

Utah Valley University Board of Trustees Meeting
December 1, 2016
4:00pm SC 213c

Tab	Agenda	Notes
	<p><u>I. Action</u></p>	
<u>A</u>	<p>1. Policies</p> <ul style="list-style-type: none"> a. Revision to Policy 325 FLSA Compliance: Exempt/Nonexempt Classifications, Wages, and Work Hours (Temporary Emergency) b. Suspension of Policy 326 Special Pay for Staff (Temporary Emergency) c. Revision to Policy 327 Additional Assignments for Full-time Exempt Staff and Executives (Temporary Emergency) d. Suspension of Policy 328 Responsibility for Scheduling and Reporting Working Hours (Temporary Emergency) e. Suspension of Policy 351 Annual Compensation and Benefits Plan (Temporary Emergency) f. Extension of Temporary Emergency Policy 601 Classroom Management 	
<u>B</u>	<p>2. Property Purchase, <i>Val Peterson, VP Finance and Administration</i></p>	
	<p><u>II. Committee Reports</u></p>	
	<p>1. Finance and Facilities, <i>Jack Sunderlage, Chair</i></p>	
	<p>2. Honorary Awards, <i>Karen Acerson, Chair</i></p>	
	<p><u>III. Consent Calendar</u></p>	
<u>C</u>	<p>1. Minutes of October 12, 2016, Meeting</p>	
<u>D</u>	<p>2. Budget Reports</p> <ul style="list-style-type: none"> a. Institutional Discretionary Funds 2016-17 Revised Budget and 2015-16 Year End Report b. 2015-16 Auxiliary & Service Enterprise Year End Report c. Variance Report FY2016 	
<u>E</u>	<p>3. Investment Reports</p>	
	<p><u>IV. Information</u></p>	
	<p>1. President's Report, <i>Matthew S. Holland, President</i></p>	
	<p>2. Foundation Report, <i>James Clarke, Chair</i></p>	
	<p><i>Adjournment</i></p>	

Date: December 1, 2016
To: UVU Board of Trustees
From: Linda Makin, Vice President, Planning, Budget, and Human Resources
Cara O'Sullivan, Policy Officer
Re: Policies for December 1, 2016, Board of Trustees Meeting

The following policies are presented to the Board of Trustees for approval:

FLSA (Fair Labor Standards Act) Policy Bundle (Temporary Emergency)

Sponsor: Linda Makin, Vice President of Planning, Budget, and Human Resources
Steward: Mark Wiesenberg, Associate Vice President of Human Resources/Equity Officer

On May 18, 2016, the Department of Labor (DOL) issued a Final Rule that increases the salary threshold under which certain workers may be exempt from FLSA overtime provisions. The new rules go into effect on December 1, 2016. Though a U.S. District Court judge has issued a preliminary injunction postponing the effective date of the Final Rule, these proposed policy revisions more clearly articulate UVU's compliance with FLSA regardless of the Final Rule.

Revision to Policy 325 *FLSA Compliance: Exempt/Nonexempt Classifications, Wages, and Work Hours*

Suspension of Policy 326 *Special Pay for Staff*

Revision to Policy 327 *Additional Assignments for Full-time Exempt Staff and Executives*

Suspension of Policy 328 *Responsibility for Scheduling and Reporting Working Hours*

Suspension of Policy 351 *Annual Compensation and Benefits Plan*

Policy 601 Classroom Instruction and Management (Temporary Emergency)

Sponsor: Jeff Olsen, Senior Vice President of Academic Affairs

Steward: Kat Brown, Associate Vice President of Academic Administration

An extension of the current temporary emergency is required. The policy draft in the Regular policy process is currently under development.



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: Policy 325 FLSA Compliance: Exempt/Nonexempt Classifications, Wages, and Work Hours (Temporary Emergency)

Existing Policy Number and Title: Workload for Full-time, Non-Faculty Employees

Approval Process*		
<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: November 17, 2016, Temporary Emergency, Board of Trustees
President's Council Sponsor: Linda Makin **Ext.** _____
Policy Steward: Mark Wiesenberg, Karen Clemes **Ext.** _____

POLICY APPROVAL PROCESS DATES

<p>Policy Drafting and Revision Entrance Date: <u>10/20/2016</u></p> <p>University Entities Review Entrance Date: <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>11/17/2016</u> Approval Date: _____</p>	<p 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</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>
--	---



POLICY TITLE	FLSA Compliance: Exempt/Nonexempt Classifications, Wages, and Work Hours (Temporary Emergency)	Policy Number	325
Section	Human Resources	Approval Date	
Subsection	Conditions of Employment	Effective Date	
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

1.1 Utah Valley University is committed to complying with the federal *Fair Labor Standards Act (FLSA)*, the regulations implementing the FLSA, and applicable state laws governing the wages and hours of its employees. This policy sets forth and explains the University’s requirements related to exempt/nonexempt classifications; non-employee workers (temporary staff agency employees, independent contractors, and volunteers); work hours; recording hours and timekeeping; overtime pay and compensatory time; call-in pay and holiday premium pay; meal times, rest breaks, and lactation breaks; paydays and paychecks; and paycheck deductions. This policy applies to all employees of the University, including faculty, staff, administration, and student employees, with specific portions of this policy applying only to nonexempt employees.

2.0 REFERENCES

- 2.1 *Fair Labor Standards Act of 1938* (as amended)
- 2.2 29 CFR Parts 510, 516, 531, 541, 548, 553, 778, 785
- 2.3 Department of Labor *Guidance for Higher Education Institutions on Paying Overtime under the Fair Labor Standards Act* (May 18, 2016)
- 2.4 UVU Policy 202 *Payroll*
- 2.5 UVU Policy 210 *Independent Contractors*
- 2.6 UVU Policy 321 *Employment Classifications and Work Limits*
- 2.7 UVU Policy 327 *Additional Assignments for Full-time Staff and Executives*
- 2.8 UVU Policy 332 *Work-at-Home*
- 2.9 UVU Policy 361 *Leave of Absence*



2.10 UVU Policy 363 *Supplemental and Adjunct/Overload Pay Methods*

2.11 UVU Policy 641 *Salaried Faculty Workload – Academic Year*

3.0 DEFINITIONS

3.1 Compensatory leave: Requested and approved use of compensatory time earned and accrued by a nonexempt employee.

3.2 Compensatory time (comp time): Time off (leave) earned and accrued by a nonexempt employee at a rate of not less than 1½ hours for each overtime hour worked as compensation in lieu of monetary payment.

3.3 Exempt: A classification of employees who meet the applicable FLSA salary level, salary basis, and duties test of one or more of the executive, administrative, academic administrative, or professional exemptions or they are performing non-manual work and paid a total annual compensation that meets the highly compensated employee exemption.

3.4 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.

3.5 Holiday premium pay: Differential rate of pay for employees who are authorized to work on days designated annually by President's Council as UVU holidays.

3.6 Nonexempt: A classification of employees who are paid either by a wage rate or by a salary that is based on a per hour wage rate who primarily perform work that is subject to the overtime provisions of the FLSA who receive time and a half for hours worked beyond 40 hours a week.

3.7 Overtime hours: As defined by FLSA, time worked beyond 40 hours in a work week.

3.8 Overtime pay: Payment for all overtime hours, which is paid at 1½ times a nonexempt employee's regular rate of pay.

3.9 Part-time (variable hour) employee: An employee hired into a position in which the University has a reasonable belief that the employee will work less than 130 hours per month (30 hours per week) in a 12-month measurement period. A part-time (variable hour) employee is not eligible for benefits, including medical insurance.



3.10 Regular rate of pay: The regular rate of pay is the weighted average of the employee's hourly rate, including the employee's hourly wage and any applicable shift differentials. Payments that are not included in the regular rate include pay for expenses incurred on the employer's behalf, weekend or holiday premium pay, discretionary bonuses, gifts and payments in the nature of gifts on special occasions, and payments for occasional periods when no work is performed due to vacation, holidays, or illness.

3.11 Supervisor: A university employee charged with the responsibility for managing the performance and timekeeping of another employee.

3.12 Workweek: Seven consecutive 24-hour periods or 168 consecutive hours. UVU's workweek begins on Saturday at 12:00 a.m. and ends the following Friday at 11:59 p.m.

4.0 POLICY

4.1 Statement/Scope of Policy

4.1.1 The University classifies, pays, and sets its work hour requirements for its employees in accordance with the *Fair Labor Standards Act (FLSA)* and other applicable federal and state law. UVU employees shall comply with the requirements of this policy. UVU supervisors have additional responsibility to consistently administer this policy with respect to employees who report to them.

4.1.2 This policy applies to all persons employed part-time or full-time by Utah Valley University, including faculty, staff, executives, and student employees. Portions of this policy, as indicated herein, apply only to nonexempt employees or only to staff and executive employees. To the extent any other university policy addresses the subjects covered by this policy, this policy takes precedence and controls.

4.1.3 The University may discipline any employee who violates this policy, up to and including termination of employment from the University. A supervisor who directs or requires an employee to violate this policy, or who allows or permits an employee reporting to them to violate this policy, may be subject to disciplinary action, up to and including termination of employment.

4.2 Exempt/Nonexempt Employee Classification

4.2.1 In addition to classifying employees as either full-time or part-time (variable hour) employees (see UVU Policy 321 *Employment Classifications and Work Limits*), the University also classifies each employee as either exempt or nonexempt. Human Resources, in consultation with the Office of General Counsel as needed, shall determine the exempt or nonexempt status of employees based on the requirements of the FLSA, the FLSA's implementing regulations, other applicable legal precedents and guidance, and UVU's compensation philosophy and guidelines,



and shall notify each employee of their exempt or nonexempt status upon hire, transfer, or promotion. As legal requirements or an employee's job duties change or as departments are restructured, Human Resources may change an employee's exempt/nonexempt classification to meet legal requirements and the University's compensation philosophy and guidelines.

4.2.2 Employees classified by UVU as exempt shall meet the applicable FLSA salary level, salary basis, and duties tests of one or more of the executive, administrative, academic administrative, or professional exemptions or they are performing non-manual work and paid a total annual compensation that meets the highly compensated employee exemption. All faculty whose primary duty is teaching are classified as exempt under the learned professional exemption. Full-time exempt employees are paid on a salary basis and are not entitled to overtime compensation. Adjunct faculty are paid a fixed amount per course and are not entitled to overtime compensation.

4.2.3 Employees who do not meet the requirements in 4.2.2 are classified as nonexempt. Further, UVU may, at its discretion, classify employees who meet the requirements in 4.2.2 as nonexempt based on the University's compensation philosophy and guidelines. All employees classified as nonexempt are covered by the FLSA's minimum wage and overtime provisions. While UVU's nonexempt employees are paid on a salary basis, they shall record, and shall be compensated for, all hours worked using UVU's currently designated time keeping system. They shall also receive compensation (compensatory time or overtime pay) for all hours worked over 40 hours in a workweek.

4.3 Other Worker Classifications

4.3.1 Not all individuals performing services for the University are university employees. At times, the University engages workers who are not employed by UVU, such as independent contractors, consultants, or staffing agency temporary employees, to perform certain services. The University shall not engage such workers unless (1) they meet the applicable legal requirements to be classified as such and (2) a legally compliant agreement or arrangement is in place with or concerning those workers. (See also UVU Policy 210 *Independent Contractors*.)

4.3.2 Individuals not otherwise employed by the University who volunteer their services to the University are excluded from the definition of employee and thus are excluded from coverage by the FLSA. Individuals employed by the University in any capacity shall not volunteer their services to the University if the work is of the same type they or others at the University are employed to perform.



4.4 Work Hours

4.4.1 University offices and departments are typically open to serve students or the public Monday through Friday from 8 a.m. to 5 p.m. Department leaders may establish alternative business hours.

4.4.2 Supervisors are responsible for establishing work schedules for employees that are consistent with university policies and procedures, including overtime provisions. Full-time nonexempt employees are expected to work 40 hours per week, generally eight hours a day, with an unpaid meal period each workday of between 30 minutes and one hour, as directed and approved by their supervisor.

4.4.3 Employees are required to be to work on time. A nonexempt employee who is late, regardless of the reason (including inclement weather), shall, with the approval of his or her supervisor, either make up the lost time by adjusting his or her work schedule or use accrued leave or leave without pay.

4.4.4 Full-time exempt staff and executive employees are expected to work as many hours as needed to complete their job duties and at least 40 hours per week, generally eight hours per day, in accordance with a work schedule established by the supervisor.

4.4.5 Full-time faculty work hours and workloads are addressed separately in UVU Policy 641 *Salaried Faculty Workload–Academic Year*.

4.5 Time and Leave Reporting

4.5.1 All full-time employees, both exempt and nonexempt, shall report all absences from work using UVU’s currently designated time keeping system no later than two weeks after the absence. Supervisors shall notify Human Resources if they have an employee with an unplanned absences of more than three days.

4.5.2 Nonexempt employees shall complete and submit a semi-monthly time record that accurately reflects the hours actually worked per week, including approved and unapproved overtime, on-call time, stand-by time, and approved leave time.

4.5.3 The University strictly prohibits off-the-clock work for nonexempt employees. Supervisors shall not permit or instruct nonexempt employees reporting to them to work off the clock. Examples of “off the clock” work include performing work-related functions prior to or after the workday without recording this time. Nonexempt employees shall not work after hours, work at home, or check their electronic communications outside of their regular work schedule unless pre-approved to do so by their supervisor. In such approved instances, nonexempt employees shall include such time worked in their time record for that workweek.



4.5.4 Nonexempt employees who fail to report work hours correctly or who work off the clock may be subject to disciplinary action, up to and including termination of employment. Supervisors who direct a nonexempt employee to submit an incorrect time record, knowingly approve an incorrect time record, or direct a nonexempt employee to work off the clock may be subject to disciplinary action, up to and including termination of employment.

4.6 Overtime Pay and Compensatory Time (Nonexempt Employees)

4.6.1. Nonexempt employees are expected to work a reasonable amount of overtime when requested to do so by their supervisor, particularly in unusual or emergency circumstances. Overtime shall not be worked at the option of the nonexempt employee and, unless necessitated by a natural disaster or other emergency situation, must have prior approval of the appropriate supervisor. Nonexempt employees who work unauthorized overtime shall be paid overtime, but may be subject to disciplinary action, up to and including termination of employment.

4.6.2 Nonexempt employees who work more than 40 hours in a workweek shall be compensated for their overtime hours. Overtime hours shall be compensated through (1) compensatory time accrued at a rate of 1½ hours for each overtime hour worked or (2) overtime pay for each overtime hour worked paid at the overtime pay rate of (1½ times the employee's regular rate of pay).

4.6.3 Nonexempt employees who earn compensatory time may accrue a maximum of 120 hours of compensatory leave. Once a nonexempt employee has accrued 120 hours of compensatory leave, any additional overtime hours worked shall be paid as overtime pay.

4.6.5 Supervisors shall arrange for a nonexempt employee's use of compensatory leave as soon as possible after it is accrued and within a reasonable period after the employee's request, if such use does not unduly disrupt university operations or endanger public health, safety, or property.

4.6.6 Nonexempt employees, with appropriate supervisor approval, may be authorized for overtime work other than adjunct teaching within their department/division, and in exceptional circumstances that are for the benefit of the University, in another university division. Authorization for overtime work in another division requires prior approval by the executive leader of both the nonexempt employee's division and the division in which the overtime work will be performed. Information and forms related to these additional overtime assignments are available through Human Resources.

4.7 Call-in and Holiday Premium Pay (Nonexempt Employees)

4.7.1 Nonexempt employees who are called in to work outside of regularly scheduled work hours to work on critical operational duties shall be paid the greater of all time worked or four hours. Such critical operational duties are performed physically at a university campus, facility, or worksite and are determined and authorized by the nonexempt employee's vice president (or vice



president's designee). The rate of pay for these hours shall be at the regular rate of pay or at overtime pay as applicable. Call-in pay shall not be paid on a UVU holiday. When a nonexempt employee is asked to work on a UVU holiday, the holiday premium rate of pay shall supersede call-in pay.

4.7.2 Nonexempt employees required by their supervisors to work on a UVU holiday (between 12:01 a.m. and 12 p.m. on the day of the UVU holiday) are eligible for holiday premium pay. Part-time nonexempt employees receive 1½ their regular hourly pay rate for each hour worked on a UVU holiday. Full-time nonexempt employees receive two times their regular hourly rate of pay for each hour worked on a UVU holiday.

4.8 Meal Periods and Rest Breaks (Nonexempt Employees)

4.8.1 Full-time nonexempt employees shall take one unpaid duty-free meal (lunch) period of not less than 30 minutes and no longer than one hour each workday, generally in the middle of the workday or as otherwise scheduled with the employee's supervisor. Nonexempt employees may not miss meal periods to shorten a work day without supervisor approval.

4.8.2 Full-time and part-time nonexempt employees may take one 15-minute paid rest break for every four hours worked. Rest breaks are not to be used (1) to offset late arrival or early departure from the worksite, (2) to extend the meal period, or (3) to accumulate paid time off from one day to the next.

4.9 Payment of Wages, Deductions, and Administrative Pay Corrections

4.9.1 Full-time exempt and nonexempt employees are paid on a salaried basis. Part-time (variable hour) employees, with the exception of adjunct faculty, are paid on an hourly rate basis. Adjunct faculty are paid a fixed amount per course taught spread in even payments across the term of the course instructed (typically a semester); additional non-teaching assignments are paid on an hourly rate basis and shall be pre-approved by the department chair, reported, and compensated in accordance with UVU Policy 321 *Employment Classifications and Work Limits*.

4.9.2 All employees receive their pay on a semi-monthly basis. Employees are paid one half month after the completion of a pay period. Pay for the first half of the month (days 1–15) is paid the first working day of the following month. Pay for the second half of the month (day 16–last day) is paid on the 16th of the following month.

4.9.3 When a payday falls on a Saturday, pay is generally issued on Friday. When a payday falls on a Sunday, pay is generally issued on Monday. If a payday falls on a UVU holiday during the



week, pay is generally issued the working day immediately prior to the holiday. The Payroll Office publishes a detailed pay schedule on its website.

4.9.4 Utah Valley University shall make all legally required deductions from employees' pay. These deductions include Social Security, payroll taxes, etc. Employees may also authorize the University to make other deductions related to benefits or otherwise, such as for health insurance premiums or retirement account contributions. The University also complies with all court orders related to wage garnishment.

4.9.5 Utah Valley University takes all reasonable steps to ensure that all employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the event that there is an error in the amount of pay, including an improper deduction from pay, the employee should promptly bring the discrepancy to the attention of the Payroll Office so the discrepancy can be corrected as quickly as possible. If an employee has been underpaid, the University will either correct it in the next regular paycheck or issue a separate check for the difference. Payroll will notify the employee of the method used. If an employee has been overpaid, a correction shall be made in the following paycheck to correct the error.

4.10 Reporting Concerns

4.10.1 Any actual, threatened, or perceived violation of the University's policies or applicable law governing its FLSA compliance and pay practices, including the University's timekeeping policies, shall be reported immediately to Human Resources or the Payroll Office.

4.10.2 Employees who believe they have been misclassified as exempt under the FLSA may ask the Associate Vice President for Human Resources in writing to review the classification. The Associate Vice President for Human Resources shall determine whether a review is warranted, and if so, will review the classification and provide a response to the employee in a timely manner. There are no additional internal reviews or appeals.

4.10.3 Utah Valley University prohibits retaliation against an employee who makes a good faith report or appeal under this policy.

5.0 PROCEDURES

5.1 Other Worker Classifications

5.1.1 Employees who wish to engage a temporary staffing agency employee shall first obtain approval from their Dean or Vice President (or their designees) and shall then contact Human Resources and/or the Procurement and Contract Services Department to ensure compliance with this policy, UVU Policy 210 *Independent Contractors*, and procurement policies and procedures.



5.2 Time and Leave Reporting (Nonexempt Employees)

5.2.1 Nonexempt employees shall be paid for all hours that UVU suffers or permits (requires or allows) them to work. All work time shall be recorded in the University's currently designated timekeeping system. All time (regular and overtime) submitted shall be rounded to the nearest quarter-hour increment rounded up to the next quarter hour when the nonexempt employee has worked seven minutes or more past the quarter hour and rounded down to the nearest quarter hour when the employee has worked six minutes or less past the quarter hour.

5.2.2 Generally, time worked by nonexempt employees shall be submitted no later than two working days after the last working day of the pay period. To ensure timekeeping accuracy, nonexempt employees are required to review and certify the accuracy of their time entries for each workweek. Following a nonexempt employee's certification of accuracy, the employee's supervisor, or the supervisor's designee, is also required to certify the accuracy of the employee's time entries.

5.2.3 Work time includes all time during which a nonexempt employee is required to be on UVU's premises, on duty, or at a prescribed place. Worktime generally begins when nonexempt employees arrive at their work area to begin their principal work activity and all time that follows until the employee ceases such principal activity, excluding time clocked out for a meal break. It generally does not include the time an employee spends parking or walking from (or to) his or her car to his or her work area to begin work.

5.2.4 Following are examples explaining which activities are considered "work" and are compensable:

1) *Lectures, Meetings, and Training Programs:* When UVU requires or permits a nonexempt employee to attend lectures, meetings, or training during the employee's regular work hours, the training time shall be compensable "on the clock" time. Nonexempt employee training time shall be paid unless all four of the following criteria are met: (a) attendance is outside of the employee's regular working hours; (b) attendance is in fact voluntary; (c) the course, lecture, or meeting is not directly related to the employee's job; and (d) the employee does not perform any productive work during such attendance.

2) *Waiting Time:* Whether a nonexempt employee is compensated for "waiting time" depends on whether the employee was engaged to wait (which is work time) or the employee was waiting to be engaged (which is not work time). For example, an administrative assistant who reads a book while waiting for dictation or a firefighter who plays checkers while waiting for an alarm is working during such periods of inactivity. These employees have been "engaged to wait" and must therefore be compensated for such waiting time.



3) *On-Call Time:* A nonexempt employee who is required to remain on the employer's premises is working while "on call." Whether an employee who is required to remain on call away from work depends on the facts, including considering additional constraints on the employee's freedom, how quickly the employee must respond, how far the employee can travel, how many calls they must respond to, and other similar factors. In such cases, the time an employee spends responding to calls is generally compensable, but whether the remainder of the on-call time is compensable depends on the facts.

4) *Travel Time:* Whether nonexempt employee travel time is compensable work time depends on the kind of travel involved.

a) A nonexempt employee who travels from home before the regular workday and returns to his or her home at the end of the workday is engaged in ordinary home to work travel, which is not compensable work time.

b) Time spent by a nonexempt employee in travel as part of their principal activity, such as travel from job site to job site during the workday, shall be counted as hours worked.

c) Time spent by a nonexempt employee who works at a fixed location in one city who is given a one-day assignment in another city and returns home the same day is all compensable, minus the time the employee would normally spend commuting to the regular job site.

d) Travel that keeps a nonexempt employee away from home overnight is travel away from home. Travel away from home shall be compensable work time when it occurs during the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. Time spent in travel away from home outside of the employee's regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not compensable work time assuming the employee is not working on work projects during that time. If an employee drives a car after his or her working hours to travel away from home, the time spent in the car is compensable work time.

5) *Sleeping Time and Certain Other Personal Activities:* Time spent by a nonexempt employee staying overnight on travel for their job is generally not compensable unless the employee is on duty during that time, such as when the employee is supervising students. A nonexempt employee who is required to be on duty for fewer than 24 hours is working even though he or she is permitted to sleep or engage in other personal activities when not busy. An employee required to be on duty for 24 hours or more may agree with the employer to exclude from hours worked bona fide regularly scheduled sleeping periods of not more than eight hours, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night's sleep. No reduction is permitted unless at least five hours of sleep is taken. Supervisors should contact Human Resources to assist with a bona fide sleeping period request.



5.2.5 Meal Periods and Rest Breaks (Nonexempt Employees)

5.2.5.1 Meal periods shall be duty-free, which means the nonexempt employee must be completely relieved from duty during meal periods. The employee is not relieved if he or she is required to perform any duties, whether active or inactive, during the meal period. Meal periods are unpaid and shall not be included when calculating total hours worked in a workday. Accordingly, nonexempt employees shall accurately account for their off-duty meal period time as “off the clock” in the University’s time keeping system.

5.2.5.2 Full-time and part-time nonexempt employees may take one 15-minute paid rest break for every four hours worked. Rest breaks are not to be used (1) to offset late arrival or early departure from the worksite, (2) to extend the meal period, or (3) to accumulate paid time off from one day to the next.

5.2.6 Lactation Breaks

5.2.6.1 To allow an employee to express breast milk for her child, reasonable daily paid break periods shall be granted to employees for a year after an employee begins inducing lactation for her adopted child or after the birth of her biological child.

5.2.6.2 For nonexempt employees, any breaks taken in excess of normally provided paid breaks will be unpaid breaks.

5.3 Overtime Pay and Compensatory Time (Nonexempt Employees)

5.3.1 For purposes of calculating overtime, UVU’s workweek begins on Saturday at 12:00 a.m. and ends the following Friday at 11:59 p.m.

5.3.2 Holidays, vacation leave, personal leave, sick leave, premium holiday work hours, and compensatory leave are not counted as time worked in calculating overtime hours.

5.4 Call-in and Holiday Premium Pay

5.4.1 If a UVU holiday falls on a Saturday or Sunday and the University observes the holiday on the following Monday or previous Friday, the supervisor shall determine which day the nonexempt employee is eligible for holiday premium pay.

5.4.2 Exempt employees in positions that are critical to the operation and safety of the University who are required by their supervisor to work on a UVU holiday shall receive equal time off at a time mutually determined by the employee and the employee’s supervisor, if required by their supervisor to work on a UVU holiday.



5.4.3 Employees shall be eligible for holiday premium pay only if their supervisor is requiring the employee to work on a UVU holiday. Nonexempt employees who work UVU holiday hours without their supervisor's authorization shall not be eligible for holiday premium pay, shall be paid their regular hourly rate for those hours, and may be subject to discipline.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



POLICY TITLE	Workload for Full-time, Non-Faculty Employees	Policy Number	325
Section	Human Resources	Approval Date	September 6, 2001
Subsection	Conditions of Employment	Effective Date	September 6, 2001
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

2.0 REFERENCES

3.0 DEFINITIONS

4.0 POLICY

4.1 Total Hours Worked

4.1.1 General Conditions of Full-Time Employment

~~4.1.1.1~~ Institution classified, professional, and administrative employees who are full-time are expected to work eight hours per day or 40 hours per week. Standard working hours are from 8 a.m. to 5 p.m., Monday through Friday. However, working hours in certain departments and at certain times of the year may be scheduled in other shifts so as to meet departmental needs and/or special needs of employees and yet continue the efficient operation of the University.

4.1.2 Provisions for Professional and Administrative Employees to Teach

~~4.1.2.1~~ University professional and administrative employees who are approved to teach classes may do so with the following provisions:

- ~~1)~~ For payroll purposes, any classes taught during the regular work day (normally 8 a.m. to 5 p.m.), except during the employee's lunch hour (normally between the hours of 11 a.m. and 2 p.m.) will be considered a part of the regular workload of that employee and must be approved by the supervisor and appropriate vice presidents of that employee.



2) Classes taught outside the regular work day may be contracted as overload. These must also be approved by the supervisor, dean where appropriate, and vice president of that employee. These classes will be limited to a maximum of eight contact hours per week averaged over the academic year.

4.1.3 Meal and Rest Periods

~~4.1.3.1 Classified employees are allowed a meal period of not less than 30 minutes nor longer than one hour not later than five hours after the beginning of the employee's work day. Meal periods are taken without pay and are not included when calculating total hours worked. Classified employees are allowed a 10 minute rest period for each four hours worked. Generally, this period is taken at the mid point of each four hour shift; however, employees are not to work over 2½ consecutive hours without a rest period being made available to them. Rest periods are taken with pay. Therefore, if classified employees elect not to take rest periods, the time may not be accumulated so as to allow them to report to work late, take extended meal periods, nor leave work early.~~

5.0 PROCEDURES

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: 326 Special Pay for Staff

Existing Policy Number and Title: 326 Special Pay for Staff

Approval Process*

<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input 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 checked="" type="checkbox"/> Suspension	
	Anticipated Expiration Date:	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: October 19, 2016, Board of Trustees, Temp Emergency, Suspension
President's Council Sponsor: Linda Makin **Ext.** _____
Policy Steward: Karen Clemes, Mark Wiesenberg **Ext.** _____

POLICY APPROVAL PROCESS DATES

<p>Policy Drafting and Revision Entrance Date: <u>10/19/2016</u></p> <p>University Entities Review Entrance Date: <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>11/17/2016</u> Approval Date: _____</p>	<p 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</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>
--	---



UTAH VALLEY UNIVERSITY
Policies and Procedures

POLICY TITLE	Special Pay for Staff	Policy Number	326
Section	Human Resources	Approval Date	February 12, 2009
Subsection	Conditions of Employment	Effective Date	February 12, 2009
Responsible Office	Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

~~1.1 The University provides university departments with an authorized method to provide staff with additional compensation for extenuating work hours performed under identified and approved special circumstances and conditions.~~

2.0 REFERENCES

~~2.1 Fair Labor Standards Act of 1938 (FLSA), as amended (29 USC §201 et seq.; 29 CFR Parts 510 to 794)~~

3.0 DEFINITIONS

~~3.1 Call-in pay: Pay given to employees who are called in to work on critical operational duties.~~

~~3.2 Compensatory time: Authorized time off in lieu of monetary payment for accrued overtime hours.~~

~~3.3 Exempt employee: Any employee: (1) who is exempt from the wage and hour provisions of the Fair Labor Standards Act (FLSA); (2) among the classification of employees, excluding faculty and executives, who are "exempt" from the requirements of the Fair Labor Standards Act; (3) who is an assistant to an administrator and other non-faculty employees whose positions require a high level of skill and advanced knowledge in a highly technical or professional field.~~

~~3.4 Fair Labor Standards Act (FLSA): A federal law which establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.~~

~~3.5 Nonexempt: The classification of employees, excluding faculty and executives, who are paid either by a wage rate or by a salary that is based on a per-hour wage rate and who receive time and a half for hours worked beyond 40 hours a week in compliance with the FLSA.~~



~~**3.6 Overtime pay:** Pay which is at least 1.5 times an employee's regular hourly rate for all hours worked over 40 in a workweek.~~

~~**3.7 Overtime status:** Overtime is authorized time worked in excess of 40 hours in a workweek by nonexempt employees.~~

~~**3.8 Premium holidays:** Holidays that are designated and approved annually by the Board of Trustees.~~

~~**3.9 Premium holiday pay:** Pay that is given to nonexempt employees who are authorized to work on premium holidays.~~

~~**3.10 Staff:** Non-faculty, non-student employees.~~

~~**3.11 Workweek:** The workweek begins at 12:01 a.m. Saturday and ends at 12:00 midnight the following Friday.~~

4.0 POLICY

~~**4.1** Staff employees shall be compensated for their contributions that support the achievement of operational requirements. To this end, the University may require employees to work at times outside of their normal work hours. When this occurs, appropriate pay treatment will be used to compensate employee efforts during critical operational circumstances as per the procedures herein.~~

5.0 PROCEDURES

5.1 Overtime Pay

5.1.1 Overtime for Nonexempt Employees

~~**5.1.1.1** Overtime is authorized time worked in excess of 40 hours in a workweek by nonexempt employees.~~

~~**5.1.1.2** Overtime must be kept to a minimum and should be permitted only in unusual circumstances. Overtime may not be worked at the option of the employee and, unless necessitated by a natural disaster or other emergency situation, must have prior written approval of the appropriate supervisor and administrator responsible for the account to which the overtime is charged.~~

5.1.2 Employees Exempt from Overtime



~~5.1.2.1 Individuals employed in a bona fide executive, administrative, or professional capacity are exempt from overtime. Exempt status is determined by the guidelines of income level, percent of time employed, supervisory responsibilities, and other complex factors as defined in detail in the *Fair Labor Standards Act (FLSA)*, as amended. Specifically listed as exempt are persons employed in the capacity of academic administrative personnel and teachers.~~

~~5.1.2.2 In consultation with the appropriate college administrator(s), the Executive Director of Human Resources or designee will determine exempt or nonexempt status of employees and will furnish such information to supervisors as requested.~~

~~5.1.2.3 Individuals who volunteer their services to the University are excluded from the definition of employee and thus are excluded from coverage by the FLSA. Regular employees of the University may not volunteer their services to the University if the work is of the same type they are employed to perform.~~

5.1.3 Calculation of Overtime Hours

~~5.1.3.1 For purposes of computing overtime hours, the University's standard workweek begins at 12:01 a.m. Saturday and ends at 12:00 midnight the following Friday.~~

~~5.1.3.2 All overtime must be recorded to the nearest quarter-hour increment.~~

~~5.1.3.3 Holidays, vacation, sick leave, and compensatory time off are not counted as time worked in calculating overtime hours.~~

~~5.1.3.4 At their own option and with the approval of their supervisor, employees may work for the University on an occasional or sporadic basis in a part-time position different than their regular employment and be compensated at the normal rate for that position.~~

5.1.4 Compensatory Time Off for Overtime

~~5.1.4.1 Compensatory time is granted at 1.5 times of the employee's regular hourly rate for each one-hour of overtime worked.~~

~~5.1.4.2 Compensatory hours worked must be entered into the HR/Payroll system for processing and tracking.~~

~~5.1.4.3 Compensatory time off should be taken within a reasonable period after it is accrued. The time off should have prior approval of the appropriate supervisor so as to not unduly disrupt the efficient operation of the department.~~

~~5.1.4.4 Compensatory time hours will be accrued as per public policy and regulations.~~



~~5.1.4.5 An employee who has accrued the maximum number of compensatory hours will be paid monetary compensation for any additional overtime hours worked.~~

~~5.1.4.6 Upon termination, an employee's payment for accrued compensatory time is calculated at the employee's average regular rate of pay for the final three years of employment or the final regular rate, whichever is greater.~~

5.1.5 Pay for Overtime

~~5.1.5.1 When compensatory time off is not taken in payment for overtime worked, nonexempt employees are paid additional compensation for overtime hours at 1.5 times their regular hourly pay rate.~~

~~5.1.5.2 When an employee performs work in more than one department and is required to work overtime, the department creating the overtime will bear the cost of the overtime pay. If the responsible department cannot be identified clearly by the Payroll department, the overtime pay will be prorated among departments.~~

5.2 Premium Holiday Pay

5.2.1 Eligible Employees

~~5.2.1.1 Nonexempt employees in positions that are critical to the operation and safety of the University will be eligible for premium holiday pay. This policy applies to nonexempt full-time and part-time employees. Employees must be performing work assignments physically on the University's campuses/worksites.~~

~~5.2.1.2 Exempt employees in positions that are critical to the operation and safety of the University will receive equal time off at a mutual convenience of the employee and the employee's supervisor, if required to work on a premium holiday.~~

5.2.2 Premium Holiday Pay Application

~~5.2.2.1 Part-time, nonexempt employees who are required to work on a premium holiday will receive 1.5 times their regular hourly pay rate.~~

~~5.2.2.2 Full-time, nonexempt, benefits-eligible employees will receive 1 hour at regular rate of pay plus 1 additional hour at regular rate of pay for each hour worked on a premium holiday.~~

~~5.2.2.3 Employees will only be eligible for premium holiday pay if their supervisor is requiring the employee to work on a premium holiday. Employees who work premium holiday hours without their supervisor's authorization will not be eligible for premium holiday pay.~~



5.2.3 Premium Holiday Pay Hours

~~5.2.3.1 Premium holiday hours are paid for hours that occur from 12:01 a.m. to 12:00 midnight on the day of the premium holiday. Hours worked outside this time will not be eligible for premium holiday pay.~~

5.2.4 Premium Holiday Occurring on a Weekend

~~5.2.4.1 The day the University observes a premium holiday is the day that employees are eligible for premium holiday pay. If a premium holiday falls on a Saturday or Sunday and the University observes the holiday on the following Monday or previous Friday, the supervisor will determine which day the employee is eligible for premium holiday pay.~~

5.2.5 Premium Holiday Pay and Overtime Pay

~~5.2.5.1 Premium holiday hours are not considered as time worked in the computation of overtime.~~

5.2.6 Call-in Pay

~~5.2.6.1 Employees called in to work on critical operational duties will be paid at least four (4) hours of call-in pay. Critical operational work duties are performed physically on the University's campuses/worksites. Rate of pay for these hours will be at regular rate of pay or at overtime rate if overtime pay rate is applicable. Call-in pay does not occur on a premium holiday. When a premium holiday occurs, the rate of pay for the premium holiday will supersede the call-in pay.~~

5.2.7 Determination of Critical Operational Duties

~~5.2.7.1 The appropriate vice president is responsible for determining critical operational duties.~~

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: 327 Additional Assignments for Full-time Exempt Staff and Executives (Temporary Emergency)

Existing Policy Number and Title: 327 Overload for Exempt, Non-Faculty Employees

Approval Process*

<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: November 9, 2016, Board of Trustees, Temporary Emergency, Revision
President's Council Sponsor: Linda Makin **Ext.** _____
Policy Steward: Karen Clemes, Mark Wiesenber **Ext.** _____

POLICY APPROVAL PROCESS DATES

<p>Policy Drafting and Revision Entrance Date: <u>10/19/2016</u></p> <p>University Entities Review Entrance Date: <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>11/17/2016</u> Approval Date: _____</p>	<p 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</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>
--	---



POLICY TITLE	Additional Assignments for Full-time Exempt Staff and Executives (Temporary Emergency)	Policy Number	327
Section	Human Resources	Approval Date	
Subsection	Conditions of Employment	Effective Date	
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

Utah Valley University recognizes that some full-time exempt staff and executives may be professionally qualified for an additional compensated assignment within the University, including teaching as adjunct faculty. While exempt employees who have additional assignments are not entitled to the overtime protections of the *Fair Labor Standards Act (FLSA)*, this policy outlines the authorization required for exempt staff and executives to receive an additional compensated assignment.

2.0 REFERENCES

- 2.1 *Fair Labor Standards Act of 1938 (as amended)*
- 2.2 UVU Policy 325 *FLSA Compliance: Exempt/Nonexempt Classifications, Wages, and Work Hours*
- 2.3 UVU Policy 363 *Supplemental and Adjunct/Overload Pay Methods*
- 2.4 UVU Policy 371 *Corrective Actions and Termination for Staff Employees*

3.0 DEFINITIONS

- 3.1 Extraordinary circumstances:** Peculiar or unusual situations, generally unanticipated or unforeseen, that would have substantial impact on the student educational experience or on key university operations.
- 3.2 Exempt:** A classification of employees who meet the applicable FLSA salary level, salary basis, and duties test of one or more of the executive, administrative, academic administrative, or professional exemptions or they are performing non-manual work and paid a total annual compensation that meets the highly compensated employee exemption.



3.3 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.

3.4 Interim assignment: Temporary assignment of higher grade level job responsibilities to a full-time employee for an extended, but temporary, period of time. Interim assignments typically result from a position vacancy.

3.5 Salary basis: Annual base salary, not based on an hourly wage rate, spread equally over 24 pay periods.

4.0 POLICY

4.1 Full-time exempt staff and executives are expected to work as many hours as needed to complete their job duties at a minimum of 40 hours per week in accordance with a work schedule established by the supervisor. Full-time exempt staff and executives are paid on a salary basis and are not entitled to overtime compensation.

4.2 Exempt staff and executives have primary employment and professional responsibility to the University.

4.3 An academically qualified, full-time exempt staff or executive who is selected through the University's hiring process for an adjunct teaching assignment in addition to his or her primary job duties, may only accept such assignment with approval from his or her immediate supervisor, supervisory vice president, and dean of the school/college of the course to be instructed. The employee must be in good standing and not under any formal corrective action (i.e., Written Warning Notice or Final Written Warning Notice).

4.3.1 Full-time exempt staff and executives are limited to one section or up to three credit hours, whichever is greater, adjunct teaching assignment per semester. For Spring Semester 2017 only, a full-time exempt staff or executive may teach an additional section or up to three additional credit hours if pre-approved through the completion of a special exception request by the employee's supervisor and with the approval of the Senior Vice President of Academic Affairs.

4.3.2 Course meeting times and all course preparation should be outside of the employee's normal working hours. If course meeting times occur during the employee's normal working hours, the employee shall receive prior supervisor approval to (a) use his or her scheduled lunch hour or (b) adjust the start or end time of his or her regular work day.

4.3.3 An approved adjunct teaching assignment, including the related work (i.e., class preparation, grading, advising/meeting with students, etc.), may not conflict with or detract,



distract, or divert from the employee's full-time duties, performance of those duties, or the operations of the employee's department.

4.3.4 An approved adjunct teaching assignment must be outside of the scope of the job duties for which the employee receives base pay. Full-time exempt staff and executives with an approved adjunct teaching assignment will be compensated in accordance with UVU's adjunct pay rate and pay dates.

4.4 Full-time exempt staff and executives selected for an interim assignment may receive additional compensation for the successful performance of higher level responsibilities.

4.4.1 Interim assignments must be for an extended period of time, typically greater than two months, and are temporary in nature, generally less than twelve months.

4.4.2 The employee selected for the interim assignment must assume at least 60 percent of the job responsibilities and meet the minimum qualifications of the higher level position.

4.5 Under extraordinary circumstances, a full-time exempt staff or executive may be selected to temporarily (generally no longer than six months) perform additional duties unrelated to his or her job responsibilities and/or outside of his or her department. In consultation with Human Resources and with prior written approval by the employee's supervisor, supervising vice president (or designee), and, as applicable, vice president (or designee) of the division in which the additional duties will be performed, an employee may receive additional compensation for the successful performance of these additional duties.

4.6 The University may discipline any employee who violates this policy, up to and including termination of employment from the University. Supervisors who direct or permit an employee to violate this policy may be subject to disciplinary action, up to and including termination of employment.

5.0 PROCEDURES

5.1 A full-time exempt staff employee or executive who is selected through the University's hiring process is responsible for obtaining prior approval for an adjunct teaching assignment by completing the *Overload Assignment Authorization Form*. If prior approval is not obtained, the employee will not be eligible for an adjunct teaching assignment during the following semester.

5.2 Supervisors, in consultation with Human Resources, outline in writing the responsibilities of an interim assignment, including the expected term of the assignment and interim assignment compensation (paid as a stipend or lump sum). This document must be approved by the supervising vice president or designee prior to the interim assignment offer.

5.3 Supervisors, in consultation with Human Resources, outline in writing the responsibilities of an extraordinary circumstances assignment, including the expected term of the assignment and



UTAH VALLEY UNIVERSITY

Policies and Procedures

compensation (paid as a lump sum or stipend). This document must be approved by the supervising vice president or designee prior to the extraordinary circumstances assignment offer.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



POLICY TITLE	Overload for Exempt, Non-Faculty Employees	Policy Number	327
Section	Human Resources	Approval Date	March 14, 1994
Subsection	Conditions of Employment	Effective Date	March 14, 1994
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

2.0 REFERENCES

3.0 DEFINITIONS

4.0 POLICY

~~4.1 Full time appointments require a full commitment of working time and effort. Full time, exempt, non faculty employees are expected to complete their primary assignments regardless of the time required. This is to be done without overload compensation, except in rare circumstances, such as an emergency situation or where the specific expertise of the employee is required. However, full time, exempt, non faculty employees may render overload service for the University, within the reasonable discretion of the supervisor, provided that these services will not interfere or conflict with their primary assignment.~~

~~4.2 Utah Valley University recognizes that exempt, non faculty staff make broad and significant contributions through application of professional skills and services to the community, university, and state, as well as national, and international communities. Professional services provided to these communities by exempt, non faculty staff beyond their role assignments at the University contribute, not only to the needs of others, but also increase the competence of the exempt person in recognition to the University. However, exempt, non faculty staff members of Utah Valley University must be cognizant of their responsibilities and obligations as employees of the University. Exempt personnel have primary employment and professional responsibilities to the University. Contractual services provided to entities outside the University requiring~~



UTAH VALLEY UNIVERSITY

Policies and Procedures

~~release time from the University are a privilege extended by the institution for the professional development of the individual and are granted at the discretion of the University with approval from the supervisors, the respective vice president, and from the personnel director.~~

5.0 PROCEDURES

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: 328 Responsibility for Scheduling and Reporting Working Hours

Existing Policy Number and Title: 328 Responsibility for Scheduling and Reporting Working Hours

Approval Process*

<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input 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 checked="" type="checkbox"/> Suspension	
	Anticipated Expiration Date:	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: October 19, 2016, Temporary Emergency, Board of Trustees
President's Council Sponsor: Linda Makin **Ext.** _____
Policy Steward: Karen Clemes, Mark Wiesenberg **Ext.** _____

POLICY APPROVAL PROCESS DATES

Policy Drafting and Revision
Entrance Date: 10/19/2016

University Entities Review
Entrance Date: Not applicable

University Community Review
Entrance Date: Not applicable
Open Feedback: Not applicable
Close Feedback: Not applicable

Board of Trustees Review
Entrance Date: 11/17/2016
Approval Date: _____

POST APPROVAL PROCESS

- Verify:
- Policy Number
 - Section
 - Title
 - BOT approval
 - Approval date
 - Effective date
 - Proper format of Policy Manual posting
 - TOPS Pipeline and Archives update

Policy Office personnel who verified and posted this policy to the University Policy Manual

Name: _____

Date posted and verified: _____



POLICY TITLE	Responsibility for Scheduling and Reporting Working Hours	Policy Number	328
Section	Human Resources	Approval Date	June 18, 1992
Subsection	Conditions of Employment	Effective Date	June 18, 1992
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

2.0 REFERENCES

2.1 Fair Labor Standards Act (FLSA)

2.2 UVU Policy 323 Guidelines for Consulting

3.0 DEFINITIONS

4.0 POLICY

~~4.1 Supervisors are responsible for preparing and maintaining work schedules that are consistent with university policy and procedures. The *Fair Labor Standards Act (FLSA)* requires that extensive time and payroll records be maintained by the University. If employees work other than their standard working hours, supervisors must report the excess or shortage to the nearest quarter hour to the Business Office or Human Resources, as appropriate, so the official records maintained there can be kept up to date and accurate. Compensatory time off and pay for accrued overtime hours will be allowed only for hours that have been posted to these official records.~~

~~4.2 Faculty evaluation procedures, criteria for establishing appropriate development activities and rewards for completion of such activities, and merit pay procedures are under the direction of the Vice President for Academic Affairs and are reviewed and modified from time to time in consultation with appropriate faculty, administrators, and faculty groups. Such information for administrative and classified employees is maintained in Human Resources.~~



5.0 PROCEDURES

5.1 ~~Overload Assignment Authorization~~

~~5.1.1 The director of the hiring department or the department chair of an academic department must authorize all overload work within their administrative or academic unit. The employee agreeing to perform the authorized overload has the obligation to obtain approval signatures from their supervisors, the respective vice president, and the personnel director. A copy of the approval form is attached. The completed form is retained in Human Resources.~~

5.2 ~~Compensation~~

~~5.2.1 The appropriate academic department chair or administrative director will recommend the overload compensation within the limits of eight working hours per week averaged over the contract period. The employee must complete the overload assignment form before beginning the assignment.~~

5.3 ~~Reporting~~

~~5.3.1 Human Resources will distribute periodic reports on overload compensation and hours worked to all vice presidents for review of their organizations. An annual report will be prepared for and reviewed by the University President.~~

5.4 ~~External Consulting~~

~~5.4.1 See UVU Policy 323 *Guidelines for Consulting*.~~



OVERLOAD ASSIGNMENT AUTHORIZATION

Name: _____ Date: _____

Job Title: _____

FTE Department: _____

Approvals

Supervisor	Department Chair	Vice President

Overload Department: _____

Duration of Assignment:

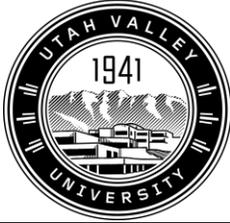
Beginning Date _____ Ending Date _____

Approvals

Human Resources Dir/Equity Officer	Vice President

CC: Employee, FTE Department, Overload Department, Human Resources.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: 351 Annual Compensation and Benefits Plan (Temporary Emergency, Suspension)

Existing Policy Number and Title: 351 Annual Compensation and Benefits Plan

Approval Process*

<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input 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 checked="" type="checkbox"/> Suspension	
	Anticipated Expiration Date:	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: November 9, 2016, Temporary Emergency, Board of Trustees
President's Council Sponsor: Linda Makin **Ext.** _____
Policy Steward: Karen Clemes, Mark Wiesenberg **Ext.** _____

POLICY APPROVAL PROCESS DATES

<p>Policy Drafting and Revision Entrance Date: <u>10/19/2016</u></p> <p>University Entities Review Entrance Date: <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>11/17/2016</u> Approval Date: _____</p>	<p 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</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>
--	---



POLICY TITLE	Annual Compensation and Benefits Plan	Policy Number	351
Section	Human Resources	Approval Date	August 12, 2004
Subsection	Conditions of Employment	Effective Date	August 12, 2004
Responsible Office	Office of the Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

2.0 REFERENCES

3.0 DEFINITIONS

4.0 POLICY

4.1. Annual Compensation/Benefit Plan

4.1.1 The University shall provide an annual compensation/benefit plan as established by the President and approved by the Board of Trustees. Insofar as is possible, the compensation/benefit plan shall be:

- 1) *Adequate*: Meeting minimum governmental, university, labor market, and employee requirements;
- 2) *Equitable*: Paying employees fairly in line with job requirements, effort, performance, abilities, education, training, and so on;
- 3) *Cost Effective*: Being within the scope of what the University can afford to pay based on legislated and other funding sources;
- 4) *Balanced*: Providing a reasonable combination of pay, benefits, and other rewards; and
- 5) *Motivational*: Providing enough incentive for employees to be efficient, effective, and productive in their work.

4.2 Salary and Wage Schedules



~~4.2.1 Salary and hourly wage schedules for faculty, classified, and student employees shall be reviewed and published annually as part of the University's compensation/benefit plan. Current schedules are maintained in Human Resources.~~

4.3 Employee Benefits

~~4.3.1 The University's annual compensation/benefit plan shall define employee benefits for a given year.~~

4.4 Paydays and Paycheck Procedures

4.4.1 Paydays for Hourly Employees

~~4.4.1.1 The standard paydays for employees paid on an hourly basis are the 1st and 16th of each month. Checks issued on the 1st are for work performed from the 1st to the 15th of the previous month. Checks issued on the 16th are for work performed from the 16th to the end of the previous month. Generally, time cards must be submitted two working days after the last working day of the pay period. Payments for late time cards will be paid on the next payroll.~~

4.4.2 Paydays for Adjunct Faculty

~~4.4.2.1 The standard paydays for adjunct faculty will be the 1st and 16th of each month during the semester. Total adjunct pay is spread in even payments throughout each semester.~~

4.4.3 Paydays for Overload Faculty and Staff

~~4.4.3.1 Full-time faculty or staff who are contracted to teach by semester appointment will receive equal payments spread over the semester taught. These payments will be paid as part of regular contract paychecks on the 1st and 16th of each month.~~

4.4.4 Paydays for Salaried Employees

~~4.4.4.1 The standard paydays for salaried employees are the 1st and 16th of each month. Checks issued on the 1st are for the work performed during the last half of the previous month; those issued on the 16th are for work performed during the first half of the current month.~~

4.4.5 Paydays that Fall on a Weekend or a Holiday

~~4.4.5.1 When a standard payday falls on a Saturday, checks are issued on Friday. When a payday falls on Sunday, checks are issued on Monday. If payday falls on a holiday on Friday, checks are issued on Thursday. If the holiday falls on any other week day, checks are issued the following day.~~

4.4.6 Pickup Procedures

~~4.4.6.1 Checks and direct deposit pay stubs will be disbursed on payday by the payroll coordinator. All employees are assigned to the coordinator of the department where the greatest percentage of pay is received. Special arrangements may be made for check distribution (hold, mail, etc.) during vacation or holidays with the payroll coordinator.~~



4.4.7 Direct Deposit

~~4.4.7.1 University employees are encouraged to have their paychecks deposited directly to a bank account via magnetic wire transfers. Forms and additional information are available from departmental personnel coordinators and the Payroll Office.~~

5.0 PROCEDURES

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY
Policies and Procedures

Proposed Policy Number and Title: 601 Classroom Management (Temporary Emergency/Limited Scope)

Existing Policy Number and Title: 601 Classroom Management (Temporary Emergency/Limited Scope)

Approval Process*

<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Extension of current temporary emergency version.	

*See UVU Policy #101 *Policy Governing Policies* for process details.

Draft Number and Date: 10/13/2016, TEMPORARY EMERGENCY, Board of Trustees

President's Council Sponsor: Jeff Olsen **Ext.** _____

Policy Steward: Kat Brown/Pilar Hayes **Ext.** _____

POLICY APPROVAL PROCESS DATES

<p>Policy Drafting and Revision Entrance Date: <u>10/13/2016</u></p> <p>University Entities Review Entrance Date: <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>10/13/2016</u> Approval Date: _____</p>	<p 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</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>
--	---



POLICY TITLE	Classroom Management	Policy Number	601
Section	Academics	Approval Date	
Subsection	Instruction and Curriculum	Effective Date	
Responsible Office	Academic Affairs		

1.0 PURPOSE

1.1 This policy sets forth university standards and procedures for syllabi, behavior, attendance, emergencies, and accommodations for students with disabilities and course assignment modification requests.

2.0 REFERENCES

2.1 *Rehabilitation Act Amendments of 1973, Section 504*

2.2 *ADA (Americans with Disabilities Act) Amendments Act of 2008*

2.3 *Family Educational Rights and Privacy Act (FERPA) §99.3, §99.37*

2.4 *Utah State Board of Regents' Policy R481 Academic Freedom, Professional Responsibility, and Tenure*

2.5 *UVU Policy 115 Minors on Campus*

2.6 *UVU Policy 152 Accommodations for Individuals with Disabilities*

2.7 *UVU Policy 153 Americans with Disabilities Act (ADA) Grievance Process*

2.8 *UVU Policy 154 Workplace Violence*

2.9 *UVU Policy 162 Sexual Misconduct*

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

2.11 *UVU Policy 407 Clery Act: Campus Safety and Security.*

2.12 *UVU Policy 503 Add/Drop/Withdrawals*



2.13 UVU Policy 523 *Grading*

2.14 UVU Policy 541 *Student Rights and Responsibilities Code*

2.15 UVU Policy 602 *Student Athlete Travel and Attendance*

2.16 UVU Policy 635 *Faculty Rights and Professional Responsibilities*

2.17 UVU Policy 648 *Faculty Personnel Reduction (Interim Policy)*

3.0 DEFINITIONS

3.1 Approved absences: Permission for students to be absent from a regularly scheduled class session in order to participate in officially sanctioned university activities, official athletic activities, religious observances, military responsibility, or other obligations or extenuating circumstances.

3.2 Disruptive behavior: Any actions that interfere with the faculty member's right or ability to conduct class and/or students' right or ability to learn.

3.3 Exclusionary behavior: Any type of behavior in the classroom that compromises a person's right to participate in activities, complete coursework, understand course content, and/or access necessary educational materials.

3.4 Extenuating circumstances: Significant emergencies or circumstances deemed applicable by the faculty/department chair including such things as a change in work schedule, a death in the immediate family, or a student's substantial illness or injury that prevents a student from completing the course.

3.5 Syllabus: An agreement between faculty and students that communicates course structure, schedule, student expectations, expected course outcomes, and methods of assessment to students.

3.6 Minor: Any person less than 18 years of age who is not enrolled or accepted for enrollment at the University.

3.7 Enrolled minor: Any person less than 18 years of age who is enrolled or accepted for enrollment at the University or who is currently enrolled or dually enrolled in University programs while also enrolled in elementary, middle and/or high school.



4.0 POLICY

4.1 Classroom Environment

4.1.1 Faculty members are responsible for creating and maintaining an environment that is conducive to teaching and learning. Faculty members shall not permit classroom behavior that interferes with the faculty member's ability to teach and/or the students' ability to learn.

4.2 Syllabi

4.2.1 Faculty members shall supply a syllabus for each course they teach that clearly communicates course structure, schedule, student expectations, expected course outcomes, and methods of assessment. Faculty are free to set appropriate standards for student performance in their courses, subject to institutional standards.

4.2.2 The syllabus shall include the approved Accessibility Services syllabus statement in each course syllabus (the current statement is available from Accessibility Services).

4.3 Convening Class

4.3.1 Faculty members shall hold classes as listed in the university class schedule and provide office hours or other appropriate individual consultation for students as established by departmental guidelines. Faculty shall only cancel classes in cases of emergency or extenuating circumstances.

4.4 Finals

4.4.1 All courses shall have a final exam/assessment (see 5.3.1) that takes place during exam week. Any scheduled final assessment shall take place in the time and space designated in the university course schedule.

4.4.2 Faculty, within departmental guidelines, shall have the flexibility to determine appropriate methods of final assessment.

4.5 Attendance

4.5.1 Faculty shall determine student attendance requirements and the method to track student attendance in accordance with federal student financial aid guidelines.

4.5.2 Students absent from class may be permitted to make up both assignments and examinations when the absence is an approved absence or the absence is the result of an emergency or extenuating circumstance.



4.6 Accommodations for Students with Disabilities

4.6.1 Faculty shall provide reasonable and appropriate accommodations as recommended by the Accessibility Services Department for students with disabilities seeking such accommodations.

4.7 Course Assignment Modifications

4.7.1 Faculty have the authority to establish course content that fulfills and is based upon department/program objectives and criteria. Faculty shall fully and respectfully consider student course assignment modification requests. Faculty need not modify a course assignment when such modification would compromise legitimate course objectives or educational goals. Faculty members shall modify a course assignment when it has no reasonable relationship to the legitimate pedagogical goals of the course or when a denial of the request would be arbitrary, capricious, or illegal, as determined by the procedures in 5.4.

4.7.2 Students must recognize that their personal disagreement with an idea or theory that is part of the course assignment is not grounds for requesting a course assignment modification. Students must be able to articulate and understand ideas and theories important to the course, regardless of whether or not they agree with the course ideas or theories.

4.7.3 The University recognizes that students' sincerely held core beliefs may make it difficult for students to fulfill some requirements of assignments, courses, or majors. The University assumes no obligation to ensure that all students are able to participate in a course or complete a major.

4.7.4 However, if a student determines that a course assignment or requirement conflicts with his or her sincerely held core beliefs, the student has the right and responsibility to notify the faculty member of the conflict, to make a reasonable attempt to resolve the matter with the faculty member, and thereafter may make a written course assignment modification request in accordance with the procedures outline herein.

4.8 Emergency Situations in the Classroom

4.8.1 In accordance with university practices, faculty shall act to the best of their knowledge and belief in protecting students in an emergency situation.

4.9 Enrolled Minors

4.9.1 Utah Valley University is committed to ensuring the safety and well-being of all minors on campus, including enrolled minors. This section describes the obligations of faculty, staff, and others in working with enrolled minors to provide for the enrolled minors' protection, to fulfill



the University's obligations as mandated by law, and to provide the best possible educational experience for all enrolled minors.

4.9.2 In accordance with the *Family Educational Rights and Privacy Act (FERPA)*, the following student information is designated as directory information:

- 1) Student name
- 2) Electronic mail address
- 3) Photograph
- 4) Date of birth
- 5) Major/field of study
- 6) Grade level
- 7) Enrollment status (e.g., undergraduate or graduate, full-time or part-time)
- 8) Dates of attendance

4.9.3 Directory information of enrolled minors may be disclosed to faculty, staff, or other university employees who will have significant interaction with the enrolled minor for the purpose of identifying the student as an enrolled minor.

4.9.4 A parent or eligible student has the right to refuse to let the University designate any or all of these types of information about the student as directory information within 30 days of the minor's acceptance for enrollment at the University by filing written notice with the Office of Academic Affairs.

4.9.5 Faculty members who are notified or become aware that they have enrolled minors in their classes and organizations they supervise or advise, via directory information or otherwise, are expected to exercise sound professional judgment and best practices and to comply with all applicable laws and University policies, including but not limited to applicable provisions of UVU Policy 115 *Minors on Campus*, in their interactions with enrolled minors. Examples of sound professional judgment and best practices include but are not limited to not dating or having a romantic relationship with enrolled minors, avoiding one-on-one meetings behind closed doors with enrolled minors, and not interacting socially or on social media outside of class or UVU organization activities with enrolled minors. In addition, faculty should comply with Policy 162 *Sexual Misconduct* in their interactions with enrolled minors.

4.9.6 In keeping with the University's commitment to the protection of minors, and in compliance with applicable state and federal laws, any faculty, staff, or other employee of Utah Valley University who witnesses or has reasonable cause to suspect any abuse of an enrolled



minor occurring at university facilities or during university-sponsored programs, activities, or courses is required to report such conduct to the University Police Department immediately or other law enforcement agencies as applicable. For the definition of abuse, see UVU Policy 115 *Minors on Campus* and Policy 162 *Sexual Misconduct*.

4.9.7 This policy does not replace the requirements for reporting child abuse or neglect pursuant to state or federal statutory reporting requirements and to otherwise comply with UVU Policy 162 *Sexual Misconduct* and UVU Policy 407 *Clery Act: Campus Safety and Security*.

4.9.8 Failure to comply with this policy, and especially section 4.9, may lead to disciplinary action, up to and including termination.

5.0 PROCEDURES

5.1 Convening Class

5.1.1 A faculty member unable to convene class shall make arrangements according to departmental practices.

5.2 Attendance

5.2.1 Faculty shall supply last date of attendance information to university officials when requested.

5.2.2 Faculty shall arrange appropriate make-up assignments with a student who is absent as a result of participation in officially sanctioned university activities, state and federal obligations, religious observance, or significant emergencies or circumstances deemed applicable by the faculty in accordance with department practice.

5.2.3 If the faculty member denies a student make-up arrangements for an absence, as covered in 5.2.2, the student may make a written appeal to the department chair. The department chair's written response to the student shall take place within two working days. The department chair's decision is final.

5.3 Exam Schedule

5.3.1 Final exam/assessment schedules for each semester are published on the University's website. A faculty member may provide an alternate exam time for a student with more than three final exams on the same day. Student shall submit a written request in a timely manner for alternate arrangements.



5.4 Course Assignment Modification

5.4.1 As soon as an assignment or a requirement is posted or made available, it is the student's obligation to determine when course assignments conflict with the student's sincerely held core beliefs. If there is such a conflict, the student should consider dropping the class. If the student is unable to drop the course, the student and faculty member shall make every effort to resolve the matter informally and respectfully.

5.4.2 If the student and the faculty member are unable to resolve the matter informally, the student shall give to the faculty member a written and dated assignment modification request. In this written request, the student has the burden to clearly articulate how the course assignment conflicts with his or her sincerely held core beliefs.

5.4.3 Faculty shall respond in writing to an assignment modification request within two working days, indicating whether the request was approved or denied. If the faculty member denies the request, he or she shall provide the student with a written explanation for the denial based on the following considerations:

- 1) The importance of the particular assignment to the course;
- 2) The burden on the student's sincerely held core belief;
- 3) The difficulty of administering a course assignment modification.

The written denial shall include the denial appeal process as laid out in 5.4.5 through 5.4.7. If the faculty member approves the request, then an alternative course assignment will be required of the student making the request. Such alternative course requirements should not be unreasonable, egregious, capricious, irrelevant, or illegal.

5.4.4 Requests will be individually evaluated in relation to the above considerations; the granting of one such request will not guarantee that all requests will be granted. Because the criteria and requirements in 5.4.3 will apply differently to each instructor and to each assignment in each course, modifications granted by an instructor in one course will not affect decisions by the same instructor in other courses or by other instructors in the same or other courses.

5.4.5 If a faculty member denies a course assignment modification request, the student may appeal that denial in writing within a reasonable time frame, typically within three working days, to the chair of the department. In consultation with the faculty member, the department chair or his or her designee shall act on the student's appeal within three working days of receipt of the written appeal. If the department chair or his or her designee approves the request, he or she, in consultation with the faculty member, will determine an alternative assignment within three working days.



5.4.6 If the department chair or his or her designee denies the request, the student may appeal the denial in writing within a reasonable time frame of receipt to the dean of the school or college. The dean or his or her designee, in consultation with the faculty member and the department chair, shall provide a written determination to the student, either granting or denying the appeal, within three working days of receiving the appeal. The dean’s decision is final. Lack of response on the part of the chair or dean within the time allotted, barring extenuating circumstances, shall constitute confirmation of the faculty member’s decision.

5.4.7 If the dean or his or her designee approves the request, he or she, in consultation with the faculty member and department chair, shall determine an alternative course assignment within three working days.

5.5 Discriminatory, Exclusionary, or Disruptive Behavior

5.5.1 Faculty members observing discriminatory, exclusionary, or disruptive behavior follow procedures described in UVU Policy 541 *Student Rights and Responsibilities Code*.

5.6 Dangerous Behavior

5.6.1 The faculty member has the right to demand and secure the immediate removal of any person from the classroom whenever the faculty member determines, to the best of his or her knowledge or belief, that the person's actions are threatening or dangerous to students or themselves. If the faculty member cannot resolve a disruptive situation, the faculty member may request that the disruptive person(s) leave the classroom. If the disruptive person(s) will not leave voluntarily, the faculty member may call University Police for assistance. The incident shall be reported to the Dean of Students and to the Director of Judicial Affairs in accordance with Policy 541 *Student Rights and Responsibilities Code*.

5.6.2 If the faculty member determines that there is a threat of imminent danger, the faculty member has the right to declare the class session terminated and leave the classroom and/or take other appropriate action per their best judgment. The faculty member shall report in writing to the department chair any classroom disruption that leads to a class session being terminated. The incident shall be reported to the Dean of Students and to the Director of Judicial Affairs in accordance with Policy 541 *Student Rights and Responsibilities Code*.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY

VICE PRESIDENT FOR FINANCE & ADMINISTRATION

Issue:

Purchase a home that is contiguous to University property.

Background:

The University has been offered a home to purchase that is contiguous to university property. The University already owns two other properties in this same neighborhood. The home has been appraised at \$267,000. The University and the home owner have come to an agreement to acquire the property. The home is located at 1222 S. 480 W. The property purchase is consistent with the recently approved University master plan.

Recommendation:

Recommendation is the Utah Valley Board of Trustees approve the property purchase.

ADDENDUM NO. 2
TO
REAL ESTATE PURCHASE CONTRACT

THIS IS AN [] ADDENDUM [X] COUNTEROFFER to that REAL ESTATE PURCHASE CONTRACT (the "REPC") with an Offer Reference Date of 10/25/2016, including all prior addenda and counteroffers, between Utah Valley University as Buyer, and Lynda G. & Leslie Seckletstewa as Seller, regarding the Property located at 1222 S 490 W Orem, UT 84058. The following terms are hereby incorporated as part of the REPC:

1. Seller Agent; Daniel Merrell. Seller Brokerage; KW Westfield Keller Williams Real Estate

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

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

Signature blocks for Leslie Seckletstewa and Lynda G. Seckletstewa with dotloop verification stamps and checkboxes for Buyer/Seller Signature, Date, and Time.

ACCEPTANCE/COUNTEROFFER/REJECTION

CHECK ONE:

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

[] COUNTEROFFER: [] Seller [] Buyer presents as a counteroffer the terms of attached ADDENDUM NO.

Signature and date/time fields for the counteroffer section, with handwritten signature 'Frank' and date '10-26-16 3:00 pm'.

[] REJECTION: [] Seller [] Buyer rejects the foregoing ADDENDUM.

Signature and date/time fields for the rejection section.

INVOICE

FROM:
 Maxwell Appraising, Inc.
 1115 North 560 West
 Orem, Utah
 84057
 Telephone Number: 801-369-3243 Fax Number:

INVOICE NUMBER	
2991609	
DATES	
Invoice Date:	09/06/2016
Due Date:	10/06/2016
REFERENCE	
Internal Order #:	2991609
Lender Case #:	N/A
Client File #:	N/A
FHA/VA Case #:	
Main File # on form:	2991609
Other File # on form:	
Federal Tax ID:	47-0851813
Employer ID:	

TO:
 Utah Valley University
 Attn: Jeana Miner
 E-Mail: MINERJE@uvu.edu
 Telephone Number: Fax Number:
 Alternate Number:

DESCRIPTION

Lender: Client: Utah Valley University
 Purchaser/Borrower:
 Property Address: 1222 S 490 W
 City: Orem
 County: Utah State: UT Zip: 84058
 Legal Description: South 77 Feet of Lot 12 & N 23 Feet of Lot 11, Plat A ELSIAN PARK SUBDIVISION

FEES AMOUNT

Appraisal Fee	500.00
SUBTOTAL	
	500.00

PAYMENTS AMOUNT

Check #:	Date:	Description:	
Check #:	Date:	Description:	
Check #:	Date:	Description:	
SUBTOTAL			

THANK YOU FOR YOUR BUSINESS **TOTAL DUE** \$ 500.00

Maxwell Appraising Inc.
1115 North 560 West
Orem, Utah 84057
801-369-3243

09/06/2016

Jeana Miner
Utah Valley University
144 South State Road, Lindon, Utah 84042

Re: Property: 1222 S 490 W
Orem, UT 84058

File No.: 2991609

Opinion of Value: \$ 267,000
Effective Date: 09/02/2016

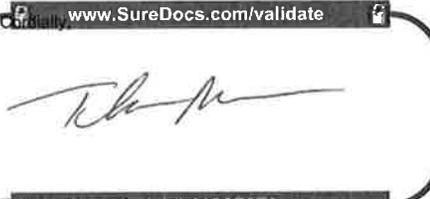
In accordance with your request, I have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.


www.SureDocs.com/validate

Thomas Maxwell Serial #: 115CF2E9
License or Certification #: 5473489-CR00
State: UT Expires: 04/30/2017
maxwell.appraising@gmail.com

RESIDENTIAL APPRAISAL REPORT

File No.: 2991609

Property Address: 1222 S 490 W City: Orem State: UT Zip Code: 84058
 County: Utah Legal Description: South 77 Feet of Lot 12 & N 23 Feet of Lot 11, Plat A ELSIAN PARK
SUBDIVISION Assessor's Parcel #: 38-036-0012
 Tax Year: 2015 R.E. Taxes: \$ 1,208.48 Special Assessments: \$ Borrower (if applicable):
 Current Owner of Record: Seckletstewa, Leslie & Lynda Occupant: Owner Tenant Vacant Manufactured Housing
 Project Type: PUD Condominium Cooperative Other (describe) HOA: \$ per year per month
 Market Area Name: Southwest Orem Map Reference: 39340 Census Tract: 0011.03

The purpose of this appraisal is to develop an opinion of: Market Value (as defined), or other type of value (describe)
 This report reflects the following value (if not Current, see comments): Current (the Inspection Date is the Effective Date) Retrospective Prospective
 Approaches developed for this appraisal: Sales Comparison Approach Cost Approach Income Approach (See Reconciliation Comments and Scope of Work)
 Property Rights Appraised: Fee Simple Leasehold Leased Fee Other (describe)
 Intended Use: The intended use of this appraisal is to assist the client in determining the market value for the possible purchase of the subject property.
 Intended User(s) (by name or type): Client and assigns.
 Client: Utah Valley University Address: 800 West University Parkway, Orem, Utah 84058
 Appraiser: Thomas Maxwell Address: 1115 North 560 West, Orem, Utah 84057

Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Predominant Occupancy	One-Unit Housing	Present Land Use	Change in Land Use
Built up: <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	<input checked="" type="checkbox"/> Owner	PRICE \$ (000)	One-Unit 65%	<input checked="" type="checkbox"/> Not Likely
Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	<input type="checkbox"/> Tenant	AGE (yrs)	2-4 Unit 5%	<input type="checkbox"/> Likely * <input type="checkbox"/> In Process *
Property values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	<input checked="" type="checkbox"/> Vacant (0-5%)	130 Low 0	Multi-Unit 10%	* To:
Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	<input checked="" type="checkbox"/> Vacant (>5%)	1,000 High 100	Comm'l 10%	
Marketing time: <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.		350 Pred 35	Vacant 10%	

Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends):
 are the city of Orem. Various financing options are available which are acceptable. In some cases, sellers enhance the marketability of their property by providing a finance concession; however, the concession amount is generally minimal in relation to the sale price. Demand and supply appear to be in balance. Values have been stable to slightly increasing over the past year. Interest rates are at very favorable levels and are helping to drive the market. The subject area is located in very close proximity to Utah Valley University which is a favorable factor.

Dimensions: 100 x 97.61 x 100 x 96.33 Site Area: .22 Acre
 Zoning Classification: R8 Description: Single Family Residential
 Zoning Compliance: Legal Legal nonconforming (grandfathered) Illegal No zoning
 Are CC&Rs applicable? Yes No Unknown Have the documents been reviewed? Yes No Ground Rent (if applicable) \$ /
 Highest & Best Use as Improved: Present use, or Other use (explain)
 Actual Use as of Effective Date: Single Family Residential Use as appraised in this report: Single Family Residential
 Summary of Highest & Best Use: The current use as residential is the highest and best use of the property. The subject property is a legal use in the R8 zone.

Utilities	Public	Other	Provider/Description	Off-site Improvements	Type	Public	Private	Topography	Basically Level
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Street	Asphalt Paved	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Size	Typical for the area
Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Curb/Gutter	Concrete	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shape	Rectangular
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Sidewalk	Concrete	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Drainage	Appears Adequate
Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Street Lights	Yes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	View	Average
Storm Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Alley	None	<input type="checkbox"/>	<input type="checkbox"/>		

Other site elements: Inside Lot Corner Lot Cul de Sac Underground Utilities Other (describe)
 FEMA Spec'l Flood Hazard Area Yes No FEMA Flood Zone C FEMA Map # 4902160005A FEMA Map Date 9/24/1984
 Site Comments: The subject site is a typical residential lot for this area. The overall appeal is rated as good.

General Description	Exterior Description	Foundation	Basement	Heating
# of Units 1 <input type="checkbox"/> Acc.Unit	Foundation Concrete	Slab 0	Area Sq. Ft. 1,224	Type FWA
# of Stories 2	Exterior Walls Brick&Aluminum	Crawl Space 0	% Finished 95	Fuel Gas
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att.	Roof Surface Asphalt Shingle	Basement Full	Ceiling Drywall	Cooling
Design (Style) Split-Level	Gutters & Dwnspts. Metal	Sump Pump <input type="checkbox"/> No	Walls Drywall	Central Yes
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Und.Cons.	Window Type Al&Vinyl Framed	Dampness <input type="checkbox"/> No	Floor Carpet&Lino	Other
Actual Age (Yrs.) 49	Storm/Screens Screens	Settlement None Noted	Outside Entry Yes	
Effective Age (Yrs.) 30		Infestation None Noted		
Interior Description	Appliances	Attic <input type="checkbox"/> None	Amenities	Car Storage <input type="checkbox"/> None
Floors Laminate, Carpet, Lino	Refrigerator	Stairs	Fireplace(s) # 1	Garage # of cars (Tot.)
Walls Painted Drywall	Range/Oven	<input checked="" type="checkbox"/> Drop Stair	Patio	Attach. 2
Trim/Finish Painted Wood	Disposal	<input checked="" type="checkbox"/> Scuttle	<input checked="" type="checkbox"/> Deck	Detach.
Bath Floor Tile	Dishwasher	<input checked="" type="checkbox"/> Doorway	<input type="checkbox"/> Porch	Blt.-In
Bath Wainscot Laminate, Tile	Fan/Hood	<input checked="" type="checkbox"/> Floor	Fence	Carport
Doors Hollow Core wood	Microwave	<input type="checkbox"/> Heated	Pool	Driveway 2
	Washer/Dryer	<input type="checkbox"/> Finished	Other	Surface Concrete

Finished area above grade contains: 6 Rooms 3 Bedrooms 1 Bath(s) 1,266 Square Feet of Gross Living Area Above Grade
 Additional features: The subject has generally typical features for this area and price range.
 Describe the condition of the property (including physical, functional and external obsolescence): The subject is in generally average overall condition. It has been updated over the years as needed. Typical physical depreciation for the "effective" age. There is no functional nor external depreciation applicable.

RESIDENTIAL APPRAISAL REPORT

File No.: 2991609

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.	
	Provide adequate information for replication of the following cost figures and calculations.	
	Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value):	The Cost Approach to value is not applicable for houses the age of the subject; therefore it is not developed.
COST APPROACH	ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE = \$
	Source of cost data:	DWELLING Sq.Ft. @ \$ = \$
	Quality rating from cost service: Effective date of cost data:	Sq.Ft. @ \$ = \$
	Comments on Cost Approach (gross living area calculations, depreciation, etc.):	Sq.Ft. @ \$ = \$
		Sq.Ft. @ \$ = \$
		Sq.Ft. @ \$ = \$
		Sq.Ft. @ \$ = \$
		Sq.Ft. @ \$ = \$
	Estimated Remaining Economic Life (if required): 45 Years	Garage/Carport Sq.Ft. @ \$ = \$
		Total Estimate of Cost-New = \$
	Less: Physical Functional External	
	Depreciation = \$()	
	Depreciated Cost of Improvements = \$	
	"As-is" Value of Site Improvements = \$	
	= \$	
	= \$	
	INDICATED VALUE BY COST APPROACH = \$	
INCOME APPROACH	INCOME APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Income Approach was not developed for this appraisal.	
	Estimated Monthly Market Rent \$ X Gross Rent Multiplier = \$	Indicated Value by Income Approach
	Summary of Income Approach (including support for market rent and GRM): The income approach to value is not applicable for housing similar to the subject is they are generally not purchased as investment properties.	
PUD	PROJECT INFORMATION FOR PUDs (if applicable) The Subject is part of a Planned Unit Development.	
	Legal Name of Project:	
Describe common elements and recreational facilities:		
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ 267,000 Cost Approach (if developed) \$ Income Approach (if developed) \$	
	Final Reconciliation All emphasis was placed on the Sales Comparison Approach since it is the only applicable approach for residential lots.	
	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair: No conditions to value.	
<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.		
Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 267,000, as of: 09/02/2016, which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.		
ATTACHMENTS	A true and complete copy of this report contains 17 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.	
	Attached Exhibits:	
	<input type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Map Addenda <input type="checkbox"/> Hypothetical Conditions	<input checked="" type="checkbox"/> Limiting Cond./Certifications <input type="checkbox"/> Additional Sales <input type="checkbox"/> Extraordinary Assumptions
		<input checked="" type="checkbox"/> Photograph Addenda <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Sketch Addendum <input type="checkbox"/> Manuf. House Addendum
SIGNATURES	Client Contact: Jeana Miner Client Name: Utah Valley University	
	E-Mail: MINERJE@uvu.edu Address: 800 West University Parkway, Orem, Utah 84058	
	APPRAISER  www.SureDocs.com/validate	
Appraiser Name: Thomas Maxwell Supervisory or Co-Appraiser Name:		SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
Company: Maxwell Appraising Inc. Company:		Company:
Phone: Serial #: 115CF2E9 Phone: Fax:		Phone: Fax:
E-Mail: maxwell.appraising@gmail.com E-Mail:		E-Mail:
Date of Report (Signature): 09/06/2016 Date of Report (Signature):		Date of Report (Signature):
License or Certification #: 5473489-CR00 State: UT License or Certification #: State:		License or Certification #: State:
Designation: Designation:		Designation:
Expiration Date of License or Certification: 04/30/2017 Expiration Date of License or Certification:		Expiration Date of License or Certification:
Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None		Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None
Date of Inspection: 09/02/2016 Date of Inspection:		Date of Inspection:

Supplemental Addendum

File No. 2991609

Borrower					
Property Address	1222 S 490 W				
City	Orem	County	Utah	State	UT Zip Code 84058
Lender/Client	Utah Valley University				

• **GP Residential: Neighborhood - Market Conditions**

Various financing options are available which are acceptable. In some cases, sellers enhance the marketability of their property by providing a finance concession; however, the concession amount is generally minimal in relation to the sale price. Demand and supply appear to be in balance. Selling periods generally don't exceed 6 months. Values have been generally stable to increasing over the past year. Interest rates are at favorable levels and are helping to drive the market.

• **Land: Neighborhood - Boundaries**

The subject neighborhood boundaries are considered to be the Orem City boundaries south of Center Street and west of State Street.

• **GP Residential: Sales Comparison Analysis - Summary of Sales Comparison Approach**

All of the comps are located within very competitive areas Orem. The sales are spread out, but the distance to the sales is not excessive for this area. It is reasonable to believe that all of the sales would be considered by the same prospective Buyer if they were on the market at the same time. Adjustments are based on market-derived amounts and are rounded to the nearest \$500. Minor differences are not adjusted as they have no measurable consequence. The final value is reconciled to be \$267,000 which is within the range of the adjusted values of the sales and is well supported.

Additional Certification

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

SUBJECT PHOTOS

Borrower					
Property Address	1222 S 490 W				
City	Orem	County	Utah	State	UT Zip Code 84058
Lender/Client	Utah Valley University				



FRONT VIEW



FRONT VIEW



REAR VIEW



REAR VIEW



STREET VIEW

SUBJECT PHOTOS

Borrower					
Property Address	1222 S 490 W				
City	Orem	County	Utah	State	UT Zip Code 84058
Lender/Client	Utah Valley University				



KITCHEN



DINING NOOK



LIVING ROOM



BATH



BEDROOM



BEDROOM

SUBJECT PHOTOS

Borrower							
Property Address	1222 S 490 W						
City	Orem	County	Utah	State	UT	Zip Code	84058
Lender/Client	Utah Valley University						



BEDROOM



BASEMENT FAMILY ROOM



BASEMENT BEDROOM



BASEMENT LAUNDRY



BASEMENT HALF BATH



BASEMENT BATH

SUBJECT PHOTOS

Borrower							
Property Address	1222 S 490 W						
City	Orem	County	Utah	State	UT	Zip Code	84058
Lender/Client	Utah Valley University						



BASEMENT RECREATION ROOM



BASEMENT BEDROOM



BASEMENT BEDROOM



BASEMENT STORAGE



BASEMENT MECHANICAL AND STORAGE

Comparable Photo Page

Borrower					
Property Address	1222 S 490 W				
City	Orem	County	Utah	State	UT
Zip Code	84058				
Lender/Client	Utah Valley University				



Comparable 1

280 W 1700 S
 Proximity 0.66 miles SE
 Sale Price 270,400
 GLA 1,454
 Total Rooms 6
 Total Bedrms 3
 Total Bathrms 2
 Location Suburban/Good
 View Average
 Site .22 Acre/Good
 Quality Average
 Age 47A/30E



Comparable 2

564 S 490 W
 Proximity 0.84 miles N
 Sale Price 260,000
 GLA 1,237
 Total Rooms 6
 Total Bedrms 3
 Total Bathrms 1
 Location Suburban/Good
 View Average
 Site .24 Acre/Good
 Quality Average
 Age 43A/30E



Comparable 3

692 W 580 S
 Proximity 0.86 miles NW
 Sale Price 300,000
 GLA 2,118
 Total Rooms 7
 Total Bedrms 4
 Total Bathrms 2.5
 Location Suburban/Good
 View Average
 Site .23 Acre/Good
 Quality Average
 Age 41A/30E

Comparable Photo Page

Borrower					
Property Address	1222 S 490 W				
City	Orem	County	Utah	State	UT Zip Code 84058
Lender/Client	Utah Valley University				



Comparable 4

218 E 1800 S
 Proximity 1.18 miles SE
 Sale Price 300,000
 GLA 1,598
 Total Rooms 6
 Total Bedrms 2
 Total Bathrms 2
 Location Suburban/Good
 View Average
 Site .19 Acre/Good
 Quality Average
 Age 45A/30E



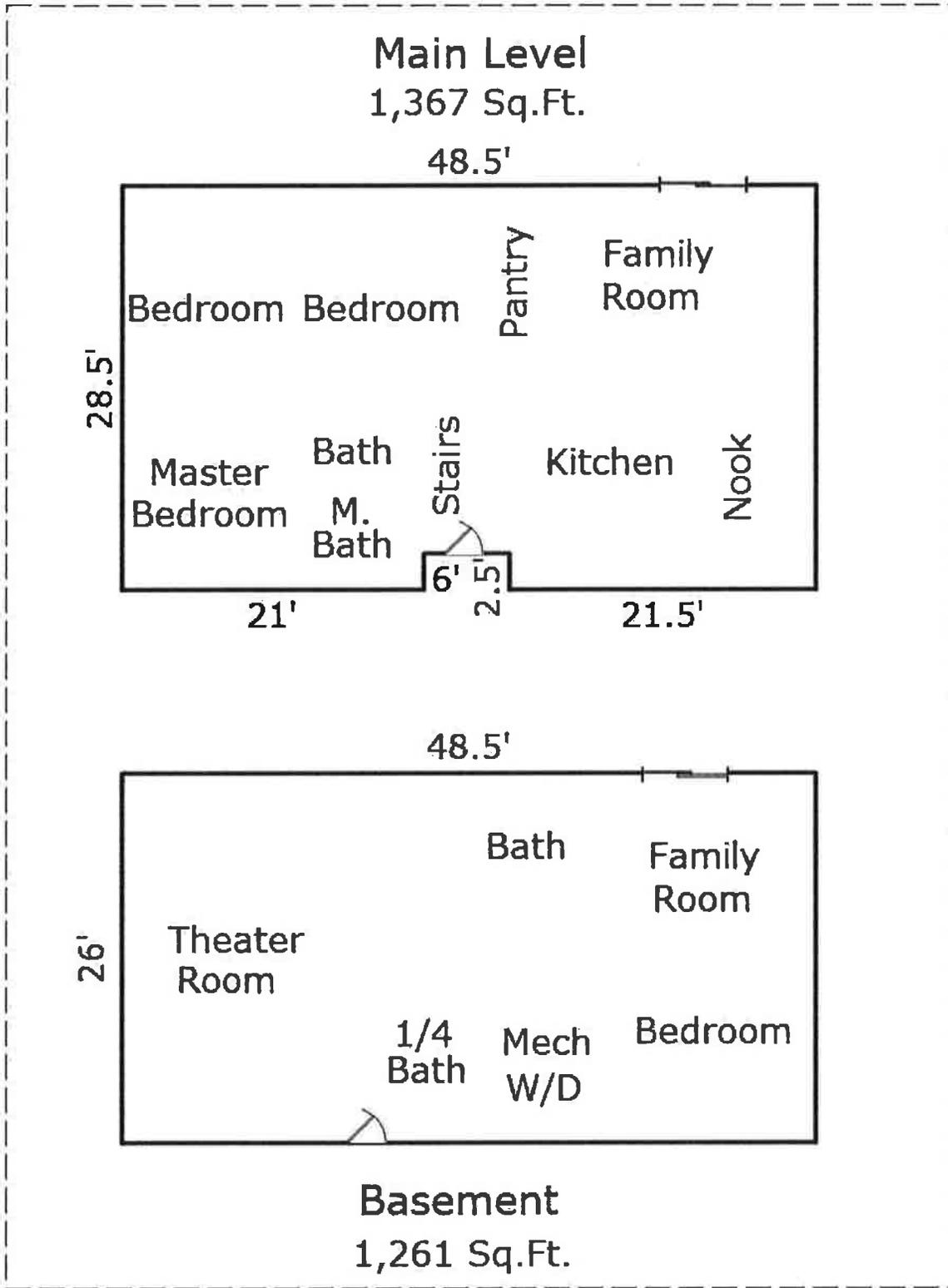
Comparable 5

137 S 280 E
 Proximity 1.68 miles NE
 Sale Price 270,000
 GLA 1,192
 Total Rooms 6
 Total Bedrms 3
 Total Bathrms 2
 Location Suburban/Good
 View Average
 Site .21 Acre/Good
 Quality Average
 Age 47A/30E

Comparable 6

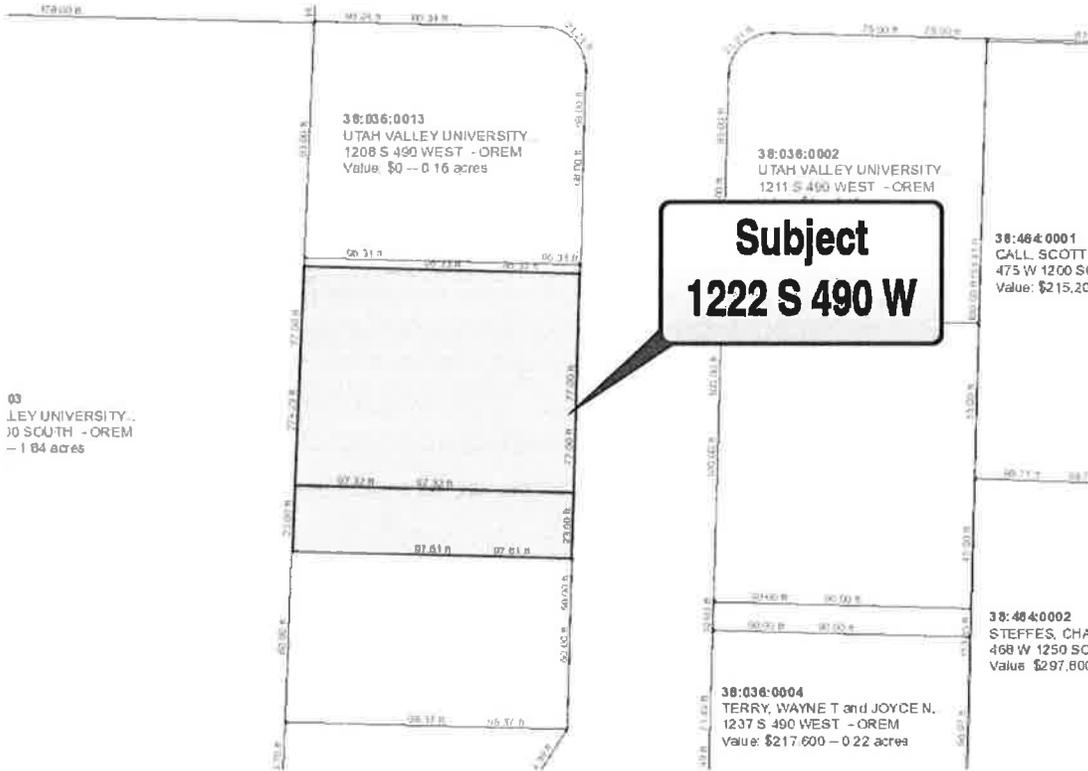
Proximity
 Sale Price
 GLA
 Total Rooms
 Total Bedrms
 Total Bathrms
 Location
 View
 Site
 Quality
 Age

FLOOR PLAN LAYOUT



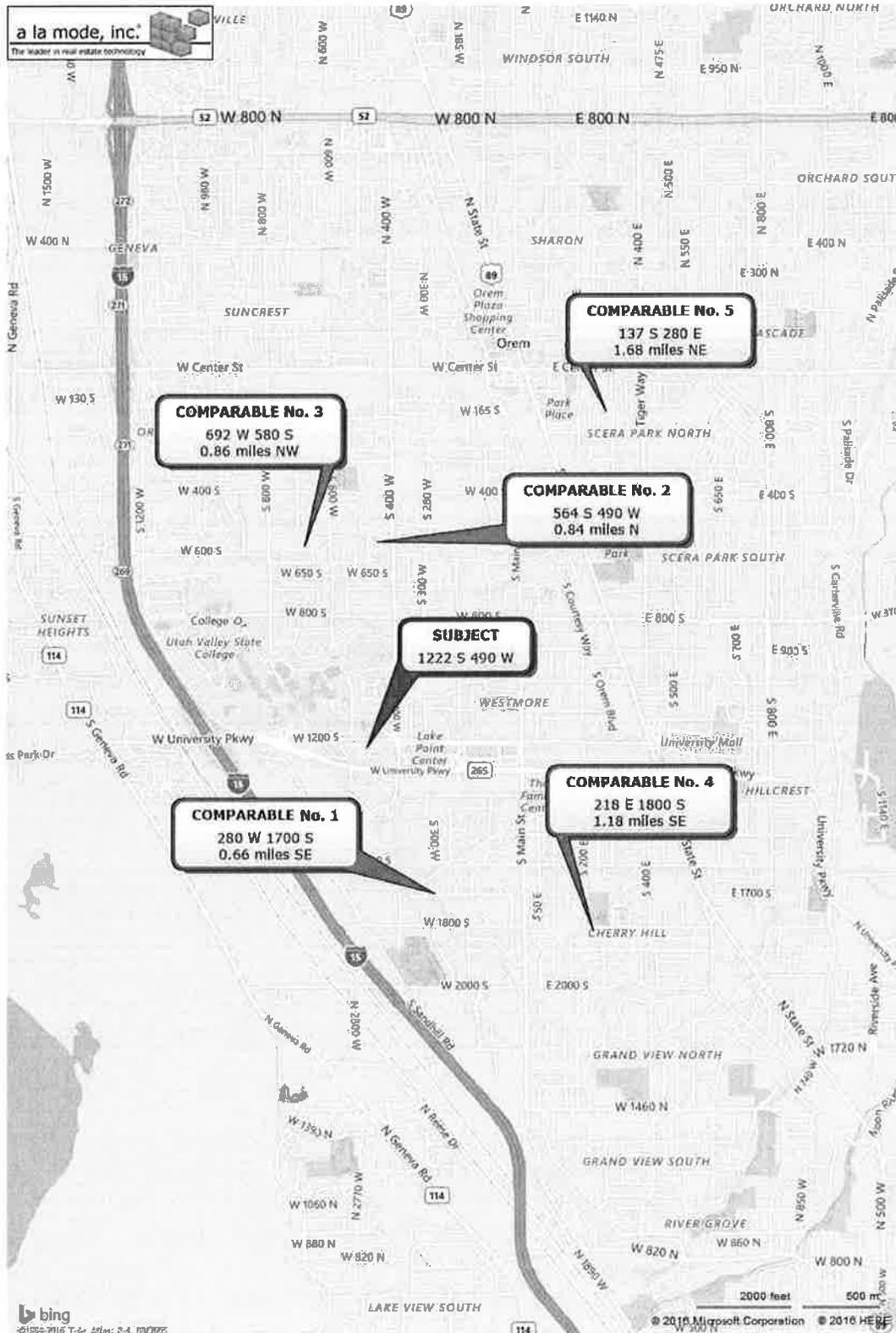
Plat Map

Borrower			
Property Address	1222 S 490 W		
City	Orem	County	Utah
		State	UT
		Zip Code	84058
Lender/Client	Utah Valley University		



Location Map

Borrower			
Property Address	1222 S 490 W	County	Utah
City	Orem	State	UT
Lender/Client	Utah Valley University	Zip Code	84058



CURRENT CERTIFICATION

**STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF REAL ESTATE**

ACTIVE LICENSE

DATE ISSUED: 04/08/2015

EXPIRATION DATE: 04/30/2017

LICENSE NUMBER: 5473489-CR00

LICENSE TYPE: Certified Residential Appraiser

ISSUED TO: THOMAS P MAXWELL
1115 NORTH 560 WEST
OREM UT 84057




SIGNATURE OF HOLDER


REAL ESTATE DIVISION DIRECTOR

Form #2

UVU BOARD OF TRUSTEES

October 12, 2016

8 a.m. – Velvet Room, Thanksgiving Point

Board of Trustee Members Present

Elaine Dalton, Chair
Karen L. Acerson
Taran Chun
James Clarke
Birch Eve
John Gappmayer
Anne-Marie W. Lampropoulos (phone)
Jack Sunderlage
Duff Thompson

Guests

Tom Brennan
Jonathan Hickerson
Mark Wiesenberg

UVU Regular Attendees

President Matthew S. Holland
Mark Bracken, Faculty Senate President
Karen Clemes, General Counsel
Scott Cooksey, Vice President Development and Alumni
Shalece Nuttall, PACE President
Linda Makin, Vice President Planning, Budget and HR
Cameron Martin, Vice President University Relations
Jeffery Olson, Senior Vice President Academic Affairs
Val Peterson, Vice President Finance and Administration
Kyle Reyes, Special Assistant to the President for Inclusion
Michelle Taylor, Vice President Student Affairs
Katie Zabriskie, Assistant Associate

I. ACTION

1. Resolution of Appreciation Chair Dalton presented former trustee Curtis Blair with a resolution of appreciation and a clock to commemorate his two years of service on the Board of Trustees.

II. Information Items

1. President's Report President Holland provided a review of recent university events and positive press stories. Highlights included that the 2016 Scholarship Ball was the most successful ball to date with more than 800 guests in attendance and more than \$200,000 raised; UVU's enrollment for fall 2016 stands at 34,979 students; and, the UVU dual mission model has garnered attention from the *Chronicle of Higher Ed* and "Education Dive." President Holland then discussed his recent travel to New York which included a meeting with the *Wall Street Journal*, a meeting with UN Ambassadors, and a presentation of the Roots of Knowledge windows to the General Society in the General Society Library with Tom Holdman. He noted that he would shortly be traveling to London to present the windows at Oxford and to the Worshipful Company of Glaziers. President Holland indicated his desire to have the Trustees see the windows first hand. Trustee Chun motioned to saunter to Holdman Studios. Trustee Eve seconded. The motion carried without opposition.

Upon return to the meeting, President Holland indicated his excitement by the opportunities generated by the Roots of Knowledge windows. He noted specifics of the November 18 unveiling and encouraged the Trustees to engage others with UVU through these windows. He then briefly reviewed the activities for the day of the unveiling.

I. ACTION (Continued)

2. Master Plan President Holland provided an introduction to the UVU Master Plan, noting that these proposed developments would address both the immediate growth needs of the university but ensure continued success over the next 75 years. He discussed the original growth strategy through satellite campuses along I-15 and the present commitment to this strategy through developments at Thanksgiving Point and Payson. He noted that Vineyard became part of the growth strategy through the purchase of 225 acres. In looking to develop this property, the need to comprehensively address both the Vineyard campus and the Orem campus emerged. President Holland reviewed the guiding principles for the master planning process and the desire to maintain the connectivity of academic instruction while developing student and athletic resources. The Vineyard campus development was discussed in four stages that spanned a total of 40+ years. Immediate additions included athletic facilities and fields with more long-term developments including community engagement space, a new conference center, specialty academic buildings, and a facilities plant. Attention was then turned to the Orem campus which was discussed in a similar four phase 40+ year manner. Initial additions would include the construction of a new business building, the initial development of academic buildings that would form a promenade running from the library to a newly constructed

pedestrian footbridge over 1-15, and a new interchange off of 800 South. Long-term enhancements will include the addition of new academic buildings, public-private development opportunities in areas surrounding campus, development of the West Campus health science facilities, and parking structures. The Trustees engaged in conversation about the Master Plan with attention given to community support. Trustee Thompson motioned to approve the Master Plan and recommend its submission to the Board of Regents. Trustee Sunderlage seconded. The motion carried without opposition.

3. Policies Policy 115 Minors on Campus was reviewed by VP Peterson with mention that it provided clarity to how minors in the classroom were defined, proscribed access to minors' information, discussed minors at work in terms of supervisory permission, provided regulations for supervision of minors on campus, and noted the training and responsibilities for protection of minors on campus. The Trustees engaged in brief discussion of the policy. Trustee Acerson motioned to approve the adoption of Policy 115. Trustee Taylor seconded. The motion carried without opposition.

4. Administrative Imperative Revision VP Makin explained the core themes and administrative in relationship to the operation of the university and the Northwest Accrediting body. A renewed emphasis on ethical behavior across the university resulted in a desire to change the "operate effectively" administrative imperative to "operate ethically and effectively." VP Makin noted that many were involved in developing this revised imperative and it represents a desire to give greater attention to integrity and compliance at all levels. Discussion ensued about what the institution is doing to promote ethics both among employees and students and the importance of ethical operations from a state and federal perspective. Trustee Sunderlage motioned to approve the change to the Administrative Imperative. Trustee Taylor seconded. The motion carried without opposition.

III. EXECUTIVE SESSION

Trustee Eve motioned to enter into Executive Session in order to discuss matters of real estate. The motion was seconded by Trustee Gappmeyer. The motion carried without opposition.

I. ACTION (Continued)

5. Facilities Naming Trustee Thompson motioned to approve the naming of the library and the Performing Arts Center and its interior spaces as discussed in Executive Session with note that the specifics would be made public in the coming weeks via press releases and on-site announcements. Trustee Sunderlage seconded. The motion carried without opposition.

IV. CONSENT CALENDAR

Items included in the consent calendar were briefly discussed with no issues being raised. Trustee Acerson motioned to approve the consent calendar. Trustee Lampropoulos seconded. The motion carried without opposition.

IV. INFORMATION ITEMS

2. FLSA Compliance Update Mark Wiesenberg, Director of Human Resources, provided an update regarding UVU's efforts to be in compliance with changes to the FLSA overtime policies. He noted that these changes involved salary thresholds and the duties test to establish exempt status. The changes to these policies, among them employee classification, will go into effect on December 1. Mark noted that a committee was formed to ensure UVU's policies would be in compliance with federal law, and President's Council and PELC have been involved in review and discussion of these efforts. UVU is making use of all options available with regard to compliance and has been actively consulting with various organizations to maximize its effectiveness and compliance, particularly with regard to academic instruction which is presenting noted challenges. Mark reviewed the challenges UVU is facing, the frustrations and anger which has emerged throughout the reclassification and policy revision process, and the work being done to address the concerns of impacted employees. The Trustees engaged in conversation about the decisions, the financial implications of the reclassifications, and the steps going forward.

3. Committees Update Justin Jones noted that charters for each of the newly formed committees were being developed. Initial meetings will take place prior to the December 1 Trustee meeting and during these committee

meetings the final charter drafts will be reviewed. Further information will be forthcoming. The events of December 1, including the Performing Arts Center groundbreaking, were briefly reviewed.

Trustee Thompson motioned to adjourn the meeting.



Institutional Discretionary Funds
2016-17 Budget Revised and 2015-16 Year End Report

Institutional Investment Income

Revenue	2015-16	
	Revised	Actual
Investment Revenue From Prior Year	\$861,196	\$998,737
Carry forward from Prior Year	\$206,274	\$23,235
Available Revenue	\$1,067,470	\$1,021,972

2016-17		
Original	Change	Revised
\$1,200,000	\$39,744	\$1,239,744
\$141,000	\$81,143	\$222,143
\$1,341,000	\$120,887	\$1,461,887

Expenditure Category/Project	2015-16	
	Revised Budget	Actual Expenditures
Scholarships, Fellowships and Student Aid		
International Student Scholarships	\$137,204	\$137,100
Scholarship (President/Land)	\$15,000	\$6,455
CAL Lead Housing	\$210,849	\$208,372
Honors Housing	\$268,848	\$258,103
International Studies Student Aid	\$20,000	\$20,000
Internships	\$12,000	\$12,000
Government Internships	\$60,000	\$60,000
Fund Raising and Institutional Development		
Federal Funding Development	\$45,000	\$43,200
Other Education and General Operating Support		
Student Marketing (Recruitment)	\$118,878	\$53,878
Student Marketing (Targeted)	\$0	\$0
Out Of State Recruiting	\$30,000	\$29,719
International Fair	\$16,500	\$16,500
Contingency	\$133,191	\$133,191
TOTAL	\$1,067,470	\$845,327

2016-17		
Original Budget	Revision	Revised Budget
\$142,006		\$142,006
\$15,000		\$15,000
\$215,400		\$215,400
\$258,960		\$258,960
\$20,000		\$20,000
\$12,000		\$12,000
\$30,000		\$30,000
\$45,000		\$45,000
\$80,000	\$65,000	\$145,000
\$0		\$0
\$30,000		\$30,000
\$16,500		\$16,500
\$476,134	\$55,887	\$532,021
\$1,341,000	\$120,887	\$1,461,887

Unrestricted Gifts

Revenue	2015-16	
	Revised Budget	Actual Revenue
Carry forward from Prior Year	\$92,784	\$98,907
Projected new revenue	\$11,000	\$38,300
Available Revenue	\$103,784	\$137,207

2016-17		
Original Budget	Revision	Revised Budget
\$92,784	\$8,577	\$101,361
\$11,000	\$0	\$11,000
\$103,784	\$8,577	\$112,361

Expenditure Category	2015-16	
	Revised Budget	Actual Expenditures
Fund Raising and Institutional Development		
Presidential Impact	\$89,437	\$32,986
Community Outreach	\$20,470	\$2,860
Total Expenditures	\$109,907	\$35,846

2016-17		
Original Budget	Revision	Revised Budget
\$89,685	-\$5,934	\$83,751
\$14,099	\$14,511	\$28,610
\$103,784	\$8,577	\$112,361



2015-16 AUXILIARY REPORT
December 1, 2016

	2015-16 Revenue	2015-16 Transfers In/Out	2015-16 Expenditures	2015-16 Net Income		2015-16 Beginning Balance	2015-16 Year-End Balance
Student Center	\$1,880,924	(\$19,887)	\$1,861,037	\$0		\$558,620	\$558,620
Student Life and Wellness	\$2,788,297	(\$479,913)	\$2,308,384	\$0		\$100,874	\$100,874
Food Service	\$3,735,116	\$277,092	\$4,012,208	\$0		\$30,234	\$30,234
Bookstore	\$9,126,563	\$169,694	\$9,296,257	\$0		\$2,365,868	\$2,365,868
TOTAL	\$17,530,900	(\$53,014)	\$17,477,886	\$0		\$3,055,596	\$3,055,596



2015-16 SERVICE ENTERPRISE REPORT
December 1, 2016

	2015-16 Revenue	2015-16 Expenditures	2015-16 Net Income		2015-16 Beginning Balance	2015-16 Year- End Balance
Printing Services	\$916,871	\$792,198	\$124,673		\$406,818	\$531,491
Fleet Operations	\$210,775	\$235,052	(\$24,277)		\$281,970	\$257,693
Stores and Receiving	\$105,884	\$101,555	\$4,329		\$25,575	\$29,904
Mail Services	\$353,661	\$345,022	\$8,639		\$43,263	\$51,902
Academic Computing	\$1,183,451	\$1,107,239	\$76,212		\$653,884	\$730,096
Parking Services	\$2,573,604	\$1,958,297	\$615,307		\$1,922,419	\$2,537,726
Lockers	\$547	\$16	\$531		\$26,258	\$26,789
Police	\$69,070	\$68,266	\$804		\$471	\$1,275
Issue Room	(\$76)	\$18,352	(\$18,428)		\$18,428	\$0
Telephone Services	\$449,203	\$416,587	\$32,616		\$87,806	\$120,422
TOTAL	\$5,862,990	\$5,042,584	\$820,406		\$3,466,892	\$4,287,298



2015-16 Variance Report

December 1, 2016

2015-16 Revenue

	Budget	Actual	\$ Change	% Change
Tuition and Fees (Dedicated Credit)	\$107,700,800	\$115,217,487	\$7,516,687	6.98%
Tax Funds and Transfers from State	\$96,401,700	\$99,311,930	\$2,910,230	3.02%
Total Revenue	\$204,102,500	\$214,529,417	\$10,426,917	5.11%

2015-16 Natural Classification

	Budget	Actual	\$ Change	% Change
Faculty Salaries	\$44,600,142	\$42,924,985	(\$1,675,157)	-3.76%
Faculty Hourly	\$13,578,582	\$12,325,751	(\$1,252,831)	-9.23%
Executive Salaries	\$4,258,428	\$4,264,398	\$5,970	0.14%
Staff Salaries	\$47,779,033	\$46,240,668	(\$1,538,365)	-3.22%
Staff Hourly	\$8,162,425	\$8,782,199	\$619,774	7.59%
Subtotal Salaries & Wages	\$118,378,610	\$114,538,001	(\$3,840,609)	-3.24%
Employee Benefits	\$50,723,644	\$43,965,447	(\$6,758,197)	-13.32%
Subtotal Personnel Services	\$169,102,254	\$158,503,448	(\$10,598,806)	-6.27%
Current Expense	\$28,183,449	\$32,107,531	\$3,924,082	13.92%
Travel	\$923,609	\$2,480,634	\$1,557,025	168.58%
Capital Equipment	\$537,933	\$5,308,851	\$4,770,918	886.90%
Fuel & Power	\$3,580,755	\$2,936,127	(\$644,628)	-18.00%
Scholarships	\$1,774,500	\$1,716,244	(\$58,256)	-3.28%
Total Expenditures	\$204,102,500	\$203,052,835	(\$1,049,665)	-0.51%

2015-16 Functional Classification

	Budget	Actual	\$ Change	% Change
Instruction	\$99,889,480	\$95,167,091	(\$4,722,389)	-4.73%
Public Service	\$268,480	\$258,558	(\$9,922)	-3.70%
Library	\$3,611,468	\$3,569,338	(\$42,130)	-1.17%
Academic Support	\$21,282,188	\$20,113,975	(\$1,168,213)	-5.49%
Athletics	\$2,976,087	\$2,962,024	(\$14,063)	-0.47%
Student Services	\$16,069,228	\$15,423,705	(\$645,523)	-4.02%
Institutional Support	\$39,090,320	\$40,952,129	\$1,861,809	4.76%
Scholarship/Need-based Aid	\$1,774,500	\$1,716,244	(\$58,256)	-3.28%
O&M Plant	\$19,140,749	\$22,889,771	\$3,749,022	19.59%
Total Expenditures	\$204,102,500	\$203,052,835	(\$1,049,665)	-0.51%

Net Revenue Less Expenditures	\$11,476,582
--------------------------------------	---------------------



**CASH AND INVESTMENT
REPORT
September 2016**

Monthly Composite Performance Review

UTAH VALLEY UNIVERSITY

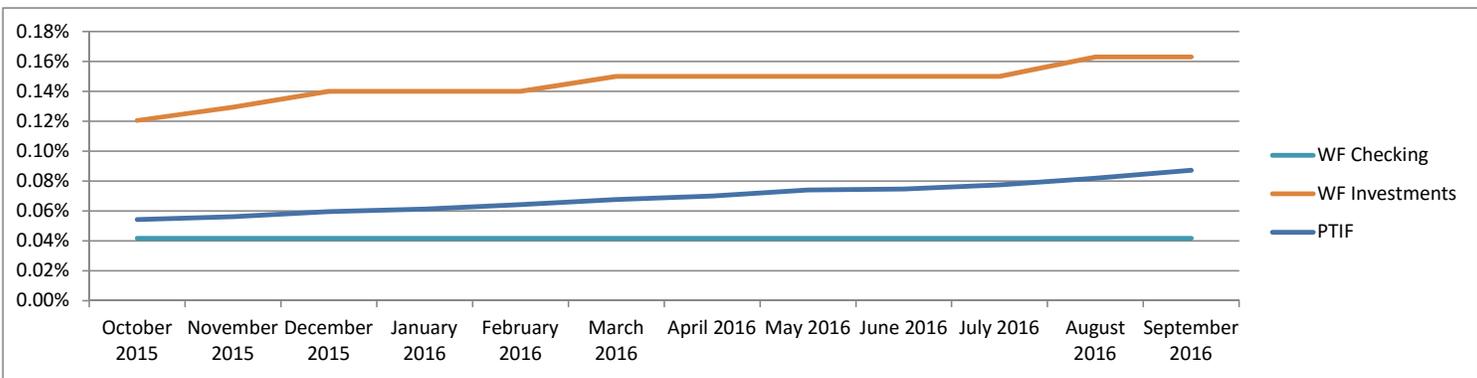
September 2016



Account Activity	Checking/Sweep	Investments	PTIF	Total University Cash and Investments	Past Twelve Months of Activity
Beginning Balance	\$ 16,380,354	\$ 41,830,372	\$ 120,286,845	\$ 178,497,571	\$ 157,445,395
Interest/Earnings Credit	6,411	39,232	103,413	149,056	1,693,116
Acquisitions/Credits	-	12,000,000	8,207,776	20,207,776	613,796,633
Dispositions/Debits	(1,513,608)	-	(24,000,000)	(25,513,608)	(590,479,646)
Unrecognized Gain/Loss	-	13,748	-	13,748	161,376
Fees	(6,411)	-	-	(6,411)	(86,665)
Transfers *	-	(39,232)	(2,373,740)	(2,412,972)	(11,595,049)
Ending Balance	\$ 14,866,746	\$ 53,844,120	\$ 102,224,294	\$ 170,935,160	\$ 170,935,160

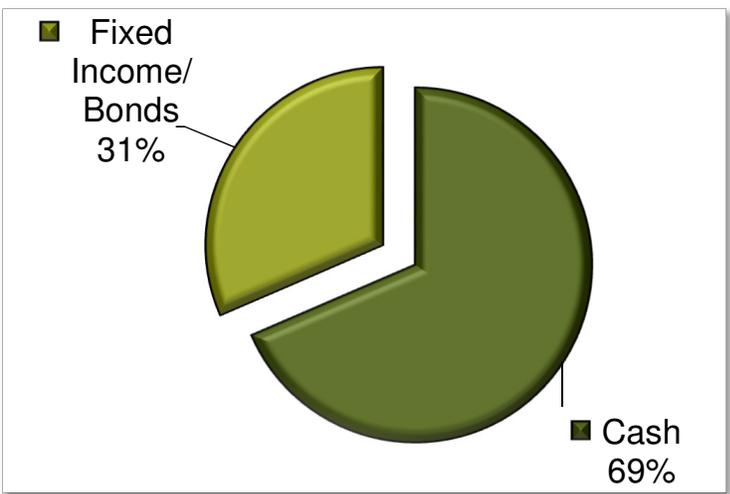
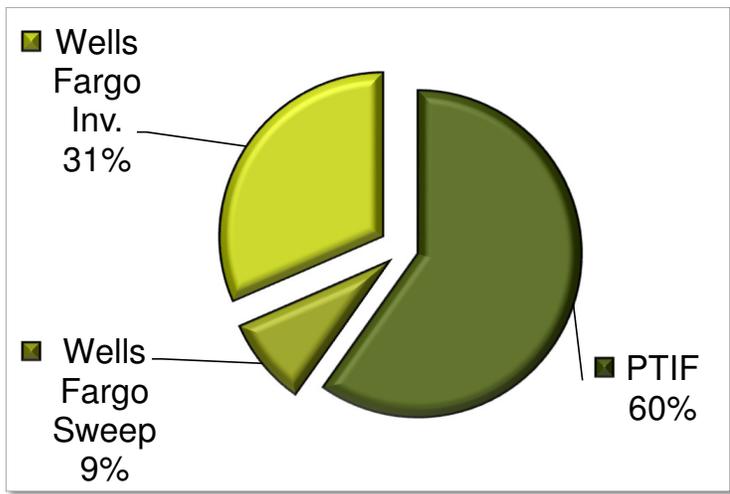
* Transfers consist of activity between the UVU and the Foundation and interest transferred to UVU.

Performance Returns	Wells Fargo Checking/Sweep	Wells Fargo Investments	PTIF
October 2015	0.04%	0.12%	0.05%
November 2015	0.04%	0.13%	0.06%
December 2015	0.04%	0.14%	0.06%
January 2016	0.04%	0.14%	0.06%
February 2016	0.04%	0.14%	0.06%
March 2016	0.04%	0.15%	0.07%
April 2016	0.04%	0.15%	0.07%
May 2016	0.04%	0.15%	0.07%
June 2016	0.04%	0.15%	0.07%
July 2016	0.04%	0.15%	0.08%
August 2016	0.04%	0.16%	0.08%
September 2016	0.04%	0.16%	0.09%
Monthly Average	0.04%	0.15%	0.07%
12 Month Return	0.50%	1.75%	0.83%



UVU Cash and Investments as a Percent of Total

UVU Cash and Investments Investments by Type



Monthly Composite Performance Review
UVU Foundation
September 2016



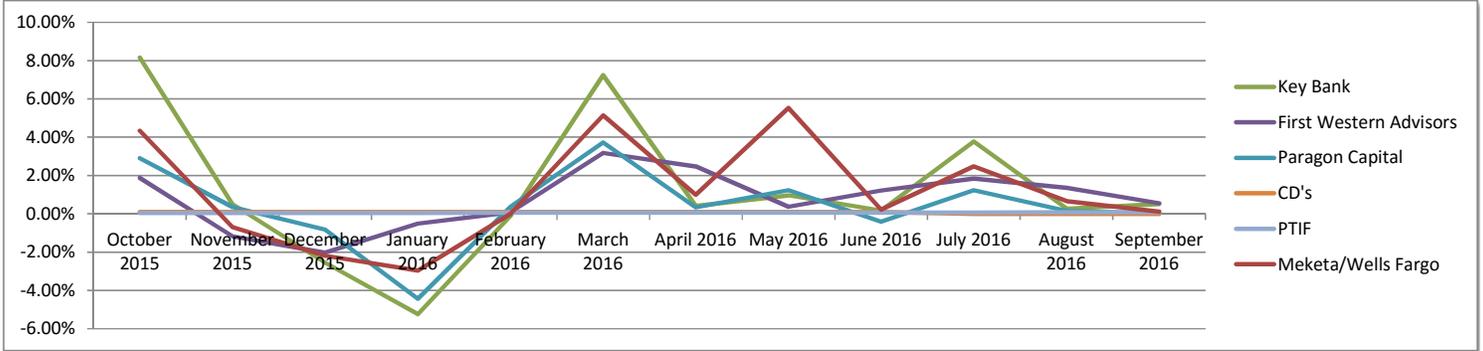
Account Activity

	Unrestricted	Temporarily Restricted	Permanently Restricted - Endowments	Total Foundation Investments	Past Twelve Months of Activity	Notes Due From University FY16
Beginning Market Value	\$ 8,184,618	\$ 28,671,257	\$ 21,602,895	\$ 58,458,769	\$ 46,192,817	Beginning Balance \$ 9,593,205
Interest	10,842	34,805	32,303	77,950	590,200	Additional Notes -
Acquisitions	47,508	15,364	202,508	265,380	22,306,062	Principal Received (117,408)
Dispositions	(29,169)	(20,843)	(211,801)	(261,813)	(22,945,431)	Ending Balance \$ 9,475,797
Gain/Loss Rec & Unrec	173	(2,321)	21,543	19,395	4,086,792	Interest Received \$ 114,418
Fees	-	(3)	(112)	(115)	(93,423)	Rate 5.6%
Transfers *	(29,009)	2,201,120	201,629	2,373,740	10,796,289	
Ending Market Value	\$ 8,184,963	\$ 30,899,379	\$ 21,848,965	\$ 60,933,306	\$ 60,933,306	

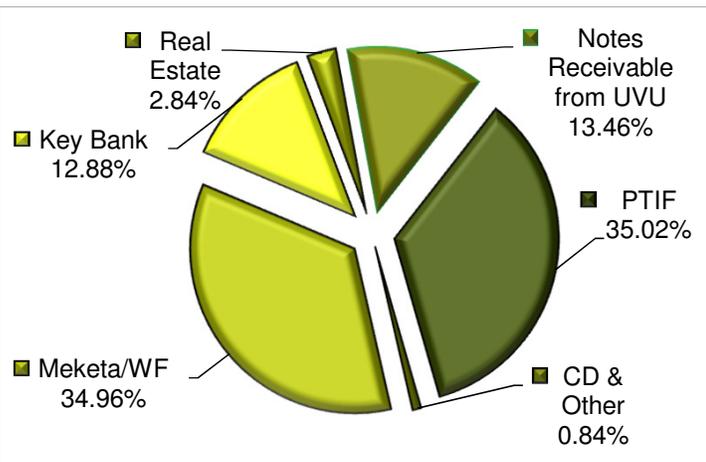
* Transfers consist of activity between money market accounts and other investment accounts as well activity between the University and the Foundation.

Performance Returns

	Key Bank	First Western Advisors	Paragon Capital	Meketa/Wells Fargo	CD's	PTIF
October 2015	8.16%	1.88%	2.91%	4.35%	0.10%	0.05%
November 2015	0.50%	-1.18%	0.36%	-0.69%	0.10%	0.06%
December 2015	-2.56%	-2.02%	-0.83%	-2.19%	0.10%	0.06%
January 2016	-5.24%	-0.51%	-4.44%	-2.96%	0.10%	0.06%
February 2016	-0.11%	0.09%	0.38%	0.00%	0.10%	0.06%
March 2016	7.24%	3.18%	3.73%	5.14%	0.10%	0.07%
April 2016	0.41%	2.47%	0.34%	1.00%	0.10%	0.07%
May 2016	0.97%	0.38%	1.24%	5.53%	0.10%	0.07%
June 2016	0.17%	1.21%	-0.41%	0.22%	0.10%	0.07%
July 2016	3.77%	1.84%	1.23%	2.48%	0.00%	0.08%
August 2016	0.26%	1.37%	0.15%	0.67%	0.00%	0.08%
September 2016	0.52%	0.55%	0.02%	0.13%	0.00%	0.09%
Monthly Average	1.18%	0.77%	0.39%	1.14%	0.08%	0.07%
12 Month Return	13.04%	9.26%	4.68%	13.42%	0.90%	0.83%



UVU Foundation Investments as a Percent of Total



UVU Foundation Investments by Type

