

Utah Valley University Board of Trustees Meeting
October 24, 2019
4:00pm SC 213c

Tab	Agenda	Notes
	<p><u>I. Action</u></p> <p><u>A.</u> 1. Vision 2030, <i>Kyle Reyes, VP for Student Affairs</i></p> <p><u>B.</u> 2. Policies a. Policy 541 Student Code of Conduct, <i>Kyle Reyes, VP for Student Affairs</i> b. Policy 636 Research Ethics and Compliance, <i>Wayne Vaught, Provost and VP for Academic Affairs</i></p> <p><u>C.</u> 3. Requisition a. UTA Annual Contract Payment - \$1,000,000, <i>Val Peterson, VP for Finance and Administration</i></p> <p><u>D.</u> 4. Peer Institution Cohort, <i>Linda Makin, VP for PBHR</i></p> <p><u>E.</u> 5. Institutional Advancement Building, <i>Val Peterson, VP for Finance and Administration</i></p> <p><u>F.</u> 6. Facilities Master Plan Revision, <i>Val Peterson, VP for Finance and Administration</i></p> <p><u>II. Executive Session</u> <i>(To strategically discuss character, professional competence, or physical or mental health of an individual and litigation which is pending or reasonably imminent.)</i></p> <p><u>G.</u> <u>III. Consent Calendar</u></p> <p>1. Minutes of August 15, 2019</p> <p>2. Minutes of September 19, 2019</p> <p>3. July and August 2019 Investment Reports</p> <p>4. 2018-19 Auxiliary and Service Enterprise Report</p> <p>5. Institutional Discretionary Funds 2018-19 Actuals Report and 2019-20 Budget Revision 1</p> <p><u>IV. Information</u></p> <p>1. Committee Reports a. Audit Committee, <i>Trustee James Clarke, Chair</i> b. Academic Affairs, <i>Trustee Paul Thompson, Chair</i></p> <p>2. President's Report, <i>Dr. Astrid S. Tuminez, President</i></p>	



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 24, 2019
TITLE:	Vision 2030
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Kyle Reyes, VP for Student Affairs
SUBJECT:	Vision 2030
BACKGROUND:	<p>The Board of Trustees is being asked to approve Vision 2030, which provides strategic direction for Utah Valley University over the next 10 years as it develops programs and relationships which will strengthen student success and completion and further solidify UVU's role as an economic engine in Utah Valley. Through its integrated dual-mission, UVU is well positioned to meet the educational and workforce needs of Utah County and beyond.</p>
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, "I move to approve UVU's Vision 2030 as presented."• Amend and approve, "I move to approve, as amended..."• No action, "I move that we go to the next agenda item..."
FINANCIAL IMPACT:	N/A
EXHIBITS:	a. Vision 2030



UTAH VALLEY UNIVERSITY

VISION 2030

A 10-year vision outlining how
UVU's integrated dual mission
will meet the higher education needs of Utah County,
UVU's service region, and the state of Utah

Utah Valley University is an integrated university and community college that educates every student for success in work and life through excellence in engaged teaching, services, and scholarship.



PRESIDENT ASTRID S. TUMINEZ

I am pleased to share with you UVU's Vision 2030 outlining our aggressive approach to meeting the educational and workforce needs of our community. Utah Valley University (UVU) is an innovative force in higher education today, and our integrated dual-mission approach — serving as an integrated community college and regional teaching university — is a model that is gaining national and international attention.

UVU has long served the educational needs of Utah County and beyond. Through its many iterations from a trade and technical college to a regional teaching university, UVU has been committed to providing transformational, engaged, and relevant educational offerings and experiences for hundreds of thousands of students. Since the change from Utah Valley State College to Utah Valley University in 2008, UVU grew from serving 26,696 students to 39,931 students (2018). This growth in total student population (13,235) is also reflected in the following areas: retention and graduation rates, percentage of students from underrepresented backgrounds, and national recognition for quality teaching, community engagement, and student success.

At UVU, we are committed to continuously improving the student experience by providing education that is of high quality, accessible, affordable, engaging, personalized, and relevant. We believe in helping students develop the knowledge, understanding, and skills to make meaningful contributions in our communities locally and globally. We recognize the UVU service region sits at the heart of growth for the state of Utah for the next 40 years. Through an expansion of certificate, associate, bachelor's, and master's programs, multi-site delivery, increased online education, and more stackable credentials and pathways, UVU is poised to meet the educational needs of the growing population in Utah County and throughout our service region.

I am honored to serve as the president of such a forward-thinking and dynamic institution of higher education. Together with the UVU community, I want to acknowledge and thank the visionaries and pragmatists who have supported UVU in its remarkable trajectory. Much remains to be done. I invite you to engage with us as we continue to implement more effective and efficient opportunities for students to achieve their academic goals, live lives of productivity and dignity, and contribute to the health and vibrancy of our communities.

A handwritten signature in black ink, reading "Astrid S. Tuminez".

Astrid S. Tuminez
President

Executive Summary

Student Success: As a student-centered university, UVU strives to help individuals reach their educational goals in an environment that allows them to thrive personally and professionally.

Growth and Educational Demand: Utah has experienced and will continue to experience tremendous population growth and economic growth, and, consequently, growth in educational demand. Utah County will be at the center of this expansion.

Utah's System of Higher Education and Integrated Dual-Mission Institutions: Utah's higher education system has successfully addressed student growth and met business/industry needs through various methods, including the innovative development of integrated dual-mission institutions. Utah's three integrated dual-mission institutions economically serve 50% of Utah's students by offering a simultaneous community college and university experience.

Utah Valley University: As an integrated dual-mission institution, UVU has successfully met and will continue to meet the educational and workforce needs of a rapidly growing population and economy.

UVU's Solutions to Meet Educational Demand: UVU's solutions are specifically designed to address growth at UVU over the next decade and beyond while strengthening its integrated community college and university mission. The following strategies and initiatives, each aligned with UVU's mission, values, and action commitments, are prioritized to help UVU students succeed.

Action Commitment – ACHIEVE

Strategy #1 – Enhance student success and accelerate completion of meaningful credentials

Priority Initiatives:

- A. Implement the UVU Completion Plan 2.0 (2019-2023)
- B. Assess and remove barriers at every stage of the student life cycle
- C. Support completion through comprehensively designed curriculum and services
- D. Enhance educational quality through the recruitment and retention of excellent and engaging faculty and staff

Action Commitment – INCLUDE

Strategy #2 – Improve accessibility, flexibility, and affordability for all current and future UVU students

Priority Initiatives:

- A. Build out a coordinated multi-campus plan
- B. Expand flexible educational and online offerings
- C. Strengthen outreach to and support for underrepresented students
- D. Maintain commitment to affordability and accessibility

Action Commitment – ENGAGE

Strategy #3 – Strengthen partnerships for community, workforce, and economic development

Priority Initiatives:

- A. Create seamless processes and practices for student transition from K-12 to UVU
- B. Improve industry partnerships to meet workforce and community needs
- C. Strengthen engaged learning and community engagement opportunities for students, faculty, and staff

UVU's Vision 2030

Utah Valley University is an integrated university and community college that educates every student for success in work and life through excellence in engaged teaching, services, and scholarship.

UVU Mission Statement (approved May 2019)

Student Success

Student Success is at the heart of UVU's mission. Welcoming all who seek learning at every level of preparation, UVU provides transformational opportunities to positively impact students' lives. UVU is committed to preparing students to achieve their goals, make meaningful contributions, and shape the future. Higher education is more than a next step to obtaining a desired standard of living. A university education prepares students to thrive in a rapidly changing economy and complex world as competent and ethical professionals, lifelong learners, and engaged citizens.

Growth and Educational Demand

Utah County has faced and will continue to face the challenge of tremendous growth in demand for higher education. This county is the sixth youngest in the nation and one of the country's fastest-growing regions — growing from 263,000 people in 1990 to 643,000 in 2018. The Kem C. Gardner Policy Institute at the University of Utah projects that from 2018 to 2030, Utah, Summit, and Wasatch counties will add more than **240,000 residents and 130,000 new jobs** (i.e., one out of every three new residents and one out of every four new jobs in the state will be in one of those three counties). The Gardner Institute further projects that the population of UVU's service region will exceed 1.7 million by 2065.

With growth comes greater diversity both in the UVU service region and at the university. From 2000 to 2018, the percentage of Utah County residents who self-identified as white fell from 89.2% to 82.1%. Hispanic residents made up the largest minority group at 12.0% of the population. The minority population contributed 28.3% of the total county population growth this century. At UVU, Hispanic student enrollment grew from 4.9% in 2008 to 12.1% in 2018. Students of color now comprise 19% of UVU's population compared to 9% in 2008. And UVU has also seen growth in the number of students from other underrepresented groups (e.g., first-generation, low socioeconomic status, refugee, and returning adult students).

Growing with its community, UVU increased enrollment headcount from **26,696 students in 2008 to 39,931 in 2018**. Enrollment projections approved by the Utah State Board of Regents in May 2019 estimate that by 2030 UVU will enroll approximately 57,000, of which 15,000 will be high school concurrent enrollment students. UVU has planned carefully for continued growth to meet its service region's educational needs. As in the past, UVU's focus on undergraduate education and teaching will provide students access to highly qualified faculty in courses with average enrollments of 23 students per class, ensuring high levels of student and faculty interaction. Professional advisors and counselors also provide personalized guidance and interventions to students during their educational journey.

Utah's System of Higher Education and Integrated Dual-Mission Institutions

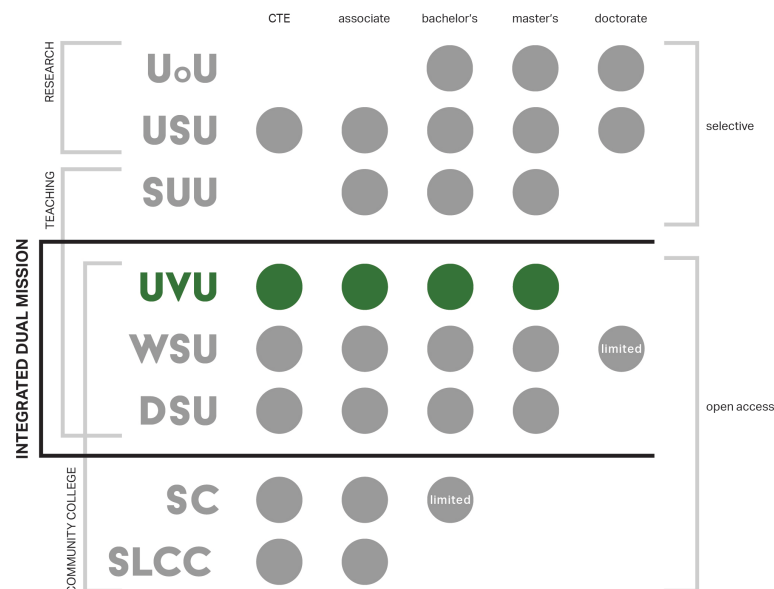
UVU is poised to meet the expanding needs of its service region by sustaining Utah's successful integrated dual-mission institution model. The Utah System of Higher Education (USHE) is comprised of eight higher education institutions designed to meet the educational needs of students who seek different options and opportunities to succeed (see the chart on page 3). USHE has effectively and efficiently managed the

educational needs of Utah’s families and workforce, even as the population has grown. National media and data report that:

- **USHE is one of the most cost-efficient systems in the country;**
- **U.S. News and World Report ranks Utah 6th in the nation in higher education; and**
- **Utah ranks 6th in the nation for adults 25 and older with an associate or bachelor’s degree.¹**

USHE’s success is, in large measure, due to the fact that **Utah’s legislature has long sustained a strong commitment** to higher education. Rather than duplicate expensive independent institutions, the Utah State Legislature and USHE established an innovative and differentiated role for the state’s regional universities. Such leadership, foresight, and generosity have resulted in a higher education system that works, with three integrated dual-mission universities that serve as national models for accessible, affordable, and effective public higher education.

USHE institutions by institution type, credentials/degrees offered, and admissions selectivity



Integrated dual-mission institutions were created to serve rapidly expanding regional workforce and educational needs. Reflective of demographic, economic, and workforce changes in their regions, the Utah State Legislature authorized Weber State College in 1962, Utah Valley State College in 1993, and Dixie State College in 2000 to expand program offerings at the baccalaureate and graduate levels while retaining, sustaining, and expanding community college programs. These institutions became universities in 1991, 2008, and 2013, respectively. Utah’s model of integrated dual-mission universities (WSU, UVU, and DSU) allows students to continue within the same institution from Career and Technical Education (CTE) certificates and associate degrees to bachelor’s and master’s degrees. This is particularly important as Utahns tend to enroll in the college or university in the county in which they live. The Utah approach brings significant advantages to Utah’s students, state government, and taxpayers. According to a recent Lumina Foundation Report², postsecondary attainment in Utah is above the national average (52.2% vs. 47.6%) and up 11.9 percentage points since 2008.

¹ Sources: FY 2018 State Higher Education, SHEEO and NCHEMS; U.S. News and World Report, June 2019; and U.S. Census Bureau, American Community Survey, 2017.

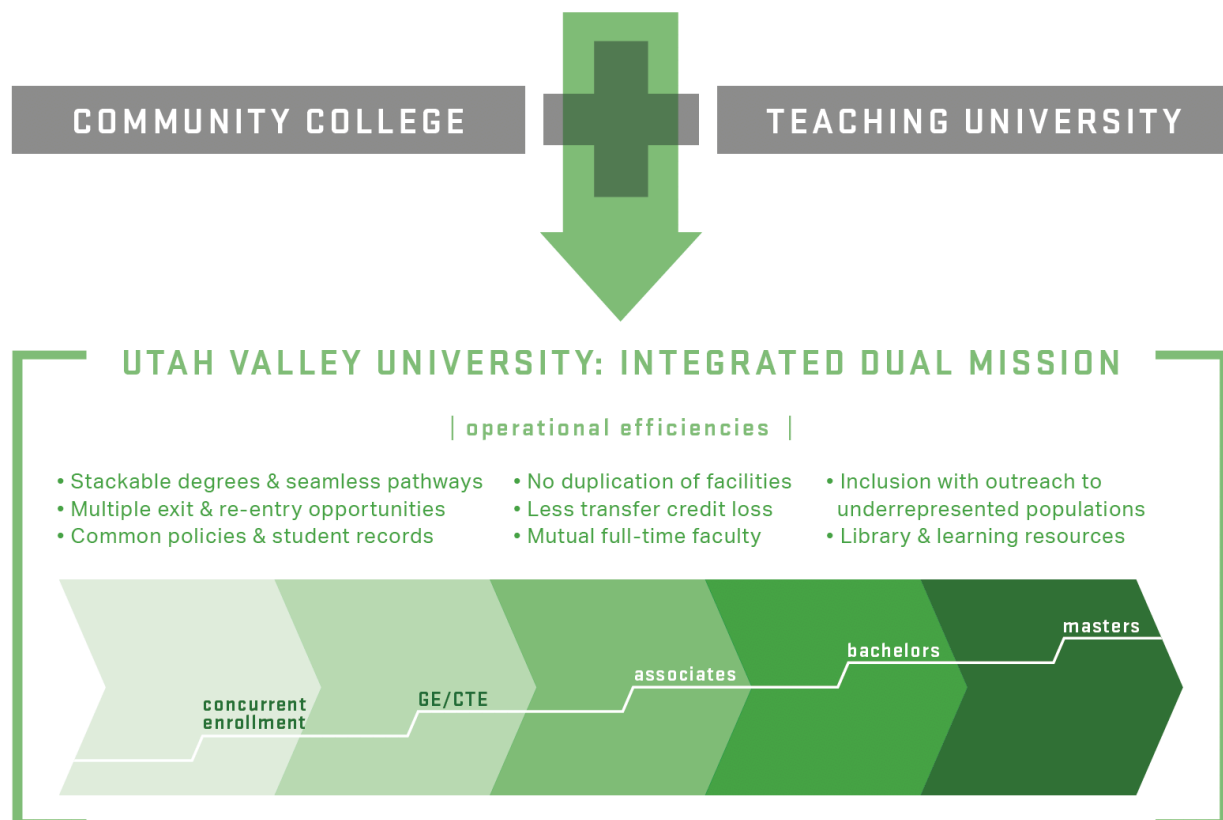
² A Stronger Nation: Learning Beyond High School Builds American Talent (Utah’s Report). A Lumina Foundation Report, 2019.

For students and their families, the integrated dual-mission model:

- Replaces complex transfer articulation with coherent structured pathways, ensuring that students do not lose credits or repeat courses unnecessarily;
- Provides entrance and exit points in the form of stackable degrees, allowing students to earn intermediate degrees as a form of insurance against life circumstances that delay their educational progress; and
- Increases institutional affinity as students become familiar with one institution throughout their academic career rather than relearning the organization and processes of a separate technical school, then community college, and then four-year university.

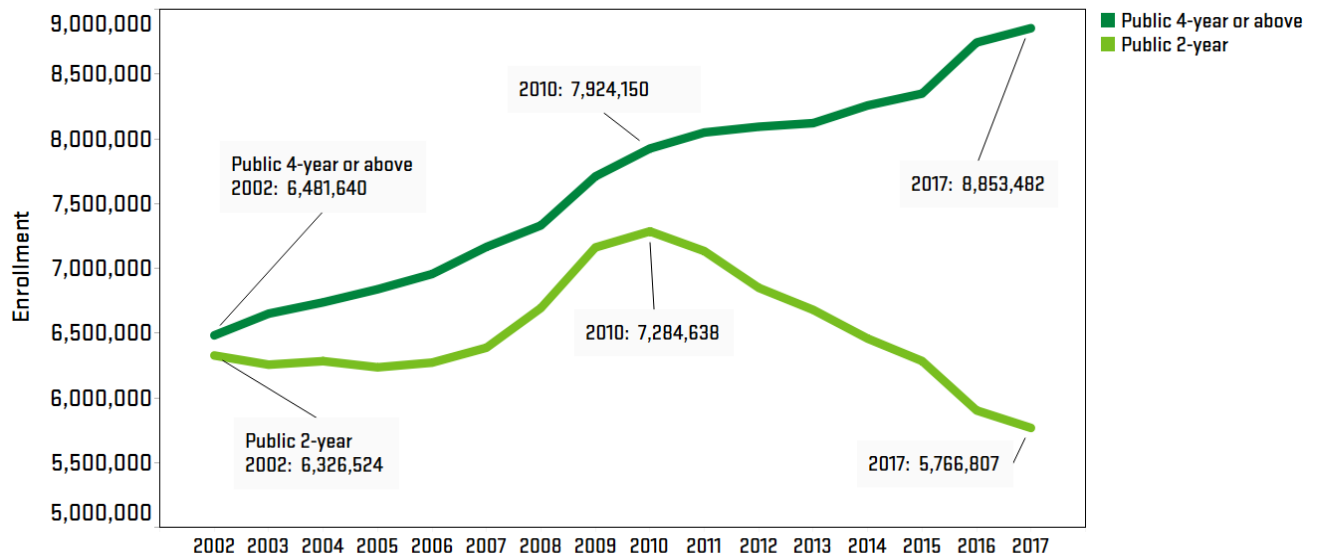
For state government and taxpayers, the integrated dual-mission model:

- Creates shared support services and infrastructure (much of which often does not scale directly with enrollment), thus significantly reducing noninstructional costs, **saving taxpayers money, and directing more resources to educate students;**
- Coordinates curriculum, effectively decreasing the instructional costs necessary to complete a degree; and
- **Operates below USHE average tax funds per student,** thus providing cost-efficient higher education through: (1) economies of scale and (2) minimal to no duplication of facilities, technology infrastructure, administration, and services. A traditional structure of separate and independent community colleges and regional state colleges/universities could be cost-prohibitive for the state.



According to fall 2018 official numbers, **Utah's three integrated dual-mission universities (WSU, UVU, and DSU) serve nearly 50% (over 68,000) of all Utahns enrolled in USHE. They also account for 64% of total USHE enrollment growth since 2000.** Importantly, the integrated dual-mission model has led to Utah residents attaining a high number of associate degrees. In addition, this model has been key to retaining

U.S. Public Higher Education Enrollment by Level, 2002 to 2017



associate degree students through the bachelor's degree, with **47.4% of all associate degrees and 38.5% of all bachelor's degrees** in USHE awarded by the integrated dual-mission universities in 2017-2018.

Other states are embracing the integrated dual-mission model. Decades of operational and educational success in USHE have highlighted the advantages of dual-mission institutions and put the Utah integrated dual-mission model at the center of the national higher education policy agenda. States across the nation have re-envisioned their higher education systems in the following ways:

- **Florida, Texas, Washington, and California** added bachelor's degree programs to many of their existing community colleges;
- **Georgia, Arkansas, Wisconsin, and Montana** consolidated two- and four-year institutions, maintaining the roles of both institutions in one unified structure; and
- **Colorado and North Dakota** realigned community colleges to four-year universities, offering both baccalaureate degrees and community college-level programs.

The national trend away from dedicated community colleges to integrated dual-mission and four-year institutions is striking among students as well. From near parity in 2002, the enrollment gap between public two- and four-year institutions is now more than 3 million students (see chart above).

UVU's Success as an Integrated Dual-Mission University

UVU's track record underlines the integrated dual-mission approach as vital to meeting regional educational needs while addressing the challenge of growth. UVU has strengthened its commitment to quality, access, affordability, and flexibility while setting enrollment records nearly every year this century. This challenging commitment to meeting regional needs for quality and quantity has had a profound impact on individuals, communities, and the state of Utah:

- **Return on investment:** According to the U.S. Department of Education 2018 College Scorecard, UVU has the highest return on investment among institutions in USHE, at 5.3 (the ratio of median earnings of former students to the average annual net price of education).
- **Educating Utahns who stay in Utah:** UVU builds Utah's human capital, with a high rate of students who come from Utah and stay in Utah one year after graduation (84%) and 10 years after graduation (76%); these citizens will make long-term contributions to Utah's vibrant economy and communities.

- **Industry responsiveness:** Since becoming a university, UVU has responded to community and industry needs and feedback by adding relevant workforce development programs (e.g., cybersecurity; special education; civil, electrical, and mechanical engineering; personal financial planning; national security studies; commercial music; and many more). UVU has improved workforce alignment with degrees to government-identified 4- and 5-star jobs, awarding in 2018 nearly 1,000 more degrees and certificates in these high-demand occupations than in 2013 — the largest increase in USHE.
- **Employer satisfaction and community perceptions:** UVU has a recognized value in the region among both community members generally and employers specifically. During the last 10 years of dramatic growth, 82% of people report that their impression of UVU has improved (UVU Community Survey, 2018). UVU has carefully balanced academic rigor (79% feel like UVU has become more academically rigorous) with inclusion (**95% feel UVU fills an important community college role**). Additionally, of employers expressing an opinion on the quality of a UVU education, 93% rated UVU “Good” or “Very Good” (UVU Employer Survey, 2016).

Since 2008, UVU has:

- Increased the number of graduates by 86%, to more than 6,000 (spring 2019);
- Increased the number of CTE certificates and associate degrees awarded by 72%, the largest increase in USHE;
- Increased the percentage of instruction taught by full-time faculty from 51.3% to 57.5%;
- Increased the number of certificates and associate, bachelor’s, and master’s degree programs by 51.7%;
- Increased the number of students of color by 180% and the number of certificates and degrees awarded to students of color by 362%;
- More than doubled the number of concurrent enrollment students and students enrolled in online courses, now offering 40% of its instruction through concurrent enrollment, distance education, and satellite locations; and
- Expanded to seven university locations and hundreds of high schools (primarily concurrent enrollment) and community partnership sites.

Utah’s integrated dual-mission approach has been a resounding success statewide, leading to the relatively high attainment of associate degrees among Utah residents and facilitating retention of associate degree students through the bachelor’s degree. It has done so efficiently, taking advantage of economies of scale and minimizing the duplication of facilities and services that would have been very costly if Utah operated a traditional model of separate and independent community colleges and regional universities.

Planning for Success: UVU’s Solutions for Growth, Quality, and Success

UVU has developed innovative solutions to address future growth and fulfill its designated role as an integrated dual-mission university within the Utah System of Higher Education. Taken from UVU’s Academic Master Plan (2018), Completion Plan (2019), Facilities Master Plan (2016), Strategic Plan for Managing Growth (2016), Inclusion Plan (2014), and the work of other internal and community-based groups, these initiatives represent UVU’s commitment to its mission as it ambitiously strives to serve the growing and diversifying student population and dynamic economy of its region.

These strategies and initiatives were developed through inclusive campus-wide conversations that engaged students, faculty, staff, and administrators. This development process united the UVU community on a clear vision for achieving its mission, enhancing student success, and responding to growth for the coming decade.

UVU Action Commitments	ACHIEVE	INCLUDE	ENGAGE
Strategies	#1. Enhance student success and accelerate completion of meaningful credentials	#2. Improve accessibility, flexibility, and affordability for all current and future UVU students	#3. Strengthen partnerships for community, workforce, and economic development
Priority Initiatives	A. Implement the UVU Completion Plan 2.0 (2019-2023) B. Assess and remove barriers at every stage of the student life cycle C. Support completion through comprehensively designed curriculum and services D. Enhance educational quality through the recruitment and retention of excellent and engaging faculty and staff	A. Build out a coordinated multi-campus plan B. Expand flexible educational and online offerings C. Strengthen outreach to and support for underrepresented students D. Maintain commitment to affordability and accessibility	A. Create seamless processes and practices for student transition from K-12 to UVU B. Improve industry partnerships to meet workforce and community needs C. Strengthen engaged learning and community engagement opportunities for students, faculty, and staff

In order to effectively and efficiently implement these strategies, UVU will expand efforts and attention to digital transformation and resource development.

- **Digital transformation:** Technology will be essential to provide an engaging, supportive, flexible, and inclusive student experience that leads to success, expands UVU's educational capacity, and responsibly steward students' and taxpayers' resources. A newly created position of vice president of Digital Transformation will lead UVU in adopting innovative technologies and strategies to transform campus services, effectively use information, and optimize student learning.
- **Resource development and stewardship:** Building on its unprecedented levels of fundraising success and significant legislative support in the past decade, UVU will continue to leverage state resources with expanded external fundraising to efficiently implement the solutions in this plan.

ACHIEVE

Strategy #1 – Enhance Student Success and Accelerate Completion of Meaningful Credentials

UVU champions a university experience through which students can realize their educational, professional, and personal aspirations. For most students, this means completing a meaningful postsecondary credential in a timeframe suitable for their individual circumstances. For many other students, this means being prepared for graduate or professional school. UVU continues to work aggressively to reduce barriers to completion in its curriculum, administrative processes, and student services in ways that enhance academic quality and rigor.

PRIORITY INITIATIVES

- A. Implement the UVU Completion Plan 2.0 (2019-2023)
- B. Assess and remove barriers at every stage of the student life cycle
- C. Support completion through comprehensively designed curriculum and services
- D. Enhance educational quality through the recruitment and retention of excellent and engaging faculty and staff

A. Implement the UVU Completion Plan 2.0 (2019-2023)

UVU's Retention Plan (2007-2019) resulted in **a staggering 18 percentage point increase in student retention (from 46% to 64%). Initial completion efforts resulted in a significant increase (7 percentage points) in six-year graduation rates (26% to 33%).** Building on this success, UVU has developed its Completion Plan 2.0 outlining eight key priorities to continue increasing retention and graduation rates. The new plan focuses on:

- Student-centric course scheduling;
- Coordinated and comprehensive first-year advising and support;
- Improved general education (design, delivery, and corequisite model);
- Proactive and data-driven interventions (using predictive analytics);
- Stackable credentials and pathways;
- Improved student communication;
- Learner-centered faculty development; and
- Greater participation in high-impact student success practices.

Additional strategies not included in the plan but in development and exploration include prior learning assessment, competency-based credits, and "returnships" or programs designed to help people re-enter the workforce. The comprehensive UVU Completion Plan 2.0 can be accessed at www.uvu.edu/mission/vision2030.

B. Assess and Remove Barriers at Every Stage of the Student Life Cycle

In 2015, UVU expanded student success efforts to include strategic completion initiatives that address the primary reasons for early student departure, including:

- Finances: paying for college, supporting family, relocating for housing;
- Academic integration: doing poorly in classes, not prepared for university-level work;
- External responsibilities: work and family obligations, including caring for children or parents;

- University barriers: course-scheduling conflicts, policies and procedures, curriculum alignment issues;
- Social integration: lack of personal connection, difficulty adjusting to university life;
- Service: full-time church missions or military service; and
- Health: physical and mental well-being.

UVU has implemented initiatives to address these primary reasons for students' departures from the university. Moving forward, UVU will address barriers at each stage of the student life cycle: (1) Pre-college, (2) Onboarding to the end of the first year, (3) Second year to graduation, and (4) Transition to career or graduate school. Such interventions can be found at www.uvu.edu/mission/vision2030.

C. Support Completion Through Comprehensively Designed Curriculum and Services

Redesign Curriculum Aimed at Stackable Credentials and Pathways

UVU is assessing and redesigning curriculum to ensure a "stackable" approach through certificates and associate, bachelor's, and master's degrees. A lack of coherence in the curriculum between these degree types is a common challenge in higher education. As a result, many students take a leave from their education without a credential, and, perhaps most problematic, need to start further back on their academic path when they return. UVU has committed to making educational pathways transparent to students through advising, marketing materials, and clear program planning guides.

- UVU is assessing and redesigning curriculum to ensure that students can realistically earn an associate degree and a general education certificate in the first 60 hours of UVU coursework.
 - Launched in the fall of 2019, UVU students (including high school concurrent enrollment students) can earn a General Education Certificate of Completion signifying completion of general education courses and supporting seamless general education transfer to other USHE institutions.
 - By 2020, UVU students will have the opportunity to pursue an Associate of Science in Humanities and Social Sciences, fulfilling the first two years of coursework for over 5,000 students in the College of Humanities and Social Sciences.

This approach aligns with the Lumina Foundation State Policy Agenda³ Recommendation #5 to expand alternative, lower-priced credential paths.

Expand Meaningful Transfer-Credit Articulation for Students Entering and Exiting UVU

UVU is working to ensure that when students transfer into the institution with prior academic credit, they receive the maximum transfer credits possible toward academic program requirements (not just elective credits as is often the case). For students transferring to other institutions, UVU is working toward stronger articulation pathways that reduce the credit loss and financial burden often associated with transferring:

- UVU supports the Regents Policy R473 articulation plan, which allows any UTECH student to transfer a completed 900-hour noncredit program as the equivalent of 30 credit hours toward an AAS two-year degree in technology, thereby decreasing the potential for loss of credit when transferring between systems.
- **UVU has eight course-to-course articulations with Mountainland Technical College within the Utah System of Technical Colleges (UTECH).** Four additional articulations are in development, with more planned, that will increase the value of Career and Technical Education (CTE) competencies gained through the UTECH system.

³ Lumina State Policy Agenda 2017-20. A Lumina Foundation Report, 2017.

- UVU has partnered with Salt Lake Community College (SLCC) to ensure seamless transfer options exist between the two institutions. UVU currently offers two university transfer programs at SLCC (biotechnology and construction management). UVU is also exploring additional transfer pathways and delivery options with Snow College.

Increase Stackable Pathways from MTECH

UVU and Mountainland Technical College (MTECH) are jointly designing stackable pathways within the region. These stackable pathways will ensure that students can articulate competencies learned at MTECH with specific degree programs at UVU, thus reducing students' time to completion and supporting workforce preparation. Additionally, UVU is committed to partnering further with the Utah System of Technical Colleges (UTECH) to reduce program duplication and to increase the availability of transfer pathways between institutions.

Partnerships with K-12 schools, employers, and key industry stakeholders are critical to creating meaningful pathways. Secondary educators and counselors can communicate accurate pathway information early in a student's educational career, improving college credit acquisition during and after high school. Stakeholder meetings with UTECH institutions and K-12 partners will help ensure program alignment and transferability of credits between institutions. Continuing and new partnerships with area employers, advisory committees, and industry leaders will also support the four- and five-star job initiatives from the Utah Governor's Office of Economic Development.

The result of these and other efforts is a seamless flow between certificates and associate, bachelor's, and master's degrees, even with life changes and challenges that many students face.

Design First-Semester Certificates Around Concurrent Enrollment Offerings

UVU is currently designing first-semester certificates aimed at concurrent enrollment students within the service region. These certificates equate to approximately 15 credits, or a semester of college, and then stack into pre-designed pathways. This initiative is intended to save students time, money, and frustration while opening doors to high-demand, high-wage jobs for students still in high school. This initiative provides increased access to college classes and potential career pathways for a variety of students, many of whom are first-generation and underrepresented populations. In addition, this initiative supports UVU's open-access mission and ensures that credit earned through concurrent enrollment meets the requirements of students' anticipated college majors.

D. Enhance Educational Quality Through the Recruitment and Retention of Excellent and Engaging Faculty and Staff

Fully Implement the Search Advocacy Program to Improve Quality of Hiring Practices

In 2018, UVU began the implementation of the nationally recognized Search Advocacy Program (which focuses on improving the professionalism and inclusiveness of hiring practices). UVU will continue to implement this program campus-wide.

Build on the Legacy of Engaged Teaching and Services

As an integrated dual-mission university, UVU seeks to help its students shine in their selected fields of study and professional pathways. Three of the most powerful ways UVU can accomplish this goal include the following:

- Provide engaging courses to promote retention and learning, which facilitate completion,
- Provide opportunities for faculty-mentored student research that provide students with professional-level skills and networking, and

- Provide opportunities for faculty-mentored professional engagement, such as industry projects, to provide UVU students with professional-level skills and networking.

UVU is committed to hiring individuals who are committed to engaged teaching, mentoring, and services. As an open-admissions institution, UVU teaches and serves students with varying levels of college preparation. Engaged pedagogy can have a significant impact by motivating students along this wide range of academic preparation. UVU is also committed to the professional development and continuous improvement of faculty and staff.

INCLUDE

Strategy #2 – Improve Accessibility, Flexibility, and Affordability for All Current and Future UVU Students

UVU provides accessible and equitable educational opportunities for every student who wants to receive a rewarding postsecondary education. UVU's non-prejudicial approach to education enables all students to come as they are, finding access not only to admission but to success. Initiatives will strengthen opportunities for students from traditionally underrepresented groups throughout UVU's service region and give all students the flexibility and resources they need to succeed.

PRIORITY INITIATIVES

- A. Build out a coordinated multi-campus plan
- B. Expand flexible educational and online offerings
- C. Strengthen outreach to and support for underrepresented students
- D. Maintain commitment to affordability and accessibility

A. Build Out a Coordinated Multi-Campus Plan

Spread UVU Offerings Among Multiple Educational Sites

UVU educates students at hundreds of locations throughout the state of Utah. Based on the UVU Facilities Master Plan approved by the Board of Regents, UVU's Orem Campus is the primary hub of academic, athletic, and administrative activities. This campus is supported by university locations in Provo, Lehi, Vineyard, North Orem, and Wasatch County; planned campuses in Eagle Mountain/Saratoga Springs and Payson; and more than 200 high school concurrent enrollment and community partnership sites statewide. UVU's mostly undeveloped 225+ acre site in Vineyard provides a great resource for supporting future growth.

Within this framework, UVU will strategically locate programs across its multiple campuses and within its service region which will relieve pressure on the main Orem Campus. UVU's plans for program location includes four types of sites:

- The **Orem Campus** will remain the main campus for most academic programs;
- The **Vineyard Campus** will host specialized academic, athletic, and clinical programs;
- Designated **satellite campuses** will host programs for targeted industry and community needs—including both new programs and programs currently offered on the main campus through virtual learning; and
- **Education startup centers** will offer general education and CTE certificates and associate degrees targeted at local needs in areas such as Eagle Mountain/Saratoga Springs and Payson.

Implement Strategies to Improve Physical Access to Campuses

Utah Valley's growth has been a major factor in UVU's planning efforts. The Orem, Vineyard, Lehi, and Payson campuses are easily accessible from I-15. As UVU's Facilities Master Plan recognizes, thousands of UVU students commute from Salt Lake, Davis, and even Weber counties. Working closely with UTA and local governments, UVU has planned and continues to plan for connectivity to a full range of multi-modal transportation systems, including expanded roadways, light rail, UVX (bus rapid transit), future TRAX expansion, and bike and pedestrian-friendly path and trail systems.

- **FrontRunner and UVX:** The UVU Facilities Master Plan, approved by the Board of Regents, is built on a model using FrontRunner as a point of connectivity for UVU's campuses (see Figure 1 in the Appendix). Through an agreement with Utah Transit Authority (UTA), UVU students, employees, and their dependents may ride UTA for free. The Orem Campus is served by UVX (the UTA bus rapid transit line), connecting it to the Orem and Provo transit hubs. In just the first year of implementation (2018-19), UVU student ridership increased by 104%.
- **Pedestrian bridge:** This bridge will reduce traffic congestion by connecting the east and west main campus in Orem, allowing students to safely walk/bike from apartments and the UTA transit hub.
- **Pedestrian-friendly private student housing:** While the majority of UVU's students live with parents or family, as outlined in UVU's Facilities Master Plan, privately developed housing near the Orem and Vineyard campuses will support living and learning opportunities for students seeking a residential university experience.

These transportation strategies, combined with flexible educational and online offerings (discussed in the next section), help stagger the flow of students physically accessing campus and reduce traffic and other pressures placed on neighborhoods and communities. These efforts also support student success by reducing physical access barriers, such as transportation to campus and time spent looking for parking, thus keeping students' focus on learning.

B. Expand Flexible Educational and Online Offerings

A key to student success is ensuring that students are able to enroll in the classes they need — when they need them, and where they need them. Through optimized course scheduling, expansion of online and hybrid offerings, and implementation of emerging technologies, UVU will provide more flexible educational options for students.

Increase and Enhance UVU Online and Hybrid Offerings

UVU has expanded its enrollment in online and hybrid courses by over 40% since 2014. Currently, UVU offers multiple certificates and associate, bachelor's, and master's degree programs online. A small but growing percentage of UVU students are enrolled fully online, though the majority of UVU's online students are also taking face-to-face and/or hybrid courses. Retention indicators show that **students taking a mix of course delivery modes have a 72% likelihood of retention**, which is almost 10% higher than other students. In addition, online delivery provides enhanced opportunities to faculty and students for class engagement, follow up, and flexibility. UVU's online learning strategies include:

- Ensuring the top 25 enrolled lower- and upper-division courses in each college/school are available online.
 - These courses represent **roughly 80%** of all courses offered by UVU.
 - Through UVU's Office of Teaching and Learning, all online courses and all faculty teaching online courses must be certified.
- Expanding the percentage of students enrolled as mixed modality (online and face-to-face/hybrid) from 24% to 75%.
- Growing hybrid course offerings to provide students greater course scheduling flexibility.

Revamp Academic Scheduling for Student Flexibility and Efficient Space Utilization

UVU currently has the highest classroom and lab space utilization in USHE and will continue to improve on this metric. UVU is revamping its academic schedule and scheduling practices for the 2020 academic year in an effort to provide greater flexibility for students and maximize space utilization. These new course scheduling practices will improve students' ability to schedule courses back-to-back through standardized start and end times, particularly during prime time (Monday through Thursday mornings). Course offerings

in the afternoon and evening will be expanded, and summer courses will be strategically scheduled to promote timely and accelerated program completion.

Enhance the Student Experience Through Digital Tools and Resources

UVU is embarking on a digital transformation initiative to utilize technology to support and enhance the university's teaching mission, student learning and discovery, and operations and processes throughout the institution. This initiative will support strategic innovation in the use of new and emerging technologies (including cloud computing, data analytics, augmented reality, machine learning, and artificial intelligence) to enable the entire university community to achieve more within an efficient, reliable, and secure digital and hybrid environment.

C. Strengthen Outreach to and Support for Underrepresented Students

As a state leader in inclusion initiatives, UVU will continue to invest in strategic outreach to and support for students from underrepresented backgrounds. In 2014, UVU implemented a four-year Strategic Inclusion Plan. By 2018, UVU had completed 34 of the 36 action steps outlined in this plan (https://www.uvu.edu/inclusion/docs/inclusion_plan1.pdf).

The next four-year Strategic Inclusion Plan (2020-2024), which contains nearly 70 action steps, will continue to focus on targeted support for historically underserved and underrepresented students and communities. The plan emphasizes action commitments to strengthen systemic efforts, such as inclusive hiring, campus climate, and accountability measures to impact retention and student success. Additionally, the plan addresses culturally responsible services and initiatives for students from diverse backgrounds, identities, and orientations including (but not limited to) race/ethnicity/nationality, gender, sex, parental educational level, socioeconomic status, sexual orientation, ability, immigration, refugee, English language learners, age, and spirituality/religiosity/philosophy. A few initiatives that have received campus-wide focus are highlighted below.

Raise \$15 Million for UVU's First-Generation Student Completion Initiative

In 2016, UVU launched the "I Am First" program to address the 36% of UVU students who are first in their families to pursue a bachelor's degree. Recently, UVU was recognized by The Center for First-Generation Student Success as a First Forward institution committed to first-generation students. In 2018, President Tuminez announced that UVU had raised \$3 million toward a \$15 million fundraising campaign to provide scholarships and support for first-generation students at UVU.

Grow Enrollment and Graduation of Students of Color

UVU has seen tremendous growth (180%) in the number and percentage of students of color from 2008 (2,620 students, 8.6%) to 2018 (7,359 students, 18.4%). With the launch of various multicultural initiatives (Latino, Native American, Pacific Islander, African Diaspora), UVU is prepared to increase enrollment, retention, and completion for students of color. These efforts are aligned with the access and completion goals of the Utah System of Higher Education.

Build on "Some College, No Degree" Program and Establish a Robust Adult Learner Initiative

Nearly one in every four UVU students is over the age of 24. Lumina's Utah Report Card 2019⁴ shows that 18.2% of Utahns have some college but no degree. Fulfilling its community college role, UVU seeks to support the educational goals of adult learners (historically called nontraditional students). Recognizing the number of adults in the UVU service region who have more than 90 credits but have not completed their bachelor's degree, UVU implemented and continues to expand its "Some College, No Degree"

⁴ A Stronger Nation: Learning Beyond High School Builds American Talent (Utah's Report). A Lumina Foundation Report, 2019.

outreach and support program. In just the first year of this program, UVU supported 357 students in their return to college and completion of associate and bachelor's degrees.

Strengthen Student Health, Wellness, and Basic Needs

UVU launched a series of efforts to address student mental, emotional, and physical health and wellness, including investments in mental health therapists, CARE task force (addressing basic needs such as insecurities of food, finances, dwelling, and health), and accessibility efforts. UVU continues to sustain its commitment to a culture of care, where all members of the community have a sense of ownership of individual and collective health and wellness. Inclusion Plan 2.0 seeks to expand health and wellness efforts in the areas of (a) mental health – benchmarking current mental health services to meet the national recommendations of student-counselor ratio; (b) physical health and access – offering religious dietary options, increased digital library resources to increase access, and an audit of website visuals and text to enhance digital accessibility; and (c) a supportive campus climate – instituting resources for students and faculty of varying citizenship and immigration statuses and prioritizing physical safety for all.

D. Maintain Commitment to Affordability and Accessibility

UVU recognizes that responding to student growth and meeting the workforce needs of its service region pose a resource challenge. UVU will continue to maintain affordability for students and Utah taxpayers through well-planned strategies to use resources wisely, operate effectively, and secure private resources.

Demonstrate Effective Use of Tax Funds

Often referred to as Utah's "lean, mean, educating machine," UVU demonstrates a long-standing commitment to affordability for taxpayers through cost-effective management, including prioritizing, allocating, and reallocating resources. From 2008 to 2018, UVU decreased its tax fund expenditure per award granted by 10%, producing more graduates and utilizing resources wisely. Faced with increasing enrollments, UVU will need to continue to:

- Use assessment and accountability metrics to ensure strategic prioritization and wise use of resources; and
- Secure an appropriate balance of new tax funds to support growth (adequacy funding) and to reward demonstrated achievement of USHE's strategic goals (performance-based funding).

Maintain Low Tuition and Fee Rates; Implement Reduced Tuition for Students Pursuing CTE Awards

Utah has the third-lowest tuition and fees among four-year public colleges and universities in the nation, and UVU has the second-lowest rate for tuition and fees among Utah's four-year institutions. Even so, affordability is an area of concern for Utahns. Fiscal vigilance is necessary to contain increases of tuition and fee rates. Going forward, UVU will:

- Maintain undergraduate tuition and fee rates at no more than 10% of the state's median household income;
- Work with the legislature to implement a reduced tuition rate for students pursuing CTE certificates, diplomas, and associate degrees; and
- Implement strategies, including resource reallocation and cost savings, to reduce student course fees.

Expand Use of Open Educational Resources and Digital Texts

While tuition and fees are the primary cost of higher education, the costs of instructional materials and textbooks also impact students' ability to afford college. UVU will continue to expand the use of more affordable e-books and digital texts along with the development and adoption of high-quality open educational resources.

Increase Access to Need-Based Grants and Scholarships

UVU serves a large percentage of first-generation, low socioeconomic, and underrepresented populations of students who, without financial assistance, may be unable to pursue their higher education goals.

UVU's goals to remedy these issues include the following:

- Increase the number and percentage of students applying for FAFSA and receiving Pell Grants;
- Increase private funding for student scholarships and need-based financial aid; and
- Refine and align Pell gap scholarship programs, including UVU's Wolverine Pathways and USHE's Utah Promise Scholarship.

ENGAGE

STRATEGY #3 – Strengthen Partnerships for Community, Workforce, and Economic Development

UVU delivers rigorous, meaningful, and experiential learning opportunities driven by shared responsibility for student success. These opportunities are based on the relationships and outreach opportunities with students, alumni, and community stakeholders that build UVU into the fabric of their communities. Strengthening UVU's ongoing partnerships with other educational institutions, community organizations, and industry ensures that UVU will continue to meet the region's needs as the university grows along with the communities it serves.

PRIORITY INITIATIVES

- A. Create seamless processes and practices for student transition from K-12 to UVU
- B. Improve industry partnerships to meet workforce and community needs
- C. Strengthen engaged learning and community engagement opportunities for students, faculty, and staff

A. Create Seamless Processes and Practices for Student Transition from K-12 to UVU

Improve the Transition from K-12 to Higher Education

UVU will continue to work with K-16 Alliance partners to increase the number of students who enroll in higher education during or immediately after high school. UVU will improve connections through (1) a greater focus on the high school to college transition during the K-16 Alliance Counselor Conference hosted each fall semester, (2) increased connection and outreach from UVU academic departments and high school concurrent enrollment faculty, and (3) clear communication on pathway requirements that can be achieved while in high school.

Strengthen Concurrent Enrollment Course Alignment, Offerings, and Participation

UVU is working to align all concurrent enrollment (CE) course offerings with degree pathways at both MTECH and UVU to reduce students' time to completion upon matriculation at UVU and to enhance student exposure to career opportunities. Complete College America, a national advocate for increasing college completion rates and closing the equity gap, has identified the completion of college-level English and mathematics in the first year of a college student's enrollment as a retention and completion strategy. Utah can increase completion significantly by supporting high school juniors and seniors in designing course schedules that facilitate their completion of English 1010 and the required quantitative literacy class for their chosen pathway. With this goal in mind, **UVU will work to offer English 1010 and quantitative literacy CE courses in every high school in its service region.** This strategy will also increase the value of the senior year, ensuring that students are actively engaged in a defined educational pathway. The K-16 Alliance is focused on increasing underrepresented student enrollment in CE courses to improve opportunities for early college success and influence subsequent college attendance.

B. Improve Industry Partnerships to Meet Workforce and Community Needs

Increase Programs and Degrees that Align with 4- and 5-Star Workforce Needs

UVU has more than doubled the number of degrees and certificates awarded in workforce priority programs since 2008 (see Figure 2 in the Appendix). UVU will continue to partner with its extensive and

engaged advisory boards to implement responsive curricula designed to grow the number of graduates prepared to meet workforce demand in all degree areas, but with particular focus on increasing capacity and awards in programs rated as four- and five-star occupations that show the strongest employment and wage outlook for the region.

Enhance Employer Engagement for Student Support and Sponsorships

UVU academic programs have robust advisory committees consisting of employers and community leaders to ensure that instruction is aligned with industry needs and adjusted when significant workforce changes occur. Working with employers, UVU has expanded and is continuing to expand internship opportunities for students. In high-demand job fields, UVU encourages employers to hire UVU students before they graduate and provide employer tuition assistance to help pay for the completion of the student's degree.

Continue Strong Support of Career and Technical Education Programs

UVU's integrated dual mission provides high-demand technical skills in Career and Technical Education (CTE) alongside university academic programs. CTE provides programs focused on applied learning, leading to specific careers. Students in CTE programs historically achieved certificates and associate degrees, but the modern definition provides for programs throughout the bachelor's and master's levels (including pathways in healthcare, engineering, finance and accounting, and other fields). UVU's wide array of CTE certificate, diploma, and associate programs provides students opportunities to gain skills in their chosen profession. CTE at UVU continues to thrive, with enrollments up 51% and certificates and associate degrees awarded up 72% from 2008 to 2018. In many programs, CTE graduates have nearly 100% job placement and above-average earnings. Close partnerships with UTECH provide additional pathways for CTE students to articulate into degree-granting programs at UVU. Each program prepares students for employment while providing a path to further education and a foundation for lifelong learning. Increased funding of CTE associate degrees from the state of Utah would make two-year degrees — which enhance Utah's workforce — more affordable and competitive.

Strengthen the Business Resource Center

The Business Resource Center (BRC) is a one-stop hub for everyone from budding entrepreneurs to seasoned CEOs. The BRC offers trainings, classes, incubator/accelerator space, and a variety of resources to assist the entrepreneur in every stage of business. In addition, the BRC is host to state agencies that have a wide spectrum of specialties from business counseling, manufacturing, web design, government contracting, and venture capital access. These resources benefit UVU students and support a close connection between the university and business/industry.

Strengthen Community and Executive Education

To support a culture of lifelong learning, UVU offers noncredit courses to support education for personal and professional growth and enrichment, including youth engagement, senior citizen programming, career development, industry certification, and leadership development. In the coming years, UVU will expand the breadth and depth of community and executive education to address community needs.

Maintain and Expand Graduate Programs to Meet Community Needs

UVU has 11 master's degrees that have been developed to meet industry and community demands. The first three graduate programs (Education, Nursing, and Business) were all selected to meet educational needs of students and workforce needs of three critical industries. As industries increase in their need for employees with graduate credentials, UVU will partner to provide graduate courses and programs appropriate to the demand.

C. Strengthen Engaged Learning and Community Engagement Opportunities for Students, Faculty, and Staff

For over 10 years, the Carnegie Foundation has classified UVU as a community engaged institution. The Community Engagement classification recognizes UVU's commitment to developing organizational structures, policies, and programming that facilitate student, faculty, and staff involvement in the community.

Continue Strong Support of Service-Learning Course Development and Implementation

The Center for Social Impact provides students with many opportunities to become active in their communities. As one of the pathways of social impact, service-learning courses allow students to complete outside projects that meet community-identified needs and align with their coursework. Approximately 8,000 students complete at least one of these courses each year. Over 350 sections are available across all colleges and schools. Recent assessment data have demonstrated that students who complete a service-learning course have increased persistence (84%) and completion (30%) rates. This persistence and completion effect extends powerfully to several underrepresented populations. Students who complete three courses and outside social impact activities can earn a Social Impact Scholar designation on their transcript.

Increase Student Participation in Community-Facing Incubators and Creative Spaces

In 2018, the SIMLab was created to give students a faculty-mentored research experience where they evaluate the social and economic impact of local and international nonprofits and other community organizations. Over 200 students have participated since the lab opened. An incubator lab will be added that will provide additional mentorships, funding, and physical space for students who want to make a social impact with an innovative idea. The UVU Entrepreneurship Institute provides non-academic programs to help UVU students start and grow businesses.

Expand Support and Involvement in Community Engaged-Learning Projects and Experiences

Grants are available for faculty to complete community engaged-learning projects across disciplines. UVU has a wide range of faculty development offerings in community-based project design, implementation, and evaluation. Students, faculty, and staff can also increase their intercultural or intracultural competencies through a range of trainings, global courses, experiences, and academic distinctions. Assessment data show that students who complete a combination of global/intercultural, service learning, and study abroad opportunities have a graduation rate of 72%.

Strengthen High-Impact Corporate and Government Internships

Each year, nearly 3,000 UVU students complete an internship with a local organization. An internship equips UVU students to better meet workforce needs. The combined academic and professional engagement experiences provide heightened learning opportunities, high-profile networking, and amplified skill development, and are therefore called "high-impact internships." Students who complete a high-impact internship are more competitive in the workforce. They also have a greater impact on the Utah community and are more likely to be hired at prominent corporations and government institutions.

To 2030 and Beyond

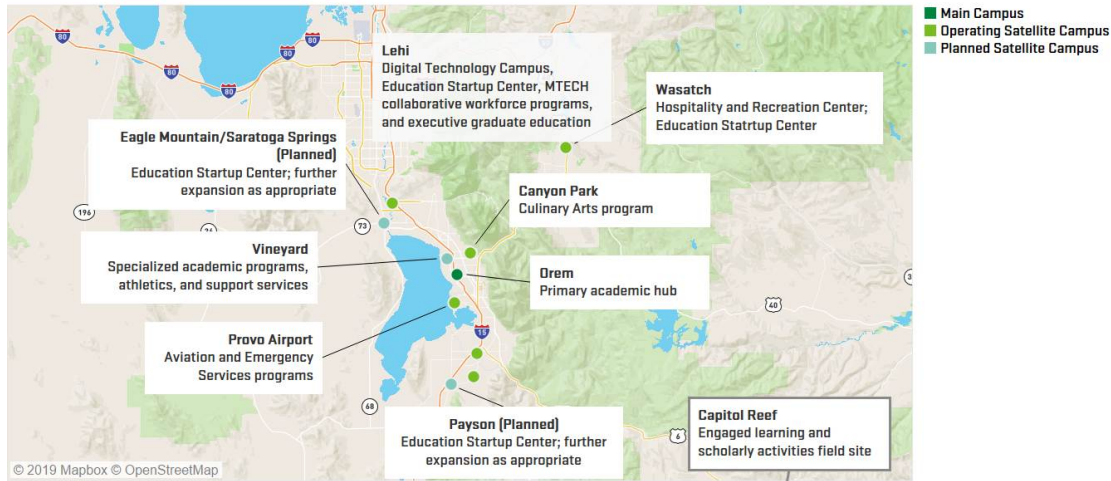
We are excited to be part of a thriving system of higher education and to serve our regional and state community. Today, higher education in Utah is more robust than ever. The Utah model of higher education is garnering attention nationally and internationally. Institutions and leaders in other states are looking at Utah's integrated dual-mission institutions as case studies for future education policy.

The solutions outlined in this document position UVU to build upon its legacy of providing a comprehensive array of educational programs and degrees to as many students as possible while maintaining high-quality programs. Ultimately, UVU's goal is Utah's goal: to provide cost-effective, easily accessible, high-quality education that meets the state's workforce needs, strengthens the economy, and helps people live productive, dignified, and meaningful lives.

APPENDIX

Figure 1 – UVU Multi-Site Campus Plan

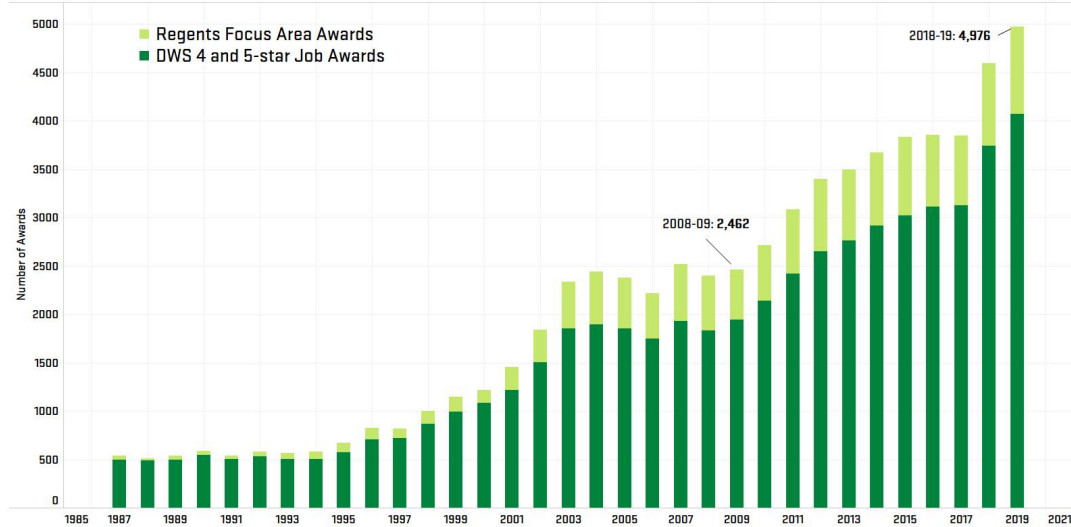
UVU Master Planned Locations



By 2030, UVU will serve students at seven current and two future master planned locations throughout its service region, with programs tailored to community and industry needs and access enhanced by regional public transportation networks.

Figure 2 – UVU Degrees and Certificates Awarded in Programs for 4- and 5-Star Jobs

UVU Degrees and Certificates Awarded in Programs for 4- and 5-Star Jobs



UVU has more than doubled the number of degrees and certificates awarded in workforce priority programs since 2008 (sources: UVU Student Information Systems and USHE-identified programs).



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 24, 2019
TITLE:	UVU Policy 541 <i>Student Code of Conduct</i>
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Kyle Reyes, Vice President for Student Affairs Ashley Larsen, Associate Dean-Students
SUBJECT:	UVU Policy 541 <i>Student Code of Conduct</i>
BACKGROUND:	<p>Key updates made to the policy include, but are not limited to:</p> <ol style="list-style-type: none">1. Improves and clarifies due process procedures.2. Reflects current state and federal requirements/guidance, including but not limited to, those imposed by the Utah Board of Regents (Student Disciplinary Processes/Advisors and Student Safety), Clery Act, VAWA, and Title IX.3. Better reflects UVU's core values by articulating the educational, restorative, and inclusive aims of the student conduct process.4. Updated best practices as supported by the Association of Student Conduct Administration (ASCA) and National Association of Student Personnel Administrators (NASPA), with elements from industry accepted "model" codes (NCHERM and Stoner), student codes that have been "greenlighted" by the Foundation for Individual Rights in Education (FIRE), and other exemplary university codes
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, "I move to approve UVU Policy 541 <i>Student Code of Conduct</i> for entrance into the UVU Policy Manual."• Amend and approve, "I move to approve, as amended, UVU Policy 541 <i>Student Code of</i>

	<p><i>Conduct</i> for entrance into the UVU Policy Manual.”</p> <ul style="list-style-type: none"> • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	<p>a. Policy 541</p>



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Proposed Policy Number and Title: 541 Student Code of Conduct		
Existing Policy Number and Title: 541 Student Rights and Responsibilities Code		
Approval Process*		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input checked="" type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: Stage 4 BOT Draft, 10/10/2019
President's Council Sponsor: Kyle Reyes Ext. _____
Policy Steward: Alexis Palmer, Ashley Larsen Ext. _____

POLICY APPROVAL PROCESS DATES	
Policy Drafting and Revision Entrance Date: 2010 University Entities Review Entrance Date: 11/15/2018 Close Feedback: 02/14/2019 University Community Review Entrance Date: 09/26/2019 Open Feedback: 09/26/2019 Close Feedback: 10/08/2019 Board of Trustees Review Entrance Date: 10/10/2019 Approval Date: _____	POST APPROVAL PROCESS Verify: <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 Policy Office personnel who verified and posted this policy to the University Policy Manual Name: _____ Date posted and verified: _____



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POLICY TITLE	Student Code of Conduct	Policy Number	541
Section	Student Affairs	Approval Date	
Subsection	Student Rights	Effective Date	
Responsible Office	Office of the Vice President of Student Affairs		

1.0 PURPOSE

1.1 To advance the educational objectives of Utah Valley University, this *Student Code of Conduct* (“Student Code”) establishes standards and procedures necessary to maintain a community conducive to engaged learning and student success. This *Student Code* supports the intellectual, personal, social, and ethical development of all members of the community by promoting the values of civility, integrity, inclusivity, respect, and responsibility. Students at the university are expected to uphold these values through the exercise of their personal freedom and reasoned discourse. This Student Code also establishes the conduct expectations for students of Utah Valley University, outlines students’ rights and due process procedures for addressing alleged student violations of university policies, delineates the range of disciplinary sanctions for violations and establishes procedures for appeal of disciplinary sanctions.

2.0 REFERENCES

2.1 *Family Educational Rights and Privacy Act (FERPA)*

2.2 *Health Insurance Portability and Accountability Act of 1996 (HIPPA)*

2.3 *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*

2.4 *Title IX of the Higher Education Amendments Act of 1972*

2.5 *Utah Code § 76-10-11 Gambling*

2.6 *Utah Code § 76-10-505.5 Possession of a dangerous weapon, firearm, or short barreled shotgun on or about school premises–Penalties*

2.7 *Utah Code § 76-10-501 Utah Criminal Code, Offenses Against Public Health, Safety, Welfare, and Morals, Weapons*

2.8 *Utah State Board of Regents’ Policy R256 Student Disciplinary Process*



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- 2.9 Utah State Board of Regents' Policy R262 *Student Safety*
- 2.10 UVU Policy 115 *Minors on Campus and at University-Sponsored Events*
- 2.11 UVU Policy 135 *Use of Copyrighted Materials*
- 2.12 UVU Policy 157 *Alcoholic Beverages, Unlawful Drugs, and other Illegal Substances*
- 2.13 UVU Policy 158 *Tobacco*
- 2.14 UVU Policy 160 *Animals on Campus*
- 2.15 UVU Policy 161 *Freedom of Speech*
- 2.16 UVU Policy 162 *Sexual Misconduct*
- 2.17 UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*
- 2.18 UVU Policy 402 *Key and Proximity Cards*
- 2.19 UVU Policy 403 *Restrictions on the Use of Skateboards, Roller Blades, Roller Skates, Bicycles, Motorcycles, and Hoverboards*
- 2.20 UVU Policy 425 *Scheduling Campus Facilities*
- 2.21 UVU Policy 441 *Appropriate Use of Computing Facilities*
- 2.22 UVU Policy 601 *Classroom Management*

3.0 DEFINITIONS

3.1 Academic misconduct: For the purposes of this policy, prohibited conduct that is academic in nature, including but not limited to misconduct that occurs within coursework, research, examinations, or other academic exercises.

3.2 Behavioral misconduct: Conduct prohibited under section 4.3 of this policy that is not academic in nature.

3.3 Bullying and cyberbullying: Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by the First Amendment.

3.4 Cheating: Using or attempting to use or providing others with unauthorized information, materials, or study aids in academic work. Cheating includes but is not limited to passing



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examination answers to or taking examinations for someone else; preparing or copying another's academic work; the acquisition, without permission, of tests or other academic material belonging to a member of university faculty or staff; unauthorized collaboration on academic work; or engaging in any conduct specifically prohibited by a faculty member in the course syllabus or class discussion.

3.5 Complainant: For the purposes of this policy, any individual who alleges they have experienced misconduct in violation of this *Student Code*. The University may also be a complainant. Use of this term does not imply that a finding of misconduct is assumed or made before an investigation has been completed.

3.6 Dean of Students: The person designated by the Vice President of Student Affairs to be responsible for overseeing the administration of the *Student Code*.

3.7 Disciplinary records: Disciplinary records are educational records protected under FERPA, and include but are not limited to records of the results of disciplinary processes and findings of student policy violations. Student disciplinary records are maintained by the Office of Student Conduct and Resolution (Student Conduct Office).

3.8 Fabrication: The use of invented, counterfeited, altered, or forged information. Fabrication includes but is not limited to the falsification of research or other findings, or the listing of sources in a bibliography not used in the academic exercise.

3.9 Faculty member: For the purposes of this policy, faculty or faculty member refers to any person employed by the University part-time or full-time to teach and/or lead scholarly activities or creative works.

3.10 Hazing: An act that endangers the mental or physical health or safety of a student or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.

3.11 Intimidation: Implied and/or actual threats or acts that cause a reasonable fear of harm in another.

3.12 Plagiarism: The practice of taking or using someone else's work or ideas and passing them off as one's own. Plagiarism includes but is not limited to the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment; the unacknowledged use of materials prepared by another person or agency engaged in the selling of papers or other academic materials; duplicating or submitting work that was originally prepared for another class without the explicit permission of the instructor; or knowingly aiding another student who is engaged in plagiarism.

3.13 Preponderance of the evidence: The evidentiary standard used during a misconduct investigation/review to determine if the allegations occurred and if a university policy violation



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has occurred. Preponderance of evidence means it is more likely than not, or more than 50 percent in favor, that the misconduct occurred as alleged.

3.14 Respondent: For the purposes of this policy, the individual against whom an alleged complaint of misconduct in violation of the *Student Code* has been made. Use of these terms does not imply that a finding of misconduct is assumed or made before an investigation has been completed.

3.15 Retaliation: Intimidation, threats of reprisal, harassment, or other materially adverse actions, or threats of such materially adverse actions, made by or against persons employed by, attending, or affiliated with the University in any way or participating in any university program or activity, against anyone who in good faith reports or files a complaint under this policy; honestly participates or assists in a university-related investigation, hearing, or other processes relating to discrimination or harassment; or otherwise asserts rights protected by Title IX, Title VII, or other applicable laws. Any action designed to prevent or discourage someone from reporting a concern regarding sexual misconduct may also be retaliation.

3.16 Safe harbor: For purposes of this policy, safe harbor is a provision that affords students protection from penalty if a student, in good faith, self-reports their own addiction to the appropriate university officials before the threat of drug testing and/or discipline.

3.17 Student: For the purposes of this policy, *student* includes all persons admitted to the University or enrolled in university courses, either full-time or part-time. Persons who withdraw or graduate after allegedly violating the *Student Code*, who are not officially enrolled for a particular term but who have a continuing relationship with the University, who are on a leave of absence, or who have been notified of their acceptance for admission are also considered “students.”

3.18 Student conduct administrator: The person(s) designated either by the Dean of Students (in behavioral misconduct cases) or academic dean (in academic misconduct cases), to be responsible for administering the *Student Code*, including determining whether a student has violated the *Student Code* and determining sanctions. See section 5.8 Delineation of Authority.

3.19 Student organization: An organization of students that has complied with the formal requirements for university recognition or that is department-sponsored, including but not limited to student leadership programs, student councils, chartered student clubs, club sports, intramural teams, and athletic teams.

3.20 Threat: Written, verbal, physical, or nonverbal conduct that directly or indirectly expresses or shows an intention to inflict pain, injury, damage or other hostile actions against another person or to cause damage to any property, and that is not protected by the First Amendment.

3.21 University community: Includes any person who is a student or employed by the University, including but not limited to faculty, administration, staff, volunteers, or any persons



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contracted to perform services for the University. A person's status in a particular situation shall be determined by a student conduct administrator.

3.22 University campus: Any campus or facility, physical or virtual, owned, leased, or under contractual agreement by the University, including but not limited to satellite campuses, remote classroom sites, and the university learning management system.

4.0 POLICY

4.1 Scope of this Policy

4.1.1 This policy applies to all students admitted to the University or enrolled in university courses, either full-time or part-time, and to all student conduct that occurs on university campus or at university-sponsored activities. It also applies to off-campus conduct, not otherwise protected by law, that adversely affects the university community and/or fulfillment of the University's mission, values, and operations. The Dean of Students or designee shall decide whether the *Student Code* shall be applied to misconduct occurring off-campus on a case-by-case basis. If a student withdraws from the University while a disciplinary matter is pending, the University may continue to apply this *Student Code* and its processes for resolving that specific disciplinary matter.

4.1.2 The University may respond to allegations of student misconduct at any time even if the alleged misconduct occurs before classes begin, after classes end, during breaks within the semester, or during the break between semesters. The University may also institute its conduct proceedings after a degree is awarded in the event misconduct is subsequently discovered. Where warranted, the University retains the right to revoke an awarded certificate, diploma, or degree.

4.1.3 All academic and behavioral misconduct complaints are subject to the due process procedures for investigation, resolution, and appeals as set forth in this *Student Code*, with the exception of sexual misconduct and protected class discrimination and harassment, which are exclusively subject to the procedures found in UVU Policy 162 *Sexual Misconduct* and UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*.

4.2 Student Responsibilities and Rights

4.2.1 Nothing in this policy shall be interpreted to deny the rights of individuals protected by the U.S. Constitution, including their protected rights to freedom of speech and association, including as set forth in *UVU Policy 161 Freedom of Speech*.

4.2.2 The University expects all students to engage in responsible conduct, to obey the law, to maintain integrity, and to uphold high standards of individual honesty in all their actions and academic work. The University promotes an environment that values inclusivity and civility, and



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encourages students to be thoughtful and respectful in their dealings with other members of the campus community.

4.2.3 Students are responsible for knowing the information and procedures in this policy and other university policies applicable to students. The University publishes this Student Code in its catalog, online and in print, and in the University's Online Policy Manual. The University reserves the right to modify this policy. Alleged policy violations are governed by the policy version in place at the time of the alleged violation. However, *Student Code* procedures effective at the time of the reporting of the alleged violation will govern the investigation and resolution.

4.2.4 Students shall promptly participate in good faith in informal or formal student conduct investigations related to this policy. If the complainant or respondent fails to participate, the Student Conduct Office may make findings without the response of that party, potentially leading to an unfavorable outcome for that party.

4.2.5 As members of the university community, students have certain rights in addition to their constitutional rights and protections. Students should respect each other's rights. The University will endeavor to safeguard these rights for all.

4.2.5.1 Academic Evaluation. Students have the right to performance evaluation based on a written syllabus, to accurate information regarding changes in course programs or university requirements and reasonable accommodation of those already enrolled in a program or class(es), to receive academic credit and/or degrees when all specified requirements and coursework have been satisfied, and to make academic appeals including but not limited to grade changes and withdrawals. See UVU Policy 152 *Accommodations for Individuals with Disabilities*; UVU Policy 523 *Grading*; UVU Policy 601 *Classroom Instruction and Management*; UVU Policy 635 *Faculty Rights and Professional Responsibilities*.

4.2.5.2 Due Process. Students have the right to be protected from unreasonable decision-making by the University and to have access to University policies that affect them. The University is committed to providing students with balanced and fair systems of misconduct resolution. This *Student Code* is administrative in nature and is not a civil or criminal proceeding. Students are presumed not responsible for misconduct until responsibility is established by a preponderance of the evidence. Students' non-participation or silence during any process under this policy will not be used against them, but the University's decisions will nonetheless be made on the available information. The University complies with Utah State Board of Regents' Policy R256 *Student Disciplinary Processes*, which sets forth minimum standards of due process for student disciplinary processes related to behavioral (non-academic) misconduct matters that may result in either expulsion or a minimum ten-day suspension.

4.2.5.3 Freedom from discrimination. Students have the right to be treated fairly and with dignity regardless of race, color, national origin, age (40 and over), marital status, sex, sexual orientation, gender identity, gender expression, pregnancy, childbirth, or pregnancy-related



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conditions, disability, religion, genetic information, height, weight, veteran status, or other bases protected by applicable federal, state, or local law, and as revised in UVU Policy 165

Discrimination, Harassment, and Affirmative Action and UVU Policy 162 *Sexual Misconduct*.

4.2.5.4 Freedom from sex discrimination and sexual misconduct. Students have the right to be free from sex discrimination in UVU educational programs and activities, including but not limited to educational programs, employment, admissions, and university-sponsored activities, consistent with *Title IX of the Educational Amendments of 1972*. Sexual misconduct, including sexual harassment, sexual violence, sexual assault, relationship violence, and stalking, are types of sex discrimination prohibited by Title IX and/or UVU Policy 162 *Sexual Misconduct*. Students also have the right to a prompt and equitable response from the University when the University learns of any form of sex discrimination.

4.2.5.5 Freedom of Speech. Students have the right to free exchange of ideas and to artistic expression, the right to free speech, open discussion, inquiry, and academic freedom in the University and on the university campus without prior restraint or censorship, subject to limitations on unlawful/unprotected speech and to clearly stated, reasonable, and nondiscriminatory rules regarding time, place, and manner. See UVU Policy 161 *Freedom of Speech*.

4.2.5.6 Ombuds. Students have the right to access the University's Ombuds Office for consultation and assistance resolving matters of personal and school issues, including but not limited to concerns and conflicts regarding other students, faculty, university policies and processes, and housing disputes.

4.2.5.7 Privacy, Confidentiality, and Records. Students have the right to be protected from the University's improper disclosure of a student's educational record consistent with the *Family Educational Rights and Privacy Act of 1974* and UVU Policy 542 *Student Records Access*. Students also have the right to inspect all records pertaining to themselves, which are not considered by the University to be private records of university personnel. Students are entitled to request corrections or expungement to educational records they consider inaccurate or misleading. Also see UVU Policy 635 *Faculty Rights and Professional Responsibilities*.

4.2.5.8 Student Government and Student Organizations. Students have the right to form and operate an organized student association or club within the guidelines prescribed by the University. Students also have the right to representation through student government on university committees, councils, commissions, and other formally constituted bodies that make general policy and procedure decisions directly affecting students or that govern student activities and conduct. See UVU Policy 532 *Associated Student Organization and Club Membership*.

4.3 Standards of Student Conduct



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4.3.1 Students are individually responsible for their conduct. In addition, student organizations may be held collectively responsible for the conduct of their student members during student organization activities or while acting on behalf of or at the request of the student organization.

4.3.2 Students shall not engage in academic or behavioral (non-academic) misconduct as described in this section. Categories of prohibited misconduct include but are not limited to the following:

4.3.2.1 Abuse of student conduct process. Abuse or interference with university student conduct processes, including but not limited to falsification, distortion, or misrepresentation of information; failure to provide information or documents, or destruction of information or documents during the student conduct process; attempting to discourage an individual's honest participation in or use of the student conduct process; verbal or physical abuse and/or intimidation or any other retaliation of a party, witness, or other participant in a student conduct process; failure to comply with the sanction(s) imposed by the student conduct administrator; or influencing or attempting to influence another person to commit an abuse of the student conduct process.

4.3.2.2 Academic misconduct and other acts of dishonesty. All forms of academic misconduct and other acts of dishonesty, including but not limited to cheating, plagiarism, fabrication, and/or possessing or providing to the University any false, falsified, altered, forged, or substantially misleading materials, documents, accounts, records, identification, or financial instruments.

4.3.2.3 Alcohol. Use, possession, distribution, being under the influence of alcoholic beverages on the university campus or at university-sponsored events or activities, and other conduct prohibited by UVU Policy 157 *Alcoholic Beverages, Unlawful Drugs, and other Illegal Substances*. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age.

4.3.2.4 Animals. Animals on campus, or other conduct prohibited in UVU Policy 160 *Animals on Campus*. Service dogs or miniature horses that are trained to perform work or tasks related to a disability are permitted.

4.3.2.5 Damage or destruction. Unauthorized damage to or destruction of university property or the personal property of a member of the university community.

4.3.2.6 Discrimination. Protected class discrimination as defined by UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*, including but not limited to negative or adverse conduct towards university employees or students in the terms or conditions of employment; university admission or education; access to university programs, services, or activities; or other university benefits or services on the basis of inclusion or perceived inclusion (in the case of disability, sexual orientation, gender identity, or gender expression) in one or more of the protected classes that has the effect of denying or limiting participation in university



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employment or in a university program or activity.

4.3.2.7 Disruptive behavior. Disruption, obstruction, or interference with university operations, teaching, learning, research, administration, other university activities, and/or other authorized non-university activities that occur on the university campus as defined in section 3.22.

4.3.2.8 Drugs. Use, possession, distribution, manufacturing, or being under the influence of illegal drugs or other controlled substances or drug paraphernalia, including abuse, misuse, sale, or distribution of prescription or over-the-counter medications, and other conduct prohibited in UVU Policy 157 *Alcoholic Beverages, Unlawful Drugs, and other Illegal Substances*.

4.3.2.9 Federal, state, or local law or regulation. Violation of federal, state, or local law or regulation that adversely affects the university community and/or the pursuit of its objectives.

4.3.2.10 Fire safety. Violation of local, state, federal, or university fire policies, including but not limited to causing a fire that damages university or personal property or that causes injury to another; improper use of university fire safety equipment; or tampering with or improperly engaging a fire alarm or fire detection/control equipment while on university property.

4.3.2.11 Gambling. Activities that violate state or federal law regarding gambling, including but not limited to risking anything of value for a return or risking anything of value upon the outcome of a contest, game, gaming scheme, or gaming device when the return or outcome is based upon an element of chance; and is in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome. Gambling includes a lottery and fringe gambling.

4.3.2.12 Harm to person(s). Intentional or reckless physical harm, threats, intimidation, hazing, bullying, cyberbullying, coercion, retaliation, and/or other conduct, including assisting in the foregoing, that threatens or endangers the health or safety of any person. Additionally, participation or cooperation by person(s) being harmed does not excuse the violation.

4.3.2.13 Misuse of computing facilities. Unauthorized use of computing facilities and other conduct prohibited in UVU Policy 441 *Appropriate Use of Computing Facilities*, including but not limited to attempting to gain access to any system or account without authorization from a system administrator; sharing passwords or accounts; copying or changing system files or software without authorization from a system administrator; using destructive or invasive software; displaying images, sounds, or messages that are obscene where others may be affected by them; consuming inordinate amounts of system resources; crashing machines or systems deliberately; and using the university computing facilities for disruptive or illegal activities.

4.3.2.14 Other policies. Violation of other written university policies, guidelines, or practices.



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4.3.2.15 Retaliation. Reprisals or retaliation as defined in this *Student Code* and other applicable policies.

4.3.2.16 Sexual misconduct. Sexual misconduct, as defined by UVU Policy 162 *Sexual Misconduct*, includes but is not limited to acts and attempts of dating and relationship violence; domestic violence; discrimination based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression; hostile environment based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression (including intimidation and hazing/bullying); sexual harassment; sexual assault (including nonconsensual sexual contact or nonconsensual sexual intercourse); sexual exploitation (including engaging in sexual trafficking); and stalking.

4.3.2.17 Theft. Intentional and unauthorized taking of, attempted taking of, or maintaining possession of university property or others' personal or public property, including goods, services, or other valuables.

4.3.2.18 Tobacco. Smoking, vaping, or using electronic cigarettes or tobacco inside campus buildings and within 25 feet of entrances, windows, and air intake vents, or other conduct prohibited in UVU Policy 158 *Tobacco*.

4.3.2.19 Trademark/copyright violations. Unauthorized use (including misuse) of university or organizational names, logos, images, or other university trademarks or copyrighted materials, or other conduct prohibited by UVU Policy 135 *Use of Copyrighted Materials*.

4.3.2.20 Unauthorized access. Trespassing, misuse of access devices or privileges to university property, or unauthorized entry to or use of buildings or offices, including unauthorized possession, duplication, or use of any means of access to any university building (i.e., keys, proximity cards, etc.), or propping open or other unauthorized use of alarmed doors for entry into or exit from a university building.

4.3.2.21 Weapons. Unauthorized possession or use of a firearm, ammunition, explosives, dangerous weapons, or dangerous chemicals on university property. UVU students must adhere to Utah law regarding the lawful possession of permitted and concealed firearms on public university campuses.

4.3.2.22 Wheeled devices. Skateboards, roller blades, roller skates, bicycles, hoverboards, and similar wheeled devices are not permitted inside university buildings or on any stairways, structures, landscaped areas, or concourses, or other areas as prohibited by UVU Policy 403 *Restrictions on the Use of Skateboards, Roller Blades, Roller Skates, Bicycles, Motorcycles, and Hoverboards*.



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4.4 Non-University Legal Cases

4.4.1 University student conduct processes may apply to a student charged with conduct that potentially violates both the law and this *Student Code* (that is, if both possible violations result from the same alleged conduct). Processes under this *Student Code* may be carried out before, after, or at the same time as civil or criminal cases at the discretion of the Dean of Students or designee or as otherwise required by law. Determinations made or sanctions imposed under this *Student Code* are not subject to change when civil or criminal charges addressing the same alleged incident or act are dismissed, reduced, or resolved in favor of or against the student.

4.4.2 When a student is charged by federal, state, or local authorities with a violation of law, the University will not request special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the *Student Code*, the University may advise off-campus authorities of the existence of the *Student Code* and of how such matters are typically handled within the university community. The University will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus policies or sanctions).

4.5 Reporting, Investigations, and Disciplinary Proceedings

4.5.1 Reports of any suspected or alleged violation(s) of the *Student Code* shall be made to the Student Conduct Office.

4.5.2 In responding to reports of alleged violations of the *Student Code*, the University shall provide prompt, fair, and impartial investigations and disciplinary processes. During these processes, both complainant and respondent shall be provided equitable rights and opportunities, including notice and an opportunity to be heard, as outlined in section 5.0.

4.5.3 The University may sanction any student who violates this *Student Code* and other applicable university policies, up to and including expulsion from the University.

4.5.4 If a student has been disciplined for serious violations of institutional policies regarding sexual misconduct, sex discrimination, harassment, or other serious misconduct resulting in suspension or expulsion, the University may enter a notation on the student's transcript in accordance with the *Family Educational Rights and Privacy Act*.

4.5.5 The University prohibits retaliation as defined in this policy. The University shall take steps to prevent retaliation and respond to threats or acts of retaliation, up to and including expulsion from the University. Individuals who deliberately make false or malicious accusations of violation of this *Student Code* or other applicable university policies may be subject to disciplinary action, up to and including expulsion from the University. However, a no-violation finding does not in itself constitute proof of a false or malicious accusation.



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4.6 Interim Measures

4.6.1 The Director of Student Conduct or designee may institute interim measures before the final resolution of an alleged incident of misconduct, including ensuring the safety and well-being of members of the campus community, preservation of university property, or if the student poses an ongoing threat of disruption or interference with the operations of the University. Interim measures may include but are not limited to

4.6.1.1 University issued no-contact directive(s);

4.6.1.2 Providing an escort;

4.6.1.3 Making reasonable adjustments to exams, assignments, and/or providing alternative course completions options in collaboration with faculty;

4.6.1.4 Making adjustment to class schedules, including the ability to transfer course sections or withdraw from a student course without penalty;

4.6.1.5 Making adjustments to living, transportation, and working situations;

4.6.1.6 Limiting a student's or organization's access to certain university facilities or activities pending resolution of the matter;

4.6.1.7 Interim suspension, which may include denial of access to campus (including classes) and/or all other activities or privileges for which the student might otherwise be eligible, as the Dean of Students or designee may determine to be appropriate.

4.6.1.8 Any measure deemed necessary and appropriate by the student conduct administrator in compliance with this policy.

4.6.2 Interim measures do not replace the student conduct process, which will still proceed in a timely manner.

4.7 Sanctions

4.7.1 The University may sanction any student who violates this policy, up to and including expulsion from the University. Sanctions are intended to educate students on the effects of their behavior and invoke change in future decision making. Sanctions shall be applied in a fair manner and be assigned in accordance with two criteria: (1) educational value for the student found in violation of this policy; and (2) the sanction being commensurate and consistent with the type of violation and any prior misconduct. Except in urgent circumstances where there is significant threat of harm, disruption, or of undermining the integrity of the educational environment, the student conduct administrator shall not impose irreversible sanctions (i.e., denying access to class, final exams, or other student programs).



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4.7.2 One or more of the following sanctions may be imposed upon students for violation(s) of the *Student Code* or other university policies.

4.7.2.1 Academic sanctions. Sanction of academic nature including but not limited to failing grades, reduced grades, and/or redoing academic exercises.

4.7.2.2 Disciplinary no-contact directive. Specified parameters restricting communicative contact and/or physical proximity with a university community member or campus entity.

4.7.2.3 Discretionary sanctions. Educational meetings or interventions, behavior agreements, work assignments, essays, service to the University, or other related alternative, educational and/or restorative remedies.

4.7.2.4 Expulsion. Permanent separation of the student from the University.

4.7.2.5 Fines. Fines may be imposed as published on the Student Conduct Office website.

4.7.2.6 Group sanctions. Sanctions imposed upon student organizations found to have violated the *Student Code* as listed above, including loss of all privileges or status.

4.7.2.7 Loss of Privileges. Denial of specified privileges for which the student might otherwise be eligible for a designated period of time.

4.7.2.8 Probation. A written reprimand for violation of specified standards. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any university standard(s) during the probationary period. Probation may also include specific conditions that the student must meet.

4.7.2.9 Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

4.7.2.10 Revocation or withholding of degree. Revocation or withholding award of a degree or certificate otherwise earned.

4.7.2.11 Suspension. Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission will typically be specified at the time of the suspension.

4.7.2.12 University-sponsored housing sanctions. Removal, probation, or reassignment.

4.7.2.13 Warning. A written notice to the student that the student is violating or has violated university standards of student conduct as laid out in this policy and that the misconduct must not be repeated.



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5.0 PROCEDURES

5.1 Reporting

5.1.1 While all members of the university community are encouraged to report any suspected violation(s) of the *Student Code* to the Student Conduct Office, university employees are required to report any suspected student violation(s) of the *Student Code* to the Student Conduct Office within 24 hours of learning of the alleged violation. The Student Conduct Office will then forward the report to the appropriate student conduct administrator as outlined in section 5.8.1.

5.1.2 While all members of the university community are encouraged to report any suspected violations of UVU Policy 162 *Sexual Misconduct* or Policy 165 *Discrimination, Harassment, and Affirmative Action*, university employees (except licensed counselors and health providers, as provided in Policy 162) are required to report any suspected violations of Policy 162 to the Office of Equal Opportunity and Affirmative Action/Title IX within 24 hours of learning of the alleged violation. Any reports of such violations that may be received by the Student Conduct Office will be immediately reported to the Office of Equal Opportunity and Affirmative Action/Title IX.

5.1.3 Individuals may submit reports of alleged violations of the *Student Code* or other university policies through several methods listed on the Student Conduct website at <https://www.uvu.edu/studentconduct/report>, including options for reporting anonymously.

5.1.4 Reports made through tip/crisis reporting methods designated on the student conduct website will be forwarded to the UVU Police, Associate Dean of Students, Director of Crisis Services, and other individuals as needed for an effective response. Each report will be individually assessed to determine the nature, severity, and likelihood of harm to members of the university community and the appropriate response.

5.2 Amnesty

5.2.1 The University encourages all community members to proactively assist others whose health or safety are at risk. The University will not pursue student conduct process against a reporting student, a complainant, a respondent, or witness for personal involvement in minor policy violations, including but not limited to the use of alcohol, marijuana or other drugs, at or near the time of the incident as long as the reporting student's behavior did not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion with any student regarding their personal involvement in minor policy violations.

5.2.2 If the same person or student organization repeatedly requests amnesty for substantially similar minor policy violations, the student conduct administrator may deny amnesty to that person or student organization.



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5.2.3 UVU will not sanction a student for a conduct violation related to the use of drugs or alcohol if the student (1) is a victim or witness of an act of assault resulting in substantial bodily harm, sexual assault, domestic violence, dating violence, or stalking, as defined in UVU Policy 162; and (2) UVU learns of the conduct violation from the student's good faith report of the incident to UVU.

5.3 Safe Harbor

5.3.1 Students who have a drug or alcohol addiction may be granted safe harbor from discipline. If a student self-reports their own addiction to the appropriate university officials before the threat of drug testing and/or discipline, the University may decide not to initiate a conduct complaint. A written action plan by the student may be used to track cooperation with the safe harbor program. Failure to follow the action plan may nullify the safe harbor protection and the University may initiate student disciplinary processes.

5.4 Collective Violations by Student Organizations

5.4.1 When violations of this *Student Code* occur at events sponsored or co-sponsored by a student organization, its officers and membership may be held collectively and/or individually responsible when:

5.4.1.1 The student organization's leader(s) or officer(s) gave consent to, or encouraged, the behavior; or

5.4.1.2 The student organization's leader(s) or officer(s) knew or should have reasonably known about the behavior.

5.4.2 Hearings for student organizations follow the same student conduct process as for individuals. In any such action, determinations as to violations and sanctions may be made collectively to the student organization and/or individually and will be proportionate to the involvement of each individual and the student organization.

5.5 Confidentiality and Recordkeeping

5.5.1 University personnel involved in student conduct processes shall maintain confidentiality to the extent allowed by the *Utah Government Records and Management Act (GRAMA)*, the federal *Family Educational Rights and Privacy Act (FERPA)*, the federal *Health Information Portability and Accountability Act (HIPAA)*, and other applicable laws governing record protection and/or mandatory reporting.

5.5.2 The Student Conduct Office strives to maintain confidentiality throughout the investigation and appeals hearing process.



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5.5.3 The Student Conduct Office is responsible for maintaining appropriate records directly related to alleged violations, investigations, findings, sanctions, etc. as described in section 5.15. If complaints are found to be without merit, records of the complaint and processes will not be entered onto a student's disciplinary record, but the Student Conduct Office will keep record of the case in its internal databases.

5.5.4 Complainants, respondents, witnesses, and any other participants in the conduct process are prohibited from recording interviews, hearings, and other meetings before, during, and after the disciplinary process.

5.6 Support Persons and Advisors

5.6.1 As required by Utah State Board of Regents' Policy R256 *Student Disciplinary Processes*, in matters of behavioral (non-academic) misconduct where the University believes in good faith, based on facts known by the University at the time or when additional facts are discovered later, that the student conduct matter may result in expulsion or a minimum ten-day suspension, the additional protections provided in this section apply. Students may waive any rights described in this section. This section does not apply to UVU Police Department law enforcement activities.

5.6.1.1 Before interviewing the student, the investigator or representative of the Student Conduct Office shall notify the student in writing of the allegations (including the time and place of the alleged misconduct, where available) made against the student and of the student's right to have a support person or advisor throughout the process who may be, but need not be, an attorney. This notice will be given at least 24 hours before a student is interviewed about the student conduct matter. If a student wishes to seek counsel from a support person or advisor, the University shall reschedule the interview, giving the student reasonable time to obtain a support person/advisor.

5.6.1.2 In meetings and interviews under section 5.12 and section 5.13 of this policy on behavioral (non-academic) misconduct matters, student complainants and respondents may be accompanied by a support person/advisor of the student's choice, who may be an attorney. During such meetings or interviews, the support person or advisor may only advise the student and may not actively participate in the investigation or process.

5.6.2 During any appeals hearing under section 5.14 of this policy, student complainants and respondents may each have a support person/advisor of their choice, who may be an attorney, advocate for them.

5.6.3 A support person/advisor may not be an employee of the University who would have a conflict of interest in serving in the support person/advisor role. Support persons/advisors must be willing to agree to maintain the confidentiality of student conduct investigation and appeals hearing processes.



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5.6.4 The University may proceed with the investigation and hearing processes in a timely fashion without the complainant or respondent if that party fails to respond or declines to participate. The University may set reasonable deadlines and move forward with processes regardless of whether a party and/or a party's support person/advisor is able to accommodate those deadlines.

5.7 Preliminary Review

5.7.1 After receiving a report of an alleged violation of the *Student Code* or other applicable university policies, the student conduct administrator shall promptly conduct a preliminary review to determine if interim measures are needed, if a violation of the *Student Code* is alleged, and if an investigation is necessary to resolve a genuine dispute of material facts.

5.7.2 If the student conduct administrator determines that no violation of the *Student Code* has been alleged and/or there's no genuine dispute of material facts, the administrator shall issue a written notice of this decision to the respondent, complainant (if required by law), and the Student Conduct Office.

5.7.3 A preliminary review dismissal shall be final with no additional internal appeals available to the parties.

5.7.4 If the student conduct administrator determines that a violation of the *Student Code* or other policy has been alleged and that an investigation is necessary to resolve a genuine dispute of material facts, then the Administrator may proceed with an investigation of the alleged violation.

5.7.5 The student conduct administrator shall report the complaint to the Director of Student Conduct or designee.

5.7.6 At the recommendation of the student conduct administrator, the Director of Student Conduct or designee may apply an interim measure to a student or student organization or invoke other safety measures, as provided in section 4.6, pending the outcome of the investigation and subsequent proceedings.

5.7.6.1 The Dean of Students or designee will notify the student in writing of this action, including a brief description of the reason for the interim measure. When required by law, such as in sexual misconduct cases, applicable notices will be provided to both complainants and respondents. A student who receives an interim suspension may request a meeting with the Dean of Students or designee to present information and/or reasoning as to why the interim measure is inappropriate or unnecessary.

5.7.6.2 At the discretion of the Dean of Students or designee, and in collaboration with faculty and/or the appropriate academic dean(s), alternative coursework options may be approved to minimize impact on the student during any interim measure.



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5.8 Delineation of Authority

5.8.1 For purposes of this policy, the Dean of Students shall delegate authority for the investigation, resolution, decision-making (including appeals), and sanctions based on the type of misconduct as defined in section 3.1 and 3.2 as follows:

Type of Misconduct	Student Conduct Administrator	Student Conduct Appeal Decision Maker
Academic	Faculty member of course in which misconduct occurred	Academic dean of college/school or designated chair of department in which misconduct occurred
Behavioral	Director of Student Conduct or designee	Dean of Students or designee

5.9 Informal Resolution

5.9.1 Informal resolution may include an inquiry into the facts but typically does not include an investigation. Informal resolution is flexible and includes options such as mediating an agreement between the parties, separating the parties, referring the parties to counseling programs, negotiating an agreement for disciplinary action, conducting targeted preventive educational and training programs, or providing remedies for the individual harmed by the offense. Informal resolution also includes options such as discussions with the parties, making recommendations for resolution, and conducting a follow-up review after a period of time to ensure that the resolution has resolved concerns effectively.

5.9.2 Because each alleged violation is different, the student conduct administrator shall tailor each resolution to the specific facts of the case, including determining whether the alleged violation is appropriate for informal resolution. Informal resolution may result in resolutions such as behavior agreements and/or sanctions combined with educational or restorative measures.

5.9.3 Informal resolution is encouraged to resolve concerns at the earliest stage possible with the cooperation of all parties involved. Participation in the informal resolution process is voluntary. Informal resolution may be appropriate for anonymous and/or third-party reports, or when respondents accept responsibility for their violations. Informal resolution may be inappropriate when one or both of the parties are reluctant to participate in good faith, or when there are allegations of violent behavior.

5.9.4 Any unsuccessful informal resolution, including but not limited to noncompliance with the informal process, may be referred for student conduct hearing.



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5.9.5 After concluding informal resolution, the student conduct administrator shall notify the complainant and respondent in writing of the resolution that was agreed upon.

5.9.6 Participation in informal resolution does not prohibit either party from terminating informal resolution and/or requesting an investigation at any point during the informal resolution process. Where a report is closed after informal resolution, the matter may later be reopened at the discretion of the student conduct administrator when requested by the complainant and/or if the student conduct administrator determines there is good cause to do so.

5.10 Investigation

5.10.1 If the student conduct administrator determines an investigation is necessary, the University shall conduct a reliable and impartial investigation by interviewing relevant witnesses, collecting relevant documentary evidence, and preparing a written summary of findings. The purpose of the investigation is to establish whether there is a reasonable basis, based on a preponderance of the evidence, for concluding that the alleged violation of the *Student Code* has occurred. The University reserves the right to engage an outside investigator to conduct the investigation if it is determined there is a conflict of interest or other compelling reason to do so.

5.10.2 If a student withdraws from the University before the completion of an investigation and hearing, the University may continue to investigate and apply this process for resolving the specific disciplinary matter in the student's absence. If a respondent is found to have violated university policy, the University may restrict the respondent's readmission on terms or under circumstances it may prescribe at the time of the finding.

5.10.3 Complainants, respondents, and witnesses shall be treated with respect throughout the investigation process, disciplinary process, and other proceedings.

5.10.3.1 Accordingly, the University endeavors through this policy and diligent effort to secure the following for complainants and respondents:

5.10.3.1.1 Reasonably prompt and equitable resolution of allegations for respondents and complainants,

5.10.3.1.2 Freedom from retaliation for making a good faith report or for participating in any investigation or proceeding under this policy.

5.10.3.1.3 Timely and equal access to allegations for respondents and complainants, and the opportunity to respond to information that will be used against them in any disciplinary proceeding.

5.10.3.1.4 The opportunity for complainants and respondents to offer information, present evidence, and identify witnesses during an investigation.



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5.10.3.1.5 Interim measures made available for complainants, respondents, and witnesses, and the opportunity to request modifications necessary for physical and/or emotional safety.

5.10.3.1.6 Timely notice of meetings where complainants' and respondents' presence is necessary.

5.10.3.1.7 Simultaneous notification to complainants and respondents, in writing, of the results of any proceedings.

5.10.3.1.8 The opportunity for complainants and respondents to articulate concerns or issues about proceedings under this policy.

5.10.3.1.9 Reasonable time for complainants and respondents to prepare responses, as permitted under this policy.

5.10.3.1.10 Written notice to complainants and respondents of any necessary extensions of timeframes under this policy.

5.10.3.1.11 Reasonable accommodations for all participants in the student conduct process who have a disability and who request disability accommodations. Such requests may be made to the student conduct administrator, who will refer such requests to the appropriate ADA coordinator and then implement approved accommodations.

5.11 Notices to Complainants and Respondents

5.11.1 The student conduct administrator will give written notice to:

5.11.1.1 Complainant(s) of their options to report to other campus and community authorities as applicable, when complainants allege a violation of the Student Code to the student conduct administrator.

5.11.1.2 Complainants and respondents, if the student conduct administrator's inquiry advances beyond preliminary review according to section 5.7, of the time and place of alleged policy violation(s), which policies were allegedly violated, and how those policies were violated. The student conduct administrator will also provide the parties with written notice to appear at a pre-hearing meeting. If additional violations are later alleged, a further notice shall be provided to the complaining and responding students.

5.11.1.3 Complainants and respondents of their ability to participate in campus investigations and/or student conduct processes by providing relevant information and recommending relevant witnesses. If students choose to not participate in the process, the case may proceed without them and a decision may be made without any input from the student.



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5.11.1.4 Complainants and respondents of their right, in behavioral (non-academic) misconduct matters, to be accompanied by a support person/advisor of their choice, who may but need not be an attorney, throughout the student conduct process. Students must notify the student conduct administrator at least five school days in advance of the pre-hearing meeting of their support person/advisor's identity and the nature of the student's relationship to the support person/advisor. The University has the right to disqualify a support person/advisor when their participation would create a conflict of interest or a potential disruption in the student conduct process.

5.11.1.5 Complainants and respondents of how to request information for disability accommodations and/or language translation services.

5.12 Pre-Hearing Meeting

5.12.1 The student conduct administrator will conduct a pre-hearing meeting with the respondent. The complainant and/or others may be invited to attend the same or a separate pre-hearing meeting, depending on the circumstances. If any party chooses not to attend, the pre-hearing meeting may still proceed.

5.12.2 The pre-hearing meeting will occur promptly after the student conduct administrator determines, after preliminary review, that an investigation/pre-hearing is necessary.

5.12.3 Parties will be given the opportunity to present relevant information in response to the alleged misconduct before and during the pre-hearing meeting.

5.12.4 The pre-hearing meeting and outcomes will be shared with the parties to the extent allowed by law, but will otherwise remain confidential.

5.12.5 If the respondent does not admit to the alleged violation(s) and/or the allegations cannot be resolved by mutual consent, the matter will be considered in a student conduct hearing.

5.12.6 If the respondent accepts responsibility for the violation, but sanctions are not agreed to, sanctions will be determined in a student conduct hearing.

5.12.7 During the pre-hearing meeting, investigation, or other pre-hearing processes in behavioral (non-academic) misconduct matters, the complainant's and/or respondent's support person/advisor may only advise the student and may not actively participate.

5.13 Student Conduct Hearing

5.13.1 Allegations of misconduct and/or sanctions not resolved during the pre-hearing meeting will be referred to a student conduct hearing, which will be scheduled as promptly as possible after the pre-hearing meeting. The student conduct administrator may delay the hearing if further



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investigation is needed or other circumstances require a delay. Hearing proceedings may be conducted over the course of multiple meetings.

5.13.2 The participating parties will receive notice of hearing meetings and access to all evidence to be considered at the hearing at least five school days in advance.

5.13.3 Student conduct hearings will be conducted according to the following procedures:

- 1) The student conduct administrator will conduct the student conduct hearing with the respondent. The complainant and/or others will be invited to attend the hearing. If either party fails to attend the hearing without good cause and without prior notice to the student conduct administrator, the hearing may proceed. Neither party is required to participate in the hearing for the hearing to proceed. The University reserves the right to modify hearing procedures to protect the safety of all parties involved.
- 2) Student conduct hearings and outcomes will be shared with the parties to the extent allowed by law, but will otherwise remain confidential.
- 3) Student conduct hearings will be conducted by the student conduct administrator.
- 4) In behavioral (non-academic) misconduct matters, the complainant and respondent have the right to be assisted by a support person/advisor of their choice during the Student Conduct Hearing and during any subsequent appeal hearings. Parties must notify the student conduct administrator at least five school days in advance of the hearing of their support person/advisor's identity and the nature of their relationship to the support person/advisor (including whether the support person/advisor is an attorney). The University has the right to disqualify a support person/advisor when that person's participation would create a conflict of interest or potentially disrupt the student conduct process. (If the complainant or the respondent do not provide the required information about their support person/advisor at last five days in advance, the support person/advisor may attend but shall not participate in the hearing.) Support persons/advisors may give opening statements, advise students throughout the hearing, question witnesses as allowed by the student conduct administrator, and present a closing statement. Support persons/advisors may not serve as witnesses. Neither the Rules of Civil Procedure nor the Rules of Evidence apply to these hearings.
- 5) If the complainant, respondent, and/or other witnesses have concerns for their personal safety, well-being, or fear confrontation during the hearing, they may request other reasonable means of participating. the student conduct administrator will determine whether the proposed means are reasonable.
- 6) Reasonable efforts will be made to accommodate the schedules of all participants in the hearing. Typically, no more than one extension will be granted.



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- 7) In student conduct hearings involving more than one respondent, the student conduct administrator may permit separate or joint student conduct hearings concerning each student.
- 8) The complainant, respondent, and the student conduct administrator may arrange for witnesses to present relevant information during the student conduct hearing.
- 9) Records, exhibits, and written statements will be accepted if deemed relevant by the Student Conduct Administrator.
- 10) All procedural questions are subject to the final decision of the student conduct administrator.
- 11) After all pertinent information has been received, the student conduct administrator shall deliberate on all available information and determine, based on a preponderance of the evidence, whether the respondent has violated the *Student Code*.
- 12) The respondent and complainant will receive prompt notice of hearing decisions in writing to the student's university email address, or hand-delivered, typically within five school days of the hearing date, unless circumstances require delay. The notice will include whether the policy was violated, actions taken to resolve the complaint, and any applicable sanctions to both respondents and complainants to the extent allowed by law.
- 13) A finding of not-in-violation will resolve the matter with no further action or appeals.
- 14) Disciplinary sanctions may be imposed upon respondent(s) found in violation of the *Student Code* and communicated to the respondent in a written sanction letter. Elements of the sanctions may be imposed either singularly or in combination with other sanctions. Sanctions do not take effect until the completion of the appeal process, if any, unless otherwise specified by the student conduct administrator.

5.14 Appeal Process

5.14.1 Respondent(s) or complainant(s) may appeal a decision or sanction of the student conduct administrator to the Student Conduct Appeal Panel within five school days of the decision. These appeals shall be in writing and shall be delivered to the Student Conduct Office via email or postal mail. Untimely requests will not be considered absent extraordinary circumstances. Activities such as graduation, study abroad, internships/externships, business travel, or educational, sabbatical, or extracurricular activities generally do not in themselves constitute extraordinary circumstances.

5.14.2 When requesting the appeal, the respondent or complainant must identify in the written request at least one or more of the following grounds for appeal:



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- 1) New evidence unavailable to the party during the investigation has been discovered that could substantially impact the investigation, findings, and/or resolution.
- 2) Substantial departure from the procedures outlined in this *Student Code* or that the process was unfair and/or biased, which substantially impacted the outcome of the investigation or hearing. The duration of the investigation or severity of the sanction are not considered procedural errors.
- 3) Findings lacked substantial evidence such that no reasonable person would reach the same conclusion as the student conduct administrator.
- 4) The sanction imposed is substantially disproportionate to the severity of the violation (i.e., too severe or not severe enough).

5.14.3 Unless the appeal panel (the composition of which is explained below) determines by majority vote that one or more of the grounds stated in 5.14.2 has been met and that modifications to the original decision should be recommended, the student conduct administrator's decision or sanction shall be upheld.

5.14.4 While an appeal is pending, the student conduct administrator may impose interim measures.

5.14.5 The Student Conduct Office shall promptly convene a three-member appeal panel from the Policy 162/165 review panel pool. The appeal panel will include one faculty, one staff, and one student.

5.14.6 Panel members must be in good standing with the University and must not have any relevant conflict of interest. The student conduct administrator will notify the parties of the panel members' identities and appeal procedures in this policy. Within 3 school days of receiving this notice, parties may request in writing that a review panel member be disqualified based on bias or conflict of interest and explain the reasons for this request. If the Student Conduct Office, in consultation with the Office of General Counsel, confirms a bias or conflict, a new panel member shall be selected.

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



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review and respond to any pre-hearing questions or objections from the parties related to hearing matters.

5.14.8 Once the panel is confirmed, they shall promptly determine, based on a preponderance of the evidence, whether the appeal request meets one or more criteria under section 5.14.2.

5.14.9 The Student Conduct Office shall then notify parties in writing of the appeal hearing panel's determination and, if a hearing is warranted, of the appeal hearing date, which will be scheduled promptly.

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

5.14.11 The complainant and respondent will be allowed to attend the entire appeal hearing, excluding deliberations. In behavioral (non-academic) misconduct matters, the complainant's and respondent's support person/advisor, if any, will be allowed to attend the entire appeal hearing, excluding deliberations. Admission of any other person to the appeal hearing shall be at the discretion of the hearing officer.

5.14.12 The scope of the appeal hearing and the standard of review shall be limited to those stated in section 5.14.2. Along with written notice of the hearing date, the Student Conduct Office shall provide the review panel and parties copies of a summary of the case (where applicable), written findings, sanction letter, the written request for appeal, and any additional opposition statements already provided by the parties.

5.14.13 The appeal hearing is an opportunity for the parties to be heard by the appeal panel in person about the issues and criteria being considered for the appeal, including addressing the information in the summary of the investigation, any supplemental statements or new evidence unavailable during the investigation, any written impact or mitigation statements, to identify witnesses for the panel's consideration, and to respond to any questions from the appeal panel.

5.14.14 In behavioral (non-academic) misconduct matters, the respondent and complainant have the right to be assisted by a support person/advisor of their choice, who may be, but need not be, an attorney and who may participate during the appeal hearing. Parties must notify the Student Conduct Office at least 5 school days in advance of the hearing of their selected support person/advisor and the nature of their relationship to the support person/advisor (including whether the support person/advisor is an attorney). The University has the right to disqualify a support person/advisor when their participation would create a conflict of interest or would create the potential for disrupting the student conduct process. If the complainant or the respondent do not provide the required information about their support person/advisor at least five days in advance, the support person/advisor may attend but shall not participate in the appeal hearing. Support persons/ advisors may give opening statements, advise students throughout the



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hearing, question witnesses as allowed by the hearing officer, and present a closing statement. Support persons or advisors may not serve as a witness. Neither the Rules of Civil Procedure nor the Rules of Evidence apply to these hearings.

5.14.15 Documents, evidence, other statements, and requests for the appearance of witnesses to be considered at the hearing may be made by the panel, respondent, complainant, and/or student conduct administrator, and must be submitted in writing to the Student Conduct Office at least 5 school days before the hearing, and must include explanations of how each document or request is relevant to the reasons for the appeal. Only witnesses and other evidence that are relevant to the section 5.14.2 bases for appeal may be considered by the appeal panel. It is the responsibility of the party requesting a particular witness to invite that witness to attend the hearing.

5.14.16 In the event that any party fails to attend the appeal hearing without good cause and prior notice to the Student Conduct Office, the appeal panel may proceed with the hearing. Neither party is required to participate in the hearing for the appeal panel to proceed.

5.14.17 The hearing, except for deliberations, will be audio recorded by the appeal panel chair, who will give the recording to the Student Conduct Office. A copy of the audio file and/or transcription will be made available for review by either party upon request. Participants are prohibited from recording interviews and other meetings before and after the hearing.

5.14.18 Each party has up to 60 minutes to present their portion of the case (opening statement, testimony of the party and party's witnesses, questioning the other witnesses if any, and closing statement). The hearing officer will keep track of time.

5.14.19 The hearing officer will begin the hearing by asking the student conduct administrator to provide an oral summary of the investigation process, findings, and conclusions contained in the case summary and sanction letter.

5.14.20 The respondent and complainant shall each have the opportunity to make a personal statement, relevant to the scope of the appeal and bases for the appeal, including the personal impact of the alleged misconduct and/or sanction, the relief sought, and mitigating or aggravating information. In behavioral (non-academic) misconduct matters, each party's support person/advisor shall also have the opportunity to make an opening statement relevant to the scope of appeal. Each party, or their respective support person/advisor, may call witnesses that the hearing officer deems relevant to the scope of the appeal, question witnesses through the hearing officer, present evidence, and make concluding remarks.

5.14.21 The panel may question any party and witness. Only the person to whom a question is directed may answer (for example, support persons/advisors shall not be permitted to answer the appeal panel's questions on a party's behalf.)

5.14.22 Panel deliberations and voting shall occur in closed session from which all other persons are excluded. The hearing officer shall be present during the deliberations but shall have no vote.



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A majority vote by the members of the panel who attended the hearing shall decide whether the appealing party has shown one or more bases for appeal stated in section 5.14.2.

5.14.23 The panel shall provide the Student Conduct Office a summary of their findings and recommendation(s) regarding whether and how to uphold, modify, or remedy the conduct and/or sanction decision or process within 5 school days of the appeal hearing. The Student Conduct Office will promptly provide the recommendation(s) to the appropriate dean or designee as outlined in section 5.1.1.

5.14.24 The student conduct appeal decision maker, in consultation with the Office of General Counsel as needed, is responsible for reviewing the recommendations of the appeal panel and all the information that was available to the appeal panel, and determining whether to (1) remand the investigation to the original or an alternate student conduct administrator for additional investigation; (2) affirm the student conduct administrator's original decision; (3) adopt the sanction and resolution recommendation(s) of the appeal panel; and/or (4) determine an alternative outcome. If the matter is remanded for further investigation, the appropriate student conduct administrator shall promptly investigate and provide a written summary of the new evidence considered and/or changes to the findings, if any, to the student conduct appeal decision maker, who shall then determine sanctions or resolutions.

5.14.25 The student conduct appeal decision maker shall promptly notify the respondent and complainant in writing of their decision and the rationale for the outcome. The decision of the student conduct appeal decision maker is final, with no additional internal appeals available.

5.15 Records

5.15.1 The Student Conduct Office shall submit and maintain for confidential storage all Student Conduct Office records, including investigation findings, informal remedies, disciplinary action, and any subsequent appeals. Student Conduct records shall typically be retained for at least ten years after a student's graduation or withdrawal.

5.15.2 Records documenting informal resolution and or remedies and investigations resulting in no-conduct violation shall also be submitted to and maintained by the Student Conduct Office, but will not be entered in to a student's permanent disciplinary record with the University.

5.15.3 Student Conduct disciplinary records are educational records as defined by FERPA and shall be private. Access shall be limited to university officers on a need-to-know basis. Disciplinary sanctions resulting from serious violations of institutional policies regarding sexual misconduct, sex discrimination, harassment, or other serious misconduct resulting in suspension or expulsion may be notated on the student's official transcript. Additionally, the University may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary process conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed.



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5.15.4 Transcript notations regarding suspension and/or expulsion shall not contain any information about the underlying conduct, but will state that formal disciplinary action resulting in suspension and/or expulsion has been imposed. If a student withdraws from the University before the completion of an investigation and prior to a final determination, an updated transcript will be sent to any transferring institutions if suspension and/or expulsion are determined.

5.15.5 Transcript notations for suspension shall remain on a student's transcript for the duration of the suspension, and typically not longer than one year after the suspension period. Transcript notations for expulsion will typically remain on a student's transcript indefinitely.

5.15.6 Students may apply to the Dean of Students or designee to have their disciplinary records and/or transcript notation removed. Factors relevant to the decision to retain or remove specific records and/or transcript notations include the amount of time that has elapsed since the infraction, whether the student has graduated, and the seriousness of the infraction and the resulting sanctions.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity
	Regular policy approved.	UVU Board of Trustees
November 29, 2018	Temporary Emergency approved.	UVU Board of Trustees
November 16, 2006	Regular policy approved.	UVU Board of Trustees



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POLICY TITLE	Student Rights and Responsibilities Code	Policy Number	541
Section	Student Affairs	Approval Date	November 16, 2006
Subsection	Student Clubs and UVUSA	Effective Date	November 16, 2006
Responsible Office	Office of the Vice President of Student Affairs		

1.0 PURPOSE

~~1.1 The purpose of the enactment of a student rights and responsibilities code is to set forth the rules and regulations of conduct expected of those who join the University community. Students, faculty, staff, and administration shall always exercise their freedom with personal responsibility. This code outlines due process for handling alleged student violations of university policies, including, but not limited to the responsibilities set forth in this policy. Further, this policy delineates the range of sanctions for such violations and establishes procedures for appeal of disciplinary sanctions.~~

~~1.2 The University expects all students to obey the law, to show respect for properly constituted authority, to perform contracted obligations, to maintain absolute integrity and high standards of individual honesty in academic work, and to observe a high standard of conduct within the academic environment. In short, students enrolled at the University must accept the obligation to conduct themselves in an appropriate manner acceptable at an institution of higher learning.~~

2.0 REFERENCES

~~2.1 *Utah Indoor Clean Air Act*~~

~~2.2 UVU Policy 158 *Tobacco*~~

3.0 DEFINITIONS

~~3.1 **Academic infraction:** Any violation of the Student Rights and Responsibilities Code connected with the academic coursework, classroom behavior, or interactions with teachers and fellow students in class-related settings.~~

~~3.2 **Board:** The University Campus Appeals Board as defined in this policy.~~

~~3.3 **Catalog:** The official University Course Catalog currently in force.~~



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3.4 General infraction: Any violation of the Student Rights and Responsibilities Code dealing with general behavior, outside class-related settings.

3.5 Grade appeals: Student appeals of course grades associated with disciplinary actions.

4.0 POLICY

4.1 Members of the student body shall exercise their freedoms with personal responsibility. Should violations of the Student Rights and Responsibilities Code occur, sanctions may be enforced for the protection of the University and its members.

4.2 Behavior that violates the Student Rights and Responsibilities Code shall be reported to Campus Police and/or the Office of Student Life.

4.3 The Student Rights and Responsibilities Code applies to conduct that is in violation of this policy that occurs on university premises and at university-sponsored activities. It also applies to off-campus conduct that adversely affects the campus community and/or the pursuit of its objectives. The Student Rights and Responsibilities Code applies to a student's conduct even if the student withdraws from the University while a disciplinary matter is pending. On a case-by-case basis, the Director of Judicial Affairs shall decide whether the Student Rights and Responsibilities Code shall be applied to conduct occurring off campus.

5.0 PROCEDURES

5.1 General Rights

5.1.1 A student, while properly enrolled at the University, shall have the right to the following university services, treatment, and information:

- 1) Free and open discussion, inquiry, and expression, subject to constitutional limitations regarding time, place, and manner.
- 2) Protection against the University's improper disclosure of a student's records, work, views, beliefs, and political associations.
- 3) Procedural safeguard and personal privacy with respect to testing for drugs and infectious diseases (for example, AIDS).
- 4) Timely and understandable information and respectful treatment regarding policies, refunds, lab and course fees, library fines, lab breakages, liability, etc.



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- ~~5) Freedom from a discriminatory and offensive environment that may cause emotional stress or a hostile or offensive campus environment directed toward another person.~~
- ~~6) Freedom from sexual harassment.~~
- ~~7) Full protection under the Constitution for freedom of the press, including constitutional limitations on prior restraint and censorship.~~
- ~~8) Due process of law recognized as being essential to the proper enforcement of university rules.~~
- ~~9) Security for his or her person, papers, and personal effects against unreasonable search and seizure.~~
- ~~10) Freedom to form and operate an organized student association or club within the guidelines prescribed by the University.~~
- ~~11) Access to the University's Ombuds Office for consultation in matters of personal and school issues and concerns.~~
- ~~12) Student representation through student government on university committees, councils, commissions, and other formally constituted bodies that make general policy and procedure decisions directly affecting students or that govern student activities and conduct.~~
- ~~13) Access to all student government sponsored activities.~~
- ~~14) Accurate information in advertising, recruitment, and orientation efforts.~~

5.2 Academic Rights

~~5.2.1 A student shall have the following rights in academic affairs, services, and information when properly enrolled as a student at the University:~~

- ~~1) Performance evaluation based on a written syllabus.~~
- ~~2) Appropriate and open discussion, inquiry, and expression, both in the classroom and in student/instructor conferences.~~
- ~~3) Freedom to take exception to the views presented in a classroom setting and to reserve judgment in matters of opinion.~~
- ~~4) Professional and ethical conduct from all university personnel.~~



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- 5) Competent and professional instruction.
- 6) Competent academic advisement.
- 7) Protection against improper disclosure of a student's records, academic work, views, beliefs, and political associations.
- 8) Information prior to registering regarding the costs of tuition, activity fees, lab fees, etc.
- 9) Scheduled access to and the use of university services, facilities, and programs.
- 10) Accurate information regarding course offerings, programs, majors, transfer policy, and university requirements and expectations.
- 11) Accurate information regarding changes in course programs or university requirements and reasonable accommodation of those already enrolled in a program or class(es).
- 12) The right to receive academic credit and/or academic degrees when all specified requirements and coursework have been satisfied.
- 13) The right to appeal to the Academic Standards Committee regarding grade changes, withdrawals, etc.

5.3 General Responsibilities

5.3.1 A student assumes the responsibility to conduct himself or herself in an appropriate manner. Categories of misconduct include, but are not limited to, the following:

- 1) Failure to respect the right of every person to be secure from fear, threats, intimidation, harassment, hazing, and/or physical harm caused by the activities of groups or individuals.
- 2) Sexual assault, harassment, or any other unwelcome verbal or physical sexual activity, including the support or assistance of such activities.
- 3) Unauthorized seizure or occupation of any university building or facility.
- 4) Obstruction, disruption, or interference with teaching, disciplinary proceedings, university-sponsored activities, and services or events.
- 5) Use or possession of any weapon, explosive device, or fireworks on a person or storage of such on university property without prior written approval from the Chief of Campus Police.



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- ~~6) Unlawful use, possession, distribution, sale, manufacture, or possession for purposes of distribution or sale of any controlled substance or illegal drug on any property or in any building owned, leased, or rented by the University or at any activity sponsored by the University.~~
- ~~7) Initiation or circulation of any false report, warning or threat of fire, bombs, or explosives on university premises or during university-sponsored events.~~
- ~~8) Violation of the *Utah Indoor Clean Air Act* and/or UVU Policy 158 *Tobacco*.~~
- ~~9) Sale, possession, manufacture, distribution, or consumption of alcoholic beverages on university properties.~~
- ~~10) Unauthorized possession, forging, altering, misusing, or mutilating of university documents, records, educational materials, identification (for example, personal ID, parking decal, etc.), or other university property.~~
- ~~11) Violation of city ordinances and/or state statutes regarding gambling.~~
- ~~12) Delivery of false information to university personnel.~~
- ~~13) Theft or malicious destruction, damage, or misuse of university property or private property of another person on the University campus or when engaged in activities sponsored or supervised by the University off campus.~~
- ~~14) Intentional or reckless destroying, defacing, vandalizing, damaging, or misusing the property, equipment, materials, services, or data of the University.~~
- ~~15) Unauthorized possession or use of a key to any university facility or equipment.~~
- ~~16) Obscenity and lewd conduct as defined by UVU policy, city ordinances, and/or state statutes.~~
- ~~17) Failure to adhere to all laws and regulations governing the duplication and use of copyrighted materials including, but not limited to, printed and audio materials, video, film, and/or computer software.~~
- ~~18) Unauthorized use or charges to any university telephone for long distance calls. University telephones are for business use only.~~
- ~~19) Unauthorized off campus fund-raising activities on behalf of the University. All fund-raising must have prior written approval from the Development Office.~~
- ~~20) Intent to defraud the University in any financial matter including, but not limited to:~~



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- a) ~~Non-redemption of personal checks refused by a bank;~~
 - b) ~~Sale/resale of supplies, books, or equipment in violation of university agreements;~~
 - c) ~~Falsifying university financial records; and/or~~
 - d) ~~Non-payment of tuition and fees as set forth by university regulations.~~
- 21) ~~Failure to conduct oneself in a way that does not endanger the health and well-being of another student and/or university personnel.~~
- 22) ~~Unauthorized commercial ventures or enterprises on university property.~~
- 23) ~~Bringing animals on campus, except for those serving the disabled or those used for educational purposes.~~
- 24) ~~Allowing children in university classrooms or laboratories (unless they are an integral part of instruction) or leaving children unattended in hallways and restrooms or at university-sponsored events and functions.~~
- 5.3.2** ~~Students are encouraged to report violations of this policy to an appropriate university office.~~

5.4 Academic Responsibilities

- 5.4.1** ~~Each student is expected to take an active role in the learning process by meeting course requirements as specified in written syllabi.~~
- 5.4.2** ~~Each student is expected to display appropriate conduct in classroom situations that shall enhance the learning environment.~~
- 5.4.3** ~~Faculty members have the right to establish classroom standards of behavior and attendance requirements. Students shall be expected to meet these requirements and make contact with faculty members when unable to do so.~~
- 5.4.4** ~~Each student is expected to maintain academic ethics and honesty in all its forms, including, but not limited to, cheating and plagiarism as defined hereafter:~~
- 1) ~~Cheating is the act of using or attempting to use or providing others with unauthorized information, materials, or study aids in academic work. Cheating includes, but is not limited to, passing examination answers to or taking examinations for someone else, or preparing or copying another's academic work.~~



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~~2) Plagiarism is the act of appropriating another person's or group's ideas or work (written, computerized, artistic, etc.) or portions thereof and passing them off as the product of one's own work in any academic exercise or activity.~~

~~3) Fabrication is the use of invented information or the falsification of research or other findings. Examples include but are not limited to:~~

~~a) Citation of information not taken from the source indicated. This may include the incorrect documentation of secondary source materials.~~

~~b) Listing sources in a bibliography not used in the academic exercise.~~

~~c) Submission in a paper, thesis, lab report, or other academic exercise of falsified, invented, or fictitious data or evidence, or deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or evidence.~~

~~d) Submitting as your own any academic exercise (written work, printing, sculpture, etc.) prepared totally or in part by another.~~

5.5 Expectations

~~5.5.1 The University expects all students to maintain integrity and high standards of individual honesty in academic work, to obey the law, and to show respect for others.~~

5.6 Informal Resolution

~~5.6.1 Informal resolution of differences or appeals shall be encouraged.~~

5.7 Academic Infractions (Grades)

~~5.7.1 Responsibility for and authority over academic infractions, and other academic appeals, including grade appeals, shall reside with the dean of the academic area in which an issue may arise.~~

5.8 General Infractions

~~5.8.1 Responsibility for and authority over general infractions shall reside with the Dean of Students.~~

5.9 Composition of Campus Appeals Board



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~~5.9.1 The Campus Appeals Board shall consist of two faculty members from each academic area appointed by the Faculty Senate in consultation with the respective academic deans, three staff members appointed by PACE, with approval of the staff members' supervisors, and three students appointed by the Student Body President. Appointments of faculty and staff shall be for three-year rotating terms. Three student members shall be appointed to a one-year term. The Director of Judicial Affairs shall obtain names from the appointing entities annually prior to May 1, and shall send a letter of appointment to those appointed. The Director of Judicial Affairs shall organize the initial term lengths for the rotating members of the Board to allow an orderly rotation. The Director of Judicial Affairs shall chair the Board in a non-voting capacity.~~

5.10 Responsibilities of Board

~~5.10.1 The Campus Appeals Board shall be trained by Judicial Affairs in due process and other Student Rights and Responsibilities Code matters. A subset of the Board shall hear appeals, as necessary, following the procedures set forth in section 5.19.2.4. In hearing appeals, the Board shall be concerned primarily with due process and fairness, recognizing that they do not have the full awareness of professional competence and context, in general. In addition to hearing appeals, the Board shall have the responsibility to train faculty and staff in the Student Rights and Responsibilities Code's expectations, procedures, and due process.~~

5.11 Confidentiality

~~5.11.1 Confidentiality shall be maintained for all parties to Student Rights and Responsibilities Code actions, except as necessary to provide due process. If the Campus Appeals Board finds a complaint to be without merit, records of the complaint and proceedings shall be destroyed.~~

5.12 Sanctions

~~5.12.1 Sanctions must be applied in a fair and impartial manner. Sanctions are assigned in accordance with two criteria: (1) Educational value for the student found in violation of this policy; (2) Commensurability of the violation and the assigned sanction.~~

~~5.12.2 Academic sanctions that may be imposed include:~~

- ~~1) Warning~~
- ~~2) Requiring a student to retake an exam(s)~~
- ~~3) Requiring a student to re-write a paper(s) and/or repeat an assignment(s)~~
- ~~4) A grade reduction~~
- ~~5) A failing grade~~



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~~6) Probation with specified conditions~~

~~7) Suspension from the department, school, or University (must be reviewed and confirmed by Vice President of Academic Affairs [VPAA] and President)~~

~~8) Expulsion from the department, school, or University (must be reviewed and confirmed by the Vice President of Academic Affairs and President)~~

~~9) Revocation of admission or degree (for fraud, misrepresentation, or other serious violations of university standards in obtaining the degree; must be reviewed and confirmed by the Vice President of Academic Affairs and President)~~

~~10) Withholding degree until completion of process and other sanctions relating to a violation of the Student Rights and Responsibilities Code~~

5.12.3 Sanctions that may be imposed for general infractions include:

~~1) Warning~~

~~2) Probation with specific conditions~~

~~3) Loss of privileges~~

~~4) Fine~~

~~5) Restitution~~

~~6) Discretionary sanctions such as work assignments, personal development assignments, essays, or service assignments.~~

~~7) Suspension from the department, school, or University (must be reviewed and confirmed by Vice President of Student Affairs and President)~~

~~8) Expulsion from the department, school, or University (must be reviewed and confirmed by the Vice President of Student Affairs and President)~~

~~9) Revocation of admission or degree (for fraud, misrepresentation, or other serious violations of university standards in obtaining the degree; must be reviewed and confirmed by the Vice President of Student Affairs and President)~~

~~10) Withholding degree until completion of process and other sanctions relating to a violation of the Student Rights and Responsibilities Code~~



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~~11) Organizational sanctions, including loss of selected rights and privileges, up to and including deactivation, from the violated program/organization for a specific period of time~~

5.12.4 Interim Suspension

~~5.12.4.1 In urgent circumstances, interim suspension may be imposed as outlined below:~~

~~1) A classroom instructor, department chair, or dean may ask Campus Police to remove a student immediately from the classroom or other academic area.~~

~~2) If a student is removed, pursuant to section 5.13.4.1, item 1, an immediate report must be made to the Director of Judicial Affairs by the instructor, chair, or dean who instigated the removal.~~

~~3) The Director of Judicial Affairs may impose university suspension prior to the completion of appeals and final imposition of sanctions.~~

~~4) Interim suspension may be imposed only:~~

~~a) To ensure the safety and well-being of members of the campus community or preservation of university property; or~~

~~b) To ensure the student's own physical or emotional safety and well-being; or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.~~

~~5) During the interim suspension, a student shall be denied access to the campus, including classes, and all other university activities or privileges for which the student might otherwise be eligible, as the Director of Judicial Affairs or the Dean of Students may deem appropriate.~~

~~6) The interim suspension does not replace the regular due process, which shall proceed on the normal schedule.~~

~~7) The student shall be notified in writing of this action and the reasons for the suspension. The notice shall include the time, date, and place of a subsequent hearing at which the student may show cause why his or her continued presence on campus does not fall within the reasons above (and at which he or she may contest whether a campus rule was violated).~~

5.13 Multiple Offenses, Pattern of Behavior

~~5.13.1 If a student is found guilty of the reported infractions and sanctions in his or her disciplinary record, then the Director of Judicial Affairs shall report the particulars of the~~



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student's disciplinary record to the Campus Appeals Board for review of the larger pattern of misbehavior. If a larger pattern of misconduct should appear, additional disciplinary measures may be imposed by the Campus Appeals Board.

5.14 No Reprisals

~~5.14.1 No reprisals shall be taken by or against any party or legitimate participant in the appeal process by reason of such participation. However, individuals furnishing false information and/or documentation at any point in the formal process described in this policy are subject to disciplinary action.~~

5.15 Disciplinary Records

~~5.15.1 Records of disciplinary actions shall not be made a part of the student's academic record except through the appearance in the academic record of grade reductions or failing grades as provided in section 5.8.1, but shall become part of the student's disciplinary record. The disciplinary record shall be reviewed and expunged. In situations involving both an accused student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be provided to the disciplinary/educational records of both the accused student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.~~

5.16 Concurrent Jurisdiction

~~5.16.1 In cases of overlapping or concurrent jurisdiction, the Dean of Students and the relevant academic dean shall determine on the locus of primary jurisdiction, according to the procedure outlined in section 5.14.1 of this policy. The dean of primary jurisdiction shall then control the process and communicate outcomes to the other dean.~~

5.17 Student Rights and Responsibilities

~~5.17.1 Student rights and responsibilities are delineated in this policy. Students are also subject to other university policies. Alleged violations of university policies by students shall be handled according to the procedures set forth below.~~

5.18 Appeals Process, Determination and Application of Sanctions

5.18.1 Academic Infraction Due Process Procedures

~~5.18.1.1 Instructors shall discuss allegations of misconduct with the accused student in a confidential environment.~~



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5.18.1.2 Sanctions associated with academic infractions shall be reported by the instructor to the student, within 10 business days of the imposition of the sanction by the instructor. Except in cases where there is a significant threat of disruption or of undermining the academic integrity of the course, instructors shall refrain from implementing irreversible sanctions (for example, denying access to class or a final exam) until the student has exhausted all appeals.

5.18.1.3 Before an appeal, the student must attempt to resolve the issue informally with the instructor.

5.18.1.4 In case of an appeal, the instructor and/or the student shall provide documentary evidence to Judicial Affairs. Judicial Affairs shall maintain original documents in a secure location and shall make copies available to the parties and the hearing officer for the appeal. Whether or not there is documentary evidence to deposit, the instructor shall file a copy of allegations with Judicial Affairs. Said copy shall be clearly labeled “under appeal” and shall not become part of the student’s disciplinary record until appeals are exhausted.

5.18.1.5 Sanctions may be modified at any point in the appeals process if evidence warrants.

5.18.1.6 If the student chooses to appeal the instructor’s decision, the appeal must be made in writing to the department chair within 10 business days of the instructor’s final decision.

5.18.1.7 The chair shall render a decision in writing to the student and the instructor within 10 business days of receiving the student’s written appeal.

5.18.1.8 If either the student or the instructor chooses to appeal the chair’s decision, the appeal shall be made in writing to the Campus Appeals Board within 10 business days of the chair’s decision, or if the student and instructor agree, the appeal may be made directly to the dean rather than the Board.

5.18.1.9 The hearing body, whether it is the Board or the dean, shall render a decision in writing to the student and the instructor, with a copy to the chair, within 10 days of receiving the written appeal.

5.18.1.10 If either the student or the instructor chooses to appeal a decision of the Board, the appeal shall be made in writing to the dean within 10 business days of the Board’s decision. The dean shall be responsible for determining remediation and sanctions after a finding by the Board that academic misbehavior occurred.

5.18.1.11 The dean shall render a decision in writing to the student and the instructor, with a copy to the chair, and to the Board if they heard the previous appeal, within 10 business days of receiving the written appeal.



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~~5.18.1.12 The decision of the dean as to findings of academic infraction(s), remediation, and sanctions shall be final except for review of proposed suspension by the VPAA and of proposed expulsion, revocation of admission or degree by the VPAA and President.~~

~~5.18.1.13 Final decisions in which allegations of academic infraction(s) have been sustained shall be reported by the final deciding body (or by the instructor in case there are no appeals) to Judicial Affairs, with copies to the student or other parties to the appeal, within 10 business days of the decision.~~

5.18.2 General Infraction Due Process Procedures

~~5.18.2.1 All allegations of general infractions shall be reported to Judicial Affairs within 10 business days of sufficient information being gathered. Discussions of allegations with the students involved shall take place in a confidential environment. Documentary evidence shall be deposited by the accuser and/or the student to Judicial Affairs. Judicial Affairs shall maintain original documents in a secure location and shall make copies available to the parties and the hearing officer for the appeal. The allegations shall not become part of the student's disciplinary record until appeals are exhausted.~~

~~5.18.2.2 Judicial Affairs shall notify the student within five business days after receiving a report of violation and schedule a hearing with the Director of Judicial Affairs.~~

~~5.18.2.3 The Director of Judicial Affairs shall determine the merit of the complaint and assign sanctions. The Director of Judicial Affairs shall notify the student in writing of his or her finding and of any sanctions within 10 business days of the hearing. Except in cases of urgent circumstances, as outlined in section 5.13.4.1, the Director of Judicial Affairs shall refrain from implementing irreversible sanctions until the student has had the opportunity to fully pursue the appeals process.~~

~~5.18.2.4 Sanctions may be modified at any point in the appeals process if evidence warrants. If the student chooses to appeal the decision of the Director of Judicial Affairs, the appeal shall be made in writing to the Campus Appeals Board within 10 business days of the Director's decision. The student may choose to appeal directly to the Dean of Students rather than the Board.~~

~~5.18.2.5 The hearing body, i.e. the Board or the Dean of Students, shall render a decision in writing to the student and the director of Judicial Affairs within 10 business days of receiving the written appeal.~~

~~5.18.2.6 If the student chooses to appeal the decision of the Board, the appeal shall be made in writing to the Dean of Students within 10 business days of the Board's decision. The Dean of Students shall be responsible for determining remediation and sanctions after a finding by the Board that a general infraction was committed.~~



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~~5.18.2.7 The Dean of Students shall render a decision in writing to the student and the Director of Judicial Affairs, with a copy to the Board if they heard the previous appeal, within 10 business days of receiving the written notice.~~

~~5.18.2.8 The decision of the Dean of Students as to findings of general infractions, remediation, and sanctions shall be final except for review of proposed suspension by the Vice President of Student Affairs (VPSA) and of proposed expulsion, or revocation of admission or degree by the VPSA and President.~~

~~5.18.2.9 Final decisions in which allegations of general infractions have been sustained shall be reported by the final deciding body to Judicial Affairs, with copies to the student and other parties to the appeal, within 10 business days of the decision.~~

~~5.18.3 Withdrawal of Appeals: An appeal may be withdrawn by the appellant at any time without prejudice.~~

5.19 Campus Appeals Board Hearings

~~5.19.1 The Campus Appeals Board Chair shall convene a subcommittee from its members. The subcommittee of the Board shall consist of two members from the school/college or division referring the appeal, a third member from another unit of the University, two students, and a staff member to hear any appeal.~~

5.20 Disciplinary Records

~~5.20.1 Judicial Affairs shall be responsible for facilitating written appeals and for keeping records of all decisions under this policy, whether general or academic.~~

~~5.20.2 When a sanction has been imposed and made final after any appeals, a report shall be submitted to Judicial Affairs by the final deciding instructor, officer, or Board.~~

~~5.20.3 Disciplinary records shall be kept confidential, and access, as necessary for carrying out their duties, shall be limited to deans and university line officers above the deans, Judicial Affairs, and members of the Campus Appeals Board. Nevertheless, students may give written consent to faculty members or other university employees to view their disciplinary records. A student requesting a recommendation who asks about disciplinary actions shall be presumed to give implied consent to the recommender to see the disciplinary record.~~

~~5.20.4 When the student's disciplinary record shows multiple similar infractions or a pattern of improper behavior, the Director of Judicial Affairs shall report the case to the Campus Appeals Board for further review. The Board shall hold a hearing with the student and determine further sanctions, if necessary and appropriate.~~



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~~5.20.5 Determinations of when records are to be expunged or reports removed are to be made only by Judicial Affairs in order to maintain a single university standard for retention of records of Student Code actions.~~

~~5.20.6 Factors relevant to the decision to retain or delete specific records include:~~

- ~~1) How much time has elapsed since the infraction (generally, at least five years).~~
- ~~2) Whether the student has graduated.~~
- ~~3) The seriousness of the infraction and the resulting sanctions—university suspension, expulsion, and revocation of admission or degree—shall be considered for expunging only upon application by the student to the Director of Judicial Affairs and then only with the concurrence of the relevant dean, vice president, and the President.~~

~~5.20.7 Students shall apply to the Director of Judicial Affairs to have their disciplinary records expunged in accordance with the factors given in section 5.20. If the student applying for expungement has graduated, or if the disciplinary records are at least five years old, they shall be expunged unless the Director of Judicial Affairs finds circumstances requiring retention of the records, except in the cases of suspension, expulsion, or revocation or withholding of a degree which require further review, as specified in section 5.20.~~

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 24, 2019
TITLE:	UVU Policy 636 <i>Research Ethics and Compliance</i>
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Wayne Vaught, Provost Dan Fairbanks, Chief Research Officer
SUBJECT:	UVU Policy 636 <i>Research Ethics and Compliance</i>
BACKGROUND:	<p>Ensuring that research is conducted according to legal and ethical standards is essential to the University's commitment to ethical conduct and to comply with applicable laws and regulations. This new policy establishes a process for the University to appropriately respond to allegations or evidence of research misconduct while incorporating federal regulations or guidance where applicable. It is also designed to set expectations for proper conduct in the research context and for reporting research misconduct.</p> <p>The policy brings the University into compliance with the requirements of various federal agencies' standards and procedures for preventing, remedying, and reporting misconduct in agency-funded research.</p>
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, "I move to approve UVU Policy 636 <i>Research Ethics and Compliance</i> for entrance into the UVU Policy Manual."• Amend and approve, "I move to approve, as amended, UVU Policy 636 <i>Research Ethics and Compliance</i> for entrance into the UVU Policy Manual."• No action, "I move that we go to the next agenda item."

FINANCIAL IMPACT:	
EXHIBITS:	a. Policy 636 <i>Research Ethics and Compliance</i>



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Proposed Policy Number and Title: 636 Research Ethics and Compliance		
Existing Policy Number and Title: Not applicable		
Approval Process*		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input checked="" type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input type="checkbox"/> Revision	<input type="checkbox"/> Revision
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension	
	Anticipated Expiration Date:	
*See UVU Policy #101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: <u>October 10, 2019, Stage 4 Draft, Regular, Board of Trustees</u>		
President's Council Sponsor: <u>Jeff Olson</u>	Ext.	<u></u>
Policy Steward: <u>Kat Brown, Dan Fairbanks, Karen Clemes</u>	Ext.	<u></u>

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>08/24/2017</u></p> <p>University Entities Review Entrance Date: <u>11/15/2018</u> Close Feedback: <u>2/14/2019</u></p> <p>University Community Review Entrance Date: <u>09/26/2019</u> Open Feedback: <u>09/26/2019</u> Close Feedback: <u>10/08/2019</u></p> <p>Board of Trustees Review Entrance Date: <u>10/10/2019</u> Approval Date: <u></u></p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <p>Policy Office personnel who verified and posted this policy to the University Policy Manual Name: <u></u> Date posted and verified: <u></u></p>



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POLICY TITLE	Research Ethics and Compliance	Policy Number	636
Section	Academics	Approval Date	
Subsection	Faculty	Effective Date	
Responsible Office	Office of the Senior Vice President of Academic Affairs		

1.0 PURPOSE

1.1 Utah Valley University is committed to upholding the highest ethical standards in its research activities. This policy sets forth the ethical responsibilities of university community members—faculty, staff, students, and volunteers regarding research activities; the University’s commitment to compliance with federal regulations governing research ethics; and the rights of complainants and respondents when research misconduct has been alleged. This policy provides procedures for preliminary assessment of allegations of research misconduct and remedies for research misconduct. This policy also outlines the procedures for alleging, inquiring into, reporting, investigating, making formal findings of, and resolving research misconduct. This policy applies to all persons employed by or affiliated with the University in any way.

2.0 REFERENCES

- 2.1 *Research Misconduct*, 14 C.F.R. Part 1275
- 2.2 *Public Health Service Policies on Research Misconduct*, 42 C.F.R. Part 93
- 2.3 *Research Misconduct*, 45 C.F.R. Part 689
- 2.4 *Department of Defense Instruction No. 3210.7* (2004)
- 2.5 *Policy on Research Misconduct*, 70 Fed. Reg. 37, 010 (June 28, 2005)
- 2.6 *Research Misconduct; Statement of Policy*, 68 Fed. Reg. 53,862 (Sept. 12, 2003)
- 2.7 *Environmental Protection Agency Order No. 3120.5* (2003)
- 2.8 *Research Misconduct Policy*, National Endowment for the Humanities
- 2.9 *Implementation Guidance for Executive Office of the President Office of Science and Technology Policy “Federal Policy on Research Misconduct”* (2002), 2.9 U.S. Department of Transportation,



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- 2.10 *Veterans Health Administration Handbook 1058.02 (2014)h*
- 2.11 *Research Integrity, National Institutes of Health*
- 2.12 *Utah Code § 63G-2 Government Records Access and Management Act*
- 2.13 *UVU Policy 114 Conflict of Interest*
- 2.14 *UVU Policy 135 Use of Copyrighted Materials*
- 2.15 *UVU Policy 136 Intellectual Property*
- 2.16 *UVU Policy 137 Sponsored Programs (Grants, Contracts, Cooperative Agreements)*
- 2.17 *UVU Policy 138 Institutional Review Board*
- 2.18 *UVU Policy 142 Export Control*
- 2.19 *UVU Policy 371 Corrective Actions and Termination for Staff Employees*
- 2.20 *UVU Policy 541 Student Rights and Responsibilities Code*
- 2.21 *UVU Policy 635 Faculty Rights and Professional Responsibilities*
- 2.22 *UVU Policy 648 Faculty Personnel Reductions (Interim Policy)*
- 2.23 *Policy 652 Care and Use of Vertebrate Animals in Research and Instruction*

3.0 DEFINITIONS

3.1 Allegation: Any written or oral statement or other indication of possible research misconduct made to the appropriate department chair, dean, manager, director, vice president, or other university officials, as designated in this policy.

3.2 Conflict of interest: A conflict of interest exists when a university employee owes a professional obligation to the University, which is or can be compromised by the pursuit of outside interests. ~~'s professional judgment or performance are biased or compromised by the employee's non-university interests.~~

3.3 Complainant: An individual who reports allegations of research misconduct to the Research Officer, a chair, a dean, a vice president, or other university officials, as designated in this policy.

3.4 Fund: To provide monetary support for grants, cooperative agreements, fellowships, or contracts.



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3.5 Good faith allegation: An allegation made with the honest belief that research misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

3.6 Hearing: A formal process for reviewing the formal finding(s) of fact, conclusions, and recommendations of research misconduct proceedings.

3.7 Inquiry: Information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

3.8 Institutional Animal Care and Use Committee (IACUC): A diverse body of university faculty researchers, veterinarians, staff, and unaffiliated community members appointed by the President or the President's designee. This committee reviews animal care and use protocols, evaluates the animal care and use program at regular intervals, and monitors university animal facilities and research activities to ensure compliance with protocols, standards, and regulatory requirements.

3.9 Institutional Review Board (IRB): A body of university faculty researchers and other appointed members of the university community, [including appointed members of the public](#), whose function is to review proposed research involving human subjects to ensure that the rights of human subjects are protected and that risk of harm is minimized.

3.10 Investigation: For the purposes of this policy, a formal examination and evaluation of all relevant facts to determine if an instance of research misconduct has taken place.

3.11 Office of Sponsored Programs (OSP): An office within the University that administers externally funded research and other programs, and that is charged with assisting faculty and other university personnel to obtain external funding for research and other scholarly activities. It also provides oversight on issues of university compliance with federal, state, and local laws and regulations.

3.12 Preponderance of the evidence: Sufficient evidence that, compared with the evidence opposing it, supports a finding that an allegation of misconduct is more probably true than not, or more than 50 percent in favor that the misconduct occurred as alleged.

3.13 Program director/principal investigator (PD/PI): The faculty or staff member who directs a research program/project. The PD/PI is the individual with primary responsibility for the proper conduct and management of a project.

3.14 Research: Systematic study directed toward enhanced scientific or scholarly knowledge or toward understanding of the subject matter, or the use of such knowledge or understanding directed toward the production of useful materials, devices, systems, or methods. Academic tasks undertaken for the sole purpose of furthering personal knowledge or understanding of the subject



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matter, such as assignments in undergraduate courses, are not considered “research” under this policy.

3.15 Research activities: Proposing, conducting, reviewing, or reporting research or the results of research.

3.16 Research Officer: The institutional official appointed by the Senior Vice President of Academic Affairs, in consultation with the President of Faculty Senate and General Counsel, ~~who~~ is responsible for research integrity, including but not limited to assessing allegations of research misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations. ~~The Research Officer is also the institutional official who makes formal findings, conclusions, and recommendations on allegations of research misconduct and any responsive institutional actions.~~

3.17 Research misconduct: Fabrication, falsification, plagiarism, willful disregard of policies related to research, or other practices that seriously deviate from practices that are commonly accepted within the academic research community for proposing, conducting, or reporting research. This does not include honest errors or honest differences in interpretations or judgments of data.

3.17.1 Fabrication: Falsely ~~making up~~ inventing results and recording or reporting the fabricated results.

3.17.2 Falsification: Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is deliberately misrepresented in the research record.

3.17.3 Plagiarism: The appropriation of another person's ideas, processes, results, or words without giving appropriate credit and without specific approval, including those obtained through confidential review of others' research proposals and manuscripts.

3.17.4 Deliberate interference: Intentionally causing material harm to the research or scholarly work of others, including damaging or destroying the property of others such as research equipment or supplies, disrupting active experiments, or altering or deleting products of research, including data.

3.17.5 Dishonesty in publication: Knowingly publishing material that will mislead readers, for example, misrepresenting data, particularly its originality; misrepresenting research progress; adding the names of other authors without permission; or engaging in duplicate publication when such practice is prohibited by the publisher or when permission to re-publish has not been granted.



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3.17.6 Violation of regulations: Failure to adhere to or to receive the approval required for work under research regulations of federal, state, local, or university committees such as the University's IRB, IACUC, or Biosafety Committee.

3.18 Research record: Any data, document, computer file, data-storage device, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of misconduct. A research record includes but is not limited to grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer programs, files and printouts; manuscripts; publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

3.19 Respondent: An individual who is alleged to have engaged in research misconduct associated with the University.

3.20 Retaliation: Any action taken by the University or an individual that adversely affects the employment or other institutional status of an individual because the individual has, in good faith, made an allegation of misconduct or of inadequate institutional response, or cooperated in good faith with an investigation of such allegations, or participated in a research misconduct investigation or proceeding.

3.21 Whistleblower: A complainant or other individual who does one or more of the following: documents or makes a good faith report of suspected research misconduct; participates or gives information in a research misconduct investigation, hearing, court proceeding, legislative or other inquiry, or administrative review; and/or objects to or refuses to carry out a directive that the person reasonably believes would constitute research misconduct or would violate a state or federal law, rule, or regulation governing research misconduct.

4.0 POLICY

4.1 Scope of this Policy

4.1.1 This policy applies to all persons employed by or affiliated with Utah Valley University in any way, including but not limited to trustees, administrators, faculty, staff, students, or independent contractors, volunteers, or researchers from other organizations or institutions who are using UVU facilities, resources, personnel, or students for research purposes. This policy exclusively governs the University's procedures for addressing research misconduct, including without limitation the investigation and discipline process.

4.2 Responsibilities of University Members



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4.2.1 General Responsibility. Each member of the university community has a responsibility to promote an environment of intellectual honesty and integrity and to comply with applicable laws, regulations, signed contracts or other agreements, and policies of the University and its research sponsors. This responsibility includes but is not limited to complying with laws, regulations, and policies concerning the following:

- Intellectual property, including copyrighted materials;
- Disclosure and management of conflicts of interest;
- Protection of human subjects, including seeking and maintaining the approval of the University's IRB;
- Protection of animal subjects, including seeking and maintaining the approval of the University's IACUC;
- Use of recombinant DNA;
- Use of radioactive material;
- Use of hazardous chemicals or biologicals;
- Compliance with contracts or other agreements associated with research;
- Conduct of classified research; and/or
- Export/import control.

Misconduct in any aspect of research or scholarly endeavor may lead to appropriate disciplinary action, up to and including termination or expulsion.

4.2.2 Employee Responsibility. University employees shall cooperate with the Research Officer and other university officials or personnel officially engaged in an inquiry or investigation ~~in inquiries and investigations~~ of research misconduct allegations. ~~Employees, and~~ have an obligation to provide all evidence of research conduct and potential misconduct upon the request of ~~these individuals~~ Research Officer or other institutional personnel officially engaged in an inquiry or investigation.

4.2.3 Supervisory Responsibility. Supervisors at all levels, and Rank, Tenure, and Promotion (RTP) committees, must ~~enforce~~ ensure the highest standards for conducting research and creating and maintaining records of the research. The risk of misconduct occurring increases in an environment where there is a lack of ~~supervision~~ appropriate oversight. Specifically, department chairs, RTP committees, other supervisors, and program directors/principal investigators should clearly articulate standards and protocols for research, scholarship, and creative work, through discussion and review of research, and, when possible, with written guidelines that adhere to best practices.



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4.2.4 Individual Reporting Responsibility. Any member of the university community who knows, suspects, or is informed that an act of research misconduct has occurred or is occurring ~~should~~shall report such misconduct by following the procedures in this policy. Reporting such concerns in good faith is a service to the University and to the larger academic community, and will not jeopardize the reporter's employment or status within the University. The University prohibits retaliation of any kind against a person who, acting in good faith, reports or provides information about suspected or alleged misconduct.

4.2.5 Funding Agency Requirements. The University shall comply with funding agency requirements, including but not limited to formal regulations regarding the investigation of allegations of misconduct involving research activities. The Research Officer, in consultation with the Office of General Counsel and the Senior Director of Office of Sponsored Programs (OSP), will determine the applicability of external regulations in each particular case.

4.2.6 Rights of Complainant or Whistleblower. Institutions are required to undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make research misconduct allegations or who are whistleblowers under this policy. The Research Officer will make reasonable and practical efforts to prevent retaliation and to counter potential and/or actual retaliation against these persons in the terms and conditions of their employment or other status at the institution and will review instances of alleged retaliation for appropriate action. Employees, staff, and students should immediately report any alleged or apparent retaliation to the Research Officer. The institution will also undertake to protect the privacy, to the maximum extent possible under applicable policy and law, of research misconduct complainants or whistleblowers. The complainant will be advised that, depending on the circumstances of the case, complete anonymity may not be fully protected, but will be protected to the extent possible if the matter is referred to an investigation committee and the complainant's or whistleblower's testimony is required.

4.2.7 Retaliation Prohibited. Retaliation against an individual who alleges research misconduct in good faith is prohibited. Retaliation against whistleblowers who act in good faith or against others who honestly participate in a research misconduct investigation or proceeding is also prohibited.

4.2.8 Rights of Respondent. Because of the potential jeopardy to the reputation and rights of an accused, great care must be taken to handle both inquiries and investigations in a way that preserves confidentiality, providing information only to those with a need to know. Inquiries and investigations will be conducted in a manner that ensures fair treatment to the respondent(s) in thoroughly carrying out the inquiry or investigation, and confidentiality to the extent possible without compromising public health and safety. Respondents accused of research misconduct may consult with legal counsel, or a non-lawyer personal advisor (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal advisor to interviews or meetings on the case with approval of the inquiry/investigation committee. During investigative or informal meetings or interviews, the counsel or personal advisor may only advise the



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complainant or respondent and may not actively participate in the investigation or informal process.

4.2.9 Remedies. The appropriate institutional response to research misconduct will vary with the facts and circumstances of each case. In addition to requiring correction of the research record, the University has recourse to a variety of disciplinary actions against individuals whose conduct violates this policy, up to and including in severe cases and following applicable university procedures, expulsion of a student, termination of an employee, or revocation of tenure.

5.0 PROCEDURE

5.1 Training

5.1.1 Administrative staff, faculty members, and students shall complete any training related to this policy that the University requires and are strongly encouraged to complete other recommended trainings.

5.2 Reporting and Receiving Allegations

5.2.1 Allegations of research misconduct and the basis for them shall be communicated confidentially, in a timely manner, and preferably, though not necessarily, in writing to the appropriate vice president, dean, director, department chair (hereafter collectively called “administrator”), Research Officer or the Office of General Counsel.

5.2.2 Upon receipt of such an allegation or other indication of misconduct, the administrator shall promptly inform the Research Officer and the Office of General Counsel.

5.2.3 Upon receiving an allegation of research misconduct, the Research Officer will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified, whether external sponsors are involved, and whether the allegation falls under the definitions of research misconduct contained in this policy.

5.2.4 If the Research Officer determines that an allegation or indication of research misconduct is sufficiently credible and specific, then the Research Officer, in consultation with the Office of General Counsel, shall designate an individual or individuals without conflicts of interest to conduct an inquiry.

5.2.5 If the Research Officer or any other individual who participates in a research misconduct case has a conflict of interest or is unavailable, they shall notify the Senior Vice President of Academic Affairs (SVPAA), who will review the conflict and appoint a designee to participate in their stead if necessary.



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5.2.6 Respondents accused of research misconduct may consult with legal counsel or a non-lawyer personal advisor (who is not a principal or witness in the case) to seek advice and may bring the counsel or personal advisor to interviews or meetings on the case with approval of the inquiry/investigation committee. During investigative or informal meetings or interviews, the counsel or personal advisor may only advise the complainant or respondent and may not actively participate in the investigation or informal process.

5.3 Inquiry

5.3.1 An inquiry is not a formal hearing or investigation. It is intended to distinguish serious allegations deserving further investigation through this process from trivial, frivolous, unjustified, or clearly mistaken allegations, or from situations that clearly do not involve serious research misconduct and which may be appropriately pursued through other administrative channels or through informal resolution.

5.3.2 The Research Officer will oversee the inquiry process.

5.3.3 Upon initiation of an inquiry, the Research Officer shall provide written notice to the respondent(s) of the allegation(s) or other indication(s) of misconduct.

5.3.4 The Research Officer shall secure the necessary and appropriate assistance to ensure a thorough and authoritative evaluation of the allegation(s). Such assistance will typically include an individual with training and/or experience in investigations and/or the conduct of inquiries. With the additional assistance, if needed, of an expert in the academic discipline involved (either from within the University or elsewhere), the Research Officer shall determine promptly whether the allegation or other indication of misconduct appears sufficiently well founded to warrant a formal investigation.

5.3.5 During the inquiry, every reasonable effort shall be made to keep confidential the identity of respondent(s) and complainant(s), and the contents, substance, and proceedings of the inquiry. Work product that includes suspect content or data may be placed on hold and sequestered if deemed necessary by the Research Officer. Sufficiently detailed documentation shall be kept, in a secure manner, to permit later assessment of the adequacy of the inquiry.

5.4 Reporting on the Inquiry

5.4.1 The individual(s) appointed to conduct the inquiry shall prepare a written report. The report shall include a statement of the allegation, a description of the evidence reviewed, summaries of the relevant interviews, and the conclusions of the inquiry. The report shall contain an assessment of whether there is reasonable cause to believe that a formal investigation is warranted.

5.4.2 If the inquiry concludes that a formal investigation is warranted, the respondent(s) shall be given the opportunity to comment on the report; these comments will become part of the record.



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The individual who made the allegation may review and comment on the portion of the report directly related to the individual's testimony or other evidence

5.4.3 The report of the inquiry, along with any formal comments on the report, shall be forwarded to the SVPAA. The SVPAA shall notify the Office of General Counsel and any other appropriate university official.

5.4.4 If the inquiry produces reasonable cause to warrant a formal investigation, the Research Officer will initiate a formal investigation.

5.4.5 The Research Officer, in consultation with the Office of General Counsel and OSP, shall decide if and when external funding agencies, if any, are to be notified, what any such notification shall include, and to whom it should be directed. Any such notice shall be provided by the Research Officer and OSP Director with the assistance of appropriate university officials.

5.4.6 The Research Officer, in consultation with the Office of General Counsel and OSP, will determine what additional notification is necessary. Every reasonable effort will continue to be made to protect the identity of the respondent(s) and the complainant(s) from all except those who have a legitimate need to know.

5.4.7 If the inquiry does not produce sufficient evidence to warrant a formal investigation, the Research Officer, after consultation with the Office of General Counsel, shall inform any persons involved in the informal inquiry to whom the identity of the ~~R~~espondent(s) was disclosed.

5.4.8 Allegations of academic misconduct determined to be unsupported and not made in good faith may lead to disciplinary action against the complainant or whistleblower.

5.5 Investigation

5.5.1 Upon determining that a formal investigation is warranted, the investigation must be commenced within 30 days of the completion of the inquiry unless the Research Officer determines that commencement should be delayed for good cause.

5.5.2 The Research Officer, in consultation with the Faculty Senate President and Research Officer, in consultation with the Office of General Counsel, ~~as needed,~~ shall appoint an ad hoc investigating committee and determine its composition and size. The committee should include at least one faculty member who is an expert in the general academic field of the research in question and may also include one or more such experts from outside the University if deemed appropriate by the Research Officer, Faculty Senate President, and General Counsel. The Research Officer shall ensure that none of the investigation committee members has a conflict of interest in serving on the committee.

5.5.3 The Research Officer shall inform the respondent(s) of the initiation of the investigation, the composition of the ad hoc investigating committee, and the charge to that committee.



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5.5.4 In cases that present potential danger to third parties (for example, animals or research subjects) or that require interim measures pending final resolution, and in accordance with applicable university policies regarding suspension, the appropriate university official, in consultation with the Research Officer, Human Resources, and the Office of General Counsel, may meet with the respondent for the purposes of imposing a temporary suspension of [research-related](#) duties, pending conclusion of the formal investigation. At such a meeting, the respondent shall be informed of the reasons for consideration of a temporary suspension and afforded the opportunity to oppose such action. The respondent's counsel may accompany the respondent at such a meeting, but may only advise the respondent and may not actively participate.

5.5.5 An attorney assigned by the Office of General Counsel shall advise the ad hoc investigating committee on procedural matters.

5.5.6 In the absence of extraordinary circumstances, the ad hoc investigating committee shall gather evidence and reach a finding within 120 days of appointment.

5.5.7 The ad hoc investigating committee shall secure the necessary and appropriate expertise to carry out a thorough investigation and authoritative evaluation of the relevant evidence.

5.5.8 The investigation will normally include examination of all documentation, including but not necessarily limited to relevant research data and proposals, publications, correspondence, and memoranda of meetings and telephone calls.

5.5.9 Whenever possible, interviews should be conducted with all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations. Complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigation file. Audio recording shall not be permitted in any part of the proceedings unless all present parties explicitly consent.

5.5.10 During the formal investigation, every reasonable effort shall be made to protect the identity of those respondent(s) and the complainant(s) from third parties. However, at this stage the respondent(s) shall normally be entitled to know the identity of all witnesses called before the committee. Cases that depend specifically upon the observations or statements of the complainant cannot proceed without the involvement of that individual; other cases that can rely on documentary evidence may permit the complainant to remain anonymous.

5.5.11 [Research misconduct does not include honest error or honest differences in interpretations or judgments of data.](#) A finding of misconduct requires that:

5.5.11.1 There is a significant departure from accepted practices of the relevant academic community.



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5.5.11.2 The misconduct be committed intentionally, knowingly, or in reckless disregard of this policy and/or accepted practices; and

5.5.11.3 The allegation is proven by a preponderance of evidence.

5.5.12 The investigation committee shall make preliminary written findings as to whether the alleged misconduct by a preponderance of the evidence is unfounded, inconclusive, or substantiated:

5.5.12.1 A decision of “unfounded” indicates either that there is insufficient evidence for the investigators to conclude that the event(s) occurred as alleged, or even if the event(s) occurred, it/they did not constitute research misconduct.

5.5.12.2 A decision of “inconclusive” means that the evidence provided by both parties did not reach a preponderance of evidence in favor of either party.

5.5.12.3 A decision of “substantiated” means that the events occurred as alleged by a preponderance of evidence in favor of the complainant.

5.5.13 To make a finding of research misconduct, the University has the burden of proof by a preponderance of the evidence. The respondent has the burden of proving by a preponderance of the evidence any affirmative defenses, including honest error or differences of opinion, and of providing any mitigating factors that the respondent wants the ad hoc committee to consider.

5.5.14 At fact-finding meetings of the committee, but not during its deliberations, the respondent(s) shall be permitted to be present with a support person who may be an attorney, but whose role shall be limited to advising the respondent(s).

5.5.15 The ad hoc committee shall keep the respondent(s) and the Research Officer apprised of any additional allegations, other material developments during the investigation, and any need for delay in the investigation.

5.6 Formal Findings of the Investigation

5.6.1 At the conclusion of the investigation, the ad hoc committee shall prepare a summary of its preliminary findings of fact as to whether research misconduct occurred and recommendations regarding outcome. If the misconduct is substantiated, the report should also include a preliminary determination of the severity and impact of the misconduct. The respondent(s) shall be provided the opportunity to comment on the report within a timeline approved by the Research Officer, and this comment will become part of the record. The complainant(s) shall be provided with the portions of the report that describe their role and opinions in the investigation; the complainant(s) shall have an opportunity to respond within the timeline approved by the Research Officer.



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5.6.2 External funding agencies must be notified during an investigation of facts that may affect current or potential funding of the individual(s) under investigation, or that may need to be disclosed in order to ensure proper use of federal or other funds or protection of the public interest. The Research Officer and OSP Director shall make such notifications after consulting with the Office of General Counsel on regulatory and agency requirements.

5.6.3 The ad hoc committee shall submit its written report, along with the complete investigatory file, to the Research Officer. The Research Officer shall make formal findings of fact as to whether research misconduct occurred and recommend what actions to take in light of the report, in consultation with the Office of General Counsel, the OSP Director, and the Associate Vice President of Academic Administration (in the case of faculty respondents), Human Resources (in the case of faculty or staff respondents), or the Director of Student Conduct (in the case of student respondents). The Research Officer shall notify the respondent(s) and the appropriate university officials of the Research Officer's findings, conclusions, and recommendations in writing along with supporting documentation including the report of the ad hoc committee. In consultation with the OSP Director, the Office of General Counsel, and other appropriate university official(s), the Research Officer shall then decide if and when external funding agencies, if any, are to be notified, what any such notification shall include, and to whom it should be directed. The Research Officer and the OSP Director shall provide this notice.

5.6.4 Investigatory files will be maintained in a secure manner during and upon completion of the investigations. All documents, records, recordings, and other information associated with the research misconduct process are designated as protected in accordance with the Utah *Government Records and Management Act (GRAMA)*.

5.7 Request for Review Hearing

5.7.1 The respondent(s) may request a formal review hearing within 10 working days of receipt of the Research Officer's written notice by filing a written request for a review hearing with the SVPA.

5.7.2 The written request for a review hearing must include the reasons for seeking the review. The respondent must identify in the written request at least one or more of the following grounds as the reason for seeking the review:

5.7.2.1 New evidence unavailable to the Respondent during the investigation has been discovered that could materially impact the investigation findings and/or resolution;

5.7.2.2 Procedural errors raising substantial concerns that the procedures outlined in this policy were not followed, or that the investigation was not thorough, fair, and/or impartial, which substantially impacted the outcome of the investigation. Lengths of the investigation or recommendation processes are not considered procedural errors.



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5.7.2.3 The recommended sanction is substantially disproportionate to the severity of the violation.

5.7.3 If the respondent does not request a formal review hearing as set forth above, the Research Officer shall forward the written report of the ad hoc committee and the recommendation of the Research Officer to the SVPAA for approval and final decision.

5.7.4 When a timely request for a review hearing is filed, the SVPAA shall refer matters where the recommended sanction of the respondent includes final written warning, demotion, suspension, termination, or expulsion to the appropriate university official usually charged with overseeing formal review hearings or grievances for that respondent under the applicable university appeal, review, or grievance policy and procedures.

5.7.4.1 For faculty respondents, the SVPAA or designee will institute a review hearing under UVU Policy 648 *Faculty Personnel Reduction (Interim Policy)*.

5.7.4.2 For student respondents, the SVPAA or designee will refer the review hearing to the Student Conduct Office under UVU Policy 541 *Student Rights and Responsibilities Code*.

5.7.4.3 For staff respondents, the SVPAA or designee will refer the review hearing to the Associate Vice President for Human Resources applicable staff grievance procedures in place at the time.

5.7.5 The final executive decision maker for all student respondents in research misconduct cases shall be the Dean of Students and for all employee respondents shall be the SVPAA (or their designees). The review panels in the above-described processes shall make written recommendations to these final executive decision makers. The executive decision maker will then consult with other university officials and the Office of General Counsel as needed, make the final decision, and deliver the written decision to the Research Officer and the [Respondent\(s\)](#).

5.7.6 For all recommended sanctions that involve sanctions lesser than final written warning, demotion, suspension, termination, or expulsion, the appropriate university official, as identified above, shall decide on the appropriate outcome after reviewing the ad hoc committee's written report, the Research Officer's written notice, and, if questions remain, the full investigative file.

5.7.7 The University will undertake efforts, as appropriate and feasible, to protect, and if necessary to restore, the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, and will also undertake efforts to protect the positions and reputations of those persons who, in good faith, made allegations.

5.7.8 In consultation with the Research Officer and the Office of General Counsel, OSP shall notify external funding agencies of the final outcome of an investigation involving their funded



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project(s), and provide them with any final reports or documentation that are required by agency guidelines.

5.7.9 Federal funding agencies have retained the right to impose additional sanctions, beyond those applied by the institution, upon investigators or institutions if they deem such action appropriate in situations involving funding from their respective agencies; such agencies may also have standards of proof that differ from those used in the University's disciplinary proceedings. The University will make all necessary efforts to comply fully with agency requirements and guidelines.

5.7.10 Questions regarding these procedures may be directed to the Research Officer.

POLICY HISTORY		
	Regular policy approved.	UVU Board of Trustees
November 29, 2018	Temporary Emergency policy approved.	UVU Board of Trustees



UVU BOARD OF TRUSTEES Agenda Item Coversheet

DATE:	October 24, 2019
TITLE:	UTA Annual Contract Payment
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Val Peterson
SUBJECT:	Payment for UTA Passes
BACKGROUND:	<p>In January 2018, the Board of Trustees approved a 10-year contract between UVU and UTA whereby UVU will pay \$1,000,000 per year with additional cost for growth and will supply all students, faculty, staff, and faculty/staff dependents with a pass.</p> <p>The Board is being asked to approve the \$1,000,000 payment for the 2019-2020 school year. It includes all of the student, faculty, and staff, and dependent passes for the year. This is a premium pass package and allows passholders to ride UVX, bus, TRAX, and Front Runner.</p> <p>Note, UVU has seen a 104% increase in ridership and a decrease of 1,300 parking passes on campus since the provision of this benefit began.</p>
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, “I move to approve payment of \$1,000,000 to UTA per the approved contract.• Amend and approve, “I move to approve, as amended ...”• No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	
EXHIBITS:	



UVU BOARD OF TRUSTEES Agenda Item Coversheet

DATE:	October 21, 2019
TITLE:	UVU Comparable Institutions
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Vice President Linda Makin
SUBJECT:	Revision of UVU's Comparable Institutions List for use in internal planning and assessment, IPEDS comparison, and other university initiatives
BACKGROUND:	<p>UVU's current peer institutions list (used internally and by USHE) was developed in 2009, reflecting the university's recent transformation from a state college. As Academic Affairs; Student Affairs; and Planning, Budget, and Human Resources used the list as intended to provide performance comparisons, they have found UVU's current peer institutions list to be increasingly outdated as UVU and its peers have evolved. Several of UVU's current peers have moved explicitly toward research missions; others have become so selective that they no longer provide a useful benchmark on critical indicators of student success. One, Indiana University-Purdue University Fort Wayne, no longer exists. A revised comparison group will provide more appropriate benchmarks for UVU's performance.</p>
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, "I move to approve the proposed revision to UVU's Comparable Institutions List"• Amend and approve, "I move to approve, as amended, the UVU's Comparable Institutions List"• No action, "I move that we go to the next agenda item"

FINANCIAL IMPACT:	This proposal is not expected to have any fiscal impact on the university.
EXHIBITS:	a. Comparable Institutions Proposal



Comparable Institutions Proposal

*Utah Valley University
October 24, 2019*

Utah Valley University proposes revising its list of comparable institutions for internal planning and assessment. UVU uses its comparable institutions list to establish internal goals and assess its mission fulfillment and other key plans such as the Completion Plan and Inclusion Plan. UVU also utilizes its list of comparable institutions for IPEDS comparison. Neither the current nor comparable institutions list is used in USHE reported compensation comparisons nor by the National Survey of Student Engagement. This proposal was approved by the UVU Cabinet on September 30, 2019, and is presented for review and approval by the UVU Board of Trustees at its October 24, 2019, meeting.

In addition to internal planning and assessment use, the Utah System of Higher Education (USHE) uses a comparable institutions list for some statistical comparison of institutions within the USHE to other institutions nationally. On October 4, this proposal was submitted for preliminary review by the Office of the Commissioner of Higher Education. Regents Policy R508 requires that OCHE review proposed changes and supporting data prior to approval by the State Board of Regents.

In addition to USHE's use of comparable institutions, beginning in January 2020, NWCCU will utilize a list of comparable institutions as part of its regional accreditation evaluation process.

UVU's current peer institutions list (used internally and by USHE) was developed in 2009, reflecting the university's recent transformation from a state college. As Academic Affairs; Student Affairs; and Planning, Budget, and Human Resources used the list as intended to provide performance comparisons, they have found UVU's current peer institutions list to be increasingly outdated as UVU and its peers have evolved. Several of UVU's current peers have moved explicitly toward research missions; others have become so selective that they no longer provide a useful benchmark on critical indicators of student success. One, Indiana University-Purdue University Fort Wayne, no longer exists. A revised comparison group will provide more appropriate benchmarks for UVU's performance.

UVU proposes its comparison institutions list consist of:

Regional Universities

Weber State University (Current)
Dixie State University
University of Alaska-Anchorage (Current)
Arkansas Tech University

Western Kentucky University
CUNY College of Staten Island

Emerging Dual-Mission Colleges

Palm Beach State College
St Petersburg College

South Texas College
Bellevue College

This proposed list would eliminate eight current peer institutions for the reason listed:

- Boise State University: Carnegie doctoral classification and identifies itself as a research institution
- California State University-Northridge: Does not offer associate degrees; selective admissions with an admissions rate of 57.7%
- Ferris State University: Selective admissions with an admission rate of 74%
- Indiana University-Purdue University Fort Wayne: Institution was dissolved in 2018
- Kennesaw State University: Carnegie doctoral classification
- Metropolitan State University of Denver: Does not offer associate degrees; selective admissions with an admissions rate of 64.3%
- Northern Kentucky University: Western Kentucky University, proposed below, is a better overall fit
- Youngstown State University: Identifies itself as a research institution

METHODOLOGY

This proposal was developed by the Peer Institutions Working Group over the Spring 2019 semester. The group represented Academic Affairs; Student Affairs; and Planning, Budget, and Human Resources. Staff support was provided by Institutional Effectiveness, Planning, and Accreditation Support and Institutional Research.

Stage I: Institutional Universe

Stage I determined the universe of comparable institutions for detailed analysis based on Regents Policy R508, Guidelines for Approving Lists of Comparable Institutions. Analysis used the IPEDS 2017-18 provisional release institutional characteristics data and eliminated any institution that did not meet the following criteria.

- Institutional Type (R508-3.1.1) and Control (R508-3.1.3)
Carnegie Classification: Master's, Baccalaureate, or Baccalaureate/Associate
IPEDS Sector: Public, 4-Year or More
- Size (R508-3.1.2)
IPEDS Institutional Size Category: 10,000 and Above
- Specific Functions (R508-3.2.1)
Not a Land Grant Institution, Historically Black College or University, Tribal College, Senior Military College, online-only institution, or special-focus institution
- Institutional mission statement does not state that it is primarily a research institution.

106 institutions met all conditions to be included in the comparable institutions' universe. Seven institutions were added from outside of this universe for comparability within USHE or to dual-mission institutions with moderate-sized doctoral programs, because they share a similar trajectory to UVU, or because they are current UVU comparison institutions.

Stage II: Ranking

Stage II ranked candidate institutions by similarity to UVU using nearest neighbor analysis. The analysis ranked all institutions in the comparison institutions' universe based on the following factors.

- Open Admission: Open Admissions Policy or Admissions Rate
- Dual Mission: AA/BA Award Ratio
- Primarily Undergraduate: Ratio of Undergraduate to Graduate Enrollment
- Size: Undergraduate Enrollment
- (Sub)Urban: Degree of Urbanization of Metropolitan Statistical Area
- Non-Traditional Students: Adult age (25-64) undergraduate enrollment; PT-FT Ratio
- Multi-modal: Percent of undergraduate students not enrolled in any distance education courses
- Teaching: Grants as % of Revenue
- Socioeconomic Status: Percent of Pell-eligible students

The working group's focus was on factors that reflect institutional characteristics rather than performance to avoid biasing UVU's analysis of its own performance. Data was standardized before ranking.

Stage III: Selection of Proposed Comparable Institutions

Based on the ranking, the working group identified institutions that are appropriate for comparison to UVU. The selection did not strictly apply the rankings; rather the working group sought to include:

- Emerging dual-mission colleges (former community colleges) offering bachelor's degrees and institutions comparable to regional universities within USHE
- Institutions that have mature dual-mission offerings and institutions representing the growing national movement toward dual-mission structures
- Institutions reflecting meaningful geographic diversity while recognizing that some states provide better comparison to UVU than others
- Institutions to which UVU can compare itself on any one specific factor and institutions that provide a broad overall fit

The working group identified 10 institutions that provide a suitable range of comparisons for UVU, including 6 regional universities and 4 emerging dual-mission community colleges. This list was approved by the UVU Cabinet on September 30, 2019.

Data Sources

All data is from the National Center for Education Statistics Integrated Postsecondary Education Data System (IPEDS). The most recent year for which provisional release data is available is used. Additional data is derived from these IPEDS datasets by UVU Institutional Effectiveness, Planning, and Accreditation Support.

PROPOSED COMPARISON INSTITUTION DATA**Carnegie Master's Colleges and Universities**

	Utah Valley University	Weber State University	Arkansas Tech University	College of Staten Island CUNY	University of Alaska Anchorage	Western Kentucky University
Institutional Characteristics						
State	UT	UT	AR	NY	AK	KY
Carnegie Classification	Master's Colleges & Universities: Small Programs	Master's Colleges & Universities				
		Larger Programs	Larger Programs	Larger Programs	Larger Programs	Larger Programs
Fall Enrollment and Admissions						
Total Enrollment	37,282	27,949	11,830	13,594	15,733	20,257
Undergraduate Enrollment	36,868	27,111	10,781	12,509	14,955	17,656
Fall FTE	26,093	18,215	8,851	11,360	10,596	16,332
Annualized FTE	26,721	17,216	8,945	11,222	11,228	16,273
Admissions Rate	100%	100%	95%	100%	83%	95%
Awards						
Graduate Awards	2%	6%	10%	10%	12%	24%
Bachelor's Awards	59%	47%	46%	62%	48%	68%
Associate Awards	36%	45%	17%	28%	34%	5%
Undergraduate Certificate Awards	4%	2%	26%	0%	5%	4%
Completion and Retention						
Undergraduate Awards (2016-17) per 100 Undergraduate FTE (2013-14)	21.0	30.3	29.7	20.1	18.9	21.8
Outcome Measures (8-Year Completion, All Cohorts)	37%	42%	46%	32%	31%	47%
GRS150 Graduation Rate (Total Cohort)	30%	33%	39%	30%	24%	43%

	Utah Valley University	Weber State University	Arkansas Tech University	College of Staten Island CUNY	University of Alaska Anchorage	Western Kentucky University
GRS150 Graduation Rate (Bachelor's Cohort)	26%	33%	40%	48%	25%	51%
First-Year Full-time Retention Rate (GRS Cohort)	66%	65%	72%	76%	69%	70%
Student Characteristics						
Full-Time	50%	42%	58%	73%	46%	68%
Minority	19%	19%	21%	54%	39%	18%
Adult (25-64)	25%	27%	23%	23%	44%	21%
Received Pell	32%	23%	39%	46%	22%	31%
Tuition and Fees						
Published Tuition and Fees	\$5,652	\$5,712	\$7,104	\$7,090	\$6,690	\$10,202
Tuition and Fees 5-year Growth	18%	20%	34%	21%	17%	20%
Total Price for Resident Living Off Campus	\$15,986	\$20,364	\$24,572	\$27,602	\$27,591	\$23,015
Institutional Finance						
Core Expenses per FTE	\$11,306	\$12,138	\$13,250	\$18,809	\$26,277	\$21,319
Core Expenses for Instruction	46%	51%	39%	55%	44%	40%
Core Revenues per FTE	\$12,218	\$14,465	\$13,345	\$19,253	\$24,300	\$20,281
Core Revenue from Tuition and Fees	42%	34%	33%	20%	28%	42%
Core Revenue from Appropriations	33%	33%	30%	37%	45%	22%
Core Revenue from Gifts, Grants, and Contracts	20%	17%	33%	26%	19%	18%
Endowment Assets per FTE	\$1,133	\$7,705	\$3,728	\$735	\$4,912	\$945

Carnegie Baccalaureate/Associate's Colleges and Universities

(UVU included for comparison purposes)

	Utah Valley University	Dixie State University	Bellevue College	Palm Beach State College	South Texas College	St. Petersburg College
Institutional Characteristics						
State	UT	UT	WA	FL	TX	FL
Carnegie Classification	Master's Colleges & Universities: Small Programs	Baccalaureate/Associate's Colleges and Universities				
		Mixed Bach./Assc.	Associate's Dominant	Associate's Dominant	Associate's Dominant	Mixed Bach./Assc.
Fall Enrollment and Admissions						
Total Enrollment	37,282	9,673	13,322	30,052	31,321	29,548
Undergraduate Enrollment	36,868	9,673	13,322	30,052	31,321	29,548
Fall FTE	26,093	7,514	9,467	17,080	19,074	17,091
Annualized FTE	26,721	6,787	10,711	20,286	21,449	19,351
Admissions Rate	100%	100%	100%	100%	100%	100%
Awards						
Graduate Awards	2%	0%	0%	0%	0%	0%
Bachelor's Awards	59%	37%	5%	5%	5%	15%
Associate Awards	36%	48%	80%	58%	61%	65%
Undergraduate Certificate Awards	4%	15%	14%	37%	34%	19%
Completion and Retention						
Undergraduate Awards (2016-17) per 100 Undergraduate FTE (2013-14)	21.0	29.5	22.9	37.3	30.2	35.2
Outcome Measures (8-Year Completion, All Cohorts)	37%	41%	39%	39%	26%	36%
GRS150 Graduation Rate (Total Cohort)	30%	34%	24%	33%	15%	29%
GRS150 Graduation Rate (Bachelor's Cohort)	26%	20%	No 2011 Bachelor's Degree-Seeking Cohort			

	Utah Valley University	Dixie State University	Bellevue College	Palm Beach State College	South Texas College	St. Petersburg College
First-Year Full-time Retention Rate (GRS Cohort)	66%	56%	No Bach. Entering Cohort	No Bach. Entering Cohort	70%	No Bach. Entering Cohort
Student Characteristics						
Full-Time	50%	63%	51%	28%	34%	29%
Minority	19%	22%	47%	64%	98%	36%
Adult (25-64)	25%	17%	31%	30%	9%	47%
Received Pell	32%	37%	12%	37%	38%	39%
Tuition and Fees						
Published Tuition and Fees	\$5,652	\$5,080	\$3,699	\$2,444	\$4,020	\$3,352
Tuition and Fees 5-year Growth	18%	24%	-2%	3%	-33%	6%
Total Price for Resident Living Off Campus	\$15,986	\$20,736	\$18,249	\$16,244	\$12,448	\$19,539
Institutional Finance						
Core Expenses per FTE	\$11,306	\$14,621	\$10,420	\$8,876	\$8,531	\$11,051
Core Expenses for Instruction	46%	27%	52%	44%	47%	42%
Core Revenues per FTE	\$12,218	\$14,466	\$11,344	\$9,066	\$9,760	\$11,016
Core Revenue from Tuition and Fees	42%	39%	45%	21%	11%	19%
Core Revenue from Appropriations	33%	37%	28%	34%	53%	34%
Core Revenue from Gifts, Grants, and Contracts	20%	18%	22%	33%	35%	31%
Endowment Assets per FTE	\$1,133	\$2,249	\$597	\$924	\$16	\$1,392

Institutional Averages

	Utah Valley University	All Comparison Institutions Average	Master's Colleges & Universities Average	Baccalaureate/ Associate's Colleges Average
Fall Enrollment and Admissions				
Total Enrollment	37,282	20,328	17,873	22,783
Undergraduate Enrollment	36,868	19,693	16,602	22,783
Fall FTE	26,093	13,558	13,071	14,045
Annualized FTE	26,721	14,347	12,977	15,717
Admissions Rate	100%	97%	95%	100%
Awards				
Graduate Awards	2%	6%	12%	0%
Bachelor's Awards	59%	34%	54%	14%
Associate Awards	36%	44%	26%	62%
Undergraduate Certificate Awards	4%	16%	7%	24%
Completion and Retention				
Undergraduate Awards (2016-17) per 100 Undergraduate FTE (2013-14)	21.0	27.6	24.1	31.0
Outcome Measures (8-Year Completion, All Cohorts)	37%	38%	40%	36%
GRS150 Graduation Rate (Total Cohort)	30%	30%	34%	27%
GRS150 Graduation Rate (Bachelor's Cohort)	26%	36%	39%	N/A
First-Year Full-time Retention Rate (GRS Cohort)	66%	68%	70%	N/A
Student Characteristics				
Full-Time	50%	49%	57%	41%
Minority	19%	42%	30%	53%
Adult (25-64)	25%	27%	28%	27%
Received Pell	32%	32%	32%	33%
Tuition and Fees				
Published Tuition and Fees	\$5,652	\$5,539	\$7,360	\$3,719
Tuition and Fees 5-year Growth	18%	11%	22%	-1%

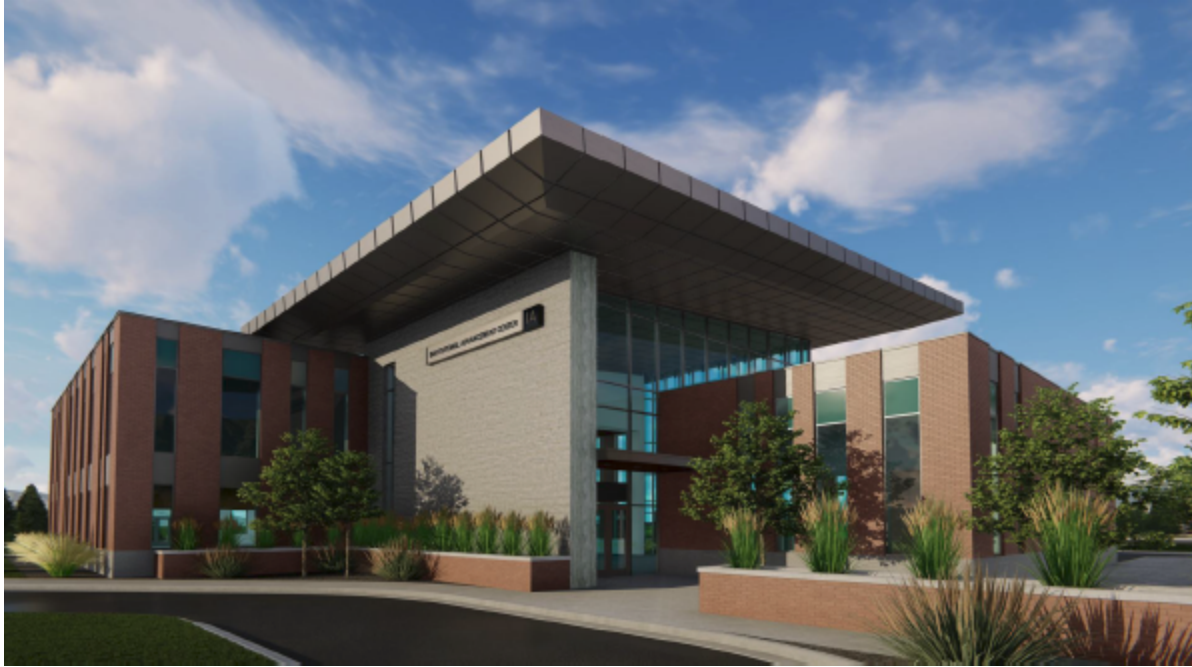
	Utah Valley University	All Comparison Institutions Average	Master's Colleges & Universities Average	Baccalaureate/ Associate's Colleges Average
Total Price for Resident Living Off Campus	\$15,986	\$21,036	\$24,629	\$17,443
Institutional Finance				
Core Expenses per FTE	\$11,306	\$14,529	\$18,359	\$10,700
Core Expenses for Instruction	46%	44%	46%	42%
Core Revenues per FTE	\$12,218	\$14,730	\$18,329	\$11,130
Core Revenue from Tuition and Fees	42%	29%	31%	27%
Core Revenue from Appropriations	33%	35%	33%	37%
Core Revenue from Gifts, Grants, and Contracts	20%	25%	23%	28%
Endowment Assets per FTE	\$1,133	\$2,320	\$3,605	\$1,036



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 24, 2019
TITLE:	Institutional Advancement Building
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Val Peterson, VP for Finance and Administration
SUBJECT:	Institutional Advancement Building Construction
BACKGROUND:	<p>The Board of Trustees is being asked to approve the construction of a new building which will house the Institutional Advancement division.</p> <p>For many years Institutional Advancement (IA) and its departments have been in different locations adjacent to campus. Currently the IA division resides in the old Murdock home at 600 West 1200 South and two other houses along 1200 South. The division has outgrown the available space.</p> <p>The new IA Center will provide the opportunity for the vice president and administrative staff, major gifts, advancement services, alumni relations, student alumni relations, communications, and events departments to be conveniently located in the same building. The new facility provides close proximity between departments and streamlines the collaboration process. As a new structure on campus, the IA Center will also serve as a reminder and an indication of the strength of the university and the commitment to student success both during and after their school experience.</p> <p>At this time, estimated cost is \$8 million. The building will be university funded for both construction and ongoing operations and maintenance. The proposed building is 20,000 square feet in size and will be located on 800 South just West of the Nellesen Autism Building. Two old houses will be razed to make room for this building.</p>

ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve finance and construction of the Institutional Advancement Center.” • Amend and approve, “I move to approve, as amended...” • No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	Estimated cost of \$8 million
EXHIBITS:	a. IA Center renderings

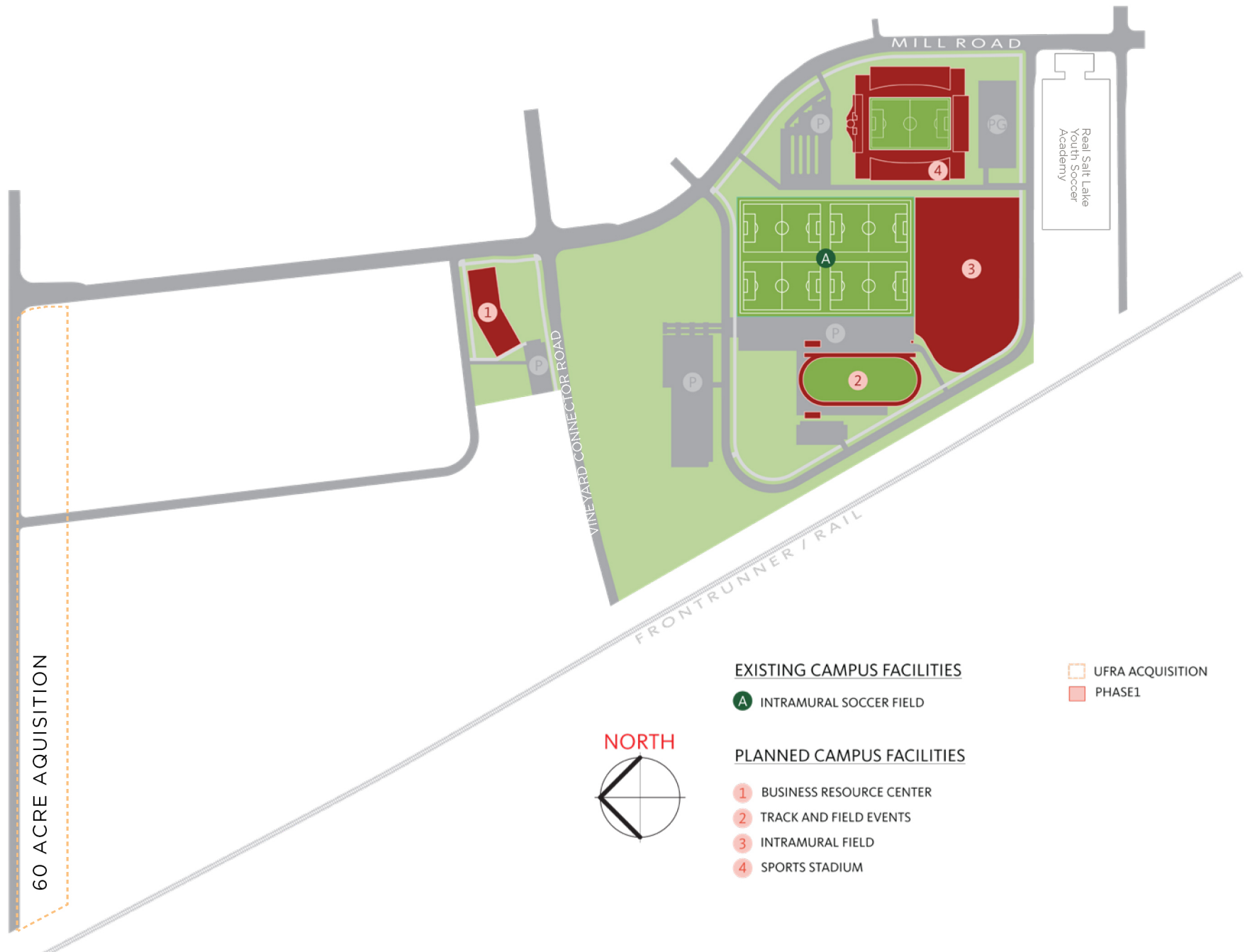




UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	October 24, 2019
TITLE:	Facilities Master Plan Update
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Val Peterson, VP for Finance and Administration
SUBJECT:	Facilities Master Plan Update
BACKGROUND:	<p>The Board of Trustees is being asked to approve an update to the previously approved Facilities Master Plan to reflect recent real estate purchases, building projects, and changes in affiliated agency priorities.</p> <p>Additions to the plan will include the newly proposed Institutional Advancement building and the recently purchased Theobald home.</p> <p>During our early planning of the Vineyard Campus, the Utah Fire and Rescue Academy (UFRA) planned to use space on the northern edge of our land holdings. They have now decided to remain on the Provo Airport Campus. The update to the Master Plan will remove the UFRA site designation.</p>
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, “I move to approve the revised Facilities Master Plan as presented.”• Amend and approve, “I move to approve, as amended...”• No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	Available upon request
EXHIBITS:	a. Orem Master Plan rendering b. Vineyard Master Plan rendering







**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	October 24, 2019
TITLE:	Consent Calendar
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Katie Zabriskie, Deputy Chief of Staff
SUBJECT:	Consent Calendar
BACKGROUND:	<p>The Board of Trustees is being asked to approve the Consent Calendar which contains the following items:</p> <ol style="list-style-type: none">1. Minutes of August 15, 20192. Minutes of September 19, 20193. July and August 2019 Investment Reports4. 2018-19 Auxiliary and Service Enterprise Report5. Institutional Discretionary Funds 2018-19 Actuals Report and 2019-20 Budget Revision 1
ALTERNATIVES:	<ul style="list-style-type: none">• Approve as presented, “I move to approve the consent calendar as presented.”• Amend and approve, “I move to approve, as amended...”• No action, “I move that we go to the next agenda item...”
FINANCIAL IMPACT:	N/A
EXHIBITS:	<ol style="list-style-type: none">a. Minutes of August 15, 2019b. Minutes of September 19, 2019c. July and August 2019 Investment Reportsd. 2018-19 Auxiliary and Service Enterprise Reporte. Institutional Discretionary Funds 2018-19 Actuals Report and 2019-20 Budget Revision 1

UVU BOARD OF TRUSTEES

August 15, 2019

4 p.m. – SC 213c, Utah Valley University

Board of Trustee Members Present

R. Duff Thompson, Chair
Karen Acerson
Taylor Bell
James Clarke, First Vice Chair
Elaine Dalton
Dru Huffaker
Rick Nielsen
Scott Smith
Paul Thompson
Jill Taylor, Second Vice Chair

UVU Attendees

Astrid S. Tuminez, President
Anne Arendt, Faculty Senate President
Karen Clemes, General Counsel
Scott Cooksey, Vice President, Development and Alumni
Nathan Gerber, PACE President
Justin Jones, Chief of Staff, Secretary to the Board
Linda Makin, Vice President, Planning, Budgets, and HR
Kyle Reyes, Vice President, Student Affairs
Wayne Vaught, Provost & Vice President, Academic Affairs
Stephen Whyte, AVP for University Relations
Katie Zabriskie, Executive Communication Officer

Guests

Wendy Athens
David Connelly
Elizabeth Hitch, Associate Commissioner USHE

Chair R. Duff Thompson welcomed those in attendance to the August 2019 Board of Trustee meeting and addressed matters of housekeeping.

I. INFORMATION

1. Oath of Office

The Oath of Office was administered to Scott Smith who joined the Board as its newest trustee. Time was given to Trustee Smith for a few words of introduction.

2. Chair's Report

Chair Thompson began by reviewing the updated composition of the Board of Trustee committees to reflect recent changes to the membership of the Board. Each chair spoke briefly on his/her respective committee. The Honorary Awards committee received the Board's nod to begin the award review process for the 2020 commencement ceremony.

Chair Thompson then moved to a review of the dates of importance. Of note were plans for the September 2019 retreat at Canyon Park, the Alumni Awards banquet at which former trustee Jack Sunderlage would be honored, the Presidential Lecture featuring Kim Scott, and the Scholarship Ball. The trustees discussed the various scholarship luncheons hosted in the spring and how trustees might attend in support in the absence of a university-wide scholarship luncheon.

II. ACTION

1. Requisitions

The Trustees were asked to approve the annual standing purchase orders which exceeded the \$1 million threshold. These included requests for payment to Verba for the resale of new textbooks, Apple for the resale of computers, and Rocky Mountain Power for electricity for campus. Trustee Karen Acerson motioned to approve the payment of \$1,900,000 to Verba; \$2,400,000 to Apple, and \$3,000,000 to Rocky Mountain Power. Trustee Rick Nielsen seconded. The motion carried without opposition.

The Trustees were then asked to approve a requisition to use donated funds to purchase turf to replace the grass on UVU's baseball field. The vendor would be determined through the RFP process and installation would begin in

2020. Trustee Acerson motioned to approve the requisition in the amount of \$1 million for the purchase of turf to replace the grass on UVU's baseball field. Trustee James Clarke seconded. The motion carried without opposition.

III. CONSENT CALENDAR

The Trustees were asked to review the Consent Calendar, which consisted of the minutes of June 18, 2019, and the April, May and June 2019 Investment Reports. Trustee Taylor Bell motioned to approve the Consent Calendar. Trustee Nielsen seconded. The motion carried without opposition.

IV. INFORMATION

1. Trustee Engaged Learning Award Update

As requested at the June 2019 meeting, VP Scott Cooksey provided the Trustees with a memorandum explaining the history and technicalities of the Trustee Engaged Learning Award and the applicants/projects to date. The memo also noted the future efforts that will take place to increase attention to the award and boost applicant submissions as well as possible fellowship designation and longitudinal efforts to maintain contact with past recipients.

2. Committee Update

At the request of Academic Affairs committee chair Trustee Paul Thompson, the Trustees were provided with a presentation on the efforts to date and future plans surrounding online learning. Of focus during the presentation were the need to provide learner-centered delivery of academic curricula through flexible modalities, the impact of mixed delivery methods on persistence and speed of degree attainment, the current relationship of UVU students and colleges/schools to online course delivery, the position of UVU in the national conversation/delivery of online courses and programs, and the manner in which online courses are developed and their success. The Trustees engaged in thoughtful conversation and questioning following the presentation and were in agreement about the need to aggressively and enthusiastically pursue flexible modalities and online learning.

3. President's Report

President Tuminez provided a report on the university since the June 2019 meeting. She began by discussing recent events on campus to begin the new semester and reviewed dates of importance in the coming months. She then moved into an update on efforts on campus that corresponded to the university's commitments to exceptional care, accountability, and results including the CARE initiative, employee survey, and recent student and faculty successes. Of note in the latter were the success of UVU's students at Skills USA and the regional endurance racing competition. President Tuminez then gave asked VP for Student Affairs Kyle Reyes to present the university's Vision 2030 initiative for meeting the educational needs of both its service region and the state of Utah over the next 10 years. This presentation included an overview of growth in the state and Utah County, a review of the integrated dual-mission educational model and its benefits, and the proposed areas of focus for the Vision 2030 initiative. It was emphasized that the Vision 2030 initiative is in DRAFT form and will continue to be refined in the coming months, with the final version being voted upon by the Trustees at a future meeting. The Trustees engaged in subsequent discussion of the criticism of UVU's dual mission, tuition for community college offerings, the value of a UVU education, subsidization of USHE institutions by the legislature, and national trends in success of transfers from community college to university. The Trustees indicated their excitement surrounding Vision 2030 and their desire to see the initiative fully enfolded.

Chair D. Thompson adjourned the meeting.

UVU BOARD OF TRUSTEES
September 19, 2019
2 p.m. – UVU Culinary Campus at Canyon Park

Board of Trustee Members Present

R. Duff Thompson, Chair
Karen Acerson
Taylor Bell
James Clarke, First Vice Chair
Elaine Dalton
Dru Huffaker
Rick Nielsen
Scott Smith
Paul Thompson
Jill Taylor, Second Vice Chair

Guests

Regent Nina Barnes
Braley Dodson, *Daily Herald*
Scott Trotter

UVU Attendees

Astrid S. Tuminez, President
Anne Arendt, Faculty Senate President
Karen Clemes, General Counsel
Scott Cooksey, Vice President, Development and Alumni
Nathan Gerber, PACE President
Justin Jones, Chief of Staff, Secretary to the Board
Linda Makin, Vice President, Planning, Budgets, and HR
Cameron Martin, VP for University Relations
Kyle Reyes, Vice President, Student Affairs
Belinda Okukolo Saltiban, CIDO
Wayne Vaught, Provost & Vice President, Academic Affairs
Katie Zabriskie, Executive Communication Officer

Chair R. Duff Thompson welcomed those in attendance to the September 2019 Board of Trustee Retreat and indicated that the first portion would be spent conducting a normal meeting. Chair R. Thompson then addressed matters of housekeeping.

I. ACTION

1. Requisitions

The Board of Trustees was asked to approve two requisitions corresponding to the change of benefits provider for the UVU healthcare plan to Regence Blue Cross Blue Shield (BCBS) and the change of UVU pharmacy benefits to Magellan Rx. Trustee Jill Taylor noted her need to abstain from the vote as she serves on the board of Regence BCBS. Trustee Paul Thompson motioned to approve the requisitions in the amount of \$2,000,000 to be paid to Regence BCBS of Utah and \$6,085,000 to be paid to MagellanRx Management Inc. Trustee Karen Acerson seconded. The motion carried without opposition.

II. EXECUTIVE SESSION

Trustee Taylor Bell motioned to enter Executive Session to strategically discuss character, professional competence, or physical or mental health of an individual, and litigation that is pending or reasonably imminent. Trustee Rick Nielsen seconded. The motion carried without opposition.

I. ACTION (Continued)

1. Donor Namings

Trustee James Clarke motioned to approve the namings of the following spaces as discussed in executive session with the recognition that these namings will be made public at a press conference scheduled for a later date in the near future: the athletes' preparation area in the Rebecca Lockart Arenal the Athletics Training Dome; the playing field at the UCCU Ballpark; and, the Science Building auditorium. Trustee Taylor seconded. The motion carried without opposition.

2. Ratification of Executive Committee Vote

Trustee Acerson motioned to approve the ratification of the Board of Trustee executive committee vote taken on September 5 concerning the naming of the new business building the Scott C. Keller Building. Trustee P. Thompson seconded. The motion carried without opposition.

Chair D. Thompson adjourned the business portion of the meeting.



**CASH AND INVESTMENT
REPORT
July 2019**

Monthly Composite Performance Review

UTAH VALLEY UNIVERSITY

July 2019



Account Activity

	Checking/Sweep	Investments	PTIF	Total University Cash and Investments
Beginning Balance	\$ 13,826,324	\$ 90,865,041	\$ 62,010,156	\$ 166,701,521
Interest/Earnings Credit	6,097	296,984	163,947	467,028
Acquisitions/Credits	-	-	26,154,754	26,154,754
Dispositions/Debits	(2,774,439)	-	(10,000,000)	(12,774,439)
Unrecognized Gain/Loss	-	(14,523)	-	(14,523)
Fees	(6,097)	-	-	(6,097)
Transfers *	-	(296,984)	(1,821,009)	(2,117,993)
Ending Balance	\$ 11,051,885	\$ 90,850,518	\$ 76,507,848	\$ 178,410,251

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

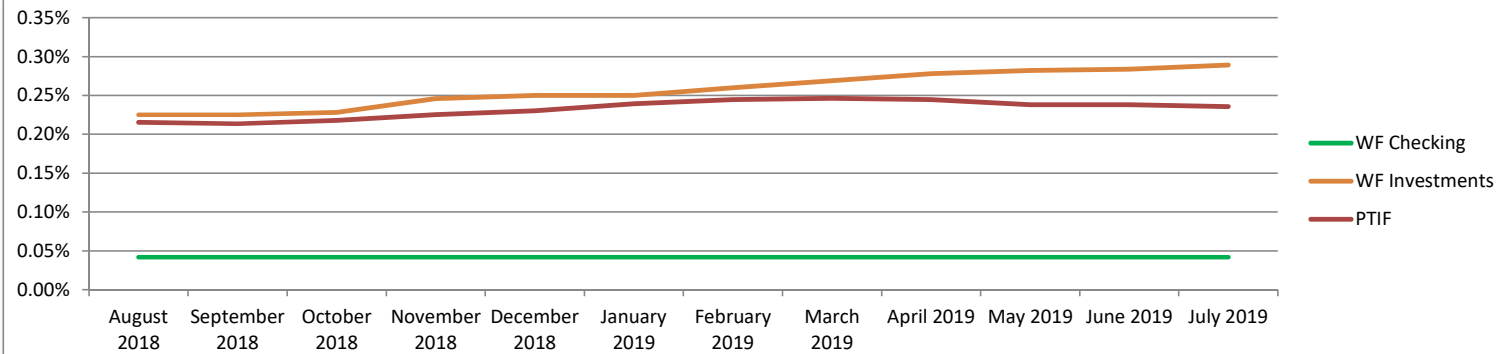
Past Twelve Months of Activity

\$ 144,860,029
5,177,149
241,786,144
(213,219,431)
(117,858)
(72,423)
(3,359)
\$ 178,410,251

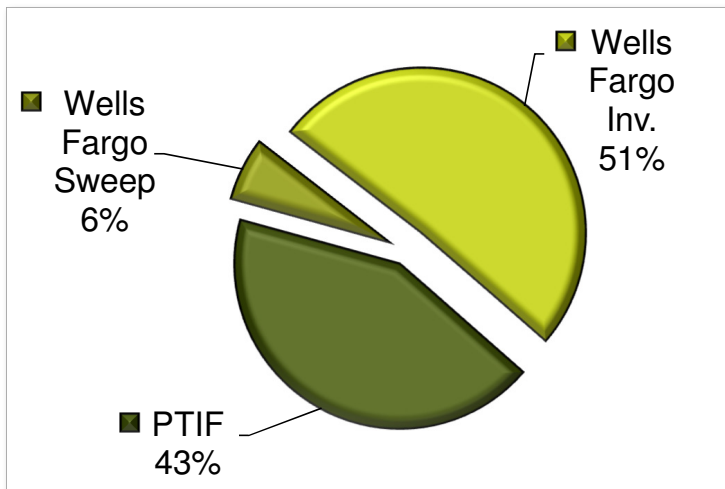
3.44%
12 Month Return

Performance Returns

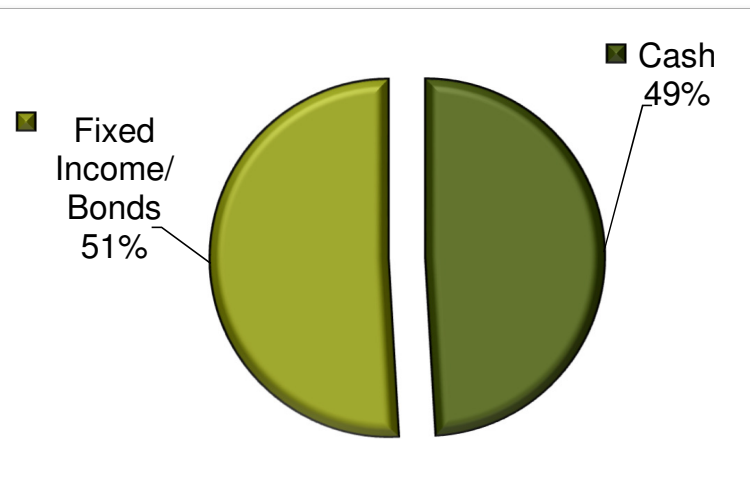
	Wells Fargo Checking/Sweep	Wells Fargo Investments	PTIF
August 2018	0.04%	0.23%	0.22%
September 2018	0.04%	0.23%	0.21%
October 2018	0.04%	0.23%	0.22%
November 2018	0.04%	0.25%	0.23%
December 2018	0.04%	0.25%	0.23%
January 2019	0.04%	0.25%	0.24%
February 2019	0.04%	0.26%	0.24%
March 2019	0.04%	0.27%	0.25%
April 2019	0.04%	0.28%	0.24%
May 2019	0.04%	0.28%	0.24%
June 2019	0.04%	0.28%	0.24%
July 2019	0.04%	0.29%	0.24%
Monthly Average	0.04%	0.26%	0.23%
12 Month Return	0.50%	3.09%	2.79%



UVU Cash and Investments as a Percent of Total



UVU Cash and Investments Investments by Type



Monthly Composite Performance Review

UVU Foundation

July 2019



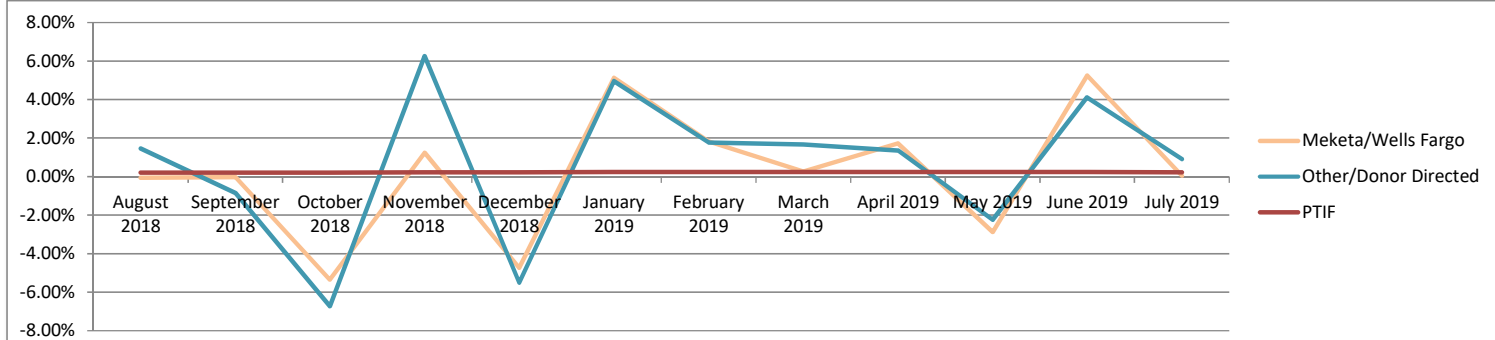
Account Activity

	Unrestricted	Temporarily Restricted	Permanently Restricted - Endowments	Total Foundation Investments	Past Twelve Months of Activity	Notes Due From University ^
Beginning Market Value	\$ 2,854,264	\$ 40,988,943	\$ 30,642,759	\$ 74,485,966	\$ 76,972,651	Beginning Balance \$ 7,319,458
Interest	2,622	79,077	732	82,431	1,180,641	Additional Notes -
Acquisitions	-	207,976	4,396,619	4,604,595	55,234,744	Principal Received -
Dispositions	-	(1,245,458)	(3,361,436)	(4,606,894)	(55,297,121)	Ending Balance \$ 7,319,458
Gain/Loss Rec & Unrec	-	5,918	22,997	28,915	1,408,212	Interest Received \$ -
Fees	-	(442)	(3,732)	(4,174)	(60,312)	Rate 5.5%
Transfers *	(131,603)	2,471,971	(519,359)	1,821,009	(3,026,967)	^ Fiscal Year Activity
Ending Market Value	\$ 2,725,283	\$ 42,507,985	\$ 31,178,580	\$ 76,411,848	\$ 76,411,848	
Monthly Return	0.09%	0.21%	0.07%	0.14%		
12 Month Return	1.49%	2.31%	5.07%		3.28%	

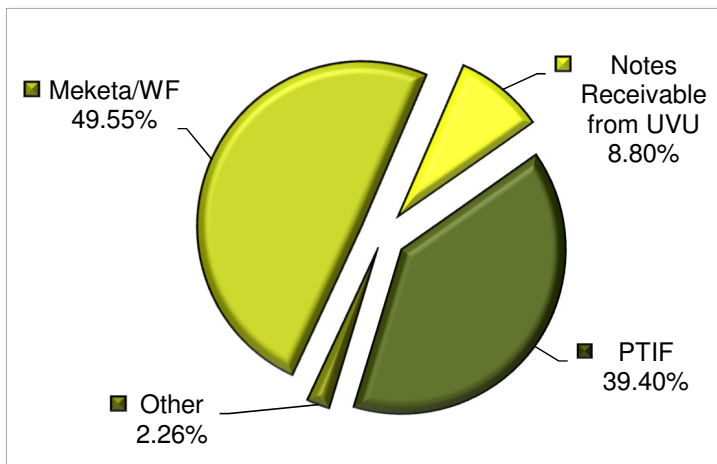
* Transfers consist of activity between money market accounts and other investment accounts as well as activity between the University and the Foundation.

Performance Returns

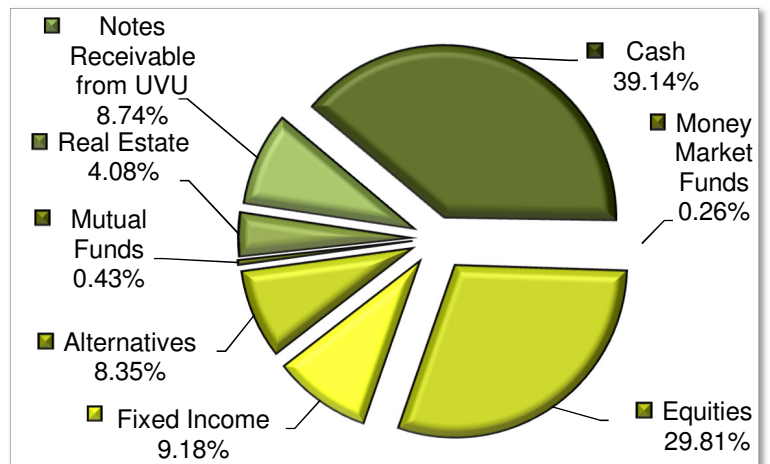
	Meketa/ Wells Fargo	Other - Donor Directed	PTIF
August 2018	-0.05%	1.46%	0.22%
September 2018	-0.02%	-0.85%	0.21%
October 2018	-5.35%	-6.73%	0.22%
November 2018	1.24%	6.26%	0.23%
December 2018	-4.74%	-5.49%	0.23%
January 2019	5.12%	4.96%	0.24%
February 2019	1.82%	1.77%	0.24%
March 2019	0.26%	1.67%	0.25%
April 2019	1.72%	1.36%	0.24%
May 2019	-2.88%	-2.25%	0.24%
June 2019	5.25%	4.11%	0.24%
July 2019	0.05%	0.91%	0.24%
Monthly Average	0.20%	0.60%	0.23%
12 Month Return	2.20%	7.17%	2.79%



UVU Foundation Investments
as a Percent of Total



UVU Foundation
Investments by Type



Utah Valley University

Investments and Investment Earnings

From 7/1/19 to 7/31/19

Description	Coupon	Settlement Date	Maturity Date	Principal	Premium (Discount)	Accrued Interest	Net Amount	Par	Total Interest Received To Date	Less Accrued Interest	Interest Earnings
BK of Communications/HK	3.40%	5/15/2017	8/16/2019	3,017,220.00	17,220.00	14,023.75	3,031,243.75	3,000,000.00	-	-	-
China Development Bank	3.02%	7/28/2017	3/6/2020	1,000,662.47	662.47	2,560.28	1,003,222.75	1,000,000.00	-	-	-
Goldman Sachs Group Inc SRNT	3.75%	2/23/2018	4/23/2020	5,783,361.78	100,361.78	14,213.59	5,797,575.37	5,683,000.00	53,891.65	-	53,891.65
UBS AG Stamford CT	3.37%	9/29/2017	6/1/2020	3,038,334.36	38,334.36	5,054.26	3,043,388.62	3,000,000.00	-	-	-
Morgan Stanley	3.39%	6/16/2017	6/16/2020	3,544,030.00	44,030.00	-	3,544,030.00	3,500,000.00	-	-	-
National Bank of Canada	3.00%	8/24/2017	6/12/2020	4,024,000.00	24,000.00	14,503.56	4,038,503.56	4,000,000.00	-	-	-
National Bank of Canada	3.00%	8/24/2017	6/12/2020	1,006,000.00	6,000.00	3,625.89	1,009,625.89	1,000,000.00	-	-	-
Bank of Montreal	2.85%	1/9/2018	6/15/2020	1,507,200.00	7,200.00	2,113.01	1,509,313.01	1,500,000.00	-	-	-
Wells Fargo	3.47%	8/21/2017	7/22/2020	5,083,300.00	83,300.00	8,526.39	5,091,826.39	5,000,000.00	43,393.75	-	43,393.75
Canadian Imperial Bank	2.91%	3/9/2018	10/5/2020	2,507,925.00	7,925.00	8,775.94	2,516,700.94	2,500,000.00	18,375.37	-	18,375.37
JPMorgan Chase & Co.	3.79%	1/16/2018	10/29/2020	3,076,110.00	76,110.00	16,789.24	3,092,899.24	3,000,000.00	28,720.97	-	28,720.97
American Express Co	2.91%	1/24/2018	10/30/2020	3,001,500.00	1,500.00	12,240.38	3,013,740.38	3,000,000.00	22,088.36	-	22,088.36
Canadian Imperial Bank	2.89%	2/12/2018	2/2/2021	3,006,600.00	6,600.00	12,240.38	3,018,840.38	3,000,000.00	-	-	-
Wells Fargo	3.84%	5/2/2018	3/4/2021	3,590,463.24	90,463.24	18,972.44	3,609,435.68	3,500,000.00	-	-	-
HSBC HOLDINGS PLC	4.69%	3/16/2018	3/8/2021	8,547,201.00	447,201.00	7,717.10	8,554,918.10	8,100,000.00	-	-	-
Toronto Dominion Bank	3.59%	4/10/2018	4/7/2021	3,067,953.00	67,953.00	277.55	3,068,230.55	3,000,000.00	27,213.78	-	27,213.78
Bank of Nova Scotia	3.03%	4/30/2018	4/20/2021	5,015,250.00	15,250.00	3,887.03	5,019,137.03	5,000,000.00	38,183.73	-	38,183.73
Morgan Stanley	3.99%	4/30/2018	4/21/2021	5,143,600.00	143,600.00	3,657.07	5,147,257.07	5,000,000.00	50,448.13	-	50,448.13
Santander UK PLC	3.14%	6/6/2018	6/1/2021	1,502,280.00	2,280.00	608.40	1,502,888.40	1,500,000.00	-	-	-
Mitsubishi UFJ FIN GRP	3.24%	8/10/2018	7/26/2021	1,803,030.04	10,030.04	2,229.95	1,805,259.99	1,793,000.00	14,668.26	-	14,668.26
Citigroup Inc	3.77%	8/8/2018	8/2/2021	8,670,000.00	170,000.00	5,012.96	8,675,012.96	8,500,000.00	-	-	-
Goldman Sachs Group Inc SRNT	3.69%	11/29/2018	11/15/2021	2,020,000.00	20,000.00	2,944.77	2,022,944.77	2,000,000.00	-	-	-
Santander UK PLC	3.18%	1/9/2019	11/15/2021	2,488,307.50	(11,692.50)	12,513.00	2,500,820.50	2,500,000.00	-	-	-
MIZUHO Financial Group	3.46%	2/28/2019	2/28/2022	2,016,000.00	16,000.00	-	2,016,000.00	2,000,000.00	-	-	-
Barclays Bank	3.04%	6/21/2019	6/21/2022	5,000,000.00	-	-	5,000,000.00	5,000,000.00	-	-	-
FHLB	1.75%	8/30/2017	8/23/2022	3,000,000.00	-	-	3,000,000.00	3,000,000.00	-	-	-
				91,460,328.39			91,632,815.33	90,076,000.00	296,984.00	-	296,984.00
			Matured/Sold								
			Total	91,460,328.39			91,632,815.33	90,076,000.00			



**CASH AND INVESTMENT
REPORT
August 2019**

Monthly Composite Performance Review

UTAH VALLEY UNIVERSITY

August 2019

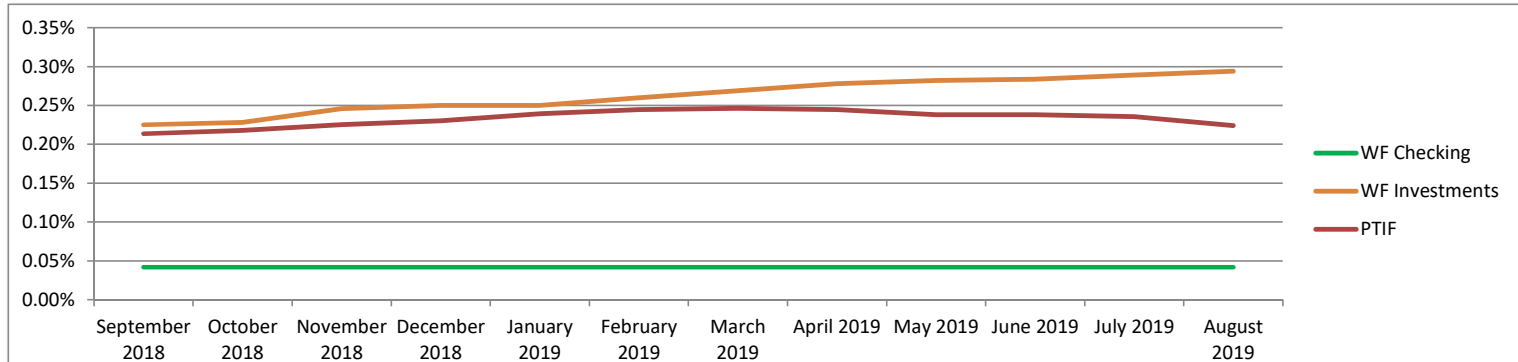


Account Activity	Checking/Sweep	p	Investments	PTIF	Total University Cash and Investments	Past Twelve Months of Activity
Beginning Balance	\$ 11,051,885	\$ 90,850,518	\$ 76,507,848	\$ 178,410,251		\$ 177,525,004
Interest/Earnings Credit	11,647		213,245	192,628	417,520	5,412,455
Acquisitions/Credits	679,154		-	49,833,469	50,512,623	241,582,099
Dispositions/Debits	-		(3,000,000)	(10,000,000)	(13,000,000)	(206,469,431)
Unrecognized Gain/Loss	-		(65,489)	-	(65,489)	(311,886)
Fees	(11,647)		-	-	(11,647)	(74,435)
Transfers *	-		(213,245)	1,734,548	1,521,303	120,755
Ending Balance	\$ 11,731,039	\$ 87,785,029	\$ 118,268,493	\$ 217,784,561		\$ 217,784,561

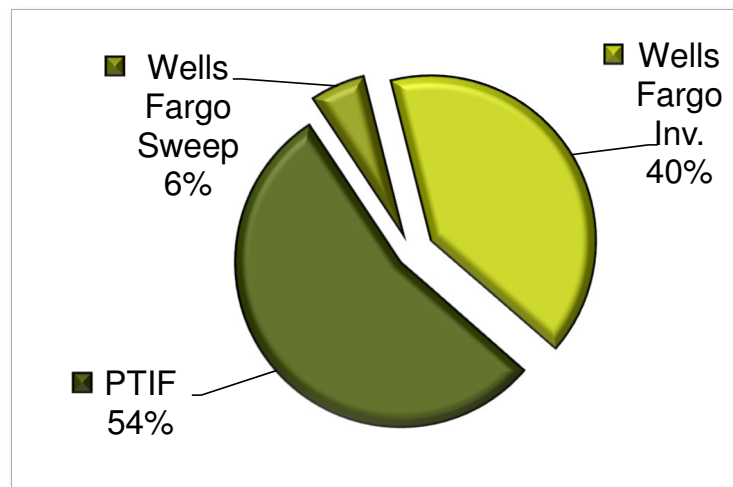
* Transfers consist of activity between UVU and the Foundation and interest transferred to UVU.

2.83%
12 Month Return

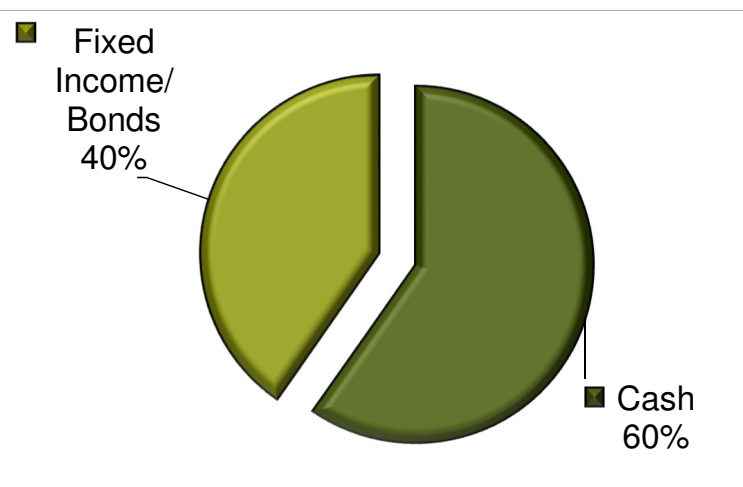
Performance Returns	Wells Fargo Checking/Sweep	Wells Fargo Investments	PTIF
September 2018	0.04%	0.23%	0.21%
October 2018	0.04%	0.23%	0.22%
November 2018	0.04%	0.25%	0.23%
December 2018	0.04%	0.25%	0.23%
January 2019	0.04%	0.25%	0.24%
February 2019	0.04%	0.26%	0.24%
March 2019	0.04%	0.27%	0.25%
April 2019	0.04%	0.28%	0.24%
May 2019	0.04%	0.28%	0.24%
June 2019	0.04%	0.28%	0.24%
July 2019	0.04%	0.29%	0.24%
August 2019	0.04%	0.29%	0.22%
Monthly Average	0.04%	0.26%	0.23%
12 Month Return	0.50%	3.16%	2.80%



UVU Cash and Investments
as a Percent of Total



UVU Cash and Investments
Investments by Type



Monthly Composite Performance Review

UVU Foundation

August 2019



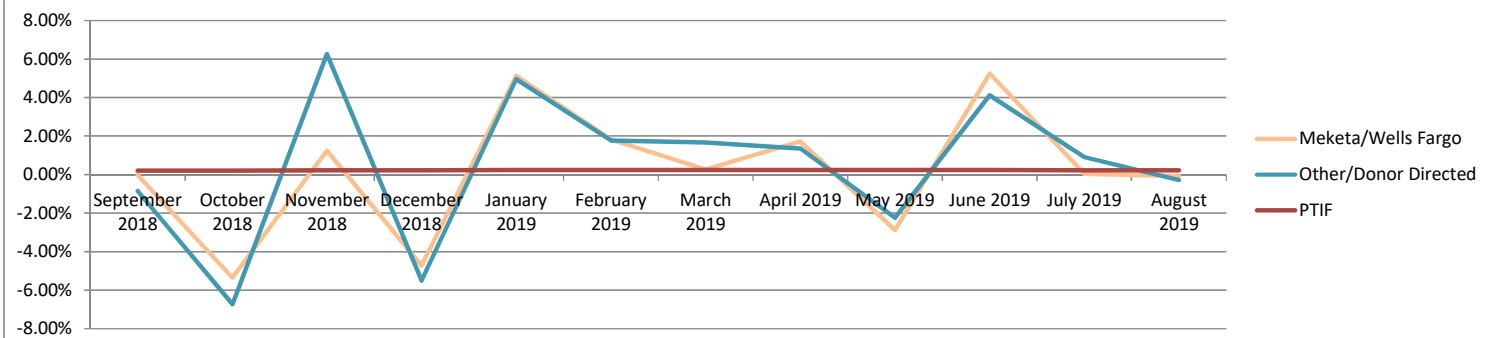
Account Activity

	Unrestricted	Temporarily Restricted	Permanently Restricted - Endowments	Total Foundation Investments	Past Twelve Months of Activity	Notes Due From University ^
Beginning Market Value	\$ 2,725,283	\$ 42,507,985	\$ 31,178,580	\$ 76,411,848	\$ 75,705,335	Beginning Balance \$ 7,319,458
Interest	2,178	82,440	39,927	124,545	1,206,977	Additional Notes -
Acquisitions	-	121,177	554,802	675,979	54,825,061	Principal Received -
Dispositions	-	(123,587)	(833,738)	(957,325)	(55,168,784)	Ending Balance \$ 7,319,458
Gain/Loss Rec & Unrec	-	(39,912)	(20,510)	(60,422)	1,226,543	Interest Received \$ -
Fees	-	(921)	(10,369)	(11,290)	(53,372)	Rate 5.5%
Transfers *	(2,178)	(2,002,258)	269,888	(1,734,548)	(3,292,973)	^ Fiscal Year Activity
Ending Market Value	\$ 2,725,283	\$ 40,544,924	\$ 31,178,580	\$ 74,448,787	\$ 74,448,787	
Monthly Return	0.08%	0.10%	0.03%	0.07%		
12 Month Return	1.50%	2.26%	4.72%		3.14%	

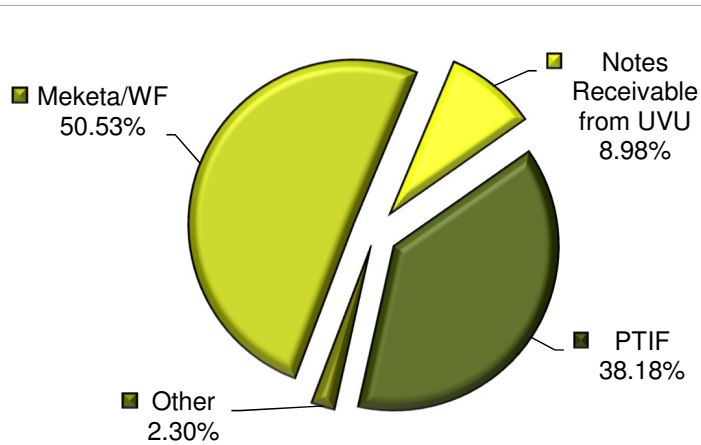
* Transfers consist of activity between money market accounts and other investment accounts as well as activity between the University and the Foundation.

Performance Returns

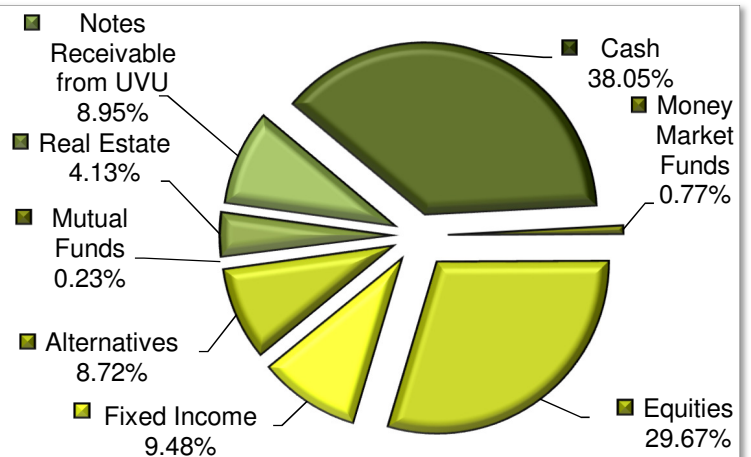
	Meketa/ Wells Fargo	Other - Donor Directed	PTIF
September 2018	-0.02%	-0.85%	0.21%
October 2018	-5.35%	-6.73%	0.22%
November 2018	1.24%	6.26%	0.23%
December 2018	-4.74%	-5.49%	0.23%
January 2019	5.12%	4.96%	0.24%
February 2019	1.82%	1.77%	0.24%
March 2019	0.26%	1.67%	0.25%
April 2019	1.72%	1.36%	0.24%
May 2019	-2.88%	-2.25%	0.24%
June 2019	5.25%	4.11%	0.24%
July 2019	0.05%	0.91%	0.24%
August 2019	-0.07%	-0.29%	0.22%
Monthly Average	0.20%	0.45%	0.23%
12 Month Return	2.18%	5.41%	2.80%



UVU Foundation Investments
as a Percent of Total



UVU Foundation
Investments by Type



Utah Valley University

Investments and Investment Earnings

From 7/1/19 to 8/31/19

Description	Coupon	Settlement Date	Maturity Date	Principal	Premium (Discount)	Accrued Interest	Net Amount	Par	Total Interest Received To Date	Less Accrued Interest	Interest Earnings
BK of Communications/HK	3.40%	5/15/2017	8/16/2019	3,017,220.00	17,220.00	14,023.75	3,031,243.75	3,000,000.00	26,062.83	-	26,062.83
China Development Bank	3.02%	7/28/2017	3/6/2020	1,000,662.47	662.47	2,560.28	1,003,222.75	1,000,000.00	-	-	-
Goldman Sachs Group Inc SRNT	3.75%	2/23/2018	4/23/2020	5,783,361.78	100,361.78	14,213.59	5,797,575.37	5,683,000.00	53,891.65	-	53,891.65
UBS AG Stamford CT	3.37%	9/29/2017	6/1/2020	3,038,334.36	38,334.36	5,054.26	3,043,388.62	3,000,000.00	-	-	-
Morgan Stanley	3.39%	6/16/2017	6/16/2020	3,544,030.00	44,030.00	-	3,544,030.00	3,500,000.00	-	-	-
National Bank of Canada	3.00%	8/24/2017	6/12/2020	4,024,000.00	24,000.00	14,503.56	4,038,503.56	4,000,000.00	-	-	-
National Bank of Canada	3.00%	8/24/2017	6/12/2020	1,006,000.00	6,000.00	3,625.89	1,009,625.89	1,000,000.00	-	-	-
Bank of Montreal	2.85%	1/9/2018	6/15/2020	1,507,200.00	7,200.00	2,113.01	1,509,313.01	1,500,000.00	-	-	-
Wells Fargo	3.47%	8/21/2017	7/22/2020	5,083,300.00	83,300.00	8,526.39	5,091,826.39	5,000,000.00	43,393.75	-	43,393.75
Canadian Imperial Bank	2.91%	3/9/2018	10/5/2020	2,507,925.00	7,925.00	8,775.94	2,516,700.94	2,500,000.00	18,375.37	-	18,375.37
JPMorgan Chase & Co.	3.79%	1/16/2018	10/29/2020	3,076,110.00	76,110.00	16,789.24	3,092,899.24	3,000,000.00	28,720.97	-	28,720.97
American Express Co	2.91%	1/24/2018	10/30/2020	3,001,500.00	1,500.00	12,240.38	3,013,740.38	3,000,000.00	22,088.36	-	22,088.36
Canadian Imperial Bank	2.89%	2/12/2018	2/2/2021	3,006,600.00	6,600.00	12,240.38	3,018,840.38	3,000,000.00	22,161.50	-	22,161.50
Wells Fargo	3.84%	5/2/2018	3/4/2021	3,590,463.24	90,463.24	18,972.44	3,609,435.68	3,500,000.00	-	-	-
HSBC HOLDINGS PLC	4.69%	3/16/2018	3/8/2021	8,547,201.00	447,201.00	7,717.10	8,554,918.10	8,100,000.00	-	-	-
Toronto Dominion Bank	3.59%	4/10/2018	4/7/2021	3,067,953.00	67,953.00	277.55	3,068,230.55	3,000,000.00	27,213.78	-	27,213.78
Bank of Nova Scotia	3.03%	4/30/2018	4/20/2021	5,015,250.00	15,250.00	3,887.03	5,019,137.03	5,000,000.00	38,314.79	-	38,314.79
Morgan Stanley	3.99%	4/30/2018	4/21/2021	5,143,600.00	143,600.00	3,657.07	5,147,257.07	5,000,000.00	50,448.13	-	50,448.13
Santander UK PLC	3.14%	6/6/2018	6/1/2021	1,502,280.00	2,280.00	608.40	1,502,888.40	1,500,000.00	-	-	-
Mitsubishi UFJ FIN GRP	3.24%	8/10/2018	7/26/2021	1,803,030.04	10,030.04	2,229.95	1,805,259.99	1,793,000.00	14,668.26	-	14,668.26
Citigroup Inc	3.77%	8/8/2018	8/2/2021	8,670,000.00	170,000.00	5,012.96	8,675,012.96	8,500,000.00	81,797.85	-	81,797.85
Goldman Sachs Group Inc SRNT	3.69%	11/29/2018	11/15/2021	2,020,000.00	20,000.00	2,944.77	2,022,944.77	2,000,000.00	18,849.78	-	18,849.78
Santander UK PLC	3.18%	1/9/2019	11/15/2021	2,488,307.50	(11,692.50)	12,513.00	2,500,820.50	2,500,000.00	20,303.89	-	20,303.89
MIZUHO Financial Group	3.46%	2/28/2019	2/28/2022	2,016,000.00	16,000.00	-	2,016,000.00	2,000,000.00	17,687.66	-	17,687.66
Barclays Bank	3.04%	6/21/2019	6/21/2022	5,000,000.00	-	-	5,000,000.00	5,000,000.00	-	-	-
FHLB	1.75%	8/30/2017	8/23/2022	3,000,000.00	-	-	3,000,000.00	3,000,000.00	26,250.00	-	26,250.00
				91,460,328.39			91,632,815.33	90,076,000.00	510,228.57	-	510,228.57
			Matured/Sold	(3,017,220.00)			(3,031,243.75)	(3,000,000.00)			
			Total	88,443,108.39			88,601,571.58	87,076,000.00			



2018-19 AUXILIARY REPORT

October 2019

	2018-19 Revenue	2018-19 Expenditures	2018-19 Net Income(Loss)	2018-19 Transfers In/Out to Plant Fund		2018-19 Beginning Balance	2018-19 Year-End Balance
Student Center	\$2,136,518	\$2,132,053	\$4,465	(\$4,465)		\$558,620	\$558,620
Student Life and Wellness	\$3,239,065	\$2,628,146	\$610,919	(\$610,919)		\$100,874	\$100,874
Food Service	\$3,843,823	\$3,421,968	\$421,855	(\$421,855)		\$30,234	\$30,234
Bookstore	\$9,497,419	\$9,540,595	(\$43,176)	\$43,176		\$2,365,868	\$2,365,868
TOTAL	\$18,716,825	\$17,722,762	\$994,063	(\$994,063)		\$3,055,596	\$4,049,659



2018-19 SERVICE ENTERPRISE REPORT

October 2019

	2018-19 Revenue	2018-19 Transfers In/Out	2018-19 Expenditures	2018-19 Net Income(Loss)		2018-19 Beginning Balance	2018-19 Year-End Balance
Printing Services	\$979,051	\$0	\$1,077,458	(\$98,407)		\$328,090	\$229,683
Fleet Operations	\$203,054	\$0	\$276,311	(\$73,257)		\$169,261	\$96,004
Stores and Receiving	\$56,667	\$0	\$55,980	\$687		\$31,446	\$32,133
Mail Services	\$317,922	\$0	\$332,917	(\$14,995)		\$42,576	\$27,581
Academic Computing	\$1,589,789	\$0	\$1,415,433	\$174,356		\$887,556	\$1,061,912
Parking Services	\$2,636,552	(\$612,792)	\$880,936	\$1,142,824		\$2,697,400	\$3,840,224
Lockers	\$614	\$0	\$20	\$594		\$4,180	\$4,774
Police	\$123,645	\$0	\$116,283	\$7,362		\$39,400	\$46,762
Telephone Services	\$220,597	\$0	\$232,515	(\$11,918)		\$11,396	(\$522)
TOTAL	\$6,127,891	(\$612,792)	\$4,387,853	\$1,127,246		\$4,211,305	\$5,338,551



Institutional Discretionary Funds
2018-19 Actual and 2019-20 Budget Revised
 October 24, 2019

Institutional Investment Income

	2018-19	
	Revised Revenue	Actual Revenue
Revenue		
Investment Revenue From Prior Year	\$2,600,000	\$2,966,932
Carry forward from Prior Year	\$135,006	\$1,502,250
Available Revenue	\$2,735,006	\$4,469,182

2019-20		
Initial Budget	Revision	Revised Budget
\$4,000,000	\$719,556	\$4,719,556
\$544,282	\$2,702,948	\$3,247,230
\$4,544,282	\$3,422,504	\$7,966,786

	2018-19	
	Revised Budget	Actual Expenditures
Expenditure Category/Project		
Scholarships, Fellowships and Student Aid		
International Student Scholarships	\$147,739	\$147,800
Scholarship (President/Land)	\$15,000	\$5,071
Wolverine Ambassador Scholarship		
CAL Lead Housing	\$215,400	\$208,100
Honors Housing	\$293,760	\$299,505
International Studies Student Aid	\$20,000	\$20,000
Internships	\$42,000	\$42,000
Fund Raising and Institutional Development		
Federal Funding Development	\$45,000	\$21,600
Institutional Advancement Support	\$142,251	\$122,360
Institutional Advancement Events	\$130,000	\$130,000
Enrichment of Institutional Cultural Programs		
Cultural Envoy Summer Bridge	\$15,000	\$7,557
Campus Development/Capital Facilities		
Geneva Property	\$2,600,000	\$0
Other Education and General Operating Support		
Student Marketing (Recruitment)	\$80,250	\$75,381
Out Of State Recruiting	\$30,000	\$27,078
International Fair	\$16,500	\$16,500
University Campaign	\$132,000	\$99,000
Contingency	\$544,282	\$0
TOTAL	\$4,469,182	\$1,221,952

2019-20		
Initial Budget	Revision	Revised Budget
\$150,251		\$150,251
\$15,000		\$15,000
\$26,000		\$26,000
\$215,400	\$7,300	\$222,700
\$352,275		\$352,275
\$20,000		\$20,000
\$42,000		\$42,000
		\$0
\$45,000		\$45,000
\$142,251		\$142,251
\$130,000		\$130,000
		\$0
\$0		\$0
\$0		\$0
\$1,300,000	\$3,300,000	\$4,600,000
		\$0
\$80,000		\$80,000
\$30,000		\$30,000
\$16,500		\$16,500
\$0	\$33,000	\$33,000
\$1,979,605	\$82,204	\$2,061,809
\$4,544,282	\$3,422,504	\$7,966,786

Unrestricted Gifts

	2018-19	
	Revised Revenue	Actual Revenue
Revenue		
Carry forward from Prior Year	\$118,002	\$118,002
Projected new revenue	\$11,000	\$11,000
Available Revenue	\$129,002	\$129,002

2019-20		
Initial Budget	Revision	Revised Budget
\$97,781	-\$49,172	\$48,609
\$11,000		\$11,000
\$108,781	-\$49,172	\$59,609

	2018-19	
	Revised Budget	Actual Expenditures
Expenditure Category		
Fund Raising and Institutional Development		
Presidential Impact	\$78,539	\$62,892
Community Outreach	\$50,463	\$17,502
Total Expenditures	\$129,002	\$80,394

2019-20		
Initial Budget	Revision	Revised Budget
\$62,852	-\$47,205	\$15,647
\$45,929	-\$1,967	\$43,962
\$108,781	-\$49,172	\$59,609