

Utah Valley University Board of Trustees Meeting
October 25, 2018
4:00pm SC 213c

Tab	Agenda	Notes
	<p><u>I. Action</u></p> <p><u>A</u> 1. Academic Program Approval, <i>Jeff Olson, Senior VP Academic Affairs</i> a. Certificate of Completion in General Education b. Minor in Spanish for the Professions, Translation, and Interpreting</p> <p><u>B</u> 2. Policies a. Policy 335 Staff Grievances (Temporary Emergency), <i>Linda Makin, VP PBHR</i> b. Policy 652 Care and Use of Vertebrate Animals in Research & Instruction (Temporary Emergency), <i>Jeff Olson, Senior VP Academic Affairs</i> c. Policy 705 Unmanned Aircraft Systems (Drones), <i>Val Peterson, VP Finance and Administration</i></p> <p><u>C</u> 3. Student Center Remodel and Bond Issuance, <i>Val Peterson, VP Finance and Administration</i></p> <p>4. Student Housing Development, <i>Cameron Martin, VP University Relations</i></p> <p><u>II. Executive Session</u> <i>(To discuss litigation which is pending or reasonably imminent.)</i></p> <p><u>D</u> <u>III. Consent Calendar</u></p> <p>1. Minutes of September 20, 2018</p> <p>2. August 2018 Investment Reports</p> <p>3. 2017-18 Auxiliary & Service Enterprise Report</p> <p><u>IV. Information</u></p> <p>1. Trustee Committee Reports a. Audit Committee, <i>R. Duff Thompson, Chair</i> b. Finance and Facilities, <i>Jack Sunderlage, Chair</i></p> <p>2. Athletics Report, <i>Val Peterson, VP Finance and Administration</i></p> <p>3. President's Report, <i>Dr. Astrid S. Tuminez, President</i></p>	



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 25, 2018
TITLE:	Academic Program Approval
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Jeff Olson, Senior Vice President for Academic Affairs
SUBJECT:	Academic Program Approval
BACKGROUND:	<p>At the recommendation of the Academic Affairs Committee, the Board of Trustees is being asked to approve the following Academic Program additions:</p> <p style="padding-left: 40px;">a. Certificate of Completion in General Education b. Minor in Spanish for the Professions, Translation, and Interpreting</p>
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve the following academic program additions: a. Certificate of Completion in General Education b. Minor in Spanish for the Professions, Translation, and Interpreting.” • Amend and approve, “I move to approve, as amended...” • No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	Available upon request
EXHIBITS:	<p>a. Certificate of Completion in General Education b. Minor in Spanish for the Professions, Translation, and Interpreting</p>

**Utah System of Higher Education
New Academic Program Proposal
Cover/Signature Page—Abbreviated Template**

Institution Submitting Request: Utah Valley University
Proposed Program Title: Certificate of Completion for General Education
Sponsoring School, College, or Division: University College
Sponsoring Academic Department(s) or Unit(s): Student Leadership and Student Success
Classification of Instructional Program Code: 24.0102
Min/Max Credit Hours Required of Full Program: 35
Proposed Beginning Term: Fall 2019
Institutional Board of Trustees' Approval Date:

Program Type:

<input type="checkbox"/>	Certificate of Proficiency	<input type="checkbox"/> Entry-level CTE CP	<input type="checkbox"/> Mid-level CP
<input checked="" type="checkbox"/>	Certificate of Completion		
<input type="checkbox"/>	Minor		
<input type="checkbox"/>	Graduate Certificate		
<input type="checkbox"/>	K-12 Endorsement		
<input type="checkbox"/>	New Emphasis for Regent-Approved Program Credit Hours for NEW Emphasis Only: Current Major CIP: Current Program Title: Current Program BOR Approval Date:		
<input type="checkbox"/>	Out of Service Area Delivery Program		

Chief Academic Officer (or Designee) Signature:

I, the Chief Academic Officer or Designee, certify that all required institutional approvals have been obtained prior to submitting this request to the Office of the Commissioner.

Name:

Date:

Utah System of Higher Education New Academic Program Proposal

Section I: The Request

The Department of Student Leadership and Student Success in the University College at Utah Valley University requests approval to offer a Certificate of Completion in General Education effective Fall 2019.

Section II: Program Proposal/Needs Assessment

Program Description/Rationale

The Certificate of Completion in General Education is comprised of the courses that are required for completion of the general education requirements at Utah Valley University. The purpose of general education at UVU is a shared academic experience that provides students with the opportunity to explore new subjects, intellectual traditions, and perspectives; expands their awareness of the wider world; and prepares them with foundational knowledge, skills, and abilities that are expanded on in their disciplines of study in order to be successful learners and professionals positioned to contribute to their broader communities. When a student completes the requirements for the Certificate of Completion in General Education at UVU, the certificate is accepted at other USHE institutions as completing their General Education requirements.

Utah Valley University has a dual mission to serve the community with educational degrees including; certificates, associate degrees, bachelor's, and master's degrees at the university level. Board of Regents Policy R470 outlines the structure and requirements for general education across the USHE system. According to R470-7.1.2, a student who completes the general education requirements of a USHE institution can request a letter of completion confirming general education completion for USHE transfer partners. This letter of completion, while recognized and accepted within USHE, is not a formal academic award and does not become part of a student's permanent academic record, nor is it recorded on an institutional transcript. As a result, relatively few transfer students at UVU request a letter of completion when they transfer. In order to formalize the completion of the UVU general education requirements with a clear set of identifiable courses already established at UVU and validated for rigor and quality, UVU is requesting a formal transcriptable certificate of completion that can be awarded to any student who has completed UVU's general education requirements. UVU believes that this formal certificate is important for a variety of reasons, including:

1. Completion of general education becomes part of a student's permanent academic record and can be recognized on a transcript and diploma.
2. Students who transfer after completing their general education requirements can be counted as completers instead of non-completers by UVU and USHE.
3. Completion of the CC is visible to employers and may be used for pay increases and other adjustments.

4. Visible completion benchmarks promote student persistence and completion of other degrees.
5. The certificate of completion can provide a tool for Concurrent Enrollment students as they seek to obtain college credits toward future program completion while in high school.

Some level of general education is a requirement of all students enrolled at UVU. Students who complete an Associate of Arts or Science and all bachelor's degrees are required to fill the full general education requirement. All students who complete the general education requirements will be candidates for this certificate to be awarded upon application. In addition, there are 8500 high school students who are taking concurrent enrollment that will be eligible to enter this pathway.

Labor Market Demand

This proposed certificate of completion is not designed to prepare students for specific occupations, however the general education competencies are ones that business and industry list high on their wish list of skills that they want employees to have when completing skill training. The Certificate of Completion in General Education will communicate to business and industry that the student has completed basic competencies in communication, math, human relations, and social interaction.

Consistency with Institutional Mission/Impact on Other USHE Institutions

The mission of UVU is to provide access to higher education opportunities for students as they pursue a wide range of programs from developmental education through honors programs. All certificates and degrees at UVU have a general education requirement. The proposed certificate will give students an opportunity to complete the general education requirements as part of a pathway approach beginning in high school and connecting to certificates and degrees at UVU. The Certificate of Completion in General Education is a way to recognize the formal completion of the general education requirement, will assist the student in pursuing education pathways at UVU. The proposed certificate strengthens to dual mission of the institution in harmony with the role assignment by the Board of Regents.

Finances

Since this proposed Certificate of Completion in General Education is based on UVU's existing general education requirements that students are already enrolled in, and the faculty and staff exist in support of these existing requirements, there will be no ongoing impact on university resources. The proposed certificate will increase the the number of awards thus increasing institutional efficiency. During its initial offering, approximately \$1,000 of one-time funds will be provided by University College to assist in the marketing and communication of this new opportunity.

Section III: Curriculum

Program Curriculum:

Course Number	New Course	Course Title	Credit Hours
General Education Courses			
These courses provide basic skills in logic, math, written and oral communications, health, and fitness.			
ENGL 1010/101H		Introduction to Writing	3
ENGL 2010/201H		Intermediate Writing	3
Complete one of the following:			3
MATH 1030/35		Quantitative Reasoning (3/6)	
STAT 1040/35		Introduction to Statistics (3/5)	
MATH 1050/55		College Algebra (4/5)	
MATH 1090		College Algebra for Business (3)	
Complete the following:			
PHIL 2050/205G/205H		Ethics and Values	3
HLTH 1100 or		Personal Health and Wellness (2)	2
PES 1097		Fitness for Life (2)	
Complete one of the following:			3
POLS 1000		American Heritage (3)	
HIST 2700 and HIST 2710		US History to/since 1877 (6)	
HIST 1700		American Civilization (3)	
HIST 1740		US Economic History (3)	
POLS 1100		American National Government (3)	
Distribution Courses:			
Biology			3
Physical Science			3
Additional Biology or Physical Science			3
Humanities			3
Fine Arts			3
Social/Behavioral Science			3
General Education Subtotal:			35

Program Curriculum Narrative

1. Upon successful completion of this program students should be able to demonstrate basic Mathematic principles.
2. Upon successful completion of this program students should be able to demonstrate basic writing skills.
3. Upon successful completion of this program students should be able to demonstrate basic knowledge of US political system.

Degree Map:

Provide a degree map for proposed program. Degree Maps were approved by the State Board of Regents on July 17, 2014 as a degree completion measure. Degree maps or graduation plans are a suggested semester-by-semester class schedule that includes prefix, number, title, and semester hours.

Fall of First Year (Course Prefix and Number)	Course Title	Credit Hours
ENGL 1010/101H	Introduction to Writing	(3)
MATH 1030	Quantitative Reasoning	(3)
Biology Distribution Course		(3)
POLS 1000	American Heritage	(3)
Fine Arts Distribution Course		(3)
Physical Science Distribution Course		(3)
Spring of First Year (Course Prefix and Number)	Course Title	Credit Hours
ENGL 2010/201H	Intermediate Writing	(3)
PHIL 2050/205G/205H	Ethics and Values	(3)
Humanities Distribution Course		(3)
Social /Behavioral Science Distribution Course		(3)
HLTH 1100	Personal Health and Wellness	(2)

Additional Biology or Physical Science Distribution Course		(3)
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**Utah System of Higher Education
New Academic Program Proposal
Cover/Signature Page—Abbreviated Template**

Institution Submitting Request: Utah Valley University

Proposed Program Title: Minor in Spanish for the Professions, Translation, and Interpreting

Sponsoring School, College, or Division: College of Humanities and Social Sciences

Sponsoring Academic Department(s) or Unit(s): Department of Languages and Cultures

Classification of Instructional Program Code: 16.0103

Min/Max Credit Hours Required of Full Program: 18

Proposed Beginning Term: Fall 2019

Institutional Board of Trustees' Approval Date:

Program Type:

<input type="checkbox"/>	Certificate of Proficiency	<input type="checkbox"/>	Entry-level CTE CP	<input type="checkbox"/>	Mid-level CP
<input type="checkbox"/>	Certificate of Completion				
<input checked="" type="checkbox"/>	Minor				
<input type="checkbox"/>	Graduate Certificate				
<input type="checkbox"/>	K-12 Endorsement				
<input type="checkbox"/>	New Emphasis for Regent-Approved Program Credit Hours for NEW Emphasis Only: Current Major CIP: Current Program Title: Current Program BOR Approval Date:				
<input type="checkbox"/>	Out of Service Area Delivery Program				

Chief Academic Officer (or Designee) Signature:

I, the Chief Academic Officer or Designee, certify that all required institutional approvals have been obtained prior to submitting this request to the Office of the Commissioner.

Name:

Date:

Utah System of Higher Education New Academic Program Proposal

Section I: The Request

The Department of Languages and Cultures in the College of Humanities and Social Sciences at Utah Valley University requests approval to offer a Minor in Spanish for the Professions, Translation, and Interpreting effective Fall 2019.

Section II: Program Proposal/Needs Assessment

Program Description/Rationale

Students in the Minor in Spanish for the Professions, Translation, and Interpreting will become familiar with Spanish terminology and different oral and written documents in Spanish from a variety of professional fields. This minor will also provide students with the opportunity to acquire translation and interpreting skills between Spanish and English.

By implementing a Minor in Spanish for Professions, Translation, and Interpreting, UVU is responding to business and government leaders who foresee that Spanish-speaking countries play a major role in the economic development of Utah. Utah's Governor Office of Economic Development has collaborated with Utah companies interested in growing their global markets by sponsoring trade missions to different countries. Four of the countries visited in the 13 trade missions were Spanish-speaking countries: Mexico, Peru, Colombia, and Panama.¹

In addition, the United States has established Free Trade Agreements (FTAs) with 20 countries to promote business with them. In 11 of those partner countries, Spanish is the official or main language: Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Nicaragua, Guatemala, Honduras, Mexico, Panama, and Peru.² FTAs have a strong impact on Utah's economic growth and employment. For instance, reports by the Utah's Governor Office of Economic Development on Mexico establishes that "since NAFTA was implemented, Utah's sales to Mexico have grown at an annual average rate of 12.6%", turning Mexico into "the eighth largest export market for goods from Utah in the first months of 2013."³ And according to RoundTable, an association of chief executives of leading US companies, "Utah's exports to Chile have increased by 397 percent since the FTA with Chile took effect in 2004."⁴ The proposed program will help to prepare professionals proficient in business and legal terminology, as well as culturally competent professionals who will assist Utah businesses and public offices to succeed in their commercial and diplomatic endeavors with Spanish-speaking countries.

¹ *Utah Governor's Office of Economic Development. Trade Missions.* 15 November 2016. <http://business.utah.gov/international/trade-missions/>

² *Export.gov. Helping US Companies to Export. FTAs.* 12 November 2016. <http://www.export.gov/FTA/index.asp>

³ "Nafta Works for Utah." *Utah Governor's Office of Economic Development. Media.* 14 November 2016. <http://business.utah.gov/international/media/>

⁴ Business Roundtable. "How Utah's Economy Benefits from international Trade & Investment." *Trade Benefits America.* 15 November 2016. http://tradepartnership.com/wp-content/uploads/2015/01/UT_TRADE_2013.pdf

Moreover, there is a need for professionals with language and intercultural skills in Spanish able to work successfully in an intercultural society like the US nowadays. In 2012, 16.9% of the US population was Hispanic;⁵ in Utah, the percentage of Hispanic population in 2014 was 13%.⁶ In 2011, Spanish was the most spoken non-English language in the US with a total 37.6 million people who speak Spanish at home. The next most spoken non-English language, Chinese, has 2.8 million speakers in comparison.⁷ Even when the Hispanic population learns and uses English, businesses see the advantage of offering services to their Spanish-speaking customers in their native language as a way to foster loyalty. Besides that, public agencies provide service in their native language to those Spanish-speaking clients who are not fluent in English so as to guarantee full and equal access to legal, health, education, government, and social services. To fulfill this task with the required quality standards it is necessary to have professional training. The consequences, as stated by the National Association of Judiciary Interpreters & Translators (AJIT), are disastrous, both at an individual level for those affected and at the community level: "The use of untrained and unqualified individuals sets a bad example and sends the wrong message to the public regarding the importance of equal access."⁸ The proposed program will provide students at UVU with the professional training and ethical guidelines needed to efficiently perform as bilingual professionals, translators, and interpreters in a multicultural society.

The proposed Minor in Spanish for the Professions, Translation, and Interpreting will serve a wide variety of students, including Spanish heritage speakers who have learned Spanish at home along with their formal education in English, plus a large number of students returning from LDS missions in Spanish-speaking countries. Besides that, Utah has 80 Dual Immersion schools offering Spanish.⁹ It is likely that these students, who will enter UVU having acquired proficiency in Spanish, will wish to continue studying that language at UVU. For this group of students who have some level of Spanish, Spanish for Specific Purposes courses like Business Spanish, Medical Spanish, or English-Spanish Interpreting are extremely appealing. As Douglas Crouse explains, language courses for specific purposes attract students because of their "focus on helping students discover and practice the types of language they need to meet their specific professional goals."¹⁰ Moreover, the proposed program will attract many majors that see the benefits of adding Spanish language proficiency to their main field of study. It is likely that students in fields like Healthcare, Law, Business, Tourism, and Social Work will enroll in Spanish classes related to their majors due to reasons like those previously described. In this way, the proposed program will become a

⁵ Brown, Anna and Eileen Patten. "Statistical Portrait of Hispanics in the United States, 2012." *Pew Research Center Hispanic Trends*. 29 April 2014. 12 November 2016. <http://www.pewhispanic.org/2014/04/29/statistical-portrait-of-hispanics-in-the-united-states-2012/#change-in-the-hispanic-population-by-state-2000-and-2012>

⁶ Pew Research Center Hispanic Trends. *Demographic Profile of Hispanics in Utah, 2014*. 12 November 2016. <http://www.pewhispanic.org/states/state/ut/>

⁷ Gonzalez-Barrera, Ana and Mark Hugo Lopez. "Spanish is the most spoken non-English language in U.S. homes, even among non-Hispanics." *Pew Research Center Hispanic Trends*. 13 August 2013. 12 November 2016. <http://www.pewresearch.org/fact-tank/2013/08/13/spanish-is-the-most-spoken-non-english-language-in-u-s-homes-even-among-non-hispanics/>

⁸ National Association of Judiciary Interpreters & Translators. "Equal Access as it relates to Interpretation and Translation Services." 15 May 2006. 2 December 2016. <https://najit.org/wp-content/uploads/2016/09/Equal-Access200609.pdf>

⁹ *Utah Dual Language Immersion*. Utah State Board of Education. 13 March 2017. <http://utahdli.org/participatingschools.html>

¹⁰ Crouse, Douglas. "Languages for Specific Purposes at the 21st Century." *ACTFL-The Language Educator*. April 2013. 15 November 2016.

https://www.actfl.org/sites/default/files/pdfs/TLE_pdf/TLE_Apr13_Article.pdf

powerful instrument to recruit and retain Spanish students by offering them courses that add Spanish language proficiency in connection with their professional goals, as well as by showing them new professional areas where they can apply their language skills, such as interpreting and translation.

Finally, the Spanish degrees offered by most of higher education institutions in Utah focus mainly on two areas: teaching and literature. Exceptions are the BA in Spanish Translation offered by Brigham Young University and the Emphasis on Commercial Spanish at Weber State University.¹¹ By implementing a Minor in Spanish for the Professions, Translation, and Interpreting, UVU will fill a current need in Utah's institutions of higher education. At the same time, the proposed program will sync the Spanish program at UVU with curricular innovations taking place in similar programs nationwide. As early as 2007, the Modern Languages Association of America (MLA) reported on the challenges and opportunities that language departments faced in higher education. In its report, the MLA emphasized the need to go beyond the standard curricula of "two- or three-year language sequence [that] feeds into a set of core courses primarily focused on canonical literature." It proposed to create a new curriculum that incorporates language, culture, and content beyond literature: "for those students [majoring in foreign language and pursuing a doctoral degree] and for others who enjoy literary studies, one path to the major should be through literature. But to attract students from other fields and students with interests beyond literary studies, particularly students returning from a semester or a year abroad, departments should institute courses that address a broad range of curricular needs."¹² The proposed program responds to those challenges faced by foreign language teaching at higher education level by offering courses that holistically incorporate language, culture, and content in different subject areas.

The data provided by IRI show that enrollment in the Spanish majors "has experienced a drop and recovery in headcount in the past 5 years" which suggest "a sufficient pool of students for an additional area of specialty."¹³ The Fall student headcount of Spanish Majors for those last five years shows a drop from 108 Spanish majors in 2012 to 87 in 2013, and 77 in 2014; followed by a steady recovery in 2015 with 90 majors and 2016 with 106.

For enrollment data for Spanish courses with professional purposes, the data for the Fall 2016 and Spring 2017 semesters are as follows (consider capacity for these classes is 25-26 students): Span 3200 Business Spanish had 25 students both in Fall 2016 and Spring 2017, Span 4200 Advanced Business Spanish had 22 students in Fall 2016 and 16 in Spring 2017, Span 412R Spanish for Professions with a focus on Medicine and Healthcare had 18 students in Fall 2016 and 25 in Spring 2017, Span 412R Spanish for Professions focus on Advanced Translation had 13 students in Spring 2017 (it was not offered in Fall 2016), Span 412R Spanish for Professions with a focus on Psychology had 20 students in Spring 2017 (not offered in Fall 2016), Span 4110 Intro to Translation and Interpreting had 15 students in Fall 2016 and 11 students in Spring 2017.

¹¹ *Catalog*, Weber State University. 12 November 2016.

http://catalog.weber.edu/preview_program.php?catoid=2&poid=650&returnto=623

¹² MLA Ad Hoc Committee on Foreign Languages. "Foreign Languages and Higher Education: New Structures for a Changed World." May 2007. <http://www.mla.org/pdf/forlang_news_pdf.pdf>

¹³ Robson, Shannen. *Labor Market Report*. Institutional Research & Information Office-UVU. April 2017. Annexed.

The report by IRI has identified “one language interpretation or translation program in Utah—a bachelor’s offered [by] BYU” with 19 students graduating during 2014-15, which “is an undersupply for 80-200 openings in the state indicated by the BLS and Burning Glass data.” There is also an Emphasis on Commercial Spanish offered by Weber State University. The degree offered by BYU focuses on translation, that is, written texts, while the proposed program includes language interpreting, that is, “translating oral texts.” The degree offered by Weber State University focuses in commercial Spanish while the proposed program includes a variety of professional Spanish courses from which the student can choose according to his/her professional goals (Medical, Legal, Business, etc.). After taking six credits of any Spanish professional course, students will complete the translation and interpreting courses, adding those skills to their curriculum.

Even if most higher education institutions in Utah offer some kind of Spanish course with professional purposes, they have not organized those courses in specific programs yet. A Minor in Spanish for the Professions, Translation, and Interpreting will fill an educational need in the USHE system, and it will respond to the undersupply of professionals in the state.

Labor Market Demand

The data from the *Labor Market Report* by the Institutional Research & Information Office at UVU¹⁴ shows a steady increase in the demand of translators and interpreters at the national and state level. As stated in the report, “long-term Bureau of Labor Statistics (BLS) estimates the 2014-2024 growth rate for interpreter and translators within Utah to be faster than average with projected increases of 54.7% by 2024.” These occupations are projected to have a combined growth of about 80 new job openings in Utah annually.” With regard to salary, the report states that, “according to the BLS, the median annual wage for these occupations is estimated to be about \$37,880 which is slightly higher than the Utah median wage (\$33,990).” Besides information from the BLS, the report includes information from the Labor Insight Burning Glass, whose “data indicates 279 job postings for interpreters and translators in Utah during the past 12 months approximately—171 in the SLC MSA, 46 in Ogden-Clearfield, 45 in Provo-Orem, three in St. George, and three in the Logan-Idaho region.”

The data provided by the *Labor Market Report* refer to job demands and openings that specifically ask for translators and interpreters. The data does not reflect that many people working in regular jobs (like bank, lawyer, or doctor offices) translate and interpret as part of their job without the job title of “translators” or “interpreters.” In many cases, the translation and interpreting skills, as well as, the ability to communicate in Spanish in a professional environment appear as additional requirements in the job description rather than as the title of the job position. However, the need for professionals proficient in Spanish in multicultural societies like Utah is evident for reasons that have been presented in the “program rationale” section. As an example of this need, refer to the newsletter of the American Psychological Association from April 2015. There it is emphasized the growing demand for Spanish-speaking psychologists in the US due to the increase of Spanish-speaking population and the APA’s ethical requirement of providing assessment and therapy in the client’s native language. Moreover, the article highlights the need to have Spanish courses with a professional focus: “There are a lot of people who study Spanish, but that does not mean you know

¹⁴ Robson, Shannen. *Labor Market Report*. Institutional Research & Information Office-UVU. April 2017. Annexed.

the culture or the psychological terminology. These are critical aspects of providing quality bilingual mental health care."¹⁵

Consistency with Institutional Mission/Impact on Other USHE Institutions

Utah Valley University is committed “to prepare professionally competent people of integrity,” people who will also “serve as stewards of a globally interdependent community.” And, as a regional state university, Utah Valley University “promotes economic and cultural development to contribute to the quality of life of the region and state.” The proposed Minor in Spanish for the Professions, Translation, and Interpreting will help to develop translingual and intercultural competence in UVU students with all the professional, personal, and academic advantages important to success in a global society. Besides, the proposed program will satisfy companies’ and public institutions’ demand of professionals with language and intercultural skills in Spanish, and it will fill a need in Utah’s higher education institutions since only two other institutions offer similar degrees as explained below.

Since the programs in other USHE institutions are quite different to the proposed program, the impact will not be negative for those institutions. No collaborative efforts with other USHE institutions have been proposed due to the lack of similar programs. However, the possibilities for future collaborations are numerous since most of USHE institutions include Spanish courses with professional purposes in their curricula and faculty are already working in this language area. For example, the textbook used to teach Medical Spanish at UVU, *Español Médico y Sociedad*, is excellent and has been written by Dr. Alicia Giralt, a professor of Spanish at Weber State University.

Finances

All of the courses required for the Minor in Spanish for the Professions, Translation, and Interpreting are currently offered on a regular rotation. Thus, no new costs are anticipated in support of this minor.

¹⁵ Stringer, Heather. “Se Solicita: Psicólogos que hablen Español (Wanted: Spanish-speaking psychologists).” *GradPsych*, 13.2 (2015): 32. <http://www.apa.org/gradpsych/2015/04/spanish-speaking.aspx>

Section III: Curriculum

Program Curriculum:

Course Number	New Course	Course Title	Credit Hours
Required Courses			
SPAN 3040		Spanish Conversation and Composition II (3.0)	
Or SPAN 3050		Advanced Spanish (3.0)	3.0
Choose 6 credit hours from the following:			6.0
SPAN 3200		Business Spanish (3.0)	
Or SPAN 3310		Spanish for Health Care Professionals (3.0)	
Or SPAN 3320		Spanish for Mental Health Professionals (3.0)	
Or SPAN 3340		Spanish for Tourism and Hospitality Management (3.0)	
Or SPAN 3350		Legal Spanish (3.0)	
Or SPAN 4200		Advanced Business Spanish (3.0)	
Or SPAN 4310		Advanced Spanish for Healthcare Professionals (3.0)	
SPAN 4110		Introduction to Translation and Interpreting English/Spanish (3.0)	3.0
Choose 3 credits hours from the following courses:			
SPAN 4120		Advanced Translation (3.0)	
Or SPAN 4130		English-Spanish Interpreting (3.0)	3.0
Required Course Credit Hour Sub Total:			15
Elective Courses			
Complete 3 credits from any upper-division SPAN or LANG courses not previously taken			3
Elective Credit Hour Subtotal:			3
Core Curriculum			18

Program Curriculum Narrative

In the last three years, Spanish courses with professional purposes have been updated in the Department of Languages and Cultures at UVU. Having them under the umbrella of a minor specific for this area will contribute to coordinate their common curriculum, and it will create an alternative track for those students who wish to continue studying Spanish but are not so interested in the literature courses.

In short, students in this program will be exposed to terminology, oral and written texts, cultural knowledge and translation and interpreting practice in Spanish from different professional fields such as healthcare, business, tourism, etc.

Upon successful completion of this program students should be able to:

- Negotiate meaning with individuals via speaking, writing, and reading in Spanish in a variety of professional settings (interpersonal communication outcome).
- Interpret meaning in Spanish in either oral or written form in different professional contexts (interpretive communication outcome).
- Create messages in Spanish that can be interpreted by Spanish-speakers in diverse professional environments (presentational communication outcome).
- Use cultural knowledge of Spanish-speaking communities to conform linguistically and behaviorally in many social and work-related interactions (cultural awareness outcome).
- Apply translation and interpreting theories, knowledge, and skills (professional expertise outcome).

For assessment purposes we will apply rubrics on signatures assignments following the standard assessment schedule for Spanish programs: year 1 PLO1 (interpersonal communication outcome), year 2 PLO2 (interpretive communication outcome), year 3 PLO3 (presentational communication outcome), and year 4 POL4&5 (cultural awareness outcome and professional expertise outcome). Rubrics are designed following standards and language criteria by the ACTFL (American Council on the Teaching of Foreign Languages). 70% of graduating students will achieve a 3 /4 on the rubric for each of the above outcomes.

Degree Map:

Fall of First Year (Course Prefix and Number)	Course Title	Credit Hours
SPAN 3050*	Advanced Spanish (3.0)	
	Semester total:	3
* Notes: based on experience/ placement		
Spring of First Year (Course Prefix and Number)	Course Title	Credit Hours
SPAN 4110	Introduction to Translation and Interpreting English/Spanish (3.0)	3
Choose 3 credit hours from the following:		3
SPAN 3200	Business Spanish (3.0)	
SPAN 3320	Spanish for Mental Health Professionals (3.0)	
SPAN 3340	Spanish for Tourism and Hospitality Management (3.0)	
SPAN 3350	Legal Spanish (3.0)	

	Semester total:	6
Fall of Second Year (Course Prefix and Number)	Course Title	Credit Hours
Choose 3 credit hours from the following:		3
SPAN 3200	Business Spanish (3.0)	
SPAN 3320	Spanish for Mental Health Professionals (3.0)	
SPAN 3340	Spanish for Tourism and Hospitality Management (3.0)	
SPAN 3350	Legal Spanish (3.0)	
SPAN 4200	Advanced Business Spanish (3.0)	
SPAN 4310	Advanced Spanish for Healthcare Professionals (3.0)	
Choose 3 credit hours from the following:		3
SPAN 4120	Advanced Translation (3.0)	
SPAN 4130	English-Spanish Interpreting (3.0)	
	Semester total:	6
Spring of Second Year (Course Prefix and Number)	Course Title	Credit Hours
Electives	3 credits from any upper-division SPAN or LANG courses not previously taken	3



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 25, 2018
TITLE:	UVU Policy 335 <i>Staff Grievance</i> (Temporary Emergency)
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Linda Makin, VP of Planning, Budget, and HR Karen Clemes, General Counsel
SUBJECT:	UVU Policy 335 Staff Grievance (Temporary Emergency)
BACKGROUND:	This policy revision establishes procedures for employees to grieve adverse employment actions and for university administrators to consider and review the grievances. UVU General Counsel has requested this temporary emergency approval. As a temporary emergency policy, the policy will be valid for only one year.
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve UVU Policy 335 Staff Grievance (Temporary Emergency) for entrance into the UVU Policy Manual.” • Amend and approve, “I move to approve, as amended, UVU Policy 335 Staff Grievance (Temporary Emergency) for entrance into the UVU Policy Manual.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	a. Policy 335



UTAH VALLEY UNIVERSITY Policies and Procedures

Proposed Policy Number and Title: 335 Staff Grievance (Temporary Emergency)		
Existing Policy Number and Title: n/a (replaces previously deleted Policy 156)		
Approval Process*		
<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input checked="" type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: Stage 2, September 27, 2018, Board of Trustees _____		
President's Council Sponsor: Linda Makin _____	Ext. _____	
Policy Steward: Judy Martindale, Karen Clemes _____	Ext. _____	

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>4/20/2017</u></p> <p>University Entities Review Entrance Date: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>University Community Review Entrance Date: <u>Not applicable</u> Open Feedback: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>Board of Trustees Review Entrance Date: <u>9/27/2018</u> Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <p>Policy Office personnel who verified and posted this policy to the University Policy Manual Name: _____ Date posted and verified: _____</p>



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POLICY TITLE	Staff Grievance (Temporary Emergency)	Policy Number	335
Section	Human Resources	Approval Date	
Subsection	Conditions of Employment	Effective Date	
Responsible Office	Office of the Vice President of Budget, Planning, and Human Resources		

1.0 PURPOSE

1.1 The purpose of this policy is to provide a fair and equitable process for eligible full-time staff employees to grieve qualifying adverse employment actions, including setting forth distinct procedures for the resolution of staff grievances regarding (a) employment actions other than termination and (b) termination of employment.

2.0 REFERENCES

2.1 Utah Code § 63G-2 *Government Records Access and Management Act (GRAMA)*

2.2 Utah Code § 67-21-3.7 *Utah Protection of Public Employees Act*

2.3 UVU Policy 162 *Sexual Misconduct*

2.4 UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*

2.5 UVU Policy 331 *Performance Evaluation for Staff Employees*

2.6 UVU Policy 371 *Corrective Actions and Termination for Staff Employees*

3.0 DEFINITIONS

3.1 Adverse employment action: A formal corrective action or materially adverse change in the terms, conditions, or privileges of employment.

3.2 Arbitrary and capricious: Arbitrary and capricious review focuses on the decision-making process, rather than the “quantum and quality” of information upon which a decision is based. A decision is arbitrary and capricious if the decision maker relied on improper or irrelevant factors, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before it, or is so implausible that it could not be ascribed to a difference in view or a product of the decision maker’s expertise.



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3.3 Associate Vice President for Human Resources (AVPHR): The administrator responsible for coordinating staff grievances under this policy.

3.4 Clear and convincing evidence: Clear and convincing evidence is an intermediate standard that requires more than a preponderance of evidence but does not require proof beyond a reasonable doubt. It requires existence of facts that make a conclusion very highly probable.

3.5 Confirmation of termination: Document that confirms a staff member's employment with the University is or will be terminated. This document is sent or provided to a staff member after the staff member has timely responded to a notice of termination document or the time period for response in a notice of termination document has lapsed.

3.6 Formal corrective action: An action imposed on an employee pursuant to UVU Policy 371 *Corrective Actions and Termination for Staff Employees*. Formal corrective actions include written warning; transfer, demotion, suspension, or reduction in pay for disciplinary reasons; and involuntary termination.

3.7 Full-time employee: An employee hired into a position in which the University has a reasonable belief that the employee will work at least 130 hours per month (30 hours per week) in a 12-month measurement period. A full-time employee is eligible for benefits, including medical insurance.

3.8 Grievance: The act of appealing an adverse employment action.

3.9 PACE President: The president of UVU's Professional Association of Campus Employees (PACE).

3.10 Probationary period: The period of initial employment that provides the employee and the University the opportunity to assess the employee's ability to perform the duties and fulfill the responsibilities of the position.

3.11 Substantial evidence: The substantial evidence standard is used to review a factfinder's decision rather than in fact-finding itself. A decision is supported by substantial evidence if there is a quantum and quality of relevant evidence that is adequate to convince a reasonable mind to support a conclusion. The party challenging the decision maker must marshal all of the evidence supporting the findings and show that despite the supporting facts, and in light of the conflicting or contradictory evidence, the findings are not supported by substantial evidence.



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4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies only to full-time staff employees who have completed their probationary periods. This policy does not apply to any part-time employee or to part-time or full-time faculty (tenured, tenure-track, not on tenure track, adjunct) or executives.

4.1.2 This policy applies to grievances/appeals of adverse employment action, including formal corrective action under UVU Policy 371 *Corrective Actions and Termination for Staff Employees*.

4.1.3 This policy does not apply if any other policy applying to staff contains its own grievance or appeal procedures. In those cases, the other policy's grievance/appeal procedures apply. For example, this policy does not apply to any complaints, grievances, or appeals alleging or related to protected class discrimination, sexual misconduct, equal opportunity, or any other issues addressed by UVU Policy 162 *Sexual Misconduct* or UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*, as such claims may be grieved or appealed only under UVU Policy 162 or UVU Policy 165. Moreover, this policy does not apply to appeals of performance evaluations addressed by UVU Policy 331 *Performance Evaluation for Staff Employees*.

4.1.4 Some adverse employment actions or other workplace issues may not be grieved under this policy, including but not limited to wages and salaries, classification actions, corrective action, or termination during probation and/or extension of the probationary period, reassignment of job duties and responsibilities, verbal warnings, and day-to-day directives and assignments to staff. A reduction in force or reorganization is not grievable unless it is alleged that appropriate UVU procedures have been violated.

4.2 Policy Statement

4.2.1 The University is committed to fair and equitable treatment of eligible employees who wish to grieve qualifying adverse employment actions. Full-time staff employees who have completed their probationary periods may grieve two aspects of an adverse employment action under this policy. First, staff members may grieve the decision of a supervisor to take adverse employment action on the grounds that the decision was based on incorrect conclusions of fact. Second, if the action is a formal corrective action, then the staff member may also grieve the severity of the corrective action taken.

4.2.2 The staff member must show by clear and convincing evidence that the factual basis for adverse employment action was materially untrue or that the corrective action decision was arbitrary and capricious or unsupported by substantial evidence. A presumption of validity attaches to the decision maker's action and the burden of proof rests with the staff member grieving the action.



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4.2.3 At any stage of the grievance process, either party may request mediation to resolve a potential grievance. Mediation will only occur if both parties willingly agree to participate. Mediation is a free service offered to all staff. If resolution is not reached through mediation, the grievant may withdraw the grievance or engage in the grievance process as outlined in this policy.

4.2.4 UVU's Associate Vice President of Human Resources (AVPHR) is responsible to coordinate staff grievances in accordance with this policy. If the AVPHR has a conflict or is otherwise not available, a designee of the AVPHR may serve in this role.

4.2.5 If a staff member receives a decision at any step of the grievance process and does not ask for further review of the grievance within the specified time limit, that particular grievance will be closed, with no additional internal grievance or appeal options.

4.2.6 A proposed resolution of a grievance that involves an exception to a university policy requires review by the Office of General Counsel and approval of the AVPHR and the supervising vice president (or the President if the grievance is based on an action by a vice president).

4.2.7 Information disclosed by a staff member during a grievance process shall be treated as confidential as long as it does not interfere with the University's legal obligations, including any obligation to investigate allegations of misconduct and to take corrective action.

4.2.8 No member of the university community may retaliate against any staff member for initiating the grievance process in good faith or for honestly participating in the grievance process as a witness, termination grievance panel member, or otherwise.

4.2.9 All documents, records, recordings, and information associated with the staff grievance process are designated as protected in accordance with the *Utah Government Records and Management Act (GRAMA)*.

5.0 PROCEDURES

5.1 Grievances Other Than Termination

5.1.1 Grievances of adverse employment actions other than termination proceed according to the following two-step process.

5.1.2 Step 1–Discussion Between Staff Member and Supervisor

5.1.2.1 Staff who wish to pursue a grievance shall initially attempt to informally resolve the grievance with their immediate supervisor or the immediate decision maker. To initiate this process, the grievant should present a written grievance, explaining their concerns, to their



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immediate supervisor within five working days of the notification of the adverse employment action.

5.1.2.2 The supervisor shall respond to the grievance in writing within ten working days of receiving the written grievance.

5.1.2.3 If the grievant believes the matter cannot be prudently discussed or resolved with the immediate supervisor at step 1, the grievant shall within five working days after the notification of the adverse employment action inform the AVPHR or designee that they wish to proceed to step 2.

5.1.3 Step 2–Review by Appropriate Vice President

5.1.3.1 A grievant may appeal the step 1 decision in writing to the vice president who oversees the grievant with a copy of the written appeal submitted to the AVPHR within ten working days of:

- a) Notification of the adverse employment action; or
- b) Receipt of the step 1 decision; or
- c) Failure of the immediate supervisor to respond to step 1 of the grievance process within 10 working days.

5.1.3.2 The vice president who oversees the grievant will reach a decision on the appeal in accordance with the standards in sections 4.2.1 and 4.2.2, and issue a written decision to the grievant within 10 working days of receiving the appeal. If the grievant reports directly to the vice president, or if the vice president has a conflict of interest as determined by the AVPHR, in consultation with the Office of General Counsel, then the President will decide the appeal.

5.1.3.3 The decision of the vice president (or, as outlined in 5.1.3.2, the President) shall be final and binding; and the grievance is considered closed.

5.2 Grievance of Termination

5.2.1 A grievant may request a termination grievance hearing before a termination grievance panel in writing to the AVPHR within five working days after a *Confirmation of Termination* document from the grievant’s supervisor is sent or provided to the grievant. The written request for a grievance hearing must state the grounds for the request (based on one or more the scopes of grievance set forth in section 4.2.1) and provide the reasons supporting the ground(s).



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5.2.2 Selection and Training of Termination Grievance Panel

5.2.2.1 If a staff member requests a termination grievance hearing, then the AVPHR shall promptly convene a 3-member termination grievance panel either from the Policy 162/165 review panel pool or by choosing staff members and seeking approval to utilize such staff members on the grievance panel from the PACE President.

5.2.2.2 Each termination grievance panel member must be in good standing with the University; must not be employed in the same organizational unit as the grievant; must not be a supervisor of the grievant; and must not have any conflicts of interest relating to the grievant or any allegation in the grievance.

5.2.2.3 The AVPHR will inform the parties (the grievant and the responding manager/decision maker) of the chosen panel members and give each party the option to provide any objections to the panel members based on bias or conflict of interest within three working days. Consulting with the Office of General Counsel, the AVPHR will review and decide on any conflict of interest or bias objections raised by the parties.

5.2.2.4 The AVPHR shall arrange for the selected termination grievance panel members to attend a training on these procedures provided by the Office of General Counsel.

5.2.3 Hearing Officer

5.2.3.1 The Office of General Counsel will appoint an impartial attorney to preside over the grievance hearing as hearing officer. This attorney must have no prior involvement in either advocacy or investigatory matters related to the grievance. The hearing officer will ensure order, fairness, due process, efficiency, and civility at the hearing, and ensure a relevant and sufficient evidentiary record for the panel's consideration. To advance this aim, the hearing officer may set time limits proportionate to the complexity of the case; exclude irrelevant and unduly repetitious exhibits, witnesses, questions, statements, or other information; and exclude material deemed privileged under the law. Formal rules of evidence do not apply.

5.2.3.2 Parties must appear in person at the hearing. Witnesses must appear in person or remotely via two-way videoconferencing. Written witness statements in lieu of appearance in person or via videoconferencing are inadmissible.

5.2.3.3 The hearing officer may conduct a pre-hearing conference to formulate or simplify the issues; obtain admissions of fact and documents that will avoid unnecessary proof; arrange for the exchange of proposed exhibits; outline expectations for the hearing; or agree to other matters that may expedite the orderly conduct of the hearing.



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5.2.4 Preparing for Hearing

5.2.4.1 The AVPHR will schedule a hearing within 20 working days of confirming the panel and hearing officer, unless the schedules of the parties, panel members, or hearing officer require that the hearing be scheduled on a later date. The AVPHR may recommend a panel chair to the panel, based on prior panel experience and/or prior experience with UVU's policies and processes. The selected panel members shall promptly meet or communicate with one another electronically and choose a termination grievance panel chair. The name of the selected termination grievance panel chair shall be communicated by the panel members to the AVPHR, the hearing officer, and the parties.

5.2.4.2 The termination grievance panel shall consult with the hearing officer during the grievance process regarding legal, procedural, policy, and other questions as needed. The hearing officer, in consultation with the panel, will review and respond to any pre-hearing questions or objections from the parties related to hearing matters.

5.2.4.3 The AVPHR will provide to the parties, panel members, and hearing officer (1) the written request for hearing by the grievant, (2) the manager or decision maker(s)' written responses (if any), (3) material documents related to the decision(s) being grieved. If the materially relevant documents include confidential information, the documents may be provided via a secure cloud-based storage system where documents may be viewed but not printed. The AVPHR may ask parties and participants in the grievance process to sign a confidentiality agreement before giving them access to the documents.

5.2.4.4 The hearing is an opportunity for the parties to address the termination grievance panel in person about the issues being grieved. Each party will have the opportunity to be heard and to respond to any questions from the panel as the panel applies sections 4.2.1 and 4.2.2 to the grievance.

5.2.4.5 At least 7 working days before the hearing date, the grievant and the manager/decision maker shall provide the other party, termination grievance panel chair, and hearing officer the following materials:

- 1) A "Statement Document" of no more than 5 pages that addresses the grievant's issues, concerns, and proposed solutions framed in terms of the scope of the grievance in section 4.2.1 and the standard of proof in section 4.2.2. The Statement Document(s) shall be provided in electronic format.
- 2) A complete list of all proposed witnesses that each party will call to testify (in person or via two-way video communication) at the hearing and a brief description of the testimony and/or information such witnesses may provide. The witness list shall be provided in an electronic format.



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3) Copies of all documents, exhibits, reports, and any other information (collectively referred to hereinafter as “exhibits”) in support of the parties’ respective positions on the issues and proposed solution. All exhibits shall be provided in an electronic format to the extent possible; the parties may also submit the documents in hard copy form in binders.

4) Notice of whether the party will bring a support person to the hearing, the email address and phone number of the support person, and whether the support person is an attorney. UVU employees that have a conflict of interest may not serve as support persons.

5.2.5 Conducting the Hearing

5.2.5.1 If grievant fails to appear at the hearing at the specified time and place, without good cause, the grievance will be deemed abandoned and therefore closed. In the event the manager or decision maker fails to appear at the hearing at the specified time and place, without good cause, the grievance will still be heard by the grievance panel.

5.2.5.2 The hearing officer is charged with conducting the termination grievance in a thorough, fair, equitable and impartial manner; the panel is charged with addressing and deciding the matter in this manner as well.

5.2.5.3 While the hearing is a closed proceeding, the hearing (except for deliberations) will be recorded by the AVPHR or the AVPHR’s designee. The proceedings of the hearing may be transcribed by the University.

5.2.5.4 The hearing officer will conduct the hearing and will regulate the introduction of evidence for the panel’s consideration in accordance with section 5.2.3.1.

5.2.5.5 The hearing officer will open the hearing by naming the parties and shall state, in a neutral manner, the nature of the actions taken thus far in the grievance process. The hearing officer may also remind the panel and parties of this policy and procedures. All participants at the hearing should be identified at the beginning of the hearing.

5.2.5.6 Each party has up to 120 minutes to present their portion of the case (testimony of the party and that party’s witnesses and questioning of the other party’s witnesses). The opening and closing statements, and questioning by the hearing officer or panel, are not included in this 120-minute time limit. The hearing officer or designee will keep track of the amount of time each party takes to present their portion of the case. The hearing officer may extend the amount of time equitably to each of the parties if the grievant shows the need for such an extension.

5.2.5.7 If a party has brought a support person, either the party or the support person should present the opening statement, testimony, and closing statement. For example, the party could present the opening statement, while the support person questions the witnesses and closing statement, but the witnesses may not be questioned by both the party and that party’s support



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person. After issuing a warning, the hearing officer has authority to exclude from the hearing any party, support person, or other participant whose behavior the panel finds unduly disruptive.

5.2.5.8 The order of the hearing shall be as follows:

- 1) Opening statement by grievant
- 2) Opening statement by responding manager/decision maker
- 3) Testimony of the grievant, including presentation of exhibits
- 4) Testimony of grievant's witnesses, including any exhibits
- 5) Testimony of the manager/decision maker, including presentation of exhibits
- 6) Testimony of the manager/decision maker's witnesses, including any exhibits
- 7) Closing statement by grievant
- 8) Closing statement by manager/decision maker

5.2.5.9 The grievant's opening statement should briefly summarize the nature of the grievance and requested remedy. The manager/decision maker's opening statement should briefly summarize their response to the grievant's concerns and requested remedy. There should be no cross examination during the opening statements. In most cases, a 5-minute opening statement will suffice, though the hearing officer may adjust as appropriate.

5.2.5.10 Each party may testify and offer relevant evidence (i.e., exhibits) to all parties and panel members in support of their positions. At any time, the termination grievance panel members may ask questions of either party. At the end of a party's testimony, the other party shall have the opportunity to ask any questions regarding the testimony and exhibits, limited to the scope of testimony provided by the party.

5.2.5.11 In addition to their own testimony and submission of exhibits, each party may call witnesses, who shall not be allowed in the hearing room until called to testify. Each witness shall provide their own information and testimony to the panel and may be questioned and cross-examined by the panel at any time. At the end of each witness's testimony, the other party and panel members shall have the opportunity to ask any questions of the witness regarding the witness's testimony, limited to the scope of testimony provided by the witness.

5.2.5.12 At the conclusion of a party's presentation, the hearing officer will call for any final questions from the other party or panel member regarding the presentation.



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5.2.5.13 The closing statements of both parties should summarize their positions and set forth proposed remedies. In most cases, a 15-minute closing statement will suffice, though the hearing officer may adjust as appropriate.

5.2.6 Panel Deliberations and Decision

5.2.6.1 The termination grievance panel members are prohibited from discussing any matter related to the hearing with the parties, witnesses, and/or others (except the hearing officer) before or after the hearing. Violation of confidentiality may result in dismissal from the panel and/or other corrective or disciplinary action. Parties, panel members, hearing officers, support persons, and others who attend the hearing will be required to sign confidentiality acknowledgments before participating in the hearing process.

5.2.6.2 Termination grievance panel deliberations and voting shall occur in closed sessions from which all other persons (except the hearing officer) are excluded. Votes shall be cast by secret ballot. A majority vote by the members of the termination grievance panel who attended the hearing shall be required for recommendations. The hearing officer shall be present during the deliberations but shall have no vote. The AVPHR shall not participate in the panel's deliberations.

5.2.7 The termination grievance panel shall determine whether the grievant has shown by clear and convincing evidence the bases for the grievance stated in section 4.2.1. The panel will make findings and recommendation(s) regarding whether and how to uphold or modify the termination decision and regarding any other relevant issues to remedy a substantiated grievance. The panel chair will report the panel's findings and recommendation(s) in writing to the AVPHR and appropriate vice president (or, if the manager/decision maker is a vice president, to the President) within five working days after conclusion of the hearing.

5.2.8 Within 10 working days of receiving the panel's written report, the appropriate vice president will review the submitted documentation and recommendations and issue a final written decision to the grievant, manager/decision maker, the grievant's and manager/decision maker's respective counsel, the AVPHR. If the manager/decision maker is a vice president grievant or if the vice president has a conflict of interest, then the President will receive the panel's written report and render the final decision. In cases where both the vice president and the President have a conflict of interest, the final decision will be made by an appropriate person designated by the AVPHR in consultation with the Office of General Counsel. The Office of General Counsel shall assign an attorney who did not serve as the hearing officer or previously advise the manager/decision maker on the grievance to provide legal counsel to the vice president or President as needed.

5.2.9 The decision of the vice president, President, or other designated person (as outlined in 5.2.8) shall be final and binding; and the grievance is considered closed with no additional internal appeals available to the grievant.



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POLICY HISTORY		
Date of Last Action	Approved for entrance into the Policy Manual	UVU Board of Trustees.



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 25, 2018
TITLE:	UVU Policy 652 Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency)
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Jeff Olson, Senior Vice President of Academic Affairs Eric Domyan, Assistant Professor of Biology/Biotechnology
SUBJECT:	UVU Policy 652 Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency)
BACKGROUND:	As the institution matures as a university, professors and students are expanding research efforts that involve animals. The use and care of research animals is highly regulated by law and best practices. Compliance is essential for ethical reasons and for the institution’s ability to receive grant funding for research. We are requesting temporary emergency policy approval to accommodate upcoming research activities by faculty and students. As a temporary emergency policy, the policy will be valid for one year.
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve UVU Policy 652 Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency) for entrance into the UVU Policy Manual.” • Amend and approve, “I move to approve, as amended UVU Policy 652 Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency) for entrance into the UVU Policy Manual.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	Lack of this policy would impact the university’s ability to obtain grants for research projects involving animals.
EXHIBITS:	a. Policy 652



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*Proposed Policy Number and Title:	Policy 652 Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency)	
Existing Policy Number and Title: Not applicable		
Approval Process*		
<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input checked="" type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: <u>Stage 2, October 11, 2018, Temporary Emergency, BOT</u>
President's Council Sponsor: <u>Jeff Olson</u> Ext. _____
Policy Steward: <u>Eric Domyan, Dan Fairbanks</u> Ext. <u>5422</u>

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>2/22/2018</u></p> <p>University Entities Review Entrance Date: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>University Community Review Entrance Date: <u>Not applicable</u> Open Feedback: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>Board of Trustees Review Entrance Date: <u>10/11/2018</u> Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <hr/> <p>Policy Office personnel who verified and posted this policy to the University Policy Manual</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>



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POLICY TITLE	Care and Use of Vertebrate Animals in Research and Instruction (Temporary Emergency)	Policy Number	652
Section	Academics	Approval Date	
Subsection	Faculty	Effective Date	
Responsible Office	The Office of the Senior Vice President of Academic Affairs		

1.0 PURPOSE

1.1 This policy affirms Utah Valley University’s commitment to the humane and ethical treatment of animals. The University adheres to all applicable laws, regulations, policies, principles, and standards regarding the use of vertebrate animals in teaching, testing, and research. This policy establishes the University’s animal care and use program to ensure compliance and support the University’s ethical commitments.

2.0 REFERENCES

- 2.1** 7 U.S.C. Chapter 7 *Animal Welfare Act*
- 2.2** 9 CFR Chapter I, Subchapter A *Animal Welfare*
- 2.3** Public Law 99–158 *Animals in Research*
- 2.4** Public Health Service *Policy on Humane Care and Use of Laboratory Animals*
- 2.5** *Guide for the Care and Use of Laboratory Animals*, 8th edition. National Academies Press, 2011.

3.0 DEFINITIONS

- 3.1 Activity:** Elements of research, testing, or teaching that involve the care and use of animals. (9 CFR 1.1)
- 3.2 Animal:** Any live, vertebrate animal used or intended for use in teaching, research, research training, experimentation, biological testing, and/or related purposes.
- 3.3 Animal Care and Use Program (or “Program”):** All activities conducted at UVU and/or with the involvement of UVU-affiliated personnel that have a direct impact on the well-being of



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animals, including animal and veterinary care, policies and procedures, personnel, and program management and oversight, occupational health and safety, IACUC functions, and animal facility design and management.

3.4 Assurance: A formal written, binding commitment that an institution submits to a federal agency, in which an institution promises to comply with applicable regulations governing research with animal subjects and stipulates the procedures through which the institution will achieve compliance.

3.5 Attending veterinarian: A person who is licensed by the American Medical Veterinary Association, and has direct or delegated authority for activities involving animals at UVU.

3.6 Faculty-sponsored student: A student using animals under the supervision of a UVU faculty mentor.

3.7 Humane: The proper care and treatment of animals in accordance with all applicable federal and state laws, rules, and guidance.

3.8 Institutional Animal Care and Use Committee (IACUC): The university committee responsible for assessment and oversight of the University's program components and facilities.

3.9 Institutional official: The Institutional Official bearing ultimate responsibility for the University's Animal Care and Use Program. The Institutional Official has the authority to allocate the resources needed to ensure the Program's overall effectiveness.

3.10 Principal investigator: A principal investigator is the person(s) designated as the individual(s) responsible for the administrative and programmatic aspects of the proposed project. The principal investigator must have the technical competence and substantive capabilities (scientific, administrative, and otherwise) to carry out a sponsored project. A faculty, staff, or faculty-sponsored student may be a principal investigator.

4.0 POLICY

4.1 Scope of Policy

4.1.1 This policy applies to all individuals affiliated with the University engaged in the use of animals for research, testing, or teaching.

4.2 The University complies with all applicable federal and state laws, rules, and guidance applying to the use of animals in research and instruction. University employees and students or UVU-affiliated researchers must perform all such research and instruction in compliance with the highest standards of ethics, practice, and conduct of each of the fields or disciplines involved in each specific research project or instructional activity.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.3 To ensure compliance with regulations regarding the humane care and use of animals in research and instruction, the University President will appoint an Institutional Animal Care and Use Committee (IACUC) that meets requirements and is responsible for ensuring the humane care and use of animals at the University.

5.0 PROCEDURES

5.1 Institutional Official

5.1.1 As the Chief Executive Officer, the University President is the Institutional Official responsible for developing and maintaining an animal care and use program to ensure the humane care and use of animals in research, testing, and teaching at the University and/or by individuals affiliated with the University. The University President may delegate this responsibility to another official, who is to serve as the institutional official.

5.2 As required by federal law, the Institutional Official will file an assurance with the Public Health Services (PHS) and/or the United States Department of Agriculture (USDA).

5.3 Institutional Animal Care and Use Committee

5.3.1 The IACUC shall consist of not less than five members, and in accordance with PHS policy and USDA regulations, must include at least:

5.3.1.1 One doctor of veterinary medicine, with training or experience in laboratory animal science and medicine, who has direct or delegated program responsibility for activities involving animals at the institution.

5.3.1.2 One practicing scientist experienced in research involving animals;

5.3.1.3 One member whose primary concerns are in a nonscientific area (for example, ethicist, lawyer, member of the clergy);

5.3.1.4 One individual who is not affiliated with the institution in any way other than as a member of the IACUC, and is not a member of the immediate family of a person who is affiliated with the institution.

5.3.1.5 The Institutional Official appoints the Chair and other members of the IACUC.

5.3.2 The duties of the IACUC are as follows:

5.3.2.1 Review the institution's program for humane care and use of animals at least once every six months, using the *NIH Guide for the Care and Use of Laboratory Animals* and the *Animal Welfare Act Regulations* as a basis for evaluation.



UTAH VALLEY UNIVERSITY Policies and Procedures

5.3.2.2 Inspect all of the institution's animal facilities at least once every six months, using the *NIH Guide for the Care and Use of Laboratory Animals* and the *Animal Welfare Act Regulations* as a basis for evaluation.

5.3.2.3 Prepare reports of the IACUC evaluations conducted as required by PHS policy and USDA regulations, and submit the reports to the Institutional Official.

5.3.2.4 Investigate and review concerns involving the care and use of animals at the institution.

5.3.2.5 Make recommendations to the Institutional Official regarding all aspects of the institution's animal program, facilities, or training.

5.3.2.6 Review and approve, require modifications in, or withhold approval of those components of research, testing, or teaching activities related to the care and use of animals as applicable.

5.3.2.7 Review and approve, require modifications in, or withhold approval of proposed significant changes regarding the use of animals in ongoing activities as applicable.

5.3.2.8 Suspend an activity involving animals for noncompliance, in accordance with the specification of PHS policy, USDA regulations, and other applicable laws, rules, and guidance.

5.3.3 The IACUC reports to the Institutional Official.

5.3.4 Review Process

5.3.4.1 Prior to the acquisition, use, or study of any animal in research, testing, or teaching, the principal investigator shall submit an *Animal Use Application* to the Chair of the IACUC. Research teams cannot acquire animals and cannot begin any research until they receive written approval from the IACUC.

5.3.4.2 Applications and proposed significant changes (amendments) received by the tenth of each month will be reviewed by the IACUC that month. The IACUC will convey their decision (approve, require modifications, or withhold approval) to the principal investigator by end of the month.

5.3.4.3 No IACUC member may participate in the IACUC's review of any project in which the member has a conflict of interest, except to provide information requested by the IACUC.

5.3.4.4 Questions regarding animal care and use compliance shall be addressed to the Chair, who will review and address them with the other IACUC members as needed. Their response will be documented and reported to the Institutional Official and University Compliance in accordance with the specification of PHS policy, USDA regulations, and other applicable laws, rules, and guidance.



UTAH VALLEY UNIVERSITY

Policies and Procedures

5.4 Attending Veterinarian

5.4.1 The attending veterinarian is responsible for the health and well-being of all animals used at UVU, and will provide appropriate veterinary care.

5.4.2 The attending veterinarian will have sufficient authority, including access to all animals, and resources to manage the program of veterinary care.

5.4.3 The attending veterinarian may be employed by the University on either a full-time, part-time, or consultant basis.

5.5 Record-Keeping Requirements

5.5.1 The IACUC will maintain the following records:

5.5.1.1 Minutes of IACUC meetings, including records of attendance, activities of the committee, and committee deliberations;

5.5.1.2 Records of applications and amendments in the care and use of animals, whether IACUC approval was given or withheld; and

5.5.1.3 Records of semi-annual IACUC reports and recommendations (including minority views) as forwarded to the Institutional Official.

5.5.2 The IACUC shall maintain all records for at least three years; records that relate directly to applications, proposals, and proposed significant changes in ongoing activities reviewed and approved by the IACUC should be maintained for the duration of the activity and for an additional three years after completion of the activity.

5.5.3 The IACUC shall provide all records for inspection and copying by authorized Office of Laboratory Animal Welfare (OLAW) or other PHS representative and the USDA at reasonable times.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 25, 2018
TITLE:	UVU Policy 705 Unmanned Aircraft Systems (Drones)
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Val Peterson, VP Finance and Administration Robin Ebmeyer, Director, Emergency Management Bruce Eliason, Manager, Risk Management
SUBJECT:	UVU Policy 705 Unmanned Aircraft Systems (Drones)
BACKGROUND:	<p>Policy 705 returned to Stage 3 after review by Board of Trustees earlier this year. The following were specific concerns the Board of Trustees had regarding the policy: sanctions for misuse of a UAS on campus property, additional language regarding privacy, and fines for violating this policy.</p> <p>In section 4.7 “Sanctions for Policy Violation,” additional language was added about fines and disciplinary action, specifically lines 121-122.</p> <p>In section 4.3.5 the policy addresses privacy; however, in 4.6.2 supplementary language specifies locations where there would be a reasonable expectation of privacy.</p> <p>Section 5.2 was created to address the issue of fines. This section states there can be a fine imposed without a designated amount. This will allow President’s Council to determine if and/or what should occur related to a fine for a specific violation. Furthermore, there is a section on how to appeal a fine and direction given to when the fine should be paid if enforced.</p> <p>In addition, changes were made to comply with the Utah Risk Department’s new requirements for insurance coverage of drones.</p>

ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve UVU Policy 705 Unmanned Aircraft Systems (Drones) for entrance into the UVU Policy Manual.” • Amend and approve, “I move to approve, as amended UVU Policy 705 Unmanned Aircraft Systems (Drones) for entrance into the UVU Policy Manual.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	a. Policy 705



UTAH VALLEY UNIVERSITY Policies and Procedures

Proposed Policy Number and Title: <i>705 Unmanned Aircraft Systems (Drones)</i>		
Existing Policy Number and Title:		
Approval Process*		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input checked="" type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: <u>Board of Trustees, October 17, 2018</u>
President's Council Sponsor: <u>Val Peterson</u> Ext. _____
Policy Steward: <u>Bruce Eliason & Robin Ebmeyer</u> Ext. _____

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>11/12/2015</u></p> <p>University Entities Review Entrance Date: <u>10/26/2017</u> Close Feedback: <u>1/5/2018</u></p> <p>University Community Review Entrance Date: <u>2/15/2018</u> Open Feedback: <u>2/15/2018</u> Close Feedback: <u>3/8/2018</u></p> <p>Board of Trustees Review Entrance Date: <u>9/27/2018</u> Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <hr/> <p>Policy Office personnel who verified and posted this policy to the University Policy Manual</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>



UTAH VALLEY UNIVERSITY Policies and Procedures

POLICY TITLE	Unmanned Aircraft Systems (Drones)	Policy Number	705
Section	Risk Management/Safety	Approval Date	
Subsection	Risk Management	Effective Date	
Responsible Office	Office of the Vice President of Finance and Administration		

1.0 PURPOSE

1.1 Utah Valley University (UVU) complies with the Federal Aviation Administration (FAA) and all applicable federal and state laws and regulations for the operation of unmanned aircraft systems (UAS). This policy establishes university policy and procedures for the authorization and operation of UAS for teaching, scholarship, and outreach on university property, while ensuring compliance with legal obligations and reducing risks to safety, security, and privacy.

2.0 REFERENCES

- 2.1 14 CFR Part 1 *Definitions and Abbreviations*
- 2.2 14 CFR Part 91 *General Operating and Flight Rules*
- 2.3 14 CFR Part 101 *Moored Balloons, Kites, Amateur Rockets, Unmanned Free Balloons, and Certain Model Aircraft*
- 2.4 14 CFR Part 107 *Small Unmanned Aircraft Systems*
- 2.5 PL 112-095 *FAA Modernization and Reform Act of 2012*
- 2.6 Utah Code §72-14 *Unmanned Aircraft—Drones*
- 2.7 Utah Code §76-6-206 *Criminal Trespass*
- 2.8 Utah Code §76-9-402 *Privacy Violation*
- 2.9 Utah Code §76-9-702.7 *Voyeurism Offenses—Penalties*
- 2.10 UVU Policy 425 *Scheduling Campus Facilities*



UTAH VALLEY UNIVERSITY Policies and Procedures

3.0 DEFINITIONS

3.1 Authorized visitors and contractors: For the purposes of this policy, individuals who are not UVU students or employees but have, as private citizens or vendor/contractors, obtained permission pursuant to this policy to operate an unmanned aircraft system (UAS) on university property.

3.2 Controlled environment: For the purposes of this policy, an area in which precautions have been implemented to ensure the safety of participants and bystanders. Examples include but are not limited to safety barriers, visual indicators of operational areas, cones or tape preventing access to a defined area, or netting where UAS are being utilized.

3.3 Federal Aviation Administration (FAA): The federal agency that has governing authority over the operation of unmanned aircraft in the United States national airspace system.

3.4 Pilot-in-command (pilot): The individual who has ultimate control over the UAS and who is directly responsible for UAS operation.

3.5 University program: All UVU certificate, undergraduate, and graduate programs and all UVU community and continuing education programs.

3.6 University property: For the purposes of this policy, any campus or facility owned or leased by the University, including but not limited to the Orem, Wasatch, UVU West, Thanksgiving Point, and Provo Airport campuses.

3.7 Unmanned aircraft (UA/Drone): An aircraft that is operated remotely without the possibility of direct human intervention or piloting from within or on the aircraft regardless of size. UAs include but are not limited to blimps and rockets. For the purposes of this policy, references to UAS also incorporate UA.

3.8 Unmanned aircraft system (UAS): An unmanned aircraft plus associated components (including communication links and the components that control the unmanned aircraft) that are required for the pilot-in-command to operate an unmanned aircraft safely. For the purposes of this policy, references to UAS refer to all unmanned aircraft and their systems weighing less than 55 lbs.

4.0 POLICY

4.1 Scope

4.1.1 The University complies with all applicable federal and state laws governing the use of unmanned aircraft systems and enforces these laws on university property.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.1.2 All UVU employees and students and authorized visitors must comply with this policy in the operation of UAS on university property. If any part of this policy is not in compliance with FAA regulations and applicable law, those laws shall govern.

4.1.3 While the FAA does not regulate UAS operation within buildings, this policy also governs UAS operation within UVU buildings. UAS may be operated in UVU buildings only within a controlled environment (as defined in section 3.2) under the direction of an academic program, student club registered with UVU, or Student Affairs, or as part of an activity with specific authorization from a faculty or staff member and only after otherwise complying with this policy. Pilots must also comply with Policy 425 *Scheduling Campus Facilities*.

4.1.4 The University's Office of Risk Management, in consultation with the Office of General Counsel as needed, oversees compliance to this policy and all applicable federal and state laws and regulations by members of the university community and authorized visitors and contractors. The Safety Coordinator of the School of Aviation Science serves in an advisory capacity to those seeking authorization to fly a UAS on or off university property. The Safety Coordinator may not provide legal advice and is not responsible for granting or denying authorization for the operation of a UAS; however, the Safety Coordinator is responsible for assisting the person or program in complying with FAA regulations and UVU policy. (See section 5.1 for the procedure for obtaining authorization to operate a UAS on university property.)

4.1.5 Operations of UAS internationally must be in compliance with Policy 142 *Export Control* and the laws of the country in which the UAS is operated.

4.2 Unauthorized Operation of UAS

4.2.1 Unauthorized operation of a UAS on any UVU campus is strictly prohibited. This includes but is not limited to operation of UAS for hobby, recreational, commercial, research, or educational purposes on university property by anyone, including employees, students, visitors, or contractors.

4.2.2 Unauthorized UAS pilots will be required to immediately cease flight operation.

4.3 Authorized Operation of UAS on University Property

4.3.1 All pilots of UAS on university property must be approved and receive written authorization from the Office of Risk Management in the form of a *UVU Flight Authorization Document* before operation of a UAS. (See section 5.1 for the procedure to obtain authorization.)

4.3.2 In addition to obtaining a *UVU Flight Authorization Document*, visitors and contractors seeking to operate a UAS on university property must provide a *Certificate of Insurance* to the Office of Risk Management as part of the authorization process.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.3.3 UVU students operating a UAS on or off university property as part of a university program, department, or class must be supervised at all times by faculty or staff who have completed the UVU UAS/drone training on this policy and obtained a *UVU Flight Authorization Document*. Under extenuating circumstances, or as part of a class project or assignment, a student may operate a UAS without supervision if the student has completed the UVU UAS/drone training and has obtained a *UVU Flight Authorization Document*. UVU clubs must be supervised by a responsible party (club president or other who has completed training and obtained a *UVU Flight Authorization Document*).

4.3.4 Before operating UAS outdoors on university property, authorized pilots must notify UVU Police (801-863-5555).

4.3.5 Authorized pilots must operate their UAS safely, without risk of injury to people or property, and without violating the privacy of others.

4.3.6 Operations of UAS must comply with this policy; with FAA regulations, authorizations, and grants of authority; and with legal opinions and interpretations.

4.4 Safety Precautions

4.4.1 Pilots should be aware of potential failure modes for their system and plan to conduct operations to minimize the risk to persons and property with these potential events in mind. Before operating a UAS on university property, pilots should test, to the extent reasonably possible, the function of built-in safety features such as lost-signal return and kill switches.

4.4.2 Pilots must comply with the respective preflight, flight, and post-flight procedures applicable to their UAS.

4.5 Retrieval of Downed UAS

4.5.1 To ensure safety and compliance with this policy, pilots and/or bystanders shall coordinate retrieval of downed UAS on university property by promptly contacting UVU Police when they become aware of such an incident.

4.5.2 Pilots shall comply with applicable laws; this includes obtaining permission from property owners to enter their property to recover a downed UAS.

4.6 Privacy Considerations

4.6.1 Operation of UAS on university property, or on non-university properties by employees, students, and others working in university programs or UVU-sponsored activities, must be in compliance with all applicable privacy laws.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.6.2 UAS must not be used to take photos or videos of persons or property without approval of the Office of Risk Management and the persons and/or property owners involved. UAS should not be used to monitor or record in sensitive areas or areas where there is a reasonable expectation of privacy. These areas include but are not limited to restrooms, locker rooms, changing rooms, child care centers, and the Student Health Center.

4.7 Sanctions for Policy Violations

4.7.1 Depending on the severity of the action, violation of this policy may result in disciplinary action, up to and including termination of employment and/or expulsion from the University and referral to UVU Police, FAA, and/or other law enforcement agencies. If applicable laws have been violated, violators may be subject to potential criminal and/or civil sanctions and penalties. UVU Police and the Office of Risk Management will investigate each violation of this policy on a case-by-case basis.

4.7.2 Legal prohibitions regarding physical presence on campus/trespassing, violations of privacy laws, and other legal action may also be pursued against third parties that operate UAS in violation of this policy.

4.7.3 The University shall not be responsible for any fines, damages, or legal fees incurred by individuals or units who do not comply with this policy.

5.0 PROCEDURES

5.1 Obtaining Authorization to Operate a UAS

5.1.1 Those seeking authorization to operate a UAS on university property must submit a *Request for Authorization to Operate a UAS/Drone on UVU Property* (available on the Office of Risk Management webpage) to the Office of Risk Management. The request shall include an acknowledgment that authorized pilots of UAS on university property must comply with this policy. The University reserves the right to deny this authorization and to revoke approved *UVU Flight Authorization Documents* at its sole discretion.

5.1.2 University faculty, staff, and students (unless otherwise exempted in section 5.2) seeking authorization must complete the UVU UAS/drone training available on UVU's online training platform. Certifications of completion must be submitted to the Office of Risk Management, which will maintain these authorizations.

5.1.3 UAS authorization applicants must consult with the Safety Coordinator of the School of Aviation Science, who will assist in determining whether applicants must obtain any of the following:

- 1) A remote pilot certificate with a small UAS rating, pursuant to CFR Part 107,



UTAH VALLEY UNIVERSITY Policies and Procedures

- 2) An FAA Section 333 exemption,
- 3) A *Certificate of Waiver or Authorization (COA)*,
- 4) A *Memorandum of Understanding* with airport authorities, and/or
- 5) Any other FAA grant of authority.

5.1.4 After applicants complete the UVU UAS/drone training and submit certification of completion and the required documents listed in section 5.1.3 to the Office of Risk Management, Risk Management will review the request. If the request is approved, the approved user will be given a signed *UVU Flight Authorization Document*. This document will serve as proof that authorized pilots have been approved to operate UAS on university property or on behalf of the university at other locations. This document must be available for inspection any time the pilot is operating a UAS. To be valid and active, the pilot must sign the document to acknowledge the rules and conduct requirements related to the operation of a UAS.

5.2 For academic classes and student clubs, only the instructor or club representative must complete the UVU UAS/drone training and be in possession of the *UVU Flight Authorization Document* unless the student will be required to operate a UAS without supervision, in accordance with 4.3.3.

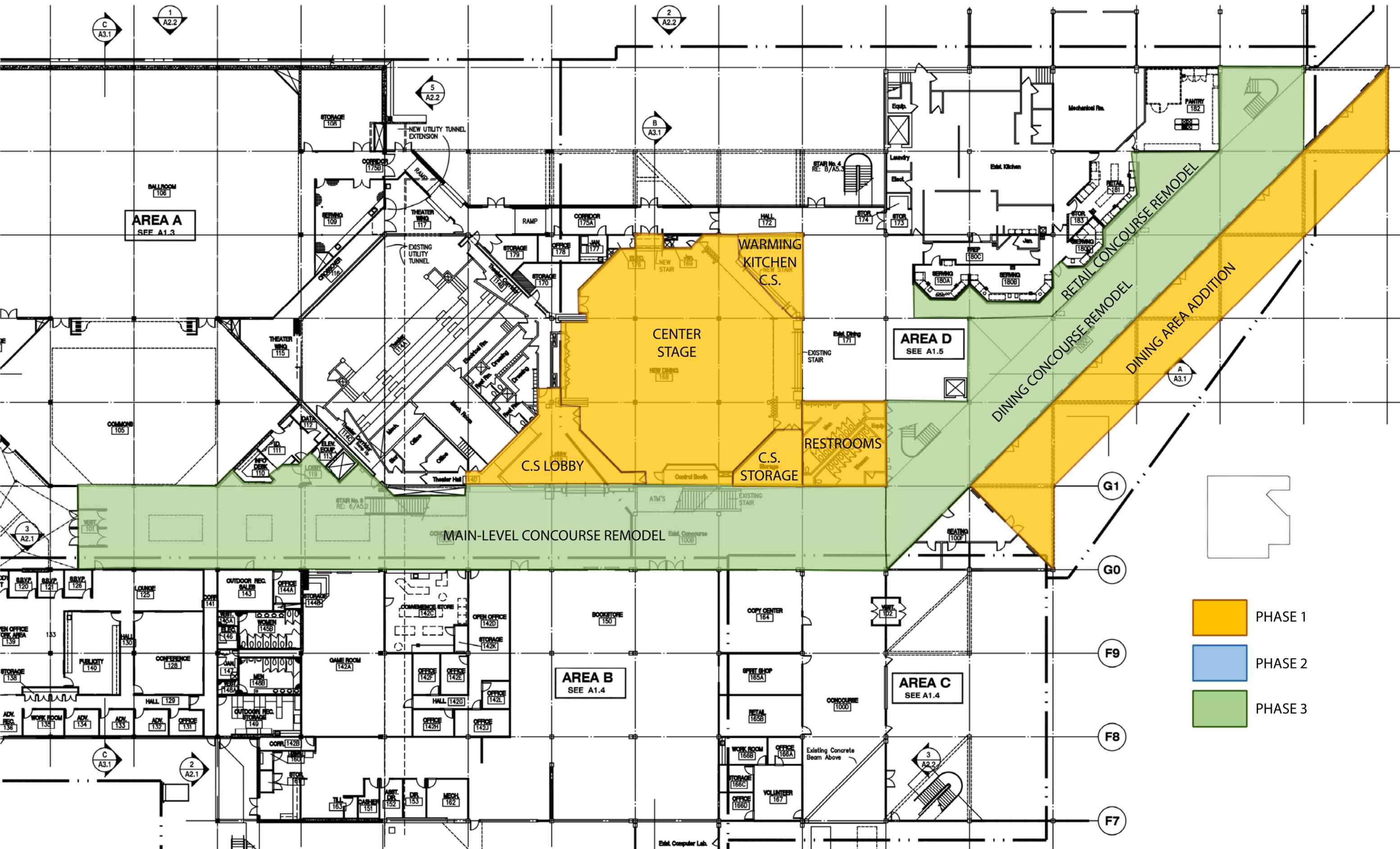
5.3 The *UVU Flight Authorization Document* is valid for two years. Upon expiration, the document holder must contact the Office of Risk Management and comply with training and other documentation requirements to be considered for renewal. The University may suspend or revoke a *Flight Authorization Document* if an authorized user violates this policy.

POLICY HISTORY		
Date of Last Action	New policy approved for the Policy Manual.	UVU Board of Trustees

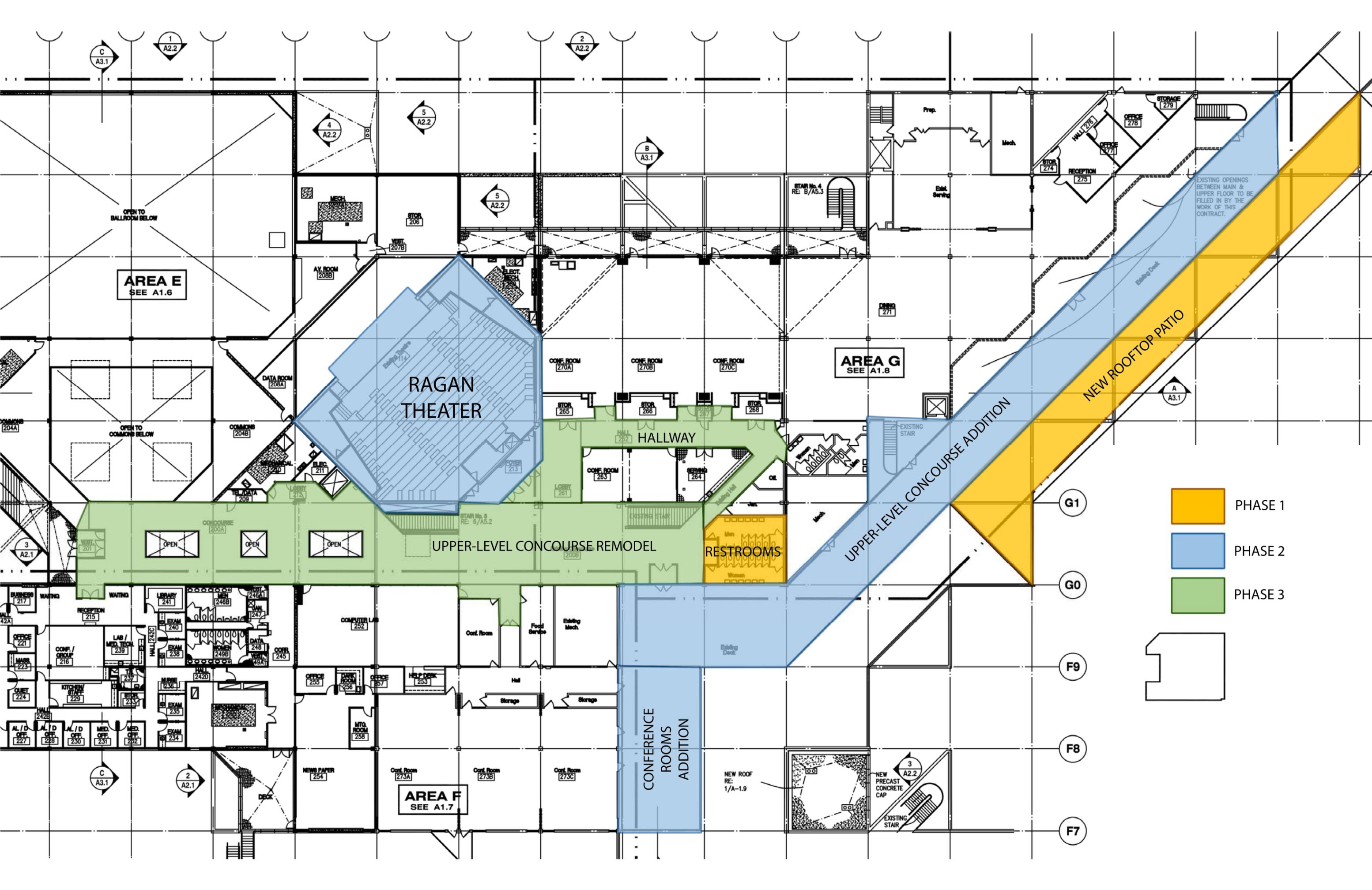


**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 25, 2018
TITLE:	Remodel of Student Center
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Val Peterson
SUBJECT:	Remodel of Student Center and Bond Issuance.
BACKGROUND:	Construction on the Sorensen Student Center was initially completed in 1979. At that time, the building consisted of the food court and kitchens, designed to serve a student body of approximately 4,000. In 1990 the Reagan Theatre was added and in 2002 the Grand Ballroom was completed. The university needs to expand the food court, remodel the bathrooms, and refresh the Centre Stage and Reagan Theatre. The university can retire its Series 2004 bonds and reissue bonds that will provide approximately \$25 million in capital without increasing the students' annual fees. This will provide the necessary funding to pay for the expansion and remodel of the Sorensen Student Center.
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, "I move to approve the expansion and remodel of the Sorensen Student Center and the issuance of bonds for \$25 million, to be repaid with student fees." • Amend and approve, "I move to approve, as amended..." • No action, "I move that we go to the next agenda item..."
FINANCIAL IMPACT:	The Series 2004 bonds will be retired 1 year early, \$25 million in bonds will be issued to be repaid with student fees.
EXHIBITS:	a. Exhibit 1 – A11 – Main Level Phasing Plan. b. Exhibit 2 – A12 – Upper Level Phasing Plan.



- PHASE 1
- PHASE 2
- PHASE 3



AREA E
SEE A1.6

RAGAN
THEATER

AREA G
SEE A1.8

UPPER-LEVEL CONCOURSE REMODEL

RESTROOMS

UPPER-LEVEL CONCOURSE ADDITION

NEW ROOFTOP PATIO

AREA F
SEE A1.7

CONFERENCE
ROOMS
ADDITION

- PHASE 1
- PHASE 2
- PHASE 3

G1
G0
F9
F8
F7

C
A3.1

1
A2.2

2
A2.2

4
A2.2

5
A2.2

B
A3.1

A
A3.1

C
A3.1

2
A2.1

3
A2.2



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 25, 2018
TITLE:	Consent Calendar
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Justin Jones, Chief of Staff & Secretary to the Board
SUBJECT:	Consent Calendar
BACKGROUND:	<p>The Board of Trustees is being asked to approve the Consent Calendar which contains the following items:</p> <ol style="list-style-type: none"> 1. Minutes of September 20, 2018 2. August 2018 Investment Reports 3. 2017-18 Auxiliary & Service Enterprise Report
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve the consent calendar as presented.” • Amend and approve, “I move to approve, as amended...” • No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	Available upon request
EXHIBITS:	<ol style="list-style-type: none"> a. Minutes of September 20, 2018 b. August 2018 Investment Reports c. 2017-18 Auxiliary & Service Enterprise Report

UVU BOARD OF TRUSTEES
September 20, 2018
8 a.m. – SC 213c, Utah Valley University

Board of Trustee Members Present

Elaine Dalton, Chair
Karen Acerson
Rick Nielsen
Jack Sunderlage, Second Vice Chair
Jill Taylor
Paul Thompson

UVU Attendees

Astrid S. Tuminez, President
Karen Clemes, General Counsel
Scott Cooksey, Vice President, Development and Alumni
Nathan Gerber, PACE President
Justin Jones, Chief of Staff, Secretary to the Board
Linda Makin, Vice President, Planning, Budgets, and HR
Cameron Martin, Vice President, University Relations
Jeff Olson, Senior Vice President, Academic Affairs
Val Peterson, Vice President, Finance and Administration
Kyle Reyes, Vice President, Student Affairs
Craig Thulin, Faculty Senate President
Katie Zabriskie, Executive Communication Officer

I. INFORMATION

At the beginning of the meeting, Trustee Chair Elaine Dalton welcomed President Astrid S. Tuminez. President Tuminez provided the Trustees with a brief overview of her unofficial presidential engagements and her first official week in office. This included attendance at athletic events, first day welcome reception, brief speaking engagement at the Center for Constitutional Studies Constitution Week lecture, employee Faculty Senate BBQ, and media interviews. President Tuminez noted that she is investing deeply in getting to know the university before making any major decisions and, in her first 100 days, she will be undertaking a listening tour of campus.

II. ACTION

1. Requisition

The Trustees were presented with a proposal to sell the Aviation programs fleet of DA20s and replace it with a fleet of DA40s. The purchase of 9 DA40 aircrafts will occur in 2019 and payment of the \$3,894,354 purchase price will be achieved through leveraging of trade-in value, contingency funds, and a shifting of the current revenue stream. The new fleet will enable increased enrollment and more effective training. The Trustees discussed options pertaining to the existing fleet, the best practices for planes used in aviation programs, and the status of UVU's aviation program in terms of enrollment and ranking. Following the discussion, Trustee Jill Taylor motioned to approve the expenditure of \$3,894,354 for the purchase of 9 DA40 aircrafts by the School of Aviation Sciences. Trustee Paul Thompson seconded. The motion carried without opposition.

2. Academic Program Approval

The Trustees were presented with a proposal to create a BS/BA in National Security Studies (NSS). The NSS currently has 80 declared minors. With the addition of this degree, UVU will be one of the only schools in the western United States that provides such an offering. The Trustees discussed the difference between a BS and a BA track. Subsequently, Trustee P. Thompson motioned to approve the addition of a BS/BA in National Security Studies. Trustee Jack Sunderlage seconded. The motion carried without opposition.

The Trustees then were presented with requests to delete the department of Interdisciplinary Studies and enact programmatic changes and to move the BS Physical Education Teacher Education program from the College of Science to the School of Education. It was explained that the programs housed in Interdisciplinary Studies have been realigned with departments that are better able to offer courses and address student needs. The movement of the P.E. education program reflects a change in the focus of the College of Science and a desire to better align the program with existing School of Education offerings. After additional clarification about the deletion of the Interdisciplinary Studies department, Trustee P. Thompson motioned to approve the department deletion and program changes for Interdisciplinary Studies and the BS Physical Education Teach Education move from the College of Science to the School of Education.

3. Policies

The Trustees were presented with a proposal to adopt Policy 710 The Clery Act as a temporary emergency policy. The policy will enable UVU to be compliant with Department of Education requirements and formally address the student notification process and fire safety in on campus housing. The Trustees were apprised that the policy would still be revised through the normal process. Trustee Sunderlage motioned to approve the adoption of Policy 710 The Clery Act as a temporary emergency. Trustee P. Thompson seconded. The motion carried without opposition.

III. EXECUTIVE SESSION

Trustee Taylor motioned to enter Executive Session to discuss character, professional competence, or physical or mental health of an individual. Trustee Karen Acerson seconded. The motion carried without opposition.

II. ACTION ITEMS (CONTINUED)

4. Naming Opportunities

Trustee Rick Nielsen motioned to approve the naming of the outdoor soccer practice fields at Vineyard as the Hansen Fields. Trustee Taylor seconded. The motion carried without opposition. Trustee Taylor motioned to approve the following namings: the Noorda Blackbox Theatre to be the Melanie Laycock Bastian Theatre; the Dance Theatre to be the Barbara Barrington Jones Family Foundation Dance Theatre; the Green Room to be the Christopher Clark Green Room; the Piano Performance Suite to be the Paul Pollei Piano Performance Suite; the Music Office to be the Don and Cherie Pauley Music Office; the SOA Dean's Suite to be the Janette Hale Beckham Dean's Suite; the Music Library to be the Sandefur Schmidt Music Library; and, the Proscenium Theater to be the Scott and Karen Smith Theater. Trustee Nielsen seconded. The motion carried without opposition.

IV. CONSENT CALENDAR

The Trustees were asked to review the Consent Calendar which consisted of the minutes of August 16, 2018; the minutes of September 7, 2018; the June 2018 and July 2018 investment reports; and, the 2017-18 Institutional Residence Expenditure Report. Trustee Sunderlage motioned to approve the Consent Calendar. Trustee Acerson seconded. The motion carried without opposition.

V. INFORMATION

1. Campus-Adjacent Student Housing Development

The Trustees discussed the letters sent to them by the neighborhood group calling itself SWONA which request that the Commissioner's Office investigate conflicts of interest and financial transaction surrounding the UVU Foundation's investment in the Woodbury/PEG housing development adjacent to campus. It was noted that there is a collective opinion among legislators and Regents that this is a local city council issue; however, Commissioner Buhler has agreed to review the investment. The Trustees were informed of the background of the decision by the Foundation to invest in the housing development, the return of investment if the development does not move forward, and the steps taken by the university to be a good neighbor with regard to this potential property development. The Trustees were told that any decisions about propriety rest with the Commissioner.

2. Committee Charters and Trustee Feedback

The Trustees were asked to provide feedback on the charters for the Board of Trustee committees. The Trustees engaged in discussion about the need for a Risk Committee and a Digital Transformation Committee. It was agreed that Justin Jones would investigate the structure and role of such committees at other USHE institutions and the Board of Regents. The Executive Committee will meet with President Tuminez in the near future to discuss the findings and larger needs of the university in this regard.

Chair Dalton adjourned the meeting with a motion from Trustee P. Thompson.



**CASH AND INVESTMENT
REPORT
August 2018**

Monthly Composite Performance Review
UTAH VALLEY UNIVERSITY
August 2018

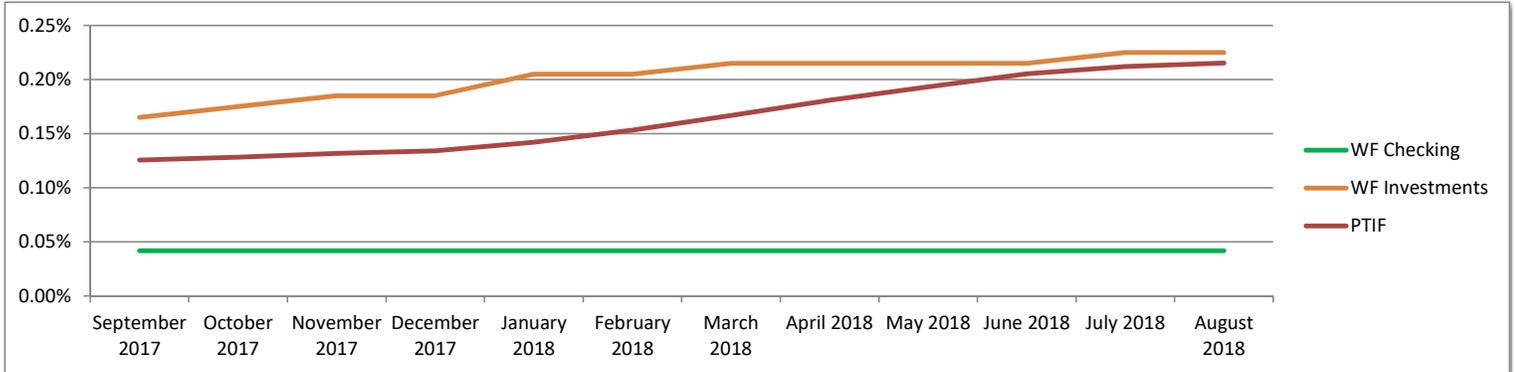


Account Activity	Checking/Sweep	Investments	PTIF	Total University Cash and Investments	Past Twelve Months of Activity
Beginning Balance	\$ 14,844,597	\$ 90,828,838	\$ 39,186,594	\$ 144,860,029	\$ 170,275,704
Interest/Earnings Credit	9,635	71,353	101,226	182,214	3,239,462
Acquisitions/Credits	16,405,206	10,293,000	24,018,462	50,716,668	272,051,742
Dispositions/Debits	-	(9,750,000)	(10,000,000)	(19,750,000)	(270,407,010)
Unrecognized Gain/Loss	-	128,539	-	128,539	100,226
Fees	(9,635)	-	-	(9,635)	(82,684)
Transfers *	-	(71,353)	1,468,542	1,397,189	2,347,564
Ending Balance	\$ 31,249,803	\$ 91,500,377	\$ 54,774,824	\$ 177,525,004	\$ 177,525,004

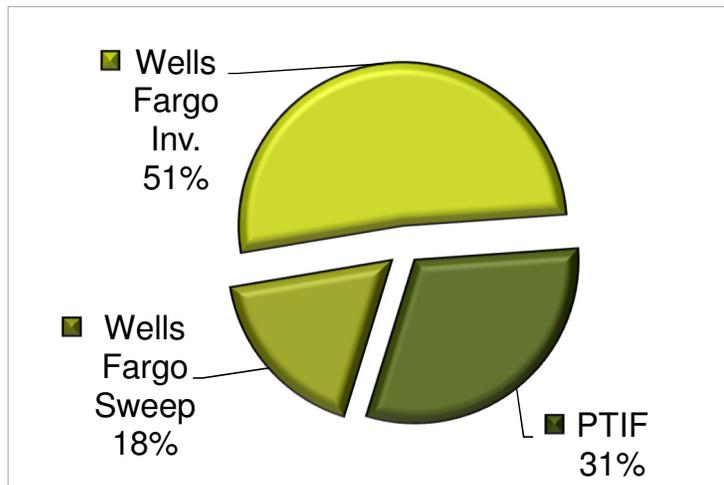
* Transfers consist of activity between UVU and the Foundation and interest transferred to UVU.

1.91%
12 Month Return

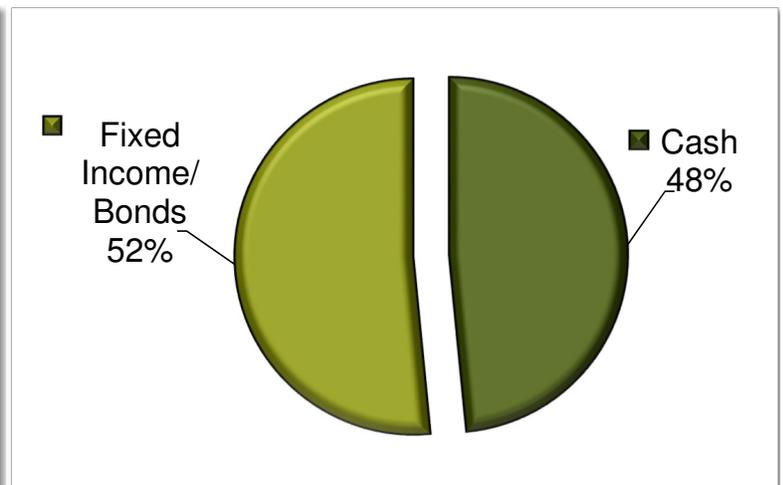
Performance Returns	Wells Fargo Checking/Sweep	Wells Fargo Investments	PTIF
September 2017	0.04%	0.17%	0.13%
October 2017	0.04%	0.18%	0.13%
November 2017	0.04%	0.19%	0.13%
December 2017	0.04%	0.19%	0.13%
January 2018	0.04%	0.21%	0.14%
February 2018	0.04%	0.21%	0.15%
March 2018	0.04%	0.22%	0.17%
April 2018	0.04%	0.22%	0.18%
May 2018	0.04%	0.22%	0.19%
June 2018	0.04%	0.22%	0.21%
July 2018	0.04%	0.23%	0.21%
August 2018	0.04%	0.23%	0.22%
Monthly Average	0.04%	0.20%	0.17%
12 Month Return	0.50%	2.43%	1.99%



UVU Cash and Investments as a Percent of Total



UVU Cash and Investments Investments by Type



Monthly Composite Performance Review

UVU Foundation

August 2018



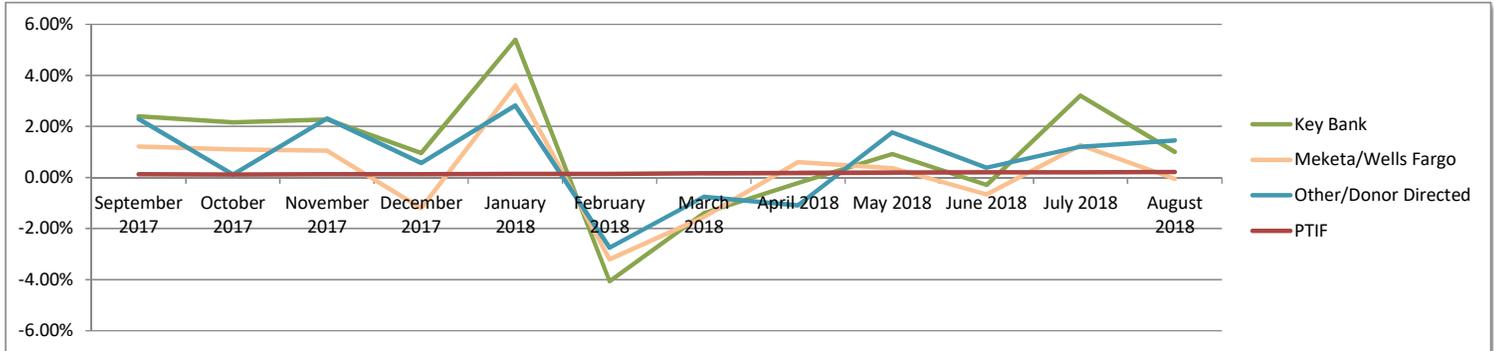
Account Activity

	Unrestricted	Temporarily Restricted	Permanently Restricted - Endowments	Total Foundation Investments	Past Twelve Months of Activity	Notes Due From University ^
Beginning Market Value	\$ 4,822,249	\$ 43,445,864	\$ 28,704,537	\$ 76,972,651	\$ 77,148,193	Beginning Balance \$ 7,970,125
Interest	5,104	87,400	5,705	98,209	1,278,352	Additional Notes -
Acquisitions	-	303,925	781,737	1,085,662	23,482,055	Principal Received -
Dispositions	-	(300,765)	(784,897)	(1,085,662)	(23,474,157)	Ending Balance \$ 7,970,125
Gain/Loss Rec & Unrec	2,482	2,417	116,348	121,247	1,623,520	Interest Received \$ -
Fees	(5,939)	(540)	(11,751)	(18,230)	(120,752)	Rate 5.5%
Transfers *	(1,647)	(1,359,753)	(107,142)	(1,468,542)	(4,231,876)	^ Fiscal Year Activity
Ending Market Value	\$ 4,822,249	\$ 42,178,548	\$ 28,704,537	\$ 75,705,335	\$ 75,705,335	
Monthly Return	0.03%	0.21%	0.38%	0.26%		
12 Month Return	2.17%	2.89%	5.32%		3.60%	

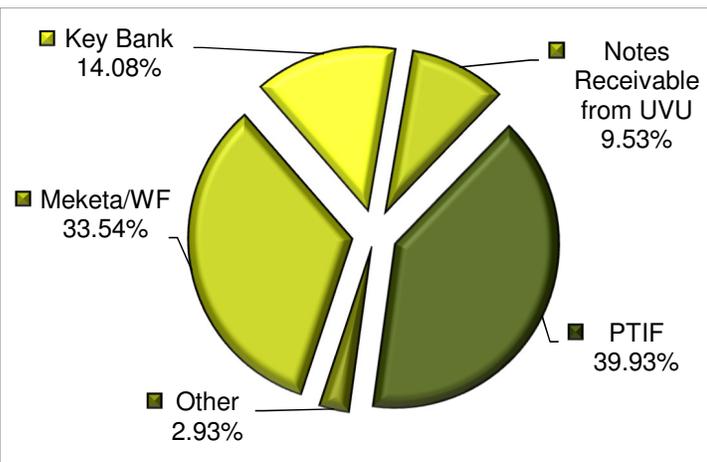
* Transfers consist of activity between money market accounts and other investment accounts as well as activity between the University and the Foundation.

Performance Returns

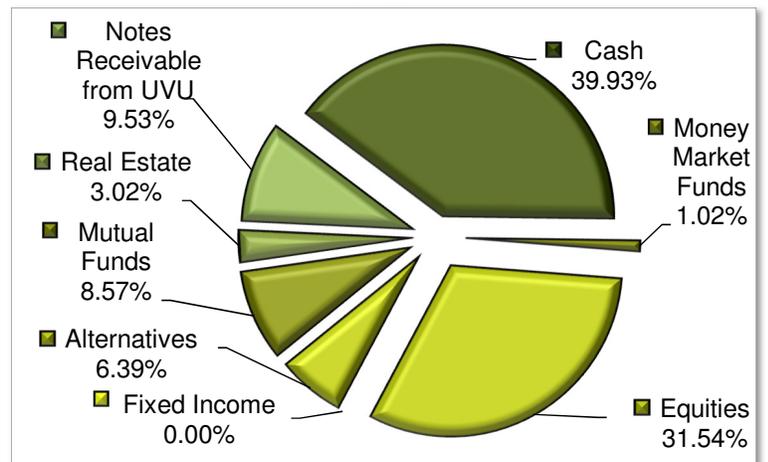
	Key Bank	Meketa/Wells Fargo	Other - Donor Directed	PTIF
September 2017	2.40%	1.22%	2.30%	0.13%
October 2017	2.17%	1.11%	0.12%	0.13%
November 2017	2.27%	1.06%	2.31%	0.13%
December 2017	0.95%	-1.20%	0.57%	0.13%
January 2018	5.40%	3.61%	2.82%	0.14%
February 2018	-4.06%	-3.20%	-2.75%	0.15%
March 2018	-1.40%	-1.55%	-0.76%	0.17%
April 2018	-0.22%	0.61%	-1.09%	0.18%
May 2018	0.92%	0.37%	1.77%	0.19%
June 2018	-0.29%	-0.67%	0.38%	0.21%
July 2018	3.22%	1.26%	1.21%	0.21%
August 2018	1.00%	-0.05%	1.46%	0.22%
Monthly Average	1.03%	0.21%	0.70%	0.17%
12 Month Return	11.80%	2.57%	8.35%	1.99%



UVU Foundation Investments as a Percent of Total



UVU Foundation Investments by Type





2017-18 AUXILIARY REPORT

October 2018

	2017-18 Revenue	2017-18 Transfers In/Out	2017-18 Expenditures	2017-18 Net Income		2017-18 Beginning Balance	2017-18 Year-End Balance
Student Center	\$2,208,254	(\$3,655)	\$2,204,599	\$0		\$558,620	\$558,620
Student Life and Wellness	\$3,135,269	(\$419,314)	\$2,715,955	\$0		\$100,874	\$100,874
Food Service	\$3,570,416	(\$189,829)	\$3,380,587	\$0		\$30,234	\$30,234
Bookstore	\$9,137,930	\$98,903	\$9,236,833	\$0		\$2,365,868	\$2,365,868
TOTAL	\$18,051,869	(\$513,895)	\$17,537,974	\$0		\$3,055,596	\$3,055,596



2017-18 SERVICE ENTERPRISE REPORT

October 2018

	2017-18 Revenue	2017-18 Expenditures	2017-18 Transfers	2017-18 Net Income		2017-18 Beginning Balance	2017-18 Year-End Balance
Printing Services	\$833,689	\$925,913	\$0	(\$92,224)		\$420,314	\$328,090
Fleet Operations	\$213,092	\$270,913	\$0	(\$57,821)		\$227,082	\$169,261
Stores and Receiving	\$68,414	\$63,175	\$0	\$5,239		\$26,025	\$31,264
Mail Services	\$367,129	\$419,135	\$0	(\$52,006)		\$94,582	\$42,576
Academic Computing	\$1,427,664	\$1,355,493	\$0	\$72,171		\$845,525	\$917,696
Parking Services	\$2,227,337	\$1,944,981	(\$613,625)	(\$331,269)		\$3,028,669	\$2,697,400
Lockers	\$636	\$21	\$0	\$615		\$3,565	\$4,180
Police	\$91,940	\$50,374	\$0	\$41,566		(\$2,166)	\$39,400
Telephone Services	\$162,364	\$196,251	\$0	(\$33,887)		\$45,283	\$11,396
TOTAL	\$5,392,265	\$5,226,256	(\$613,625)	(\$447,616)		\$4,688,879	\$4,241,263