Action: Trustee Alder moved in accordance with 52-4-205 of the Utah Code, that the Trustees go into a Closed Session for the sole purpose of discussing the character, professional competence, or physical or mental health of individuals, pending or reasonably imminent litigation, and the
possible sale of real property. Trustee Niederhauser seconded the motion. The voting was unanimous in the affirmative.

Chair Burnett reopened the Regular Meeting at 2:12 p.m., thanking those present for their attendance.

I. STRATEGIC AGENDA

A. Presidential Priorities – Noelle E. Cockett, President (Appendix A)

President Cockett presented her list of priorities a year ago to the members of the Board of Regents who meet to evaluate her. She thought it important to share the priorities with the Board of Trustees. The Marketing and Communications Office has printed the priorities on a card and organized a State of the University presentation to be held on October 2, 2019. President Cockett will present her priorities to the public at that meeting.

The first priority listed is “Student success, including experiential learning.” The term “experiential learning” includes all the experiences students have outside the classroom.

The second priority is “Access to post-secondary education for underserved populations and communities across Utah.” The term “post-secondary” refers to education after high school. President Cockett believes that a land-grant institution is one of the best locations for students to receive a post-secondary education. She wants to focus on families who do not have college attendance in their background – meaning that no ancestors or siblings have attended college. This is different from a first-generation student which is defined as a student whose parents or guardians did not graduate from college. These underserved populations exist all across the state of Utah.

The third priority is “Strengthen USU’s trajectory of research distinction.” Research is the second pillar of a land-grant institution.

The fourth priority is “Communicate and develop USU’s excellence in water, land and air research.” President Cockett feels that all research programs can be tracked back or grounded in water, land or air.

The fifth priority is “Expand outreach to Utah citizens in the areas of health and well-being.” President Cockett said this outreach is not simply Extension services. She would like to expand health and well-being training to fulfill the many needs in the state.

The sixth priority is “Increase diversity of students, faculty and staff.”

The seventh priority is “Promote inclusiveness and respect across the USU community.” President Cockett said she gets emails from people who are offended by something that someone at USU has said. She said the values of inclusion and respect will elevate the university’s reputation.

The eighth priority is “Facilitate student and faculty entrepreneurship.” President Cockett said Utah’s history is grounded on entrepreneurship and is stronger here than any place she has been. She attributes this to a pioneering spirit, strong agricultural background
and the need to provide for families while keeping ideals strong. The Center for Entrepreneurship is housed in the Huntsman School of Business but is available to all students and faculty.

The ninth priority is “Launch USU’s second fundraising capital campaign.” Vice President White has stated that he would rather start a campaign with many priority areas rather than only one single goal of more money for the university. President Cockett plans to announce the capital campaign in about 18 months. The restructuring of the USU Foundation Board, training and investments have been done with this capital campaign in mind.

The tenth and last priority is “Continue to compete in the upper echelon of the Mountain West Conference.” President Cockett feels that USU is exactly in the right athletic conference. She does not aspire to see USU in another conference. The Mountain West Conference challenges USU and has a similar direction to the university. President Cockett acknowledged USU’s successes already in the conference and added that USU needs to continue to be competitive.

Several Trustees expressed their preference that President Cockett set measurable goals for each of her priorities. The priorities may be viewed as a process but there is value in being able to measure President Cockett’s success by the accomplishment of goals. She will provide measurable goals in the future. The Trustees expressed their desire to help President Cockett accomplish her goals as president of USU. They would like to look at the goals periodically to measure the rate of success.

Trustee Cannon Alder suggested that the date at the bottom of the handout tends to indicate that these priorities are only for the 2019-2020 fiscal year. She suggested removing the date so no one will make the interpretation that these priorities will change every year.

B. Risk Assessment – Noelle E. Cockett, President (Appendix B)

President Cockett stated that the requirement for each university in the state to identify their risks and develop mitigation plans was given by the Board of Regents. Chief Audit Executive Jodi Bailey and her staff worked hard to perform a risk analysis from the ground up. Each vice president unit identified their risks.

The Board of Regents’ Audit Committee anticipated the risk analysis to be done on a university level to include university-wide risks. USU’s risk analysis was then taken to the President’s Executive Committee which identified university-wide areas that need some attention or discussion on how USU is moving forward to reduce risk or to become aware of risk possibilities. Any issues that USU truly can do nothing about were not included on the list. USU’s list was compared to the Utah System of Higher Education (USHE) list as well as similar land-grant institutions across the nation. The USHE list had some differences because of the different missions of the eight USHE institutions. USU identified eight areas of risk and included them in a table along with the areas in which each risk may be a concern and the senior administrator who would “own” that risk.

The risks are not listed in any particular order and include all the risk areas that vice presidents had included on their lists. President Cockett will re-assess these risks each
year to see how USU is improving. She will also use these risks as guidelines when talking to vice presidents about funding requests to determine if the requested funds would help reduce risk.

Vice President McKinney stated that the risk analysis followed the enterprise risk management process. For example, USU has put a lot of resources into cyber security. Security risks are constantly changing and USU must constantly adjust the system. Even with mitigation systems in place USU is still under a threat of a cyber attack.

Chair Burnett explained that in an effort to help with this process, the Trustees’ Audit Committee was expanded to be the Audit, Risk and Compliance Committee.

President Cockett said the senior administrator risk owner would have the responsibility to evaluate risk, to oversee a mitigation plan, and to call together the right team to assess USU’s weaknesses including similar risks at all of the statewide campuses. For example, she looked at the area of campus safety and wondered if everyone had been trained, does USU have an exit plan for a major crisis, is Code Blue working, etc. The Chief of Police would call the right people together to check on these risks and to come up with a mitigation plan. They would assess areas to find USU’s weakness. This committee would need to figure out how students need to respond to an emergency, then develop a training module and determine how and how often to deliver it to students.

At the bottom of the handout is listed the members of the Senior Risk Management Committee. The Senior Administrator Risk Owner would bring the committee’s mitigation plan to the Senior Risk Management Committee for guidance and this committee would in turn report to the Trustees’ Audit, Risk and Compliance Committee. The Audit, Risk and Compliance Committee will report on the reduction of university risk to the Board of Trustees.

When the concern of mission creep within the USHE institutions was mentioned, President Cockett suggested that the Board of Trustees may want to do a risk assessment to present to the Board of Regents and this risk assessment could include issues of institutional risks such as mission creep. Several trustees suggested other possible risks such as institutional reputation, online programs and data privacy.

Trustee Niederhauser suggested reviewing policies to make sure they mitigate potential risks, then periodically review these policies and update them as needs change. Risk assessment will be a continuing process that will need to change as new risks arise.

C. Legal Training – Mica McKinney, Vice President for Legal Affairs and General Counsel (Appendix C)

Vice President McKinney explained that the Board of Trustees members need to receive annual training on several legal issues. The Government Records Access and Management Act (GRAMA) is grounded in two rights: (1) the public’s right of access to information concerning the conduct of the public’s business, and (2) the right of privacy in relation to personal data gathered by government entities. This act requires USU as a government entity to retain government records in accordance with the university’s approved retention schedules and to provide copies of or permit access to public records.
in its possession upon written request.

GRAMA disclosure requirements apply to government entities and not individuals. As a member of the USU Board of Trustees, members could receive GRAMA requests. Any GRAMA requests received by individual members of the Board should be forwarded to the Legal Affairs Office. Records that Trustees create or receive in the course of their work as Trustees are government records and subject to GRAMA with the exception of Trustee’s notes and daily calendars created for personal use, temporary drafts prepared for personal use, and junk mail or commercial publications received in the course of the Trustee’s work. Vice President McKinney suggested that any records created by Trustees that are subject to GRAMA should be forwarded to the Board of Trustees Office staff who will file them and determine the appropriate retention schedule.

Under the Utah Open and Public Meeting Act, the Board of Trustees is required to hold open meetings; however, in appropriate circumstances, the Board may close part of an open meeting to discuss certain statutorily designated topics. A “meeting” is defined as any meeting, other than a chance meeting, in which a quorum (simple majority) of the Board convenes to discuss, receive comments about, or act upon a subject over which the Board has jurisdiction. Meetings include workshops and executive sessions. Appropriate topics to discuss during a closed meeting include: discussions about individuals; strategy sessions about pending or reasonably imminent litigation; discussions regarding acquiring real property; discussions regarding sale of real property; discussions of deployment of security personnel, devices or systems; and discussions of investigative proceedings regarding allegations of criminal conduct. Although Trustees may discuss certain topics in a closed meeting, any actual votes or decisions must be made in an open meeting. All closed sessions are recorded in case of a dispute.

Members of the Board of Trustees are public employees and subject to the Public Employee Act. The state auditor’s office created a table outlining duties under the Ethics Act. A Public Officer’s Disclosure Statement will need to be filled out by each trustee and notarized. Trustees only need to disclose business activities specific to USU.

The USU Office of Equity prepared the 2019 USU Sexual Misconduct Survey Data Report which was distributed to each trustee for their review.

II. CHAIR’S REPORT

A. Oaths of Office

New trustees David A. Petersen and Terryl Warner were welcomed and given the oath of office by Chair Burnett.

B. Executive Committee Action

1. Minutes from the Executive Committee Special Teleconference held on August 28, 2019

Following the last meeting of the Board of Trustees on August 16, 2019, an
opportunity requiring Board of Regents’ approval arose allowing USU to take advantage of reduced interest rates to refund bonds for a significant savings. Since the Board of Regents was meeting soon, Chair Burnett called an Executive Committee meeting to approve that item.

C. Alumni Association Report

1. Alumni Giving

Trustee Cannon Alder stated that USU, under the direction of Vice President Matt White, is trying to align with national best standards. Only 4% of alumni are giving annually to USU which is down from the national average of 10%. The Alumni Association working with the Vice President for Advancement Office has deemed today a university-wide day of giving. The goal is to get 3,000 individuals to make a donation. This effort will set a benchmark to grow from next year. Units across the university have identified specific goals and are working to improve that donation pool.

2. Homecoming Weekend

As part of the Year of the Woman, all homecoming awards this year will be given to women. The Homecoming Parade Grand Marshals are former USU first ladies: Billie Emert, Phyllis Hall, and Joyce Albrecht. The Alumna of the Year is Becky Andrews and the Young Alumna of the Year is Theresa Foxley. The Aggie Family Reunion will be held tonight from 6:00-8:00 p.m. in downtown Logan. Tomorrow’s breakfast will recognize all the homecoming honorees. Trustees are encouraged to participate in homecoming activities as much as they can.

III. PRESIDENT’S REPORT

A. Information Items

1. Student Commendation – Mariah Wildman (Appendix D)

Trustee Ahmed presented the student commendation to Mariah Wildman. Mariah is a senior majoring in math and a member of the USU Spirit Squad. She is continuing the Aggie tradition following the examples of her parents and grandparents who all attended USU. Mariah embodies core USU qualities of focus, integrity, reliability, and trust. Mariah is also a valued member of the Math Ed Club, National Honor Society, and the Student Life Advisory Council. She is a shining example to all around her.

2. Capital Facilities Request Update

President Cockett presented USU’s capital facilities request to the Board of Regents at their last meeting requesting funding for the Mehdi Heravi Global Teaching and Learning Center. The Utah System of Higher Education will send three projects forward to the Building Board. USU’s project was ranked third by the Board of Regents. President Cockett will make a presentation to the Building Board
on October 2, 2019, along with the other two USHE projects and building requests from other state agencies. The Building Board will rank the presentations and send their priority list to the legislature.

3. **Enrollment Report** (Appendix E)

Vice President Robert Wagner and Director Michael Torrens presented the Fall 2019 Enrollments Summary. Vice President Wagner explained that Fall 2019 overall enrollment is down 0.4% and the full-time equivalent (FTE) is down 1.3%. Full-time equivalent or FTE is defined as 15 credits equaling 1 FTE. There may be one student or several students making up those 15 credits so this is not equivalent to a headcount.

First-time freshmen is up on the Logan campus by 1.4% but down at USU Eastern by 12%. Graduate student enrollment is up 3% overall and up 7.2% on the Logan campus. New graduate students increased by 7.9% on the Logan campus. Hispanic student enrollment is up 7% on the Logan campus and 7.6% overall. Enrollment of students who declare two or more races is up 10% on the Logan campus and up 18% overall. Online FTEs is up 8.9%.

Possible explanations for the decline in enrollment were discussed. Returning student enrollment is down 14.4% because the missionary-age-change bump has ended. After The Church of Jesus Christ of Latter-day Saints lowered the eligibility age for missionary service, student enrollment decreased until those students returned from their missions and enrollment suddenly increased. USU enrollment is now declining because those returned missionaries are graduating. Continuing student enrollment is down 2.8% because USU is graduating students at a faster rate. Transfer student enrollment is down 6.4% due to increased competition from other USHE institutions. New freshmen at USU Eastern is down 12% but continuing student enrollment is up at USU Eastern which is possible evidence of improved retention and students moving from a two-year institution to a four-year institution. Many more students are taking 15+ credits per semester which resulted in a 15% increase in bachelor's degree awards last May.

Further research by Director Torrens shows that USU's enrollments have actually risen 2% over the last seven years. In that same period, degree awards increased 54%. A full load is defined at 15 credits and a student taking 15 credits per semester can graduate in four years.

Since 2013, USU students are taking 15+ credits more. With the implementation of the plateau tuition in 2015, students are taking more credits but paying less tuition. Online courses were recently included in plateau tuition resulting in students previously taking 5-6 years to graduate and now graduating in 4-5 years. Freshman students responded more dramatically to the plateau tuition. Senior students did not respond as well due to a variety of reasons; i.e., married, working, or finishing programs and not needing as many credits to complete their programs.

The Board of Regents is using graduation and retention rates to evaluate institutional success. USU’s rate in these areas in 2015 was 61%, in 2016 was 61%, in 2017 was 61% and in 2018 was 71%. Utah’s average for the amount of
time students take to graduate is eight years of study. When looking at the retention rate where freshman return for their sophomore year, USU’s average for 2014-2017 was 71.5% and in 2018 it was 72.9%. President Cockett pointed out that USU’s target for 2018 which was presented to USHE was 72.6% and USU exceeded that target.

The graphs also show students taking 15+ student credit hours (SCH), total USU headcount, statewide campuses FTE, and USU Eastern FTE number comparisons.

Previously, the Board of Trustees approved the creation of the Center for Student Analytics. This Center produced its first issue, Student Insights Report for Fall 2019, which was distributed to Trustees.

B. Recent Events

1. Aggie Caravan Event – Aggie Family Fun Day – August 17, 2019
2. Remarks at USU Connection Luminary – August 23, 2019
3. Remarks at Year of the Woman Reception, President’s Home – August 26, 2019
4. Welcome Remarks at Luncheon with Congressman Bishop Staff – August 28, 2019
5. Football – USU at Wake Forest – August 30, 2019
6. Council of Presidents – Salt Lake City, September 3, 2019
7. Huntsman Cancer Foundation 2019 Annual Gala – Salt Lake City, September 5, 2019
8. Huntsman School of Business Leadership Forum Panel – September 6, 2019
9. Aggie Auction 2019 – September 6, 2019
10. Football – Stony Brook at USU, September 7, 2019
11. Remarks and Co-host A.C. Woman’s Luncheon, President’s Home – September 9, 2019
12. Welcome/Remarks at Athletic Fall Staff Meeting – September 10, 2019
13. Speak to USUSA Executive Committee – September 10, 2019
14. Board of Regents at Utah State University – September 12-13, 2019
15. Regence Blue Cross Blue Shield Western Conference – Seattle, Washington, September 15-18, 2019
16. Football – USU at San Diego State – September 21, 2019
17. Welcome Remarks at Association of Public Land-Grant Universities Gene Editing Summit Meeting – Washington, D.C., September 23-25, 2019
18. USU Board of Trustees – September 27, 2019
19. Homecoming Aggie Family Reunion – September 27, 2019
20. American Festival Chorus – Suffragettes (part of Year of the Woman) – September 27, 2019

C. Upcoming Events

1. Homecoming Events – September 28, 2019
2. Ag Products BBQ – September 28, 2019
3. Football – Colorado State at USU – September 28, 2019
4. State of the University Address – October 1, 2019
5. Council of Presidents by IVC – October 1, 2019
6. Research Landscapes, Land by Courtney Flint – Salt Lake City, October 1, 2019
7. Welcome Remarks at Cybersecurity Conference – October 3, 2019  
8. Football – USU at Louisiana State – October 5, 2019  
9. Welcome Remarks at Center for Growth and Opportunities Fall Event, President’s Home – October 7, 2019  
10. Salt Lake Chamber Board of Governors – Salt Lake City, October 8, 2019  
11. Utah Sports Hall of Fame Induction Banquet – Salt Lake City, October 14, 2019  
12. Football – Nevada at USU – October 19, 2019  
13. Welcome Remarks at 10th Circuit Court of Appeals Oral Argument Day at USU – October 22, 2019  
14. Football – USU at Air Force – October 26, 2019  
15. Council of Presidents – Salt Lake City, October 29, 2019  
17. Welcome and Greeting at ERC On-Campus Site Visit – October 31, 2019  
18. USU Foundation Board Meetings and Dinner – November 1, 2019  
19. Football – BYU at USU – November 2, 2019  
20. Sunrise Session, Alexis Ault – Salt Lake City, November 5, 2019  
21. Council of Presidents – Salt Lake City, November 5, 2019  
22. Football – USU at Fresno State – November 9, 2019  
23. Association of Public Land-Grant Universities Fall Board of Directors Meeting – San Diego, California, November 10-12, 2019  
24. Board of Regents at Utah Valley University – November 15, 2019  
25. Football – Wyoming at USU – November 16, 2019  
27. Football – Boise at USU – November 23, 2019  
28. Football – USU at University of New Mexico – November 30, 2019  
29. Men’s Basketball – USU at San Jose State – December 4, 2019  
30. Men’s Basketball – Fresno State at USU – December 7, 2019  
31. Salt Lake Chamber Board of Governors – Salt Lake City, October 10, 2019  
32. National Football Foundation Reception and Dinner – New York City, December 10, 2019  
33. Mountain West Board of Directors Meeting – Phoenix, Arizona, December 15-16, 2019  
34. Men’s Basketball – USU at UNLV – January 1, 2020  
36. Council of Presidents – Salt Lake City – January 7, 2020  
37. Northwest Commission on Colleges and Universities Board Meeting – Seattle, Washington, January 7-10, 2020  
39. USU Board of Trustees – January 10, 2020

IV. CONSENT AGENDA

Chair Burnett stated that the Trustees received the following agenda items for review.

A. Minutes from the Regular Meeting held on August 16, 2019

B. Minutes from the Closed Session held on August 16, 2019
C. Minutes from the Workshop held on August 16, 2019

D. Minutes from the Executive Committee Special Teleconference held on August 28, 2019

E. Utah State University Research Foundation Recommends Re-appointment to Research Foundation Board: Susan K. Mashiko [Resolution 19-09-01] (Appendix F)

F. Commencement Speaker [Resolution 19-09-02] (Appendix G)

Action: Trustee Ferry moved to approve the Consent Agenda. Trustee Huntsman seconded the motion. The voting was unanimous in the affirmative.

V. ACTION AGENDA

A. Request to Approve Non-State Funded Capital Development Projects [Resolution 19-09-03] (Appendix H)

Capital development projects that are not seeking state funding include the following:

Central Suites Parking Terrace: The Central Suites is a new housing unit that replaced the Valley View Tower. The second Central Suites building is currently in the design phase and will replace the Mountain View Tower. The proposed parking structure would be adjacent to the Central Suites and primarily used by student residents. A cost comparison is being researched to determine the scope of the building as a 2-, 3-, or 4-story structure.

SDL Building Move: The small building west of the Bennett Research Building, was built by USTAR for a biofuels research team looking into turning algae into biofuel. This project ended and the Biological Engineering Department has been using that building as a project lab housing senior and graduate student projects related to environmental bioengineering research. The Space Dynamics Lab (SDL) is planning to build a new high bay building on this property requiring the current building occupants to relocate and the building itself to be moved. The building will likely be moved to USU-owned property at the former Wuthrich orchard located across the street from the Water Research Lab on Canyon Road. The project is estimated to cost less than $500,000 which would only need the Board of Trustees’ approval and would not need to receive approval from the Board of Regents.

Blanding Campus: The trucking courses and heavy equipment trucking maintenance program are located in an old and inadequate building. This project will construct a new building for the trucking courses and heavy equipment trucking maintenance program along with space for a new welding program.

Equipment Storage Building: A late addition to the agenda is an equipment storage building for the Facilities Department. There are some old storage facilities that need to be removed for other projects and there are a lot of large equipment that does not have cover. This proposal will build an equipment shed to store large equipment to keep them out of the elements. The cost is less than $500,000 and only requires the Board of Trustees’ approval. [Resolution 19-09-04] (Appendix I)
Action: Trustee Alder moved to approve the Non-State Funded Capital Development Projects. Trustee Cannon Alder seconded the motion. The voting was unanimous in the affirmative.

B. Real Property Acquisition [Resolution 19-09-05] (Appendix J)

USU has an opportunity to purchase a building and property on Darwin Avenue where the Morty's Restaurant is located. That building also houses three three-bed, two-bath apartments along with the restaurant. The building is about five years old. The building will continue as a housing unit for the short term and long term will become part of an academic expansion plan which is part of USU's master plan. The property owners are asking $10,000 above the fair market value. After the Board of Trustees' approval, this request will go to the Board of Regents for their approval.

Action: Trustee Ferry moved to approve the Real Property Acquisition. Trustee Huntsman seconded the motion. The voting was unanimous in the affirmative.

C. Refunding of Taxable Research Revenue Bonds, Series 2016 [Resolution 19-09-06] (Appendix K)

The first SDL building with secure labs was bonded in two different pieces. One of those pieces of bonds can save money by refunding right now. The savings surpasses the threshold set by the Board of Regents. It is not a great savings, but it is big enough to be advantageous. SDL’s high bay building and a third lab building have been approved by the legislature and will be going through the process to issue bonds later this year. This particular bond is under the research revenue system and it is proposed that it be rolled into that bond offering to issue a $63M instead of $61M bond.

Action: Trustee Niederhauser moved to approve the Refunding of Taxable Research Revenue Bonds, Series 2016. Trustee Gagon seconded the motion. The voting was unanimous in the affirmative.

VI. INFORMATION AGENDA

In an effort to reduce the amount of information the Trustees must go through when reviewing agendas, items that are strictly informational and don’t need approval will be placed at the end of the agenda under the title “Information Agenda.” The following items were included for the Trustees’ information:

A. Report of Investments for April 2019 (Appendix L)

B. Report of Investments for May 2019 (Appendix M)

C. Report of Investments for June 2019 (Appendix N)

D. USU and USU Eastern Auxiliary and Service Enterprises Annual Reports for FY 2018-19 (Appendix O)
Chair Burnett asked if there were any other items the Trustees would like to discuss before the meeting closed; none were mentioned.

**Action:** Trustee Ahmed made a motion to adjourn the meeting. Trustee Alder seconded the motion; voting was unanimous in the affirmative.

The meeting adjourned at 4.21 p.m.

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Jody K. Burnett, Chair

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Sydney M. Peterson, Secretary
(Minutes taken by Teresa Denton)

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Date Approved