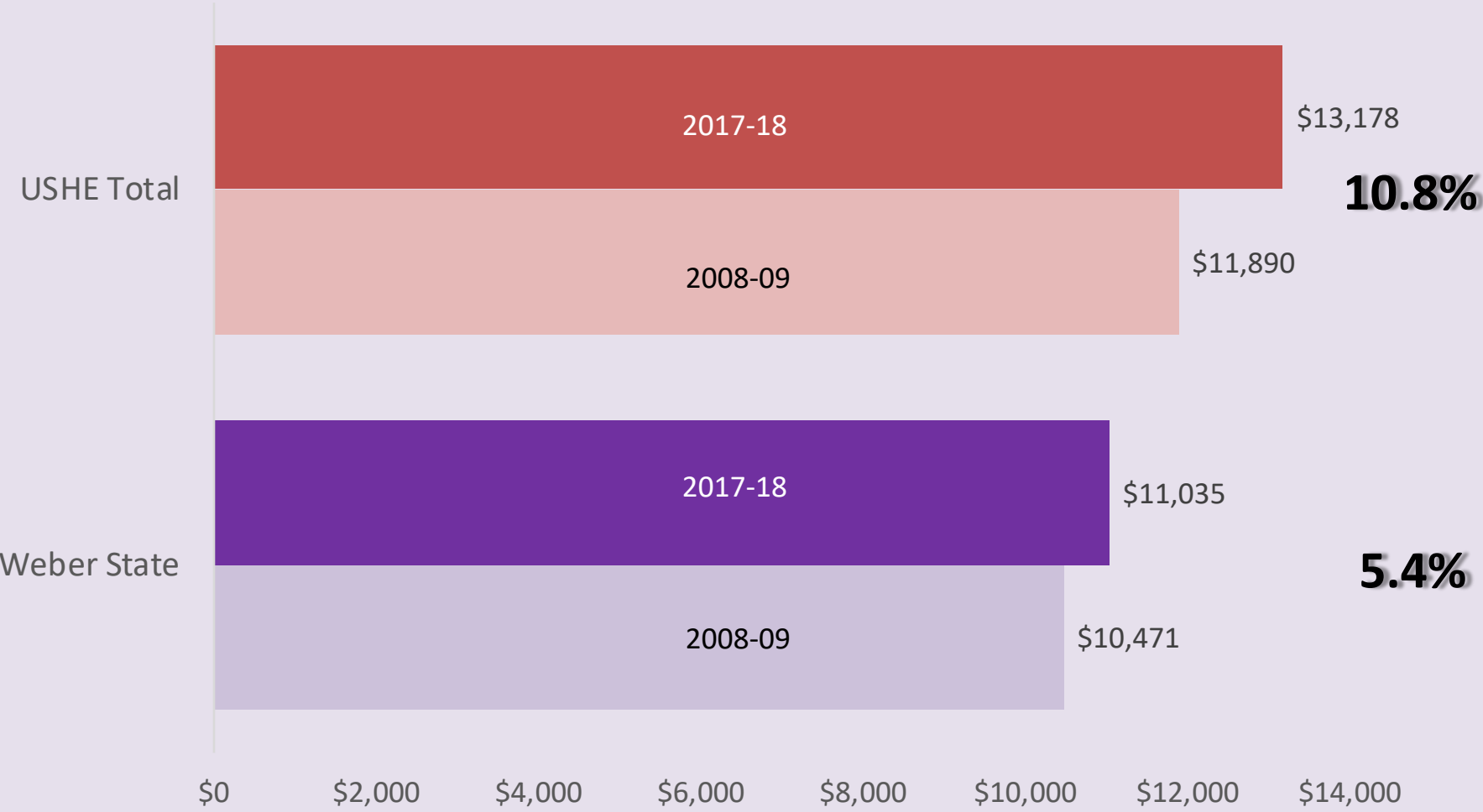


Presented to the State Board of Regents
March 28, 2019



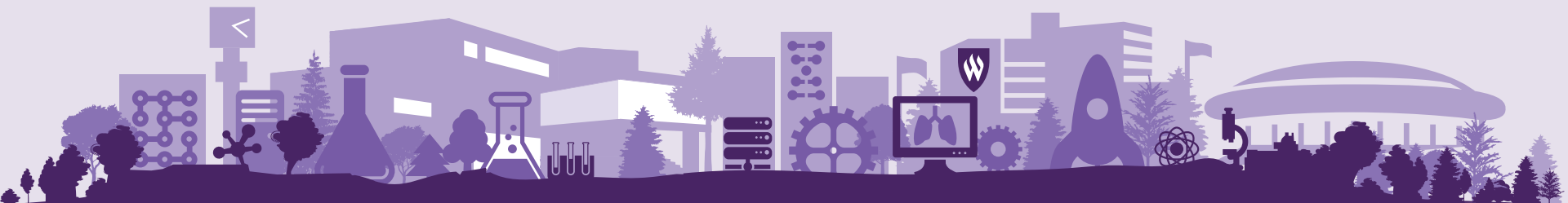
USHE 10-year Expenditure Change per FTE

(Constant Dollars)



Internal Reallocations

Division	Ongoing Reallocations	One-time Reallocations
Academic Affairs	\$925,211	
Administrative Services	\$623,017	\$2,200,000
Information Technology	\$244,736	
Student Affairs	\$54,213	
Total	\$1,847,177	\$2,200,000

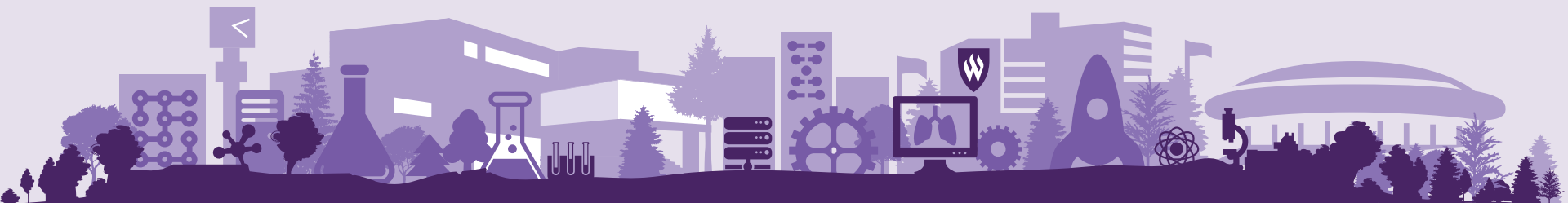


Tuition Review Calendar

- **March 11** – Truth-in-Tuition and Student Leaders Meeting
- **March 14** – End of 2019 Legislative Session
- **March 19** – WSU Board of Trustees Meeting
- **March 28** – Presentations and Public Input to the State Board of Regents
- **March 29** – Final Decisions by the State Board of Regents

March 2019

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



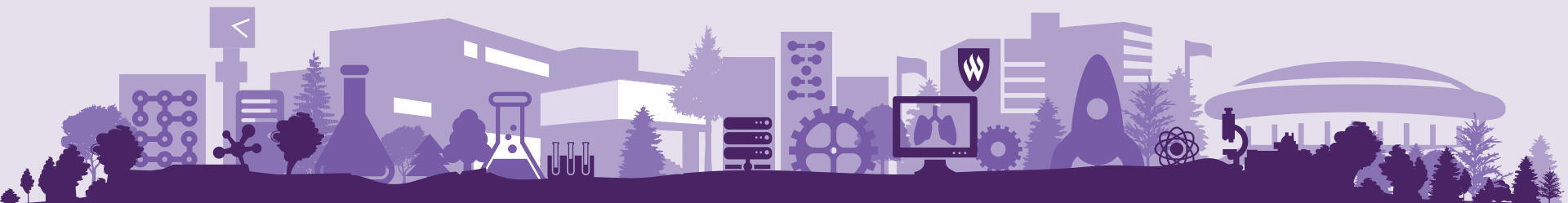
Truth-in-Tuition Proposal

- **2% to 3% Increase**
- **Full-time Undergraduate Resident:**
 - **2% = additional \$49 per semester**
 - **3% = additional \$73 per semester**



Uses of 2019-20 Tuition Increase Revenue

Category	Amount
Compensation	Up to \$1,093,200
Academic Support	Up to \$154,600
Student Support	Up to \$640,000
Administrative Support	Up to \$376,000

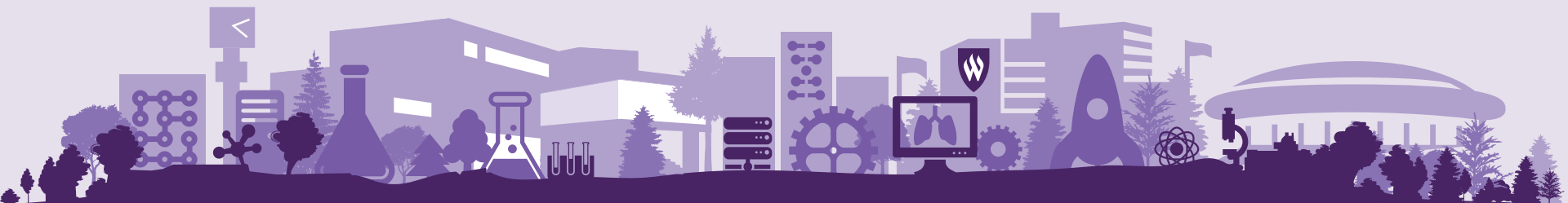


Student Response



g. Motion for support of student tuition funding increase- Motion Senator Hall, second Senator Benson

h. All students present were in support of the potential tuition increase, which includes Student Senators, WSUSA President, WSUSA Senate President, and Supreme Court Chief Justice.



Tuition Scenarios

Option	% Increase	\$ Increase*
No Increase	0%	\$0
Legislative Match Only	1.33%	\$56
10% Median HH Income	7.43%	\$312
WSU Proposed	2%**	\$84

**Represents estimated revenue generated per FTE student. On the rate schedule a 2% increase is \$98 per year.*

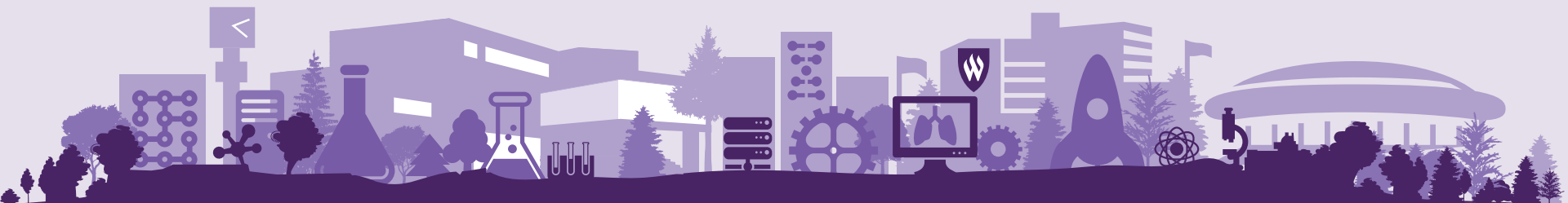
***Also includes:*

- Decreasing of upper division business & economics differential*
- Increasing of graduate Nursing differential*



Proposed Uses

Use	Amount	% Increase	\$ Increase
2.5% Salary	\$736,670	0.98%	\$40.96
4.35% Health	\$184,767	0.24%	\$10.27
ISF Funds	\$79,900	0.11%	\$4.44
Subtotal	\$1,001,337	1.33%	\$55.67
Faculty Promotions	\$171,863	0.23%	\$9.55
Need-based Scholarships	\$250,000	0.33%	\$13.90
Fuel & Power Rates	\$73,000	0.10%	\$4.06
Workers Comp	\$13,000	0.02%	\$0.72
TOTAL	\$1,509,200	2.00%	\$84.00



“We are Weber. We put teaching first...”

We are Weber.

We put teaching first. We forge strong connections.
We are dedicated and resourceful, down to earth and forward thinking.

**We know how to challenge you,
and we care enough to do it.**

We are proudly rooted in our community while we pioneer beyond boundaries.

We are unique in our ability to welcome everyone who has a dream
— to learn, to grow, to lead, to excel, to find your passion, to provide for your family

and we offer the personalized
opportunities, experiences and support
to transform that dream into reality.

Our doors, and minds, are open.



**WEBER STATE
UNIVERSITY**

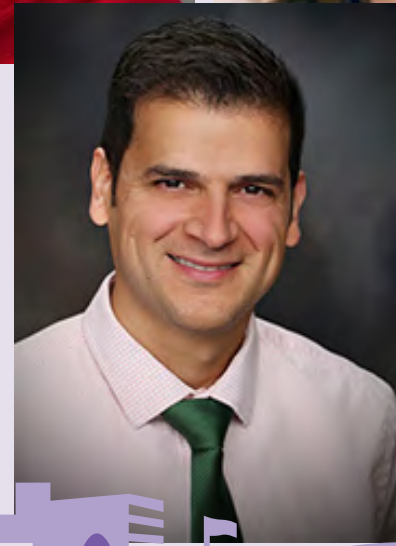
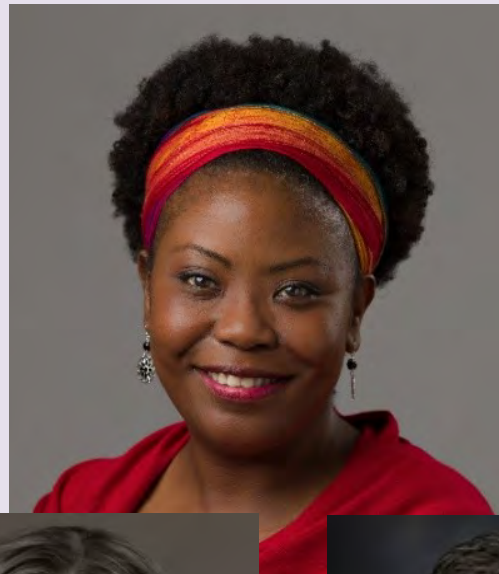
Worthy of Your Dreams



President's Outstanding Teaching Awardees

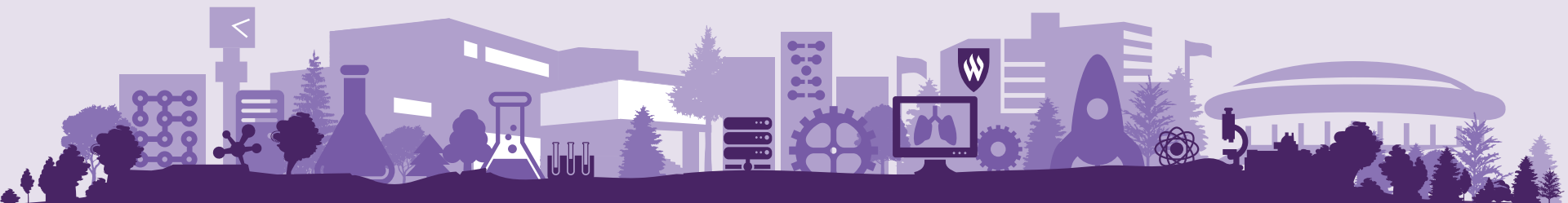


Faculty Promotions



Need-based Student Financial Aid

dream BIG
Dream Weber

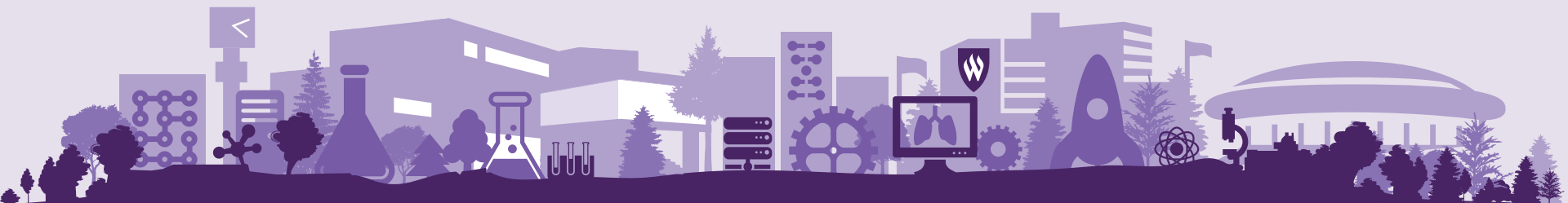


Business & Economics Upper Division

Semester Tuition 15 credit hours	2018-19	Proposed 2019-20	% Change
Resident	\$3,346	\$2,945	-12.0%
Nonresident	\$8,120	\$7,876	-3.0%

Average Undergraduate Tuition Increase:
(Factoring 2% general increase and business &
economics differential decrease)

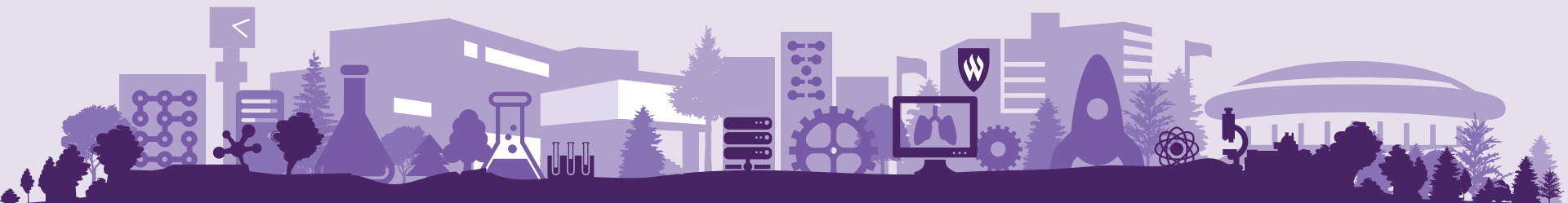
1.4%



Graduate Tuition (Resident – 10 Credits)

Level	Program	2018-19	Proposed 2019-20	Differential 2019-20
4	Accounting, Taxation, Business Administration, Health Administration	\$4,830.30	\$4,926.88	\$240.74
3	Athletic Training, Nursing*	\$4,117.10	\$4,199.38	\$167.99
2	English, Radiological Science, Quality-Lean MFG, Communications, Computer Engineering, Respiratory Therapy, Computer Science, Nursing*	\$3,813.50	\$3,889.78	\$137.03
1	Criminal Justice, Education	\$3,193.60	\$3,257.48	\$73.80

* - Proposal to transition Nursing from Level 2 to Level 3 in 2019-20



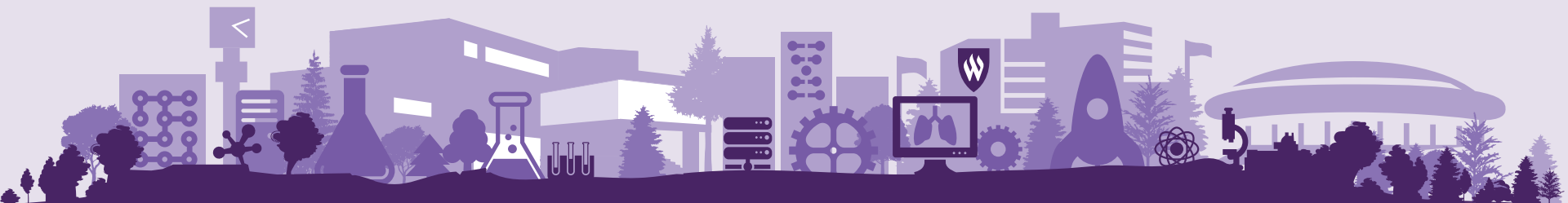
Nurse & Nurse Practitioner Graduate

Transition from WSU Graduate Tuition Level 2 to Level 3

Semester Tuition 10 credit hours	2018-19	Proposed 2019-20	% Change
Resident	\$3,813.50	\$4,199.38	10.1%
Nonresident	\$8,754.85	\$9,239.68	5.5%

Average Graduate Tuition Increase:
(Factoring 2% general increase and nursing
transition to graduate level 3)

3.2%



Nursing Graduation Differential Uses

Uses	Revenue
Faculty to Student Ratios	
Inter-professional lecturers	
Live models & standardized patients	
Simulation equipment & technology	
Faculty retention	
TOTAL REVENUE	\$86,000

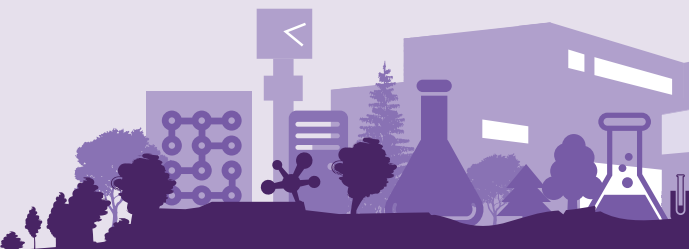


Student Fee Recommendation Subcommittee 3.0% Increase

2019-2020 STUDENT FEE REQUESTED INCREASES

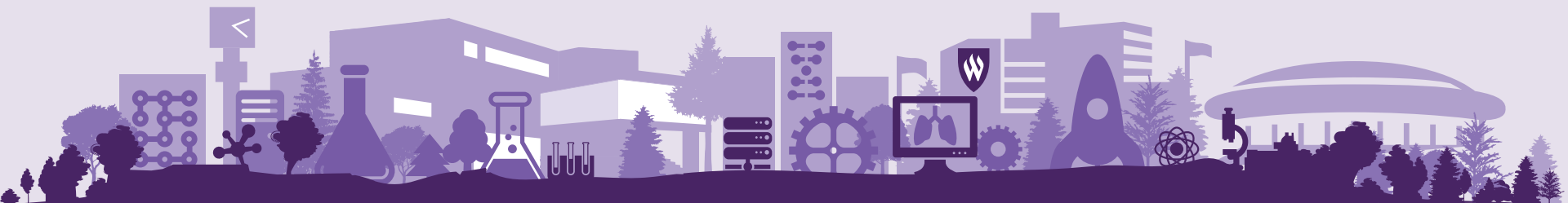
DEPARTMENT	18-19 Base allocation	Recommended \$ Base Increase	Recommended \$ One-time	17-18 Base Recommendation
Alumni Relations	\$0	\$0	\$7,000	\$0
Athletics	\$2,347,955	\$20,000	\$10,000	\$2,367,955
Campus Recreation	\$1,203,616	\$14,213	\$0	\$1,217,829
Center for Community Engaged Learning	\$244,108	\$4,000	\$0	\$248,108
Center for Multicultural Excellence	\$93,678	\$3,750	\$0	\$97,428
Children's School	\$142,418	\$0	\$0	\$142,418
Computer Labs	\$422,198	\$5,000	\$0	\$427,198
Counseling & Psychological Services Center	\$626,220	\$18,245	\$0	\$644,465
Creative Writing Program	\$0	\$0	\$3,180	\$0
Davis Learning Center	\$215,853	\$0	\$0	\$215,853
Davis Student Services	\$72,733	\$0	\$0	\$72,733
Debate	\$78,000	\$7,800	\$0	\$85,800
Disability Services	\$101,883	\$15,000	\$0	\$116,883
Ethics Bowl/Mock Trial	\$32,500	\$0	\$0	\$32,500
Health Center	\$951,239	\$20,000	\$0	\$971,239
Honors Program	\$1,250	\$400	\$0	\$1,650
LGBT Resource Center	\$5,000	\$9,179	\$0	\$14,179
Marketing	\$20,000	\$6,500	\$0	\$26,500
Metaphor	\$9,482	\$0	\$0	\$9,482
Money Management Center	\$9,901	\$0	\$0	\$9,901
Nontraditional Student Center and Childcare	\$315,011	\$7,891	\$0	\$322,902
Ogden Peak Communications	\$0	\$1,720	\$0	\$1,720
Performing Arts	\$202,119	\$0	\$0	\$202,119
Peer Mentoring	\$0	\$10,000	\$2,700	\$10,000
Radio Station KWCR	\$34,814	\$0	\$0	\$34,814
Shepherd Union	\$1,147,062	\$0	\$0	\$1,147,062
Signpost	\$147,317	\$0	\$0	\$147,317
SPARC	\$1,680	\$0	\$0	\$1,680
Special needs fund	\$139,708	\$0	\$0	\$139,708
Stromberg Complex Customer Service	\$105,756	\$0	\$0	\$105,756
Student Involvement & Leadership	\$1,053,787	\$7,056	\$0	\$1,060,843
Sustainability Fund	\$16,000	\$0	\$0	\$16,000
TV Station/Studio 76	\$27,602	\$0	\$5,460	\$27,602
Undergraduate Research	\$30,491	\$5,000	\$0	\$35,491
USA Today Collegiate Readership Program	\$10,000	-\$10,000	\$0	\$0
UTA	\$231,876	\$10,434	\$0	\$242,310
Veterans Services	\$34,276	\$7,893	\$0	\$42,169
Visual Arts	\$2,500	\$3,750	\$0	\$6,250
VPSA	\$15,354	\$0	\$0	\$15,354
Women's Center	\$122,265	\$9,179	\$0	\$131,444
Totals:	\$10,215,652	\$177,010	\$28,340	\$10,392,662

Holdback amounts: (added after legislative session)	
Scholarships:	\$79,990
Salaries:	\$85,000
Benefits:	\$70,000
Grand Total:	\$10,627,652



Summary

Uses	% Change
General Tuition Rate Increase for all schedules <i>(except as noted below)</i>	2.0%
Increase graduate Nursing from Level 2 to Level 3	10.1%
Decrease Business & Economics undergraduate differential by \$30	-12.1%
Average tuition rate changes	1.6%
Student fees rate increase	3.0%
Total average tuition & student fee increase	1.8%



Questions



THANK YOU!





2019-20 Tuition Proposal Board of Regents

March 28, 2019

Truth in Tuition Hearing

March 7, 2019
68 Attendees and Instagram Live

Advertised 2019–20 Undergraduate Tuition increase between 2% and 5%



Factors in Tuition Setting

- State support for compensation increases
 - Wages, medical/dental premiums



Compensation Environment

Low unemployment = highly competitive market

- Utah County ranks **No. 2** in the nation for job growth
- Utah County job growth March 2017 to March 2018 at **6%** compared to national average of **1.6%**
- Utah County ranked **No. 6 in the nation** for the percentage increase in average weekly wages, up **9%**
- **Tech industry** growing at 3.6%, more than double the national average



Compensation Increases

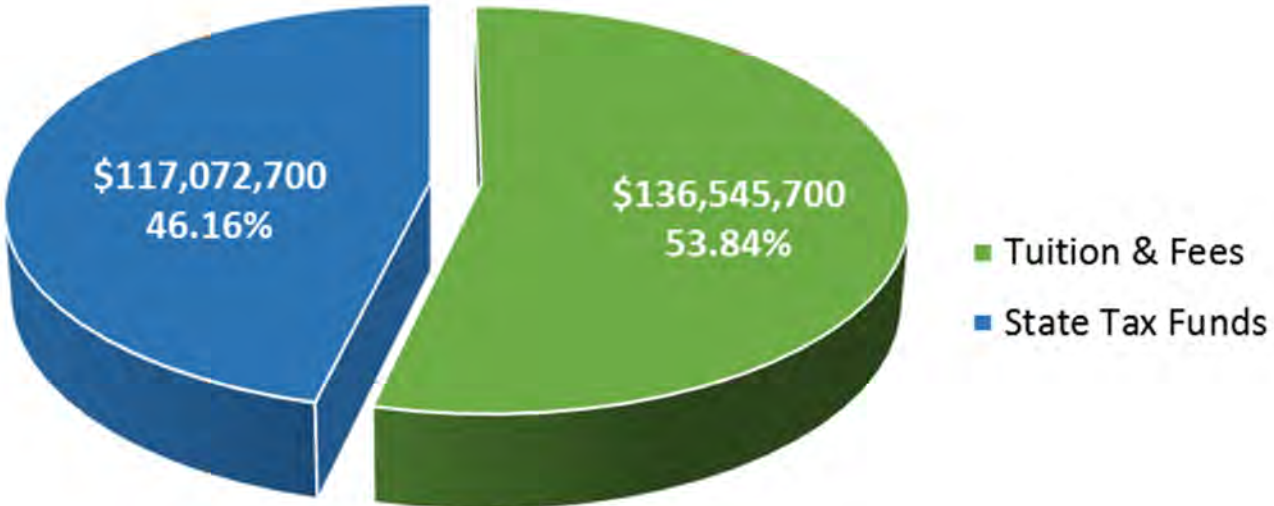
- 75% Tax Funds
- 25% Tuition

Factors in Tuition Setting

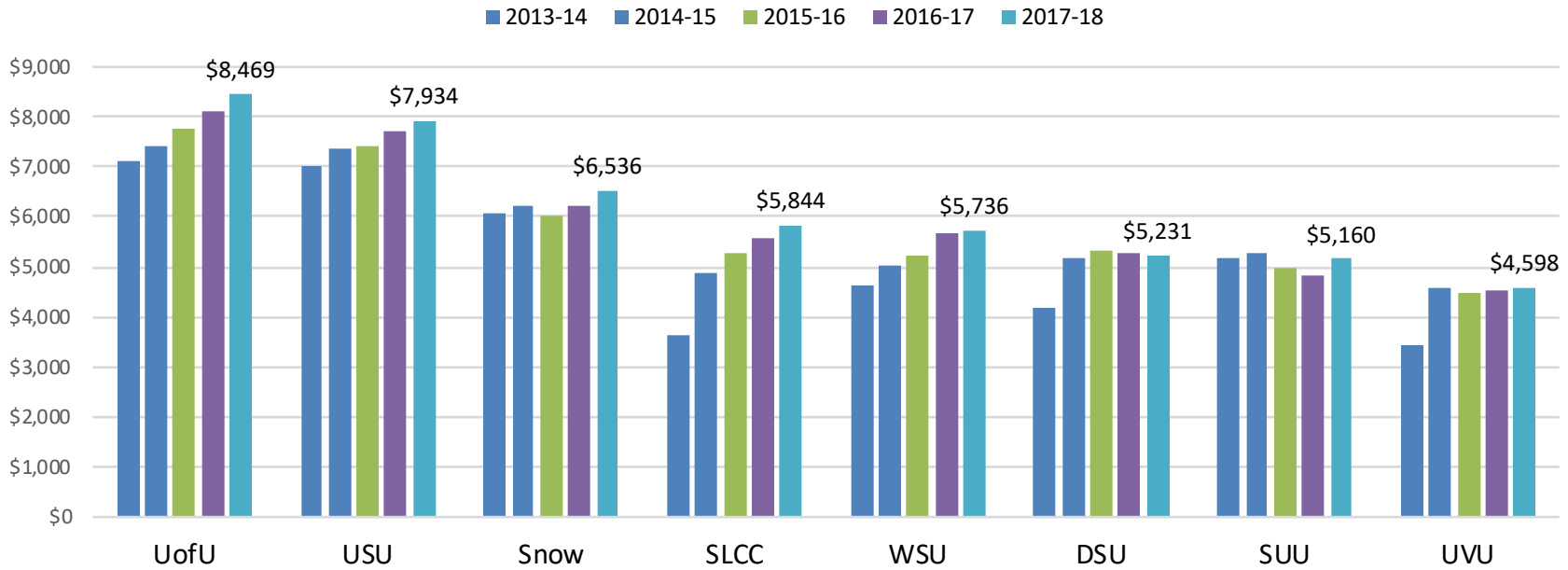
- State support for compensation increases
 - Wages, medical/dental premiums
- Level of tax fund support



2018-19 Education & General Revenue Budget \$253,618,400



Tax Funds Per Student FTE Comparison/Trend



UVU 2019-20 Budget Summary

Category	Amount
Compensation	\$4,274,000
2.5% salary/4.35% medical	
Student Growth & Capacity	\$1,696,900
New Faculty for High Demand, High Growth Programs	
Other	
O&M for Noorda Performing Arts Center (5 months)	\$486,400
ISF Risk Management and Attorney General	\$323,200
Performance-Based Funding (on-going for 2018-19 one-time)	\$314,300
Subtotal New UVU Appropriated Tax Funds	\$7,094,800
Engineering Initiative (funded to Regents, estimated UVU share)	\$1,200,000
Performance-Based Funding (funded to Regents, estimated UVU share)	\$4,897,900
Estimated Total	\$13,192,700

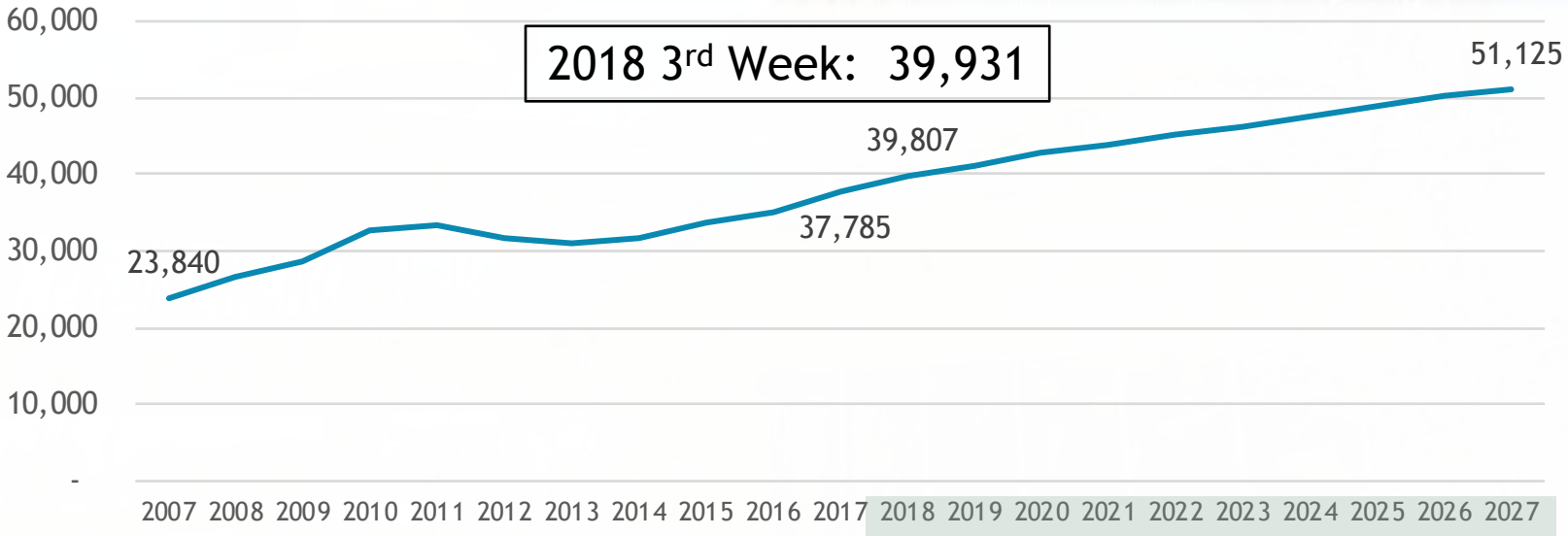
Factors in Tuition Setting

- State support for compensation increases
 - Wages, medical/dental premiums
- Level of tax fund support
- Enrollment changes





Growth of UVU's Enrollment



K-12 Enrollment Growth from 1999-2018



UVU Service Region:
52,362

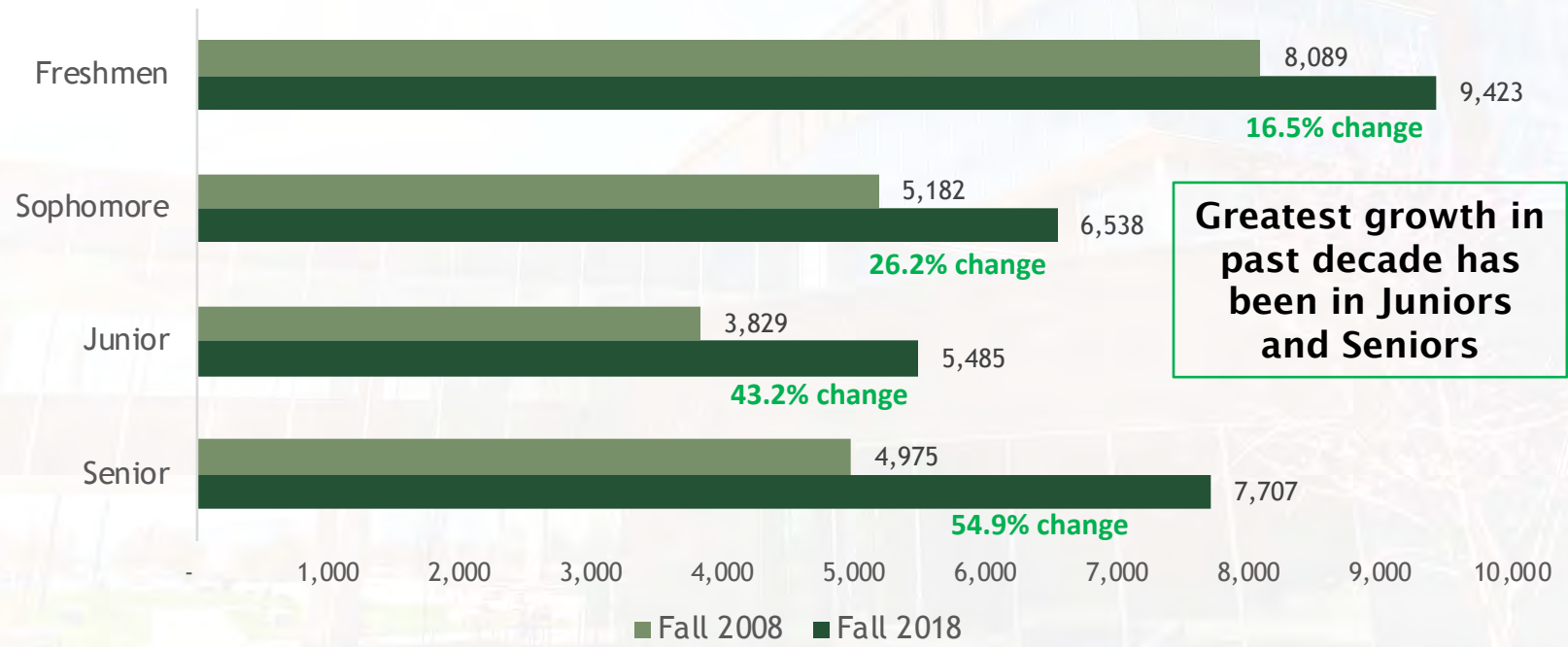
All other counties:
54,623

**49% of K-12
growth has
occurred in UVU's
service region**

**51% of growth has
occurred
throughout the rest
of the state**



Student Headcount Comparison by Class Level



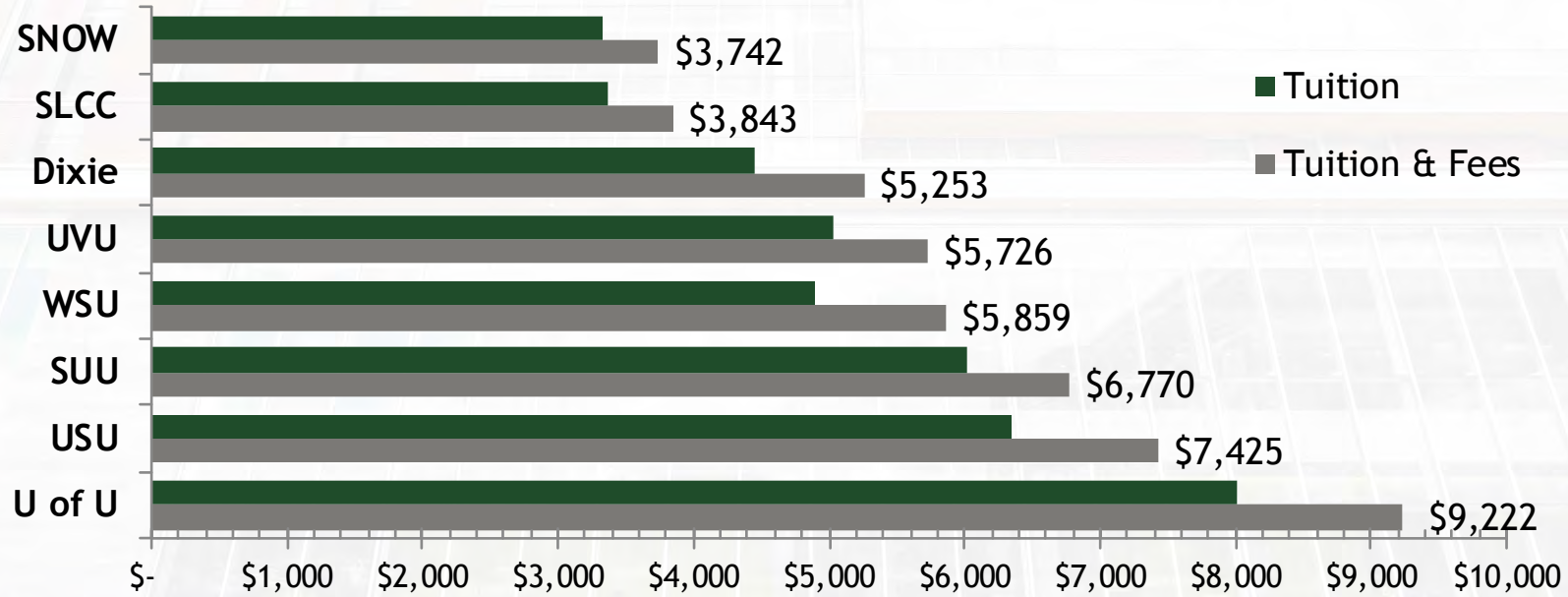
Factors in Tuition Setting

- State support for compensation increases
 - Wages, medical/dental premiums
- Level of tax fund support
- Enrollment changes
- Trends & peer comparison balanced by commitment to access and affordability



2018-19 USHE Tuition & Fees

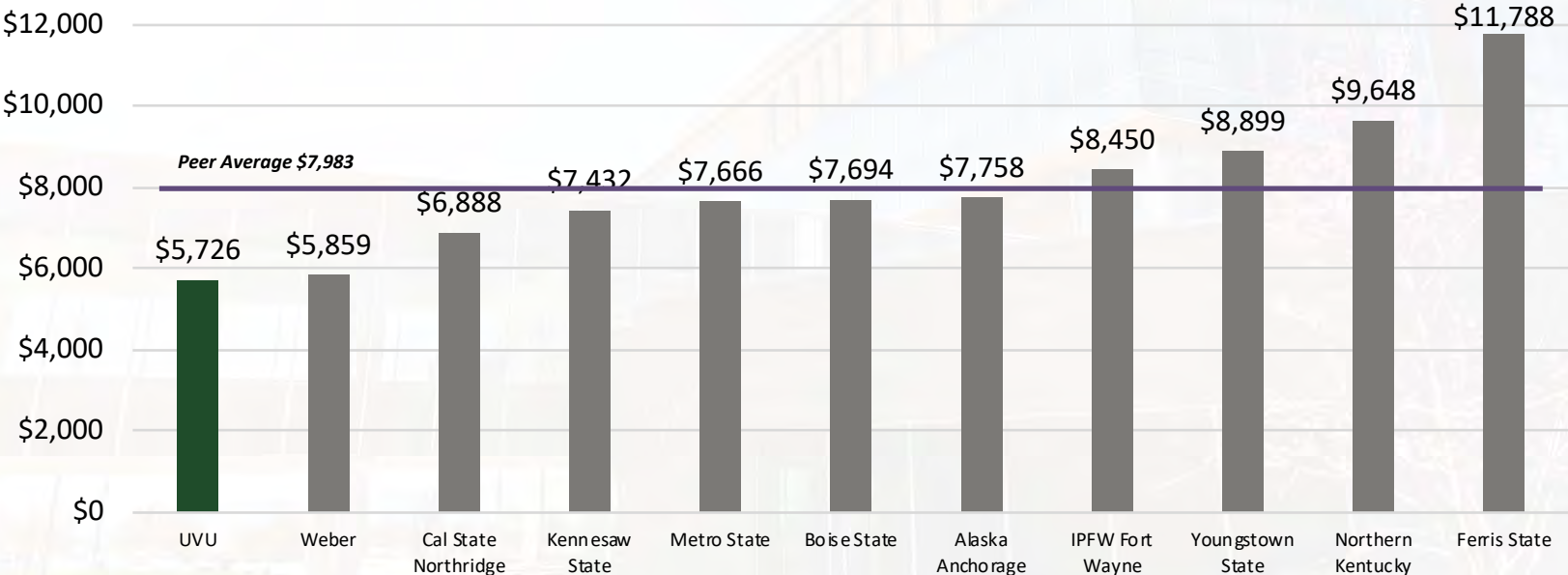
Academic Year, Resident Undergraduate



Source: State Board of Regents (www.higheredutah.org)

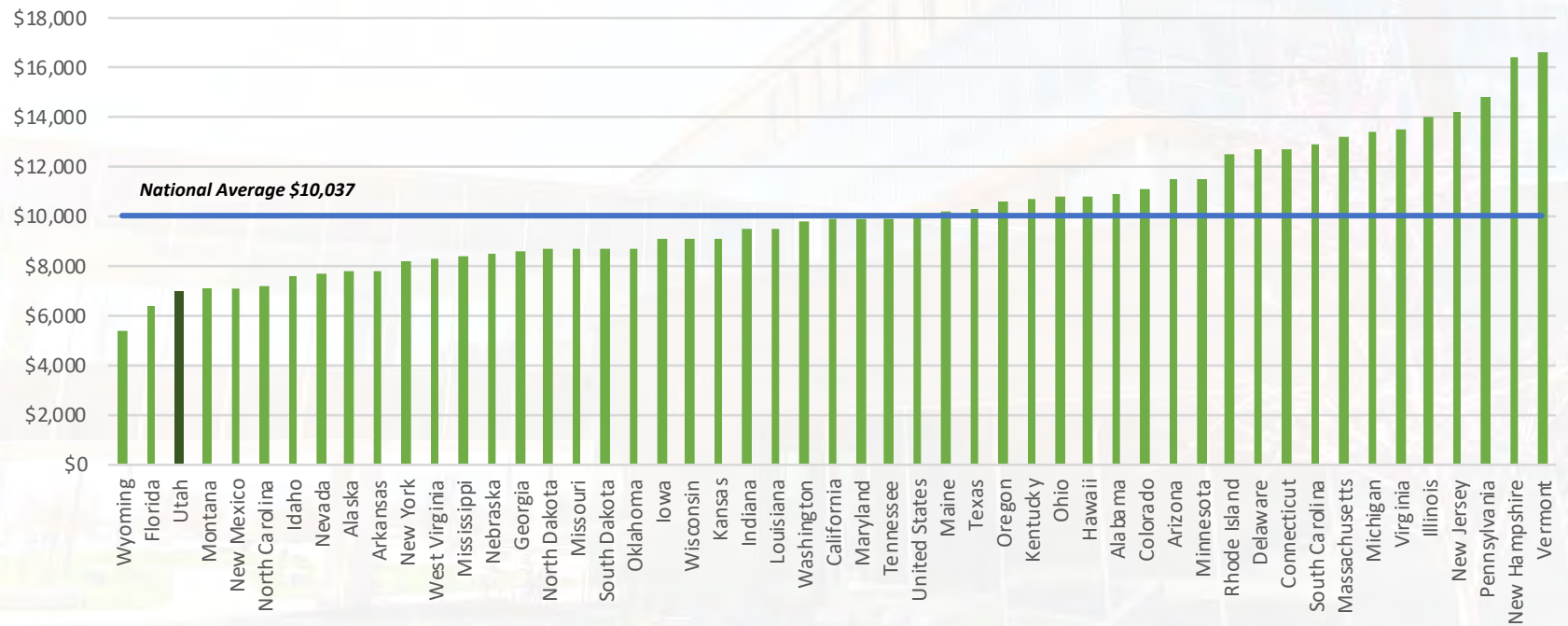
Peer Institution Comparison 2018-19

Resident, Undergraduate Tuition and Fees



2018-19 Average Tuition & Fees

Public Four-Year Institutions by State



UVU's Tuition Increase History

13-14	14-15	15-16	16-17	17-18	18-19
6.0%	4.0%	3.0%	3.5%	2.5%	1.5%



Factors in Tuition Setting

- State support for compensation increases
 - Wages, medical/dental premiums
- Level of tax fund support
- Enrollment changes
- Trends & comparisons balanced by commitment to access and affordability
- Campus needs and mandated costs



Campus Needs

- Compensation
 - Salaries/Wages: \$1,114,593
 - Medical premiums: \$338,954
 - Faculty merit/rank, tenure & promotion: \$442,538
- Mandated costs/commitments
 - Risk Management insurance rates: \$156,100
- Student Mental Health Services: \$227,379

Proposed Undergraduate Tuition Increase

Description	Revenue	\$ Change	% Change
2.5% labor market increase for salary/wages (legislative match)	\$1,114,593	\$42.05	0.8%
4.35% medical premium increase (legislative match)	\$338,954	\$12.79	0.3%
Risk management rate increase (legislative match)	\$156,100	\$5.89	0.1%
Faculty rank, tenure, promotion, merit	\$442,538	\$16.69	0.3%
Student mental health services	\$227,379	\$8.58	0.2%
Total	\$2,279,564	\$86.00	1.7%

Student Fees

- Vigorous UVUSA Fee Hearing Process
- Recommended to President's Council by UVUSA
- Approved by President's Council and UVU Board of Trustees

USHE Categories	Academic Year		
	2018-19	Change	2019-20
Student Activity/Support	\$137.72	5.78	\$143.50
Building Bond	\$186.38	-3.38	\$183.00
Building Support	\$107.84	2	\$109.84
Athletics	\$209.70		\$209.70
Health	\$19.34	3.6	\$22.94
Technology	\$15.94		\$15.94
Transportation	\$13.08		\$13.08
Total	\$690.00	\$8.00	\$698.00

Proposed 2019-20 Tuition & Fees

Undergraduate, Academic Year

	2018-19	2019-20	Amount	Percent
Resident	\$5,726	\$5,820	\$94	1.6%
Non-Resident	\$16,296	\$16,570	\$274	1.7%

- Reflects commitment to access and affordability while providing resources to match compensation and risk management
- Funds UVU commitments to faculty merit, rank, tenure, and promotion
- Supports student mental health services



Thank you!

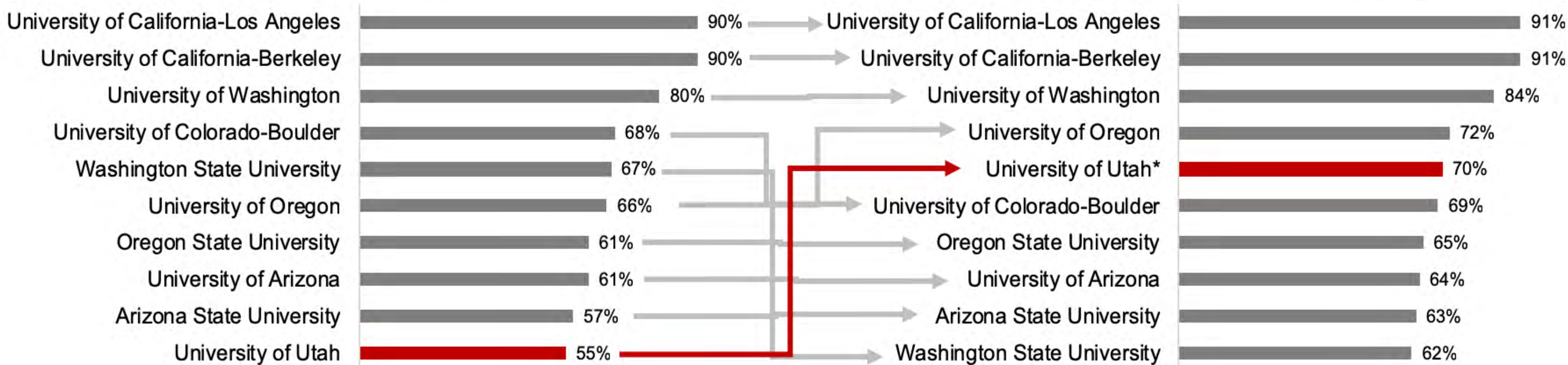


Utah State Board of Regents

March 28, 2019

PAC-12 GRADUATION RATES (2011)

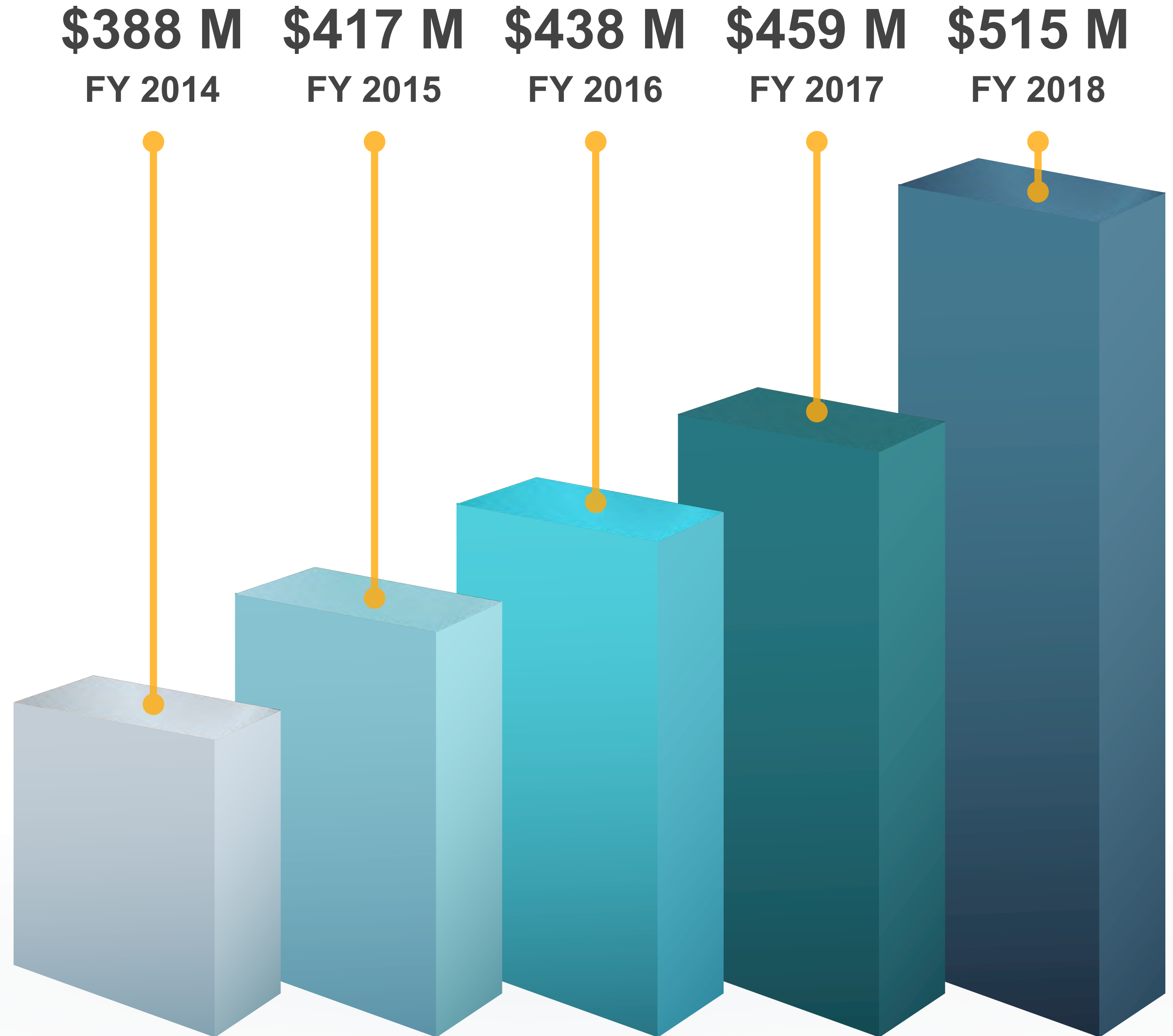
PAC-12 GRADUATION RATES (2017)



*2018 reported rate

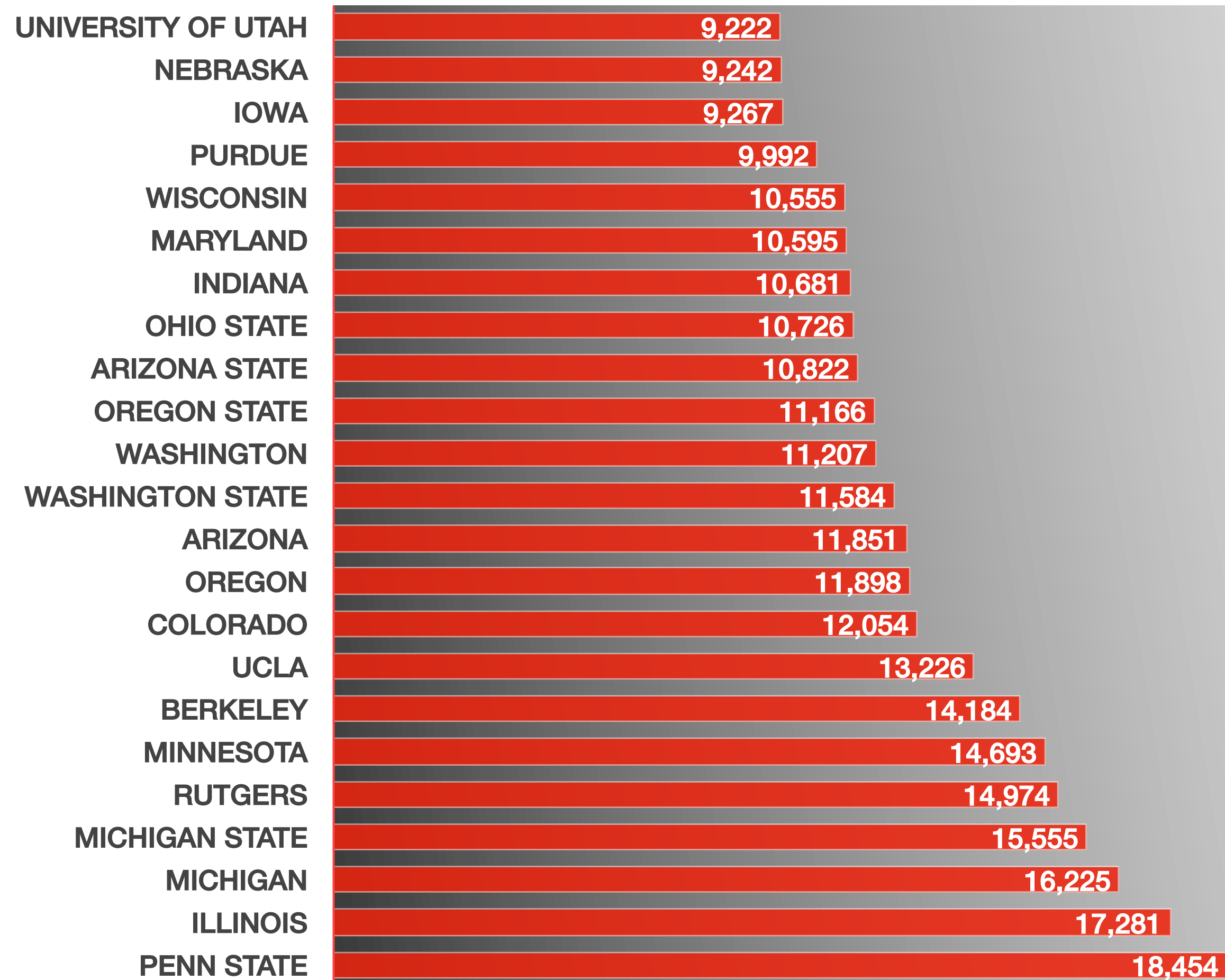
TOTAL SPONSORED PROJECT AWARDS

For the last fiscal year, the University of Utah received over a half billion dollars in new awards for sponsored activities



Exceptional Value

The U has the lowest total tuition and fees among peer public Pac-12 and Big Ten institutions, 2018-19



Proposed Maximum Tuition Increase

	FY2019 Tuition and Fees	FY2020 Tuition (3.2% increase)	FY2020 Fees (1.8% increase)	Proposed FY2020 Tuition and Fees	\$ Increase	% Increase
Undergraduate Resident	9,222	8,253	1,247	9,500	278	3.02%
Undergraduate Nonresident	29,216	28,886	1,247	30,133	917	3.14%
Graduate Resident	9,242	8,301	1,220	9,521	279	3.02%
Graduate NonResident	29,581	29,291	1,220	30,511	930	3.14%

Undergraduate Academic Year, 15 credit hours per semester

Graduate Academic Year, 12 credit hours per semester

Proposed Uses of Tuition Increase

Category	\$ Amount
25% of 2.5% Compensation/ISF Increase	4,100,000
Equity/Merit Salary Issues	2,586,500
Critical Investments in Student Success	1,400,000
Campus Safety Education & Training	1,000,000
Workforce – Other Areas	700,000
Maintenance	750,000
	10,536,500

Affordability Enabling Degree Completion & Expanded Access

\$260/Credit Hour All-Online Undergrad Tuition

Eligible Undergraduate U Online Programs

1. General Education Block U Global Citizenship
2. Economics
3. Family, Community & Human Development
4. Psychology
5. Sociology
6. Social Work
7. Sustainable Tourism & Hospitality Management
8. Business Administration*
9. Digital Product Design*
10. Political Science*

* In development



84%
of students attending all-online are Utah residents

1,569^{+12%}
Average all-online headcount each semester



Thank you!

Tuition and Student Fee Proposals 2019-20 Academic Year

Noelle E. Cockett, President

UtahStateUniversity



Tuition Proposal 2019-20 AY

Student involvement with proposed tuition rates through student body leadership councils and Truth-in-Tuition hearings

February 1	February 11	February 28	March 5	March 6	March 8	March 22	March 27
Student Tuition Committee	Academic Senate/ USUSA Executive Committee	Student Tuition Committee	Student Tuition Committee	Truth-in-Tuition hearing - Logan	Board of Trustees	Eastern Student Leadership	Truth-in-Tuition hearing - Eastern and Blanding



Tuition Proposal 2019-20 AY

USU LOGAN/RC - Proposed Increase:

Description	Proposed Tuition Revenue	Estimated Per Student FTE	
		\$ Impact	% Increase
Match – Salary Compensation	\$1,615,400	\$40	1.27%
Match – Internal Service Fund	\$229,900	\$6	0.18%
Promotion & Tenure Salary Adjustments	\$1,127,900	\$28	0.88%
Student Analytics - Civitas	\$311,900	\$8	0.24%
Compliance - Accommodations	\$90,000	\$2	0.07%
Math/Stat Tutoring Center	\$180,000	\$4	0.14%
General Education Bottlenecks	\$365,300	\$9	0.29%
Scholarship Increase	\$227,500	\$6	0.18%
Total	\$4,147,900	\$103	3.25%

12-18 credit hours per semester

Tuition Proposal 2019-20 AY

USU LOGAN/RC - Proposed Increase:

Total Tuition Adjustment (Per Semester)		
	Current Tuition	3.25%
Resident	\$3,171	\$103.06
Nonresident	\$10,211	\$331.88

12-18 credit hours per semester



Tuition Proposal 2019-20 AY

USU EASTERN/BLANDING - Proposed Increase:

Description	Proposed Tuition Revenue	Estimated Per Student FTE	
		\$ Impact	% Increase
Match - Compensation	\$100,500	\$44	2.58%
Match – Internal Service Fund	\$3,100	\$1	0.08%
Promotion & Tenure Salary Adjustments	\$34,500	\$15	0.88%
Student Analytics - Civitas	\$9,500	\$4	0.24%
General Education Bottlenecks	\$16,200	\$7	0.42%
Total	\$163,800	\$71	4.20%

12-18 credit hours per semester



Tuition Proposal 2019-20 AY

USU EASTERN/BLANDING - Proposed Increase:

Total Tuition Adjustment (Per Semester)		
	Current Tuition	4.20%
Resident	\$1,688	\$70.90
Nonresident	\$5,040	\$211.68

12-18 credit hours per semester



Tuition Proposal 2019-20 AY

Improve retention and completion:

- Student analytics (.24% and .24%)
- Math/State Tutoring Center (.14% and .00%)
- Removing GE bottlenecks (.29% and .42%)

Improve retention:

- Compliance – accommodations (.07% and .00%)

Improve access:

- Scholarship adjustments (.18% and .00%)



Tuition Proposal 2019-20 AY

Impact on faculty and staff retention:

- Match for salary compensation (1.27% and 2.58%)
- P&T salary adjustments (.88% and .88%)

Salary adjustments account for:

- USU Logan/RC – 2.15 of 3.25% increase
- USU Eastern/Blanding – 3.46 of 4.20% increase



Internal reallocation, existing resources or institutional efficiencies:

USU's Tuition Plateau

SAME PRICE FOR 12 to 18 CREDITS

TUITION AND FEES FOR 120 CREDITS

12 CREDITS Per Semester (5 Years)	15 CREDITS Per Semester (4 Years)
\$37,122 Resident	\$29,697 Resident
\$107,525 Nonresident	\$86,020 Nonresident

STUDENT TUITION AND FEES SAVINGS of 20%





RESULTS OF PLATEAU CHANGE

Students saved
\$8.5 MILLION
in AY 2017-2018

64%
Increase in students
taking online classes

49%
Increase in students taking
15+ credits per semester

Student Fee Proposal 2019-20 AY

USU Logan campus:

- 2.6% increase in overall fees - correction to original materials
- Increase for Counseling & Psychological Services (\$10.46/semester) and salary compensation (\$3.68/semester)

USU Regional and Blanding campuses:

- No increase

USU Eastern campus:

- No increase
- Small adjustments between the fee categories



I'M AN AGGIE



THE GREATS

TWO THOUSAND EIGHTEEN



UtahStateUniversity

AGGIE ACCOLADES



**THE UNIVERSITY IS THE
SECOND-LARGEST PRODUCER
OF FULBRIGHT SCHOLARS IN
THE WESTERN STATES.**



■ Physics professor David Peak received the 2018 national Council on Undergraduate Research-Goldwater Scholars Faculty Mentor Award. **SELECTED FROM 10 FINALISTS NATIONWIDE**, Peak has mentored, to date, more than 30 USU undergraduates, who have received 36 Goldwater Scholarships and Honorable Mentions – a number that rivals Ivy League competitors.



■ USU graduate Michael Scott Peters was selected as a **2018–2019 U.S. YOUTH OBSERVER** to the United Nations. Peters served as USU student body president during the 2017-18 school year, while earning a double major in international business and marketing.

REVELATIONS IN RESEARCH



■ S.J. and Jessie E. Guinney College of Natural Resources Researchers Paul Rogers and Darren McAvoy have conducted the first complete assessment of the Pando aspen clone, widely

CONSIDERED THE WORLD'S LARGEST SINGLE ORGANISM

weighing in at an estimated 13 million pounds. Covering some 106 acres in south-central Utah's Fishlake National Forest, the clonal colony consists of more than 47,000 genetically identical above-ground stems or "ramets" originating from a single underground parent clone. Quaking aspen, Pando's iconic species, was named Utah's State Tree in 2014.



■ Ryker Hacking, a Vernal native and USU student, performed vital research in the USU-Uintah Basin summer internship program that could **END THE NEGATIVE SIDE EFFECTS OF DIABETES.**



■ Chemist Lisa Berreau, toxicologist Abby Benninghoff, and several USU undergraduate and graduate students, are developing molecules to deliver controlled amounts of carbon monoxide to targets within the human body. The USU-developed photoCORMs are **TRACKABLE, TARGETABLE, AND TRIGGERABLE.**

This allows for further exploration of their potential, not only to attack cancer cells, but to combat inflammation, a modern-day public health scourge linked to a wide range of chronic diseases, including heart disease and diabetes.



GREATS AMONG US

■ MENTORING NATIVE AMERICAN SCHOLARS

USU is among **33 institutions nationwide** selected to join the Howard Hughes Medical Institute's Inclusive Excellence Initiative. The \$1 million in grant support over five years will build on the university's efforts to **ENCOURAGE STUDENTS WHO ARE INTERESTED IN TRANSFERRING TO USU'S MAIN CAMPUS** in Logan from USU Eastern, Blanding, a two-year campus in remote, southeastern Utah.

■ IMPROVING COMMUNITIES: RAISING MENTAL HEALTH AWARENESS

USU Extension Assistant Professor Zuri Garcia has been working to **INCREASE MENTAL HEALTH AWARENESS AMONG THE LATINO COMMUNITY** in Clearfield and surrounding cities by organizing a Latino Advisory Council to connect the Latino community to mental health services and programs taking place in Davis County.

■ STRENGTHENING UTAH'S RURAL ECONOMIES

As many rural Utah residents are struggling with unemployment or underemployment, a pilot program has been implemented by USU Extension to help residents in the southern counties develop the skills needed to compete for remote employment. With the **GOAL OF STRENGTHENING THE ECONOMIES OF RURAL UTAH**, the new Rural Online Initiative (ROI) was funded by the legislature in 2018 to allow people to develop skills so they can seek jobs without leaving their counties.



CHANGING LANDSCAPES



■ The Jon M. Huntsman School of Business opened the new Stephen R. Covey Leadership Center in early November 2018. Nearly a decade in the making, the Covey Leadership Center was the brainchild of the late Stephen R. Covey and the late Jon M. Huntsman with the goal of teaching **PRINCIPLE-CENTERED LEADERSHIP IN HIGHER EDUCATION**.



■ Utah State University and the Emma Eccles Jones College of Education and Human Services unveiled the new Sorenson Legacy Foundation Center for Clinical Excellence in May 2018.

THE STATE-OF-THE-ART, 100,000-SQUARE-FOOT-BUILDING is a unique, advanced facility that integrates research, academic, and clinical services while allowing training for students, interdisciplinary research among faculty and clinicians, and comprehensive clinical services for clients statewide.



STATE BOARD OF REGENTS
SALT LAKE COMMUNITY COLLEGE, SOUTH JORDAN, UTAH
MILLER CAMPUS, MILLER CONFERENCE CENTER
MARCH 29, 2019

Contents of Minutes

Attendance	1
Discussion - Tuition	2
President's Report	4
Consent Calendar	4
USHE – Proposed Tuition Adjustments for 2019-2020	4
USHE – Proposed Student Fee Adjustments for 2019-2020	5
USHE – Finalization of USHE Metrics and Goals	5
USHE – 2019 Legislative Session Report Including Budget & Capital Updates	5
Update on Implementation of SafeUT App	5
Academic and Student Affairs	5
USHE – Revision of Policy R805, <i>Women and Minorities in Faculty and Administrative Positions</i>	
Weber State University – Doctor of Nursing Practice with Family Nurse Practitioner and Leadership Emphases	
USHE – Plan for Moving Forward on the Mental Health Recommendations: Formation of the Regents' Mental Health Advisory Committee	
New Century and Regents' Scholarship Award Amounts for 2019-2020 College Academic Year	
Utah Futures Partnership Update	
Continued Discussion on Input on Goals and membership of Proposed Regent Transfer Council	
Finance and Facilities	6
USHE – Impact of Senate Bill 102 and Proposed Metrics	
Salt Lake Community College – Campus Master Plan Update	
Snow College – Campus Master Plan	
University of Utah – Research Lab Remodel Non-State Funded Project	
USHE – 2019-2020 Performance Based Funding Model Modifications	
USHE – Adoption of Policy R840, Institution Business Communications	
USHE – proposed Differential Tuition Rates for 2019-2020	
USHE – Regent Audit Committee Report	
USHE – Review of 2018 Financial Statements	
USHE – Debt Ration Analysis	
USHE – Annual Money Management Report for the Fiscal Year Ending June 30, 2018	
USHE – Fall 2018 End-of-Term & Spring 2019 Third Week Enrollment Reports	
University of Utah – Trustee Property Disposal	
Adjournment	7

STATE BOARD OF REGENTS
SALT LAKE COMMUNITY COLLEGE, SALT LAKE CITY, UTAH
MILLER CAMPUS, KAREN GAIL MILLER CONFERENCE CENTER
THURSDAY, MARCH 29, 2019

COMMITTEE OF THE WHOLE
MINUTES

Regents Present

Harris Simmons, Chair
Nina R. Barnes, Vice Chair
Jesselie B. Anderson
Wilford W. Clyde
Sanchiata Datta
Marlin K. Jensen
Ron Jibson
Patricia Jones
JaKell Larson
Steve Lund
Robert S. Marquardt
Robert W. Prince
Mark Stoddard
Teresa L. Theurer
Thomas E. Wright

Regents Absent

Cristina Ortega
Daniel W. Campbell

Office of the Commissioner

David L. Buhler, Commissioner of Higher Education
Kimberly L. Henrie, Associate Commissioner for Planning, Finance and Facilities
Elizabeth Hitch, Associate Commissioner of Academic Affairs

Institutional Presidents Present

Ruth Watkins, University of Utah
Noelle Cockett, Utah State University
Scott L Wyatt, Southern Utah University
Astrid S. Tuminez, Utah Valley University
Richard B. Williams, Dixie State University
Deneece G. Huftalin, Salt Lake Community College
Brad Mortensen, Weber State University
Gary Carlston, Snow College

Other Commissioner's Office and institutional personnel were also present. The signed role is on file in the Commissioner's Office.

Chair Simmons called the meeting to order at 9:37 a.m.

Discussion – Tuition

Associate Commissioner Henrie began by reviewing information about tuition and fees, providing a comparison and national rankings, dollar impact to students, and annual impact of increase. She also provided numbers on the total impact to students including both tuition and fees. There was discussion about the types of numbers regents would like to see from institutions. President Huftalin asked about having a template of what numbers and information would be helpful to the regents.

Regent Wright said he would like to have more time to review the information and spread out the process so there is more transparency. This would allow presidents and trustees to do things in a more methodical way. He is concerned Regents have not been presented with the budgets from the institutions and said it is hard to look at revenue as an overall budget when you don't see how the revenue fits into the budget. He said he believes the Commissioner's office was presented with the budget, but the Regents did not receive that information in the packet. If Regents had more access and time with the staff to go through the budget, he could be more comfortable with how the revenue component plays into the overall budget for the institutions.

Regent Theurer agreed the timing is difficult but believes the needs of the institutions should not be determined solely on funding from the legislature. The schools have shown they have tremendous need.

Henrie noted institutions have not fully developed their FY2020 budgets. In the Finance and Facilities committee they will go over the FY2018 Financial Statements. She provided details on the process and timing of developing budgets.

Regent Marquardt said budgets are incredibly complicated and to try to cover all budgets in one meeting is difficult. He said probably the most important step is the Budget Deep Dive meetings taking place at each institution. This is where you look in detail at the budget, ask questions and understand where the money is being spent. All Regents on the Finance and Facility committee were invited to these meetings.

President Cockett noted that while the Legislature may have funded money to each institution, most of that money is benchmarked for specific allocations and cannot be used elsewhere.

Regent Wright asked if this is something we could improve. Should we be asking to have this money spent elsewhere? He acknowledged the complexity of the budgets but added the most important thing is to understand where the money goes. He said we should be making sure this money goes to our core mission.

Chair Simmons directed the Commissioner's Staff and Presidents to look at how we can make the process better. He reiterated Regent Marquardt's comments saying, the best opportunity to understand the budget is the Budget Deep Dive meetings on campus. Regent Theurer asked if all Regents could be invited to these discussions in the future.

Chair Simmons asked if anyone had proposed changes or amendments to the tuition increases requested.

Regent Datta stated she is proud of our institutions, but is struggling with the requests from the institutions. While we may be one of the lowest costs nationally, we need to look at the entire amount of money being

spent. She said she struggles with asking students to contribute more at a time when we are doing well financially. She wants to ask institutions to look at their budgets again and see what they can alleviate; would like to see a smaller tuition increase or no increase if possible.

Regent Clyde said the process is not perfect, but we have had hearings for the public and students to express their opinions, the institutions have had Truth in Tuition hearings, the trustees have had discussions, and after listening to the discussions yesterday, believes the requests are reasonable.

Regent Marquardt agreed with Regent Clyde. The USHE is the most efficient in terms of dollars spent on degrees produced. We will continue to look at ways to improve, but a lot has been done to work on the Regents' initiatives. We have made major steps to make education accessible and affordable to everyone in the state.

Regent Barnes agrees with Clyde and Marquardt, but also appreciates the counter argument and believes this improves the conversation. She champions what is being done and is excited about the opportunity to improve.

Regent Wright stated that given the fact, they have not had a chance to look at budgets, he would like to see a couple of things take place. (1) Take the time to do a deeper dive into the budgets to understand where money went last year, see if we can hold the student harmless, and keep debt down; (2) allow the opportunity to meet with the Presidents and talk to the Legislature. We are not obligated to statutorily deal with tuition right now.

Regent Larson said she understands what Regent Wright is saying, but while we can have more conversations and be more transparent, we need this increase to continue the quality of education.

Henrie said there is a review of the 2017 and 2018 budgets in the packet; this should provide a general sense of how the money is being spent. It does now show 2019 because we are still three months away from the end of the year.

Presidents Cockett, Williams, Watkins, Tuminez, and Mortensen all said they have had the time they need and this work has been going on for several months; they feel prepared and confident with their requests.

Regent Datta made a motion to have additional time to review budgets, receive additional information, and request revisions. The motion was seconded by Regent Wright. Regent Lund said it is too late to change the trajectory now, but we will be doing this again next year. In the Truth and Lending hearings there was a stunning silence from students; there was no pushback on these increases. He will not be supporting this motion. Regent Prince said President Cockett shared with him her detailed budget and has complete confidence in the process the Presidents have gone through, and the fact they are trying to do more with less. He cannot support this motion today. **Chair Simmons asked for those in favor; Regent Datta and Regent Wright voted yes, all other Regents opposed. The motion failed.**

President's Report

President Huftalin began by saying this last fall the college celebrated it's 70th birthday. In addition to SLCC's birthday, they have other reasons to celebrate including the opening of the first location in Herriman City. We are meeting today at the Miller Campus which houses credit based programs, continuing education, and the Miller Business Resource Center. She mentioned while many programs are declining, the criminal justice program continues to grow. They have significantly increased their outreach to high school students. New this year they began offering certificates and associates degrees in hospitality management. The program is supported with funding received from Salt Lake County. This allows students in the certificate program to go 100% free tuition, and 50% of tuition is covered for students in the associate degree program. Also housed at the Miller Campus is the continuing education program. These are for short-term programs or students that don't need a full degree, but are making a transition. The largest programs on the Miller Campus are dedicated to the small business entrepreneur. The Miller dream was to support the entrepreneurial spirit and the courage and vitality apparent in the small business owner. Miller Campus is also home of the Refugee Leadership Program; this year they had 27 youth and 23 adults complete the program. In one year they have served 12,000 graduates that are not in any of the USHE metrics. It is outside what the Board and Legislature pays attention to, but it is a vital part of Salt Lake County. She concluded by sharing some items critical to SLCC having affordable access and timely completion. SLCC is strengthening affordable access in a variety of ways, including: keeping tuition low, investing in open education resources, and making scholarships more accessible by purchasing new software that allows students to more easily access and apply. They have just as many efforts to completion as affordable access, including: expanding campus jobs and internships, investing in mental health and child care, being intentional in the recruitment of faculty of color, designing transfer maps with their academic partners, and increasing SLCC's pathways. Their 2023 completion goal is 40%, which is higher than both the national average and where SLCC is currently.

Consent Calendar (TAB T)

On a motion by Regent Marquardt and seconded by Regent Jibson the following items were approved on the Regents' General Consent Calendar

- A. Minutes – Minutes of the Board meeting January 11, 2019, Snow College, Ephraim, Utah; January 25, 2019, Utah Valley University, Orem, Utah.
- B. Grant Proposals
- C. Awards
- D. Academic and Student Affairs Items
- E. Pursuant to Regent Policy R830 and R854, the Board of Regents grants the position of Regents Professor to Commissioner David L. Buhler, effective January 1, 2020 through December 31, 2023.
- F. Revision of Policy R602, Bylaws of the Utah Higher Education Assistance Authority Board of Directors.
- G. Revision to Policy R928, Leaves of Absence (Health-Related)

USHE – Proposed Tuition Adjustments for 2019-2020 (TAB U)

Chair Simmons made note of the extensive discussion on tuition increase and asked for additional comments; no comments were made. Chair Simmons said this item includes a 3-part motion: (1) Approve

the institutions' proposed resident undergraduate tuition rate adjustments for the 2019-20 year to used for the purposed outlined in TAB U of the agenda, as follows:

University of Utah	3.2%
Utah State University	3.25% with the exception of USU Eastern and Blanding at 4.2%
Weber State University	2.0%
Southern Utah University	0%
Dixie State University	5.0%
Utah Valley University	1.7%
Salt Lake Community College	2.0%
Snow College	2.5%

(2) Approve the institutions' proposed nonresident undergraduate, graduate resident and non-resident tuition schedules as submitted to the Commissioner's office and outlined in TAB U; (3) Approve the University of Utah new online only tuition and fee schedule. **A motion was made by Regent Jones to approve as outlined; the motion was seconded by Regent Jones; Regent Wright and Regent Datta opposed and the motion carried.**

USHE Proposed Student Fee Adjustments for 2019-2020 (TAB V)

Associate Commissioner Henrie noted there was a last minute change for the Utah State University; this item was inadvertently left off the list. This an athletics fee in the amount of \$2.50, bringing the proposed student fee to \$28.28. This was approved by the student body leadership. **Regent Larson made a motion to approve as outlined in TAB V; the motion was seconded by Regent Jibson; Regent Wright opposed and the motion carried.**

USHE – Finalization of USHE Metrics and Goals (TAB W)

Commissioner Buhler noted this is to approve the finalization of the USHE metrics and goals. **Regent Prince made a motion to approve as outlined in TAB W; the motion was seconded by Regent Anderson and the motion carried.**

USHE – 2019 Legislative Session Report Including Budget & Capital Updates (TAB X)

Commissioner Buhler provided a budget summary. Associate Commissioner Jenkins provided an overview of legislative bills. This is an information item only; no action was taken.

Update on Implementation of SafeUT App

Representative Steve Eliason provided a report on the SafeUT app. He noted the app was created in 2015 and in 2018 was expanded to higher education. Over 800 schools are now on board, all voluntary. Some of the services provided are: ability to provide tips, start at chat, or place a call. This program continues to grow; last month there were about 2300 crisis conversations.

Academic and Student Affairs

USHE – Revision of Policy R805, *Women and Minorities in Faculty and Administrative Positions* (TAB A)

Regent Theurer noted after discussion, this policy needs some additional work. No action was taken.

Weber State University – Doctor of Nursing Practice with Family Nurse Practitioner and Leadership Emphases (TAB B)

Regent Theurer noted this request is due to a different degree being needed. Regent Theurer made a motion to approve as outlined in TAB B; the motion was seconded by Regent Marquardt and the motion carried.

USHE – Plan for Moving Forward on the Mental Health Recommendations: Formation of the Regents' Mental Health Advisory Committee (TAB C)

Regent Theurer made a motion to approve as outlined in TAB C; the motion was seconded by Regent Jones and the motion carried.

New Century and Regents' Scholarship Award Amounts for 2019-2020 College Academic Year (TAB D)

Regent Theurer noted this item is to approve the award amounts for the 2019-2020 year. Regent Theurer made a motion to approve as outlined in TAB D; the motion was seconded by Regent Larson and the motion carried.

Utah Futures Partnership Update (TAB E)

This is an information item only; no action was taken.

Continued Discussion and Input on Goals and Membership of Proposed Regent Transfer Council (TAB F)

This was a discussion item only; no action was taken.

Finance and Facilities

USHE – Impact of Senate Bill 102 and Proposed Metrics (TABG)

Regent Stoddard noted Senate Bill 102 substantially alters funding for USHE capital facilities by providing \$73,000,000 ongoing funds for the Regents to distribute by formula beginning with half of the funds for FY21 and the full amount in FY22. This was a discussion item only; no action was taken.

Salt Lake Community College – Campus Master Plan (TAB H)

Regent Stoddard this is a bi-annual update to the SLCC Master Plan. Regent Stoddard made a motion to approve as outlined in TAB H; the motion was seconded and the motion carried.

Snow College – Campus Master Plan (TAB I)

Regent Stoddard noted this change to the master plan is to include a recent development for a community center. Regent Stoddard made a motion to approve as outlined in TAB I; the motion was seconded by Regent Clyde and the motion carried.

University of Utah – Research Lab Remodel Non-State Funded Project (TAB J)

Regent Stoddard noted this is for a remodel of approximately 14,132 square feet on the first floor of the Biomedical Polymers Research Building to improve and economize medical research space. The project is estimated to cost \$6,732,366 funded from University Health Sciences funds. Regent Stoddard made a motion to approve as outlined in TAB J; the motion was seconded by Regent Anderson and the motion carried.

USHE – 2019-2020 Performance Based Funding Model Modifications (TAB K)

Regent Stoddard noted the Finance and Facilities committee reviewed the proposed change in order to realign the market demand metric with the new Workforce metric adopted by the Board in January. The current metric as defined has a negative impact on the ability of Community College and colleges that offer two-year associates degrees to earn full funding in this category. Regent Stoddard made a motion to approve as outlined in TAB K; the motion was seconded by Regent Jones and the motion carried.

USHE – Adoption of Policy R840, *Institution Business Communications* (TAB L)

Regent Stoddard noted this policy establishes uniform controls over email business communications throughout the system by directing institutional employees to use only the institution's enterprise email service for institutional business email communication. Regent Stoddard made a motion to approve as outlined in TAB L; the motion was seconded by Regent Jibson and the motion carried.

USHE – Proposed Differential Tuition Rates for 2019-2020 (TAB M)

Regent Stoddard noted policy R510 requires the Board to approve all differential tuition schedules for new and existing academic programs. Differential tuition are additional per credit hour amounts beyond normal tuition assessment and institutions should demonstrate program benefits, market demand, effects of student access and retention, graduate earnings, price comparability, and student support. Regent Stoddard made a motion to approve as outlined in TAB M; the motion was seconded by Regent Prince and the motion carried.

USHE – Regent Audit Committee Report (TAB N)

Regent Stoddard noted the Regent Subcommittee met with trustee chairs, institution audit committee chairs, internal audit directors, and institution management from all eight institutions on March 8, 2019 to discuss the affairs of internal auditing. Discussion topics with institution representatives included risk assessment procedures, audits completed in 2018 and planned for 2019, fraud prevention and detection efforts, and the overall impact of institution internal auditors. This is an information item only; no action was taken.

USHE – Review of 2018 Financial Statements (TAB O)

This is an information item only; no action was taken.

USHE – Debt Ratio Analysis (TAB P)

This is an information item only; no action was taken.

USHE – Annual Money Management Report for the Fiscal Year Ending June 30, 2018 (TAB Q)

This is an information item only; no action was taken.

USHE – Fall 2018 End-of-Term & Spring 2019 Third Week Enrollment Reports (TAB R)

This is an information item only; no action was taken.

University of Utah – Trustee Property Disposal (TAB S)

This is an information item only; no action was taken.

Minutes of Meeting
March 29, 2019
Page 8

Regent Larson made a motion to move to executive session for the sole purpose of discussing the character, professional competence, or physical or mental health of individuals.

The meeting adjourned at 2:21 p.m.

Loreen Olney, Executive Secretary

Date Approved: May 17, 2019

STATE BOARD OF REGENTS MEETING
BOARD OF REGENTS BUILDING, COMMISSIONER'S OFFICE
CONFERENCE CALL
FRIDAY, APRIL 19, 2019,

MINUTES

Regents Present

Harris H. Simmons, Chair
Nina R. Barnes, Vice-Chair
Teresa Theurer
Daniel W. Campbell
Mark R. Stoddard
Robert W. Prince
Marlin K. Jensen
Jesselie B. Anderson
Patricia Jones
Steven Lund
Thomas E. Wright
Cristina Ortega
Ron Jibson
JaKell Larson

Office of the Commissioner

David L. Buhler, Commissioner of Higher Education*
Loreen Olney, Executive Secretary to the Board of Regents*

* Those that appeared in person.

Chair Simmons called the Executive Committee to order at 8:01 a.m. Roll was called and a quorum established.

Regent Larson made a motion to move into closed session to discuss personnel matters; the motion was seconded by Regent Jones and the motion carried.

Loreen Olney, Executive Secretary

Date Approved: May 17, 2019

STATE BOARD OF REGENTS MEETING
BOARD OF REGENTS BUILDING, COMMISSIONER'S OFFICE
CONFERENCE CALL
MONDAY, APRIL 29, 2019

MINUTES

Regents Present

Harris H. Simmons, Chair
Nina R. Barnes, Vice-Chair
Teresa Theurer
Mark R. Stoddard
Robert W. Prince
Patricia Jones
Thomas E. Wright
Cristina Ortega
Ron Jibson
Sanchaita Datta
JaKell Larson

Office of the Commissioner

David L. Buhler, Commissioner of Higher Education*
Loreen Olney, Executive Secretary to the Board of Regents*
Geoff Landward, Assistant Commissioner*
Rich Amon, Assistant Commissioner*

* Those that appeared in person.

Chair Simmons called the Executive Committee to order at **12:51 p.m.** Roll was called and a quorum established.

USHE – Adoption of Policy R842, Restrictions on Faculty/Staff Relations with Students

Geoff Landward provided an explanation of the policy, and noted legislation passed during the last session requires the policy be adopted by May 15, 2019. Regent Barnes asked if in section 4.3 it should read shall instead of may. Geoff explained it should read may as institutions can use this policy or create their own. There was some discussion on how the intuitions will notify their campuses. It was stated the entire campus community would be notified at each institution. **Regent Barnes made a motion to approve as outlined; the motion was seconded by Regent Jibson and the motion passed.**

Regent Stoddard made a motion to move into closed session to discuss personnel matters; the motion was seconded by Regent Barnes and the motion carried.

The meeting adjourned at 1:02 p.m.

Loreen Olney, Executive Secretary

Date Approved: May 17, 2019

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – FY 2020 Commissioner’s Office Draft Work Plan

Background

At its January 25, 2019 meeting the Board of Regents adopted the 2018 Annual Report. The Board also directed the Commissioner to develop a work plan that identifies deliverables (including necessary resources, milestones and timeline) in support of the Board’s Strategic Priorities. The attached draft Work Plan reflects the planned projects for this fiscal year beginning July 1, 2019, grouped in six areas:

- Access
- Transfer/Completion
- Strategic Communications
- Workforce
- Cost/Operations Efficiency
- Regents’ Policy and Audit Activities

Issue

The Work Plan will be used throughout the year to guide the work of the Commissioner’s office (OCHE) and to inform the Board on progress toward meeting its strategic objectives. Adjustments may be considered with the Board’s approval. Successful implementation requires possible staffing reassignments and budget reallocations – to be finalized in July 2019. The Work Plan considers the direction and focus of the Board and is consistent with its statutory responsibilities (Utah Code §53B-1-103), specifically:

- provide strategic leadership and link system capacity to the economy and workforce needs
- enhance the impact and efficiency of the system
- establish measurable goals and metrics and delineate the expected contributions of individual institutions of higher education toward these goals
- evaluate presidents based on institutional performance
- delegate to presidents the authority to manage the presidents’ institutions of higher education
- administer statewide functions including system data collection and reporting
- establish unified budget, finance, and capital funding priorities and practices
- provide system leadership on issues that have a system-wide impact

Commissioner's Recommendation

This is an information item only; no action is required.

David L. Buhler
Commissioner of Higher Education

DLB/SJ
Attachment



Office of the Commissioner of Higher Education - *FY20 Work Plan*

The Office of the Commissioner, under the direction of the Commissioner of Higher Education, provides staff support to the Board of Regents in carrying out its priorities for public higher education in Utah. This annual work plan reflects the efforts of the staff targeted at achieving the Board of Regents' strategic priorities and legislative mandates over the coming fiscal year beginning July 1, 2019. The Board of Regents approves the work plan's focus areas, and reviews and authorizes the Commissioner to oversee the work of the 35+ staff members. The work plan will be used throughout the year to guide the work of the Commissioner's Office and to inform the Board on its progress toward meeting its strategic objectives. Adjustments may be considered with the Board's approval.

Focus Areas: In FY 2020, The Commissioner's Office recommends six focus areas comprised of existing and new projects, prioritized with consideration of the current activities, budget, and staff in the Commissioner's Office. Projects with budget impact beyond existing staff costs identify their source(s): existing budget, unidentified, or outside funds. The *OCHE Lead* for each project has the responsibility of working with the Commissioner and executive staff to establish processes, timelines, and coordination of resources (budget, staff). Three projects have a combined projected \$531,000 in unidentified funds included in this plan based on past direction of the Board of Regents:

- **Access (pg. 2):**
 - Expand College Access Advisors
 - Assess systemwide tuition policies
 - Identify potential changes to state merit aid programs for higher education
 - Convene K-20 Summit on the transition from high school to college
- **Transfer/Completion (pg. 3):**
 - Establish Regents' Transfer Council
 - Develop a statewide framework for prior learning assessment
 - Increase transparency of credit transfer and articulation between institutions
 - **Increase equity in Concurrent Enrollment via general education and pathways**
- **Strategic Communications (pg. 5):**
 - Complete USHE rebrand and website redesign
 - Develop and implement statewide advocacy of higher education in partnership with USHE institutions
 - Transition StepUp online presence and programs to UtahFutures
 - Hold 50th anniversary commemoration event
 - Establish an updated attainment goal beyond 2020
- **Workforce (pg. 6):**
 - Enhance access to earnings and employment data for planning and prioritization
 - Deepen partnerships with Talent Ready Utah Board and other state workforce organizations

- Coordinate with institutional economic development leads
- **Cost/Operational Efficiency (pg. 7):**
 - Improve cost efficiency of IT activities and shared services
 - Review performance funding model for potential policy and legislative action
 - Develop Regents’ data strategy for long-term planning; standardize the flow of student data
- **Regents’ Policy and Audit Activities (pg. 8):**
 - R262: Enhance coordination of climate survey; expand training and Board oversight in accordance with SB 134 (2019)
 - R508: Work with institutions to review/update the current list of USHE peer institutions
 - R567: Prioritize two to three major audit activities to be performed by the Regents’ Risk Management Committee
 - R743: Revise the Regents’ state-funded capital development prioritization process in accordance with SB 102 (2019)
 - R805: Launch a systemwide women’s leadership mentor program
 - New: Establish a Regents’ policy to formalize high impact practices
 - New: Implement the Regents’ mental health recommendations via the Mental Health Advisory Committee
 - New: Develop a policy on conditional gifts to institutions

Access

Expand College Access Advisors

OCHE Lead: Spencer Jenkins

Primary deliverable(s): Access Advisors in 33 Utah high schools for the 2020-21 school year

Existing Budget	Unidentified funds	Outside funds
\$999,901		

The Board of Regents adopted the Utah College Access Advisors initiative as its keystone initiative in September 2018. The Board has a goal to establish a near-peer college access advisor in every Utah high school by Fall 2022. The first phase of this goal is expanding the existing program from 12 high schools to three new regions across the state in clusters anchored by Dixie State University, Utah Valley University, and Weber State University.

Assess systemwide tuition policies

OCHE Lead: Rich Amon

Primary deliverable: Analysis of USHE tuition/financial aid policies

Existing Budget	Unidentified funds	Outside funds
\$77,584		

The Kem C. Gardner Policy Institute will assess systemwide tuition and student aid policies, evaluate the net value of nonresident students, and consider metrics on affordability. This research will inform the Board of Regents as they consider potential policy modifications and enhancements.

Identify potential changes to state merit aid programs for higher education

Existing Budget	Unidentified funds	Outside funds
\$249,000		

OCHE Lead: Spencer Jenkins

Primary Deliverable(s): Implement current changes to Regents’/New Century Scholarships, identify policy and legislative strategies for 2020 legislative session

Engage with USHE financial aid leaders, K-12 leadership (the Utah State Board of Education, superintendents, legislators, and the Governor’s Office to develop a long-term strategy for state merit aid programs (Regents’ and New Century Scholarships). Coordinate multi-agency legislative support for any legislative action for the 2020 legislative session. Implement current operational adjustments resulting from HB 260 (2019).

Convene a K-20 Summit on the transition from high school to college

Existing Budget	Unidentified funds	Outside funds
	\$21,000	

OCHE Lead: Melanie Heath

Primary Deliverable(s): Establish annual event to marshal stakeholder support for Regents’ priorities related to students making the transition from high school to college

USHE participates in a myriad of activities pertaining to how high school students make the transition from high school to college. These activities include Concurrent Enrollment, Competency-based Education, the college access advisors, state scholarships, and more. This event will help the Board take a leading role in raising the visibility of high priority issues, and work with state stakeholders to develop both long-term strategies and immediate policy/legislative goals in concert with other leaders. It is anticipated this would be held in conjunction with the November Board of Regents meeting in advance of the 2020 legislative session. For 2019, this would be combined with the Board of Regents 50th anniversary dinner. Implementation depends on identifying the necessary funds.

Transfer/Completion

Establish Regents’ Transfer Council

Existing Budget	Unidentified funds	Outside funds
\$20,000		

OCHE Lead: Liz Hitch

Primary Deliverable(s): Establish a Regents’-led council and identify supporting policy to oversee systemwide transfer strategies

The council will oversee the assessment of the current state of transfer within the Utah System of Higher Education, implementation of a web-based statewide transfer tool, implementation of transfer-friendly articulation and pathway strategies through the long-standing majors meetings facilitated by the Commissioner’s Office, implementation of current statutory obligations (e.g. HB 45 and SB 91 from 2019), and identify future policy and legislative issues. Emerging models of postsecondary education like Prior Learning Assessment, Competency-based Education, micro-credentialing, etc., require a statewide framework that is based on data-driven policies and enables the seamless and informed transfer of credit.

Develop a statewide framework for prior learning assessment

OCHE Lead: Liz Hitch

Primary Deliverable(s): Statewide plan, timeline, and necessary policies for awarding credit earned through prior learning

In 2018, the Board of Regents began assessing existing policy intended to ensure the seamless and informed transfer of college credit, including credit earned through prior learning experience (PLE), also known as prior learning assessment (PLA). HB 45 (2019) buttresses those efforts by requiring the Board to establish a plan to facilitate seamless transfer of credit earned through PLA by November 2019. The plan must identify minimum standards for awarding credit, transcription, how PLA policies are communicated to students, training requirements, and technology tools. Statute also requires that by May 2020, institutions report the steps they will take to implement the statewide plan to the Board.

Increase transparency of credit transfer and articulation between institutions

OCHE lead: Liz Hitch

Primary Deliverable(s): Web tool that more clearly provides information on the transfer and articulation of college credit between USHE institutions

USHE has licensed a product since 2011 with basic functionality for transfer. In 2019, USHE seeks a more robust version of a transfer and articulation tool similar to what several other states have successfully adopted in recent years. This web-based, student-facing tool will streamline course credit equivalency and academic program articulation data from multiple-campus student-information systems into a single system. The tool will also enhance transparency as students gain greater access to information on credit transfer. Implementation depends on identifying the necessary funds.

Existing Budget	Unidentified funds	Outside funds
	\$350,000	

Increase equity in Concurrent Enrollment via general education and pathways

OCHE Lead: Liz Hitch

Primary deliverable(s): A long-term plan with policy and legislative changes to fund program growth and initiatives that promote timely completion of a 1-, 2-, or 4-year award and engage underserved populations.

Concurrent Enrollment Utah serves more than 36,000 students who earn upwards of 250,000 credit hours annually. Roughly half of the public high school graduating class takes at least one CE course. While CE benefits a growing number of Utah students each year, both academically and financially, there is evidence that the program does not serve all students equitably. Enrollment among low-income students and students of color does not mirror the composition of student populations in the high schools participating in the CE program. However, 50% of low-income students who take CE enroll in college, compared to 23% of low-income students who do not take a CE course.

Existing Budget	Unidentified funds	Outside funds
\$120,000		

Strategic Communications

Complete USHE rebrand and website redesign

OCHE lead: Melanie Heath

Primary Deliverable(s): Updated USHE brand with an accompanying website that better showcases the work of the Board of Regents

Existing Budget	Unidentified funds	Outside funds
\$27,000		

By creating a modern and updated brand and website, the Board of Regents will have the opportunity to build greater awareness of the benefits of higher education, the role and value-add of the Board of Regents, and the Board's statewide initiatives among stakeholders. This initiative was identified in 2018 as part of the Board's strategic communications objectives.

Develop and implement a statewide advocacy plan for higher education in partnership with USHE institutions

OCHE lead: Melanie Heath

Primary Deliverable(s): An ongoing, coordinated advocacy effort on the value of higher education

Existing Budget	Unidentified funds	Institution funds
	\$160,000	\$87,000

The perception of higher education, both nationally and statewide, has been on the decline in recent years, with a negative national dialogue around the value of higher education, student debt, "degrees to nowhere," and free speech on campus permeating into Utah. To tackle these issues head-on, to change the narrative for key audiences, and to lay the groundwork for better collaboration among institutional legislative representatives/communications directors in preparation for the 2020 rollout of a state attainment goal, the Commissioner's Office will work with USHE institutions on a collaborative strategy to advocate for higher education statewide. This includes the adoption of a common platform to coordinate localized messaging alongside institutional messaging. Coordinated messages include campus safety, the economic value of college, access to college, outcomes of graduates, etc. Implementation depends on identifying necessary funds.

Transition StepUp online and programs to Higher Education to UtahFutures

OCHE lead: Melanie Heath

Primary Deliverable(s): Transfer of online and printed K-12 outreach materials (StepUp to Higher Education) to UtahFutures

Existing Budget	Unidentified funds	Outside funds
\$185,000		

This transition gives Utahns a single platform for college and career information, simplifies the Utah postsecondary counseling and guidance landscape, focuses the communications resources of the Commissioner's Office, and avoids duplication of efforts with other state-level entities. This includes a transition of existing printed outreach materials and digital content, as well as statewide messaging on state aid programs and scholarships. StepUp to Higher Education activities (USHE Counselor Conference, Utah College Application Week, etc.) will continue in FY20. However, the constellation of outreach activities will be assessed for future success and viability for FY21 and beyond.

Hold 50th anniversary celebration

OCHE lead: Melanie Heath

Primary Deliverable(s): An evening event

commemorating the 50th anniversary of the Board of Regents (in conjunction with scheduled November Board meeting at K-20 Summit)

Existing Budget	Unidentified funds	Sponsorships
		\$75,000

The K-20 Summit will also include a dinner celebrating the 50th anniversary of the Board of Regents. The summit, including the dinner, will set the tone for the Board of Regents around several areas of focus, will celebrate the historic anniversary of the Board, and will help the Board show leadership for their efforts across state agencies. Current tentative dates: November 14-15. Implementation depends on identifying necessary funds.

Establish an updated attainment goal by 2020

OCHE lead: Carrie Mayne

Primary Deliverable(s): Long-term postsecondary goal to anchor statewide planning and messaging for postsecondary education

The Board of Regents established an attainment goal in 2011 and mandated several efforts in support of that goal (15-to-Finish, Completion, etc.). The Commissioner’s Office staff will work with the Board in developing a new attainment effort for launch in 2020.

Workforce

Enhance access to earnings and employment data for planning and prioritization

OCHE lead: Carrie Mayne

Primary Deliverable(s): Improved data reporting on the impact of postsecondary education in the economy

This effort will result in improved data that highlights USHE graduates’ earnings in the workforce and contributions to the regional, state, and national economy. Data will better communicate to students, parents, and high school counselors the personal return on investment that will result from increased degree attainment. The enhanced data system will provide a more comprehensive measure of success for USHE institutions in preparing students for the current workforce by capturing placements anywhere in the nation.

Deepen partnerships with Talent Ready Utah Board and other state workforce organizations

OCHE lead: Carrie Mayne

Primary Deliverable(s): Increased engagement on specific programs with Talent Ready Utah

Existing Budget	Unidentified funds	Outside funds
\$24,000		

Engage the Talent Ready Utah organization in the Governor’s Office of Economic Development by establishing a Promise Partner program with employer partners in conjunction with the Utah Access Promise Scholarship and establish ongoing support from industry to College Access Advisors.

Coordinate with institutional economic development leads

OCHE lead: Carrie Mayne

Primary Deliverable(s): More informed institutional economic development input to the Board

Establish a group of institutional economic leads similar to other consortia groups convened by Commissioner's staff (e.g., Business VPs, Financial Aid Directors, legislative representatives). These institutional economic development leads have not met together to date. Convening this group will provide greater insight into institutional economic development strategies and ways they can be supported and enhanced through systemwide collaboration.

Cost/Operational Efficiency

Improve cost efficiency of IT activities and shared services

OCHE lead: Rich Amon

Primary Deliverable(s): Increase USHE CIO engagement in pursuing cost-efficient shared services, clarify USHE CIO role in support of Commissioner's Office and Board

As the Commissioner's Office seeks potential efficiencies and cost savings across USHE institutions, the USHE CIO can be an important catalyst in identifying opportunities for leveraging IT resources. The Commissioner's Office does not have the skill set in-house to adequately vet IT-related requirements associated with key Board initiatives, such as a transfer credit articulation tool. A better-defined relationship between the Commissioner's Office and the system's CIO, along with improved engagement of the system CIO in implementing systemwide IT solutions where appropriate, should lead to significant operational savings to institutions and better systemwide functionality.

Review performance funding model for potential policy and legislative action

OCHE lead: Rich Amon

Primary Deliverable(s): In-depth training and discussion at August 1-2 Board meeting with the goal of identifying and advancing policy and legislative changes in the performance funding model

Provide Regents with a training session to review the performance-based funding formula and process. Review performance funding metrics and weights in relation to Regent strategic objectives. Identify potential policy and legislative changes necessary to improve the formula and process.

Develop Regents' data strategy for long-term planning; standardize the flow of student data

OCHE lead: Carrie Mayne

Primary Deliverable(s): Data standardization in anticipation of future integration of core student data systems as institutions migrate to new enterprise resource planning and student information systems.

Lack of data standardization across the institutions creates challenges for current USHE tasks such as measuring systemwide outcomes and tracking students across the system. As the core student data system at almost all USHE institutions faces its end of life, standardization will create a core from which student data can flow seamlessly across the institutions, allowing for more effective academic advising, statewide reporting, transfer student preparation, and workforce planning.

Regents' Policy and Audit

New Policy Activity:

- **R262 Student Safety:** Enhance coordination of climate survey, expand training and Board oversight in accordance with SB 134 (2019)
- **R508 Guidelines for Approving Lists of Comparable Institutions:** Work with institutions to review/update the current list of USHE peer institutions
- **R567 Internal Audit Program:** Prioritize two to three major audit activities to be performed via the Regents' Risk Management Committee
- **R743: Process for Requesting Use of Capital Funding:** Revise to Regents' state-funded capital development prioritization process in accordance with SB 102 (2019)
- **R805 Women and Minorities in Faculty and Administrative Positions:** Launch women's leadership mentor program
- **New:** Establish Regents' policy to formalize high impact practices
- **New:** Implement Regents' mental health recommendations and formally establish Mental Health Advisory Committee
- **New:** Develop policy on conditional gifts to institutions

Internal Audit:

In addition to completing several small audits required by Board of Regents policy and performing other duties, two to three medium- to large-scale audits involving institutions will be completed during 2019. These audits could include the following (each of these areas was cited as "high risk" either by two or more institutions or by the Commissioner's Office):

1. *Campus Security* (1,200 hours)
 - a. Evaluate institution policies and procedures regarding campus security with best practices.
 - b. Review institution protocols for incidents that threaten the safety of students, faculty, and/or staff.
2. *Course/Program Fees* (900 hours) – *in process*
 - a. Determine if institutions:
 - i. Adequately approve course, program, and other non-Regent approved fees.
 - ii. Use course, program, and other non-Regent approved fees for their designated purposes.
3. *Minors on Campus* (900 hours)
 - a. Determine if institutions:
 - i. Established adequate policies to address minors on campus.
 - ii. Follow policies and best practices to ensure the safety of minors on campus.

4. *R805, Women and Minorities in Faculty and Administrative Positions Compliance* (750 hours)
 - a. Determine if institutions:
 - i. Comply with state statute (including UCA 53B-2-106), Board of Regents policies (including R801 and R805), and best practices concerning women and minorities in faculty positions.
5. *Shared Services* (1,200 hours)
 - a. Identify potential areas of reduced overall costs through shared services.
 - b. Compare the level of shared services within USHE with those in similar systems.
 - c. Review the advantages and disadvantages of selected shared services.
6. *Selective Admissions* (750 hours)
 - a. Determine if programs with selective admissions:
 - i. Established adequate admissions criteria to fulfill the individual program's mission.
 - ii. Evaluate admissions applications in accordance with appropriate criteria.
 - iii. Admit students according to established criteria.
 - iv. Established adequate controls to prevent conflicts of interest.
7. *Postsecondary Admissions Baseline and Policy Analysis* (hours TBD)
 - a. Baseline analysis resulting in policy or legislative recommendations including projected cost impact to the Commissioner's Office and institutions to implement best practices and tools.

May 8, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE – Cybersecurity Funding

Issue

In both 2018 and 2019 the Board of Regents included cybersecurity in its budget request to the state legislature. In 2019 the legislature approved intent language that a portion of the Board’s cybersecurity request is funded with unallocated performance-based funding. Although this is helpful it leaves other critical cybersecurity measures still unfunded. The Commissioner has consulted with the presidents and is recommending a significant portion of these identified needs be funded through internal institutional resources. Institutions will report back to the Board on a funding plan to address their cybersecurity needs.

Background

Student information, institutional financial data, hospital records, proprietary research, and employment records require safekeeping. The Board of Regents and USHE institutions take information security seriously. Over the past few years, the Board of Regents and USHE institutions proactively took a number of steps to protect against cyber threats, including:

- *Biennial IT Security Audits.* The Regent Audit Subcommittee of the Board began requiring biennial IT security audits of each USHE institution several years ago, which they review annually.
- *Multi-Factor Authentication.* As required by the Board, over the last year institutions have implemented two-factor authentication.¹
- *Data Breach Insurance.* The Board created policy to require each institution to purchase insurance to cover a “loss or breach of Personally Identifiable Information.”²

As demonstrated in the IT security audits, institutions have made significant strides to protect themselves from cyber threats; however, cybersecurity remains a top system and institutional risk. The Regent Audit Subcommittee and institutional audit committees continue to rank IT security among the highest risks in the system.

In July 2018, the Board of Regents received a briefing in closed session on cybersecurity by Steve Hess,

¹ See Regent policy R432-4.1.3

² Regent policy R432-8

CIO for the system as well as the University of Utah. Recognizing the need to protect the system, institutions, and students from aggressive global cybersecurity threats, and to replace aging USHE IT infrastructure, the Regents prioritized \$7,150,000 for cybersecurity in the 2019 legislative budget request. This included the following items:

- \$500,000 to purchase, install, and maintain next-generation network firewalls
- \$750,000 to purchase, install, and maintain advanced malware endpoint protection
- \$4,900,000 to update edge network equipment to access control and security standards
- \$1,000,000 for salaries, wages, and benefits for IT security personnel

The state legislature recognized the importance of USHE cybersecurity by adopting intent language but did not fund the request (nor have they funded similar system requests in the past). The legislature authorized the Board of Regents to use any unallocated performance funding for cybersecurity needs and left the remainder to be funded from within existing appropriations.

The Commissioner recommends that, as per the legislative intent language, \$1,005,800 in unallocated performance funding for FY 2019-20 be used toward the unfunded cybersecurity request on an ongoing basis for next-generation network firewalls and advanced malware endpoint protection. Institutions do not all currently have this type of comprehensive protection, and the new funding will bring them up to the same standard.

The Commissioner further recommends, after consultation with the Council of Presidents, that each institution create a funding plan to submit to the Board of Regents on how they will allocate internal funds to cover the ongoing replacement of edge network equipment. The network is the first layer of defense against cybersecurity threats, but the USHE wireless and network edge components are dated and cannot maintain newer advanced network security protocols. The components and devices must be replaced on a recurring lifecycle. Institutions identified replacement needs for the edge network as follows and will provide the Commissioner's Office with a plan for funding of these needs by July 1, 2019:

- | | |
|-------------------------------|-------------|
| • University of Utah | \$1,620,000 |
| • Utah State University | \$ 604,000 |
| • Weber State University | \$ 770,000 |
| • Southern Utah University | \$ 161,000 |
| • Snow College | \$ 140,000 |
| • Dixie State University | \$ 216,000 |
| • Utah Valley University | \$ 548,000 |
| • Salt Lake Community College | \$ 807,000 |

These two recommendations will substantially address all but the \$1,000,000 in the USHE budget request for salaries, wages, and benefits of IT security personnel. The Commissioner encourages institutions to consider, where feasible, how to fund these positions, but does not require them to be part of the institutional plans required above.

Commissioner's Recommendation

The Commissioner recommends that the Board approve the \$1,005,800 unallocated portion of performance funding for cybersecurity needs in the system and require USHE institutions to submit a plan to the Commissioner's Office by July 1, 2019, describing how they will address unfunded ongoing cybersecurity needs for the edge network.

David L. Buhler
Commissioner of Higher Education

DLB/KLH/RPA

May 8, 2019

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Regent Policy R262, *Student Safety*

Issue

Senate Bill 134, *Campus Safety Amendments* directs the Board to establish minimum requirements for an institution's campus safety plan, identify resources an institution may use to develop a campus safety training, and report annually to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee on the System's progress toward improving campus safety.

Background

During the 2019 session, the Legislature worked with the Board and the institutions to develop legislation to ensure uniform standards of safety at all system schools. Additionally, the Legislature directed the institutions to develop training on sexual assault awareness and require student organizations to annually provide the training to their members as a requirement for the student organization to receive or maintain official recognition by the institution.

The revisions to R262 include: the minimum required elements for institutions' campus safety plans; a report on efforts related to the institution's increased response in providing services to victims of a covered offense that the institution made in the preceding 18 months, and that the institution expects to make in the upcoming 24 months; and a provision for identifying and sharing safety training curriculum resources among institutions.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the revisions to regent policy R262, *Student Safety*.

David L. Buhler
Commissioner of Higher Education

DLB/GL

R262-1. Purpose: Every student should have a safe environment in which to learn, study and excel. If a student is confronted with violence, harassment, or discrimination, he or she should be treated appropriately in accordance with the law. To that end the Board of Regents and its institutions shall collaborate to comply with all state and federal laws pertaining to sexual misconduct, discrimination and harassment; to train and educate the faculty, staff and students about the laws, policies, prevention strategies and resources addressing sexual misconduct and harassment; and to assess the climate of each campus and the system as a whole.

R262-2. References

- 2.1. Utah Code §53B-1-103 (Powers and Authority of the Board of Regents)
- 2.2. Utah Code §53B-2-106 (Duties and Responsibilities of the President)
- 2.3. [Utah Code §53B-28-301 \(Campus Safety Amendments\)](#)
- 2.4. [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, 20 U.S.C. § 1092\(f\)](#)

R262-3. Responsibilities of the Institutions

- 3.1 Institutions shall establish policies and procedures that comply with state and federal laws pertaining to sexual misconduct, discrimination and harassment, and when practicable, cooperatively establish common, system-wide definitions of terms.
- 3.2 Institutions shall jointly develop and maintain a method to communicate with other institutions regarding students who have been disciplined for serious violations of institutional policies regarding sexual misconduct, sex discrimination and harassment, in accordance with the Family Educational Rights and Privacy Act.
- 3.3 Institutions shall conduct a climate survey of students every two years. Although institutions may tailor the climate survey questions to address individual areas of concern, all institutions shall collaborate with the Commissioner's office to develop common questions for all campuses that may be used to assess the climate of the entire system and among the institutions.
- 3.4 Institutions shall develop and conduct training for faculty, staff, and students about the laws, policies, prevention strategies and resources regarding sexual misconduct, harassment and discrimination.
- 3.5 Institutions shall coordinate with each other and the Board of Regents to comply with sex discrimination and harassment laws by supporting activities of the Board of Regents described in R262-4.
- 3.6. [Institutions shall develop campus safety plans that includes the following minimum elements:](#)

3.6.1. Instructions on where an individual can locate the institution's policies and publications related to claims of sexual misconduct, which includes sexual assault, domestic and dating violence, sexual harassment, and stalking.

3.6.2. Institution and community resources for a victim of sexual misconduct.

3.6.3. The rights of a victim of a sexual misconduct, including the measures the institution takes to ensure, unless otherwise provided by law, victim confidentiality throughout all steps in the reporting and response to a covered offense.

3.6.4. How the institution informs the campus community of a crime that presents a threat to the campus community.

3.6.5. Availability, locations, and methods for requesting assistance of security personnel on the institution's campus.

3.6.6. Guidance on how a student may contact law enforcement for incidents that occur off campus.

3.6.7. A description of the efforts that the institution made in the preceding 18 months and expects to make in the upcoming 24 months to improve campus safety measures, including efforts to improve the institution's response to allegations of sexual misconduct and increased and/or improved services to victims of sexual misconduct.

3.6.8. A description of coordination and communication between institution resources and organizations, including campus law enforcement.

3.6.9. A description of the institution's coordination with local law enforcement or community resources, including coordination related to a student's safety at an off-campus location.

3.6.10. How the institution requires a student organization to provide the campus safety training as required by Utah Code Section 53B-28-301(5).

3.7. Institutions may combine their campus safety plan with their Annual Security Report (ASR) required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, 20 U.S.C. § 1092(f), provided the institution's ASR contains all of the elements specified in 3.6 above.

3.8. Institutions shall annually provide the Board of Regents updated campus safety plans by October 1.

R262-4. Responsibilities of the Board of Regents

4.1. The Board of Regents shall provide opportunities for the institutions' Title IX officers to meet with each other and the Commissioner's staff—at least annually—to coordinate efforts, review changes to the law, identify best practices, review the institutions' policies and practices, and provide opportunities for consultation.

4.2 The Board of Regents shall provide training opportunities for Title IX officers and other individuals at the institutions who investigate alleged violations of the institutions' sexual misconduct, discrimination and harassment policies. The training shall cover areas required by law and other best practices.

4.3 The Board of Regents shall provide annual training opportunities for individuals who conduct disciplinary proceedings, including hearing committees, that address violations of the institutions' Title IX policies. The training will cover areas required by law and other best practices.

4.4 The Board of Regents shall assist institutions to enter into memorandums of understanding with local law enforcement agencies—as allowed by applicable law—to share information, coordinate investigations, and otherwise collaborate to protect students' safety.

4.5 The Board of Regents shall assist the institutions to identify strategies for preventing sexual harassment, sexual violence, domestic violence, dating violence, and stalking, including outreach and educational activities for students, staff and faculty.

4.6 The Board of Regents shall provide the institutions with other resources and opportunities to help institutions comply with sexual misconduct, discrimination and harassment laws.

4.7. The Board of Regents shall identify and provide resources that institutions may use to develop campus safety training curricula.

4.8 The Board of Regents shall report annually to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee, at or before the committees' November meetings, system efforts to increase student safety under this policy, including each institution's campus safety plans.

R262-1. Purpose: Every student should have a safe environment in which to learn, study and excel. If a student is confronted with violence, harassment, or discrimination, he or she should be treated appropriately in accordance with the law. To that end the Board of Regents and its institutions shall collaborate to comply with all state and federal laws pertaining to sexual misconduct, discrimination and harassment; to train and educate the faculty, staff and students about the laws, policies, prevention strategies and resources addressing sexual misconduct and harassment; and to assess the climate of each campus and the system as a whole.

R262-2. References

- 2.1. Utah Code §53B-1-103 (Powers and Authority of the Board of Regents)
- 2.2. Utah Code §53B-2-106 (Duties and Responsibilities of the President)
- 2.3. Utah Code §53B-28-301 (Campus Safety Amendments)
- 2.4. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, 20 U.S.C. § 1092(f)

R262-3. Responsibilities of the Institutions

- 3.1. Institutions shall establish policies and procedures that comply with state and federal laws pertaining to sexual misconduct, discrimination and harassment, and when practicable, cooperatively establish common, system-wide definitions of terms.
- 3.2. Institutions shall jointly develop and maintain a method to communicate with other institutions regarding students who have been disciplined for serious violations of institutional policies regarding sexual misconduct, sex discrimination and harassment, in accordance with the Family Educational Rights and Privacy Act.
- 3.3. Institutions shall conduct a climate survey of students every two years. Although institutions may tailor the climate survey questions to address individual areas of concern, all institutions shall collaborate with the Commissioner's office to develop common questions for all campuses that may be used to assess the climate of the entire system and among the institutions.
- 3.4. Institutions shall develop and conduct training for faculty, staff, and students about the laws, policies, prevention strategies and resources regarding sexual misconduct, harassment and discrimination.
- 3.5. Institutions shall coordinate with each other and the Board of Regents to comply with sex discrimination and harassment laws by supporting activities of the Board of Regents described in R262-4.
- 3.6. Institutions shall develop campus safety plans that includes the following minimum elements:

- 3.6.1. Instructions on where an individual can locate the institution's policies and publications related to claims of sexual misconduct, which includes sexual assault, domestic and dating violence, sexual harassment, and stalking.
- 3.6.2. Institution and community resources for a victim of sexual misconduct.
- 3.6.3. The rights of a victim of a sexual misconduct, including the measures the institution takes to ensure, unless otherwise provided by law, victim confidentiality throughout all steps in the reporting and response to a covered offense.
- 3.6.4. How the institution informs the campus community of a crime that presents a threat to the campus community.
- 3.6.5. Availability, locations, and methods for requesting assistance of security personnel on the institution's campus.
- 3.6.6. Guidance on how a student may contact law enforcement for incidents that occur off campus.
- 3.6.7. A description of the efforts that the institution made in the preceding 18 months and expects to make in the upcoming 24 months to improve campus safety measures, including efforts to improve the institution's response to allegations of sexual misconduct and increased and/or improved services to victims of sexual misconduct.
- 3.6.8. A description of coordination and communication between institution resources and organizations, including campus law enforcement.
- 3.6.9. A description of the institution's coordination with local law enforcement or community resources, including coordination related to a student's safety at an off-campus location.
- 3.6.10. How the institution requires a student organization to provide the campus safety training as required by Utah Code Section 53B-28-301(5).

3.7. Institutions may combine their campus safety plan with their Annual Security Report (ASR) required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, 20 U.S.C. § 1092(f), provided the institution's ASR contains all of the elements specified in 3.6 above.

3.8. Institutions shall annually provide the Board of Regents updated campus safety plans by October 1.

R262-4. Responsibilities of the Board of Regents

4.1. The Board of Regents shall provide opportunities for the institutions' Title IX officers to meet with each other and the Commissioner's staff—at least annually—to coordinate efforts, review changes to the law, identify best practices, review the institutions' policies and practices, and provide opportunities for consultation.

4.2. The Board of Regents shall provide training opportunities for Title IX officers and other individuals at the institutions who investigate alleged violations of the institutions' sexual misconduct, discrimination and harassment policies. The training shall cover areas required by law and other best practices.

4.3 The Board of Regents shall provide annual training opportunities for individuals who conduct disciplinary proceedings, including hearing committees that address violations of the institutions' Title IX policies. The training will cover areas required by law and other best practices.

4.4 The Board of Regents shall assist institutions to enter into memorandums of understanding with local law enforcement agencies—as allowed by applicable law—to share information, coordinate investigations, and otherwise collaborate to protect students' safety.

4.5 The Board of Regents shall assist the institutions to identify strategies for preventing sexual harassment, sexual violence, domestic violence, dating violence, and stalking, including outreach and educational activities for students, staff and faculty.

4.6 The Board of Regents shall provide the institutions with other resources and opportunities to help institutions comply with sexual misconduct, discrimination and harassment laws.

4.7. The Board of Regents shall identify and provide resources that institutions may use to develop campus safety training curricula.

4.8 The Board of Regents shall report annually to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee, at or before the committees' November meetings, system efforts to increase student safety under this policy, including each institution's campus safety plans.