

Utah Valley University Board of Trustees Meeting

March 25, 2020

8:00am Conference Call: 801-863-4321

Tab	Agenda	Notes
	<p data-bbox="191 331 342 359"><u>I. Information</u></p> <ol data-bbox="250 394 902 573" style="list-style-type: none"><li data-bbox="250 394 789 453">1. University Update, <i>Astrid S. Tuminez, President</i><ol data-bbox="285 422 537 453" style="list-style-type: none"><li data-bbox="285 422 537 453">a. COVID-19 Response<li data-bbox="250 485 902 573">2. Committee Reports<ol data-bbox="285 516 902 573" style="list-style-type: none"><li data-bbox="285 516 873 548">a. Academic Affairs Committee, <i>Chair Paul Thompson</i><li data-bbox="285 548 902 573">b. Finance and Facilities Committee, <i>Chair Jill Thompson</i> <p data-bbox="191 604 297 632"><u>II. Action</u></p> <p data-bbox="123 667 992 726"><u>A.</u> 1. Ratification of Executive Committee Vote of March 14, 2020, <i>Linda Makin, VP for PBHR</i></p> <p data-bbox="123 758 1045 936"><u>B.</u> 2. Policies<ol data-bbox="285 789 1045 936" style="list-style-type: none"><li data-bbox="285 789 1016 821">a. Policy 101 Policy Governing Policies, <i>Linda Makin, VP for PBHR</i><li data-bbox="285 821 1045 879">b. Extension of Current Temporary Emergency Policies by Six Months, <i>Linda Makin, VP for PBHR</i><li data-bbox="285 879 992 936">c. Policy 161 Freedom of Speech, <i>Clark Collings, Interim General Counsel</i></p> <p data-bbox="191 972 1013 1094"><u>III. 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 data-bbox="191 1125 431 1152"><u>II. Action (Continued)</u></p> <ol data-bbox="237 1184 1052 1272" style="list-style-type: none"><li data-bbox="237 1184 1052 1215">3. Rank Advancement, <i>Wayne Vaught, Provost and VP for Academic Affairs</i><li data-bbox="237 1247 919 1272">4. Tenure, <i>Wayne Vaught, Provost and VP for Academic Affairs</i> <p data-bbox="123 1308 423 1335"><u>C.</u> <u>IV. Consent Calendar</u></p> <ol data-bbox="237 1367 626 1430" style="list-style-type: none"><li data-bbox="237 1367 586 1398">1. Minutes of February 26, 2020<li data-bbox="237 1398 626 1430">2. January 2020 Investment Reports	



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	March 22, 2020
TITLE:	Board of Trustees Executive Committee Action Ratification
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Linda Makin, Vice President, Planning, Budget & Human Resources
SUBJECT:	2020-21 Tuition and General Student Fees
BACKGROUND:	<p>The Executive Committee of the Board of Trustees requests ratification of Executive Committee action taken on March 12, 2020, regarding 2020-21 tuition and general student fees. These tuition and general student fee recommendations will be presented to the Board of Regents for action on March 26, 2020.</p> <ul style="list-style-type: none"> A. Approval of 2020-21 General Student Fees B. Approval of 2020-21 undergraduate tuition increase of 1.38 percent and graduate tuition increases of 1.3 to 1.5 percent (varies slightly by program) C. Request for exception to Board of Regents policy to allow UVU’s annual tuition and general student fee increases to become effective with Fall semester rather than Summer semester.
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to ratify the UVU Board of Trustees Executive Committee actions of March 12, 2020, regarding 2020-21 tuition and general student fees. • Amend and approve, “I move to approve, as amended.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	March 22, 2020
TITLE:	UVU Policy 101 <i>Policy Governing Policies</i> (Temporary Emergency)
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Linda Makin
SUBJECT:	UVU Policy 101 <i>Policy Governing Policies</i> (Temporary Emergency)
BACKGROUND:	In extraordinary circumstances in which university governance cannot be conducted or proceed practically, the Board of Trustees may need to extend the duration of established temporary emergency policies and President’s Council may need to pause the Regular policy process timeline. Therefore, this policy contains two limited scope additions to address this.
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve UVU Policy 101 <i>Policy Governing Policies</i> for entrance into the UVU Policy Manual.” • Amend and approve, “I move to approve, as amended, UVU Policy 101 <i>Policy Governing Policies</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 101

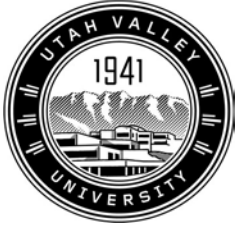


UTAH VALLEY UNIVERSITY Policies and Procedures

Proposed Policy Number and Title: 101 Policy on Policies (Temporary Emergency)		
Existing Policy Number and Title: 101 Policy on Policies		
Approval Process*		
<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Temporary Emergency	<input type="checkbox"/> Expedited
<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
<input type="checkbox"/> Revision	<input checked="" type="checkbox"/> Revision-Limited Scope	<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>Temporary Emergency, Stage 2, BOT, March 19, 2020 Draft</u>
President's Council Sponsor: <u>Linda Makin</u> Ext. _____
Policy Steward: <u>Cara O'Sullivan</u> Ext. _____

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>3/19/2020</u></p> <p>University Entities Review Entrance Date: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>University Community Review Entrance Date: <u>Not applicable</u> Open Feedback: <u>Not applicable</u> Close Feedback: <u>Not applicable</u></p> <p>Board of Trustees Review Entrance Date: <u>3/19/2020</u> Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <p>Policy Office personnel who verified and posted this policy to the University Policy Manual Name: _____ Date posted and verified: _____</p>



POLICY TITLE	Policy Governing Policies	Policy Number	101
Section	Governance, Organization, and General Information	Approval Date	June 17, 2016
Subsection	Governance and Organization	Effective Date	June 17, 2016
Responsible Office	Policy Office		

1.0 PURPOSE

1.1 In an effort to promote transparency, collaboration, efficiency, and institutional integrity, Utah Valley University (UVU) develops, approves, disseminates, implements, and maintains university policies.

1.2 This policy sets forth a policy framework for Utah Valley University; establishes approval processes for policy proposals that create, revise, suspend, and delete university policies; and describes the responsibilities of the individuals and entities involved in the university policy approval processes.

2.0 REFERENCES

2.1 Utah Code Ann. Sections 53B-2-106(2)(b) and (d)

2.2 Utah Code Ann. Sections 76-8-701 through 76-8-718

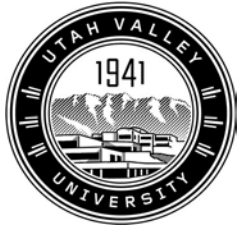
2.3 Utah State Board of Regents' Policy R220, Delegation of Responsibilities to the President and Board of Trustees

3.0 DEFINITIONS

3.1 Approval date: The approval date is the date a policy proposal is approved by the UVU Board of Trustees.

3.2 Effective date: The effective date is the date a policy proposal goes into effect and shall be on or after the approval date.

3.3 Expedited policy approval process: The expedited policy approval process is the approval process for non-substantive revisions of existing policies. The approval of non-substantive revisions via the expedited policy approval process does not constitute the enactment of a new or revised policy and does not change the approval or effective date of such policies.



3.4 Non-substantive revisions: Non-substantive revisions are changes to an existing policy or policy proposal that correct typographical and grammatical errors, change policy format, and/or update university or reference information.

3.5 Policy drafting committee: A policy drafting committee is organized to assist the policy steward in the research and development of policy proposals. A policy drafting committee shall be comprised of representatives of the university entities likely to be affected by the policy proposal.

3.6 Policy manual: The policy manual is the central repository for all university policies. The UVU policy manual is publically available via electronic media maintained by the Policy Office.

3.7 Policy proposal: A policy proposal is a compilation of written documents for the creation, revision, suspension, or deletion of a university policy in one of the policy approval processes. A policy proposal may include drafts of new and revised policies, a statement regarding deletions of existing policies, and supporting documents.

3.8 Policy recommendation: A policy recommendation is a suggestion for a change to a university policy that occurs prior to stage one of a policy approval process. A policy recommendation becomes a policy proposal when it is advanced into one of the policy approval processes by the President's Council.

3.9 Policy sponsor: A policy sponsor is an individual who is responsible for reviewing and overseeing university policies for ~~their~~^{his or her} area(s) of responsibility and for appointing policy stewards. These individuals, in conjunction with the Policy Office, oversee the development and advancement of policy proposals through the policy approval processes. Only designated members of the President's Council may serve as policy sponsors, specifically the university president, the vice presidents, and the presidents of the Faculty Senate, Professional Association of Campus Employees (PACE), and Utah Valley University Student Association (UVUSA).

3.10 Policy steward: A policy steward is an individual who, under the direction of a policy sponsor and in conjunction with the Policy Office, facilitates the development and advancement of a policy proposal through the university policy approval processes.

3.11 President's Council: The President's Council is a body convened by the university president. One of its responsibilities is to play a central role in the policy governance of the institution. For the purpose of policy governance, the university president, the vice presidents, and the presidents of the Faculty Senate, Professional Association of Campus Employees (PACE), and Utah Valley University Student Association (UVUSA), may serve as policy sponsors, and may appoint policy stewards.



3.12 Regular policy approval process: The regular policy approval process is the approval process for most new policies, substantive revisions of existing policies, and deletions of existing policies. Non-substantive revisions may also be processed through the regular policy approval process.

3.13 Substantive revision: Substantive revisions are changes that alter the intent, scope, meaning, or application of a university policy or policy proposal.

3.14 Temporary emergency policy: A temporary emergency policy is a policy approved via the temporary emergency policy approval process. Policy proposals approved through this approval process remain in effect for a specified period not to exceed one year and shall not be renewed.

3.15 Temporary emergency policy approval process: The temporary emergency policy approval process is the approval process for temporary emergency new policies, substantive revisions of existing policies, and suspensions of existing policies. This approval process is reserved for policy proposals that the university president deems to be crucial and that must be processed in a shorter time period than is possible through the regular approval process.

3.16 University community: The university community shall be defined to consist of all UVU employees, students, and other stakeholders who receive regular notice of policy proposals.

3.17 University entities: University entities shall be defined as the Dean's Council, Faculty Senate, Professional Association of Campus Employees (PACE), and Utah Valley University Student Association (UVUSA), all of which shall be given the opportunity to review policy proposals in the regular approval process.

3.18 University policy: University policies are maintained by the Policy Office in the policy manual. University policies often prescribe standards, requirements, restrictions, rights, or responsibilities and support the mission, values, and operation of the university. In this document, the terms *policy* and *policies* refer to university policies. Policies may not exist except at the university level. Divisions, colleges, schools, departments, programs, offices, etc. may have guidelines, practices, and standard operating procedures.

4.0 POLICY

4.1 Policy Authorization, Hierarchy of Policies, and Policy Interpretation

4.1.1 Utah Code Sections 76-8-701 through 76-8-718 give the president power to regulate, conduct, and enforce law and order on property owned or controlled by the governing board (Board of Trustees). Utah Code Section 53B-2-106 provides the president with delegated powers and authority in order to assure the effective and efficient administration and operation of the



University, including the ability to enact rules for administration and operation of the University. UVU Policy 101 and the provisions herein do not limit this power or how it is exercised.

4.1.2 The Board of Regents has delegated authority to the university president to establish university policies, subject to the approval of the Board of Trustees (Board of Regents' Policy R220, Section 4.4). The Board of Trustees shall consult and advise the president generally and (a) approve or (b) disapprove policy proposals.

4.1.3 The Board of Trustees has delegated to the president the authority to enact non-substantive revisions to existing policy if done through the expedited policy approval process. Non-substantive changes shall be reported by the president to the Board of Trustees at their next regular meeting. Non-substantive changes to existing policies do not constitute the enactment of a new or revised policy and do not change the approval or effective date of such policies.

4.1.4 The president oversees the policy approval processes at UVU and empowers the President's Council and its policy sponsors to play a central role in policy governance.

4.1.5 University policies are the official policies of the University. Unless expressly stated to the contrary, they are binding on university employees, students, and persons visiting or using the facilities or resources of the University. University policies exist within the following hierarchy of authority listed in the order below:

4.1.5.1 Federal and State Statutes, Regulations, and Court Rulings

4.1.5.2 Board of Regents policies

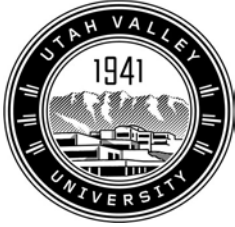
4.1.5.3 University policies

4.1.5.4 Division, college, and school guidelines, practices, and standard operating procedures

4.1.5.5 Department, program, and office guidelines, practices, and standard operating procedures

4.1.6 In the event of a conflict between documents at different levels in the hierarchy of authority, the higher-level authority governs and the subordinate, lower-level document shall be read consistently with the higher authority and shall be revised to that effect. Moreover, guidelines, practices, standard operating procedures, forms, checklists, protocols, criteria, deadlines, or any other means of implementing or complying with a university policy shall be consistent with the university policy.

4.1.7 In the event of a conflict between university policies, the President's Council shall determine which policy or policies shall be revised or deleted through a policy approval process to resolve the conflict. In the absence of a determination of the President's Council, the most recently approved policy governs.



4.1.8 In the event of a disagreement among policy sponsors (see 3.9) on interpretation, implementation, and/or compliance with a specific policy, the president, in consultation with the President's Council, makes the final decision.

4.1.9 Alleged violations, misinterpretations, or misapplications of university policies may be addressed in accordance with university policies and federal and Utah state law.

4.1.10 Policies shall be enforced prospectively, beginning on the effective date as established by Board of Trustees action. Policies shall not be enforced retrospectively unless mandated by law.

4.1.11 All sections of university policy have the weight of policy and shall be interpreted accordingly.

4.2 Policy Approval Processes

4.2.1 University policies adopted after the enactment of this policy must be approved through one of the following policy approval processes.

4.2.2 Regular approval process (process outlined in 5.6)

4.2.2.1 New policies, substantive revisions of existing policies, and deletions of existing policies shall be processed through the regular approval process. Non-substantive revisions of existing policies may also be processed through the regular approval process.

4.2.3 Temporary emergency approval process (process outlined in 5.7)

4.2.3.1 New policies, substantive revisions of existing policies, and suspensions of existing policies that are deemed by the president to be crucial and that must be processed in a shorter time period than is possible through the regular approval process shall be processed through the temporary emergency approval process.

4.2.3.2 Policy proposals related to tenure, rank, and conditions of employment shall not be processed through the temporary emergency policy approval process unless mandated by law.

4.2.3.3 Temporary emergency policies remain in effect for a specified period not to exceed one year and cannot be renewed. Temporary emergency policies (including revisions and suspensions) will expire at the conclusion of the specified period or on the effective date of a relevant policy proposal enacted through the regular approval process, whichever occurs first.

4.2.3.4 In extraordinary circumstances in which the normal policy governance process cannot be conducted or proceed practically, the Board of Trustees may approve the extension of temporary emergency policies by six months beyond their previously approved expiration date. The Board



shall not make this action selectively; it shall apply to all temporary emergency policies in effect at the time of Board action.

4.2.4 Expedited approval process (process outlined in 5.8)

4.2.4.1 Non-substantive revisions of existing policies may be processed through the expedited approval process. Multiple policy proposals for non-substantive revisions may be bundled together and presented as an omnibus proposal through the expedited approval process. The approval of non-substantive revisions does not constitute the enactment of a new or revised policy and does not change the approval or effective date of such policies.

4.3 Review and Maintenance

4.3.1 Members of the President's Council who serve as policy sponsors are responsible for reviewing and addressing the policy needs of their areas of responsibility.

4.3.2 The Policy Office shall maintain the policy manual as well as a policy archive. The Policy Office shall facilitate the policy approval processes and notify the university community of policy proposals that are approved by the Board of Trustees.

4.3.3 Printed versions of policies that occur in university handbooks, catalogs, etc., shall include a disclaimer that official university policies are located in the policy manual and are subject to change via the policy approval processes. University web sites that contain policies shall link to the official policies in the policy manual instead of posting separate copies of policies.

4.3.4 The Policy Office shall coordinate a regular review of university policies with the policy sponsors. Each policy shall be reviewed on five-year intervals from its effective date, at a minimum. The reviews shall assess whether policies are still (a) in compliance with applicable laws, regulations, Board of Regents' policies, etc.; (b) consistent with other university policies addressing similar subject matters; (c) current with the university policy format, personnel, position, and entity information; and (d) meeting the needs of the University.

5.0 PROCEDURES

5.1. Any university employee, entity, or student may make recommendations regarding university policy to a policy sponsor.

5.1.1 If the policy sponsor supports the recommendations, ~~he or she~~they or a potential policy steward shall present the recommendations to the President's Council via the Policy Office.



5.1.2. If the President's Council determines that the recommendations warrant such action, the recommendations shall be advanced into the appropriate policy approval process as a policy proposal and a policy sponsor and policy steward shall be officially assigned by the president.

5.2 Policy Proposals

5.2.1 Policy proposals shall contain the policy in its entirety (i.e., the entire text of a proposed new policy; the entire text of an existing university policy and all proposed revisions; and the entire text of an existing university policy being proposed for suspension or deletion). Policy proposals may contain supporting documentation to aid the individuals and entities that are reviewing and approving the proposal.

5.2.2 To facilitate the policy approval processes, a proposed new policy or a proposed revision to an existing policy shall comply with formatting standards established by the President's Council and Policy Office including the use of the following policy sections: purpose, references, definitions, policy, and procedures.

5.2.3 Policy proposals for revision may encompass the entire text of a policy or may be limited in scope to specific sections or parts.

5.2.4 Policy proposals for revisions shall use strikethrough for deletions of existing language and underline for additions to existing language. In cases where extensive revisions are proposed, two documents shall be required: one document containing the proposed policy language with no revision marks, and one document containing the existing policy language with strikethrough and underline showing the proposed deletions and additions, respectively.

5.2.5 Policy proposals do not have the weight of policy and shall not be implemented prior to the effective date established by the Board of Trustees.

5.3 Policy Drafting Committee

5.3.1 The policy sponsor or policy steward may organize a policy drafting committee to assist the policy steward. The policy sponsor and policy steward shall work with the Policy Office to ensure consistency of voice and quality of writing.

5.3.2 The policy drafting committee, in consultation with the Office of General Counsel as needed, shall research applicable federal, state, and local laws; Board of Regents' policies; similar policies at other universities; related policies at UVU; and other information pertinent to the policy proposal.



5.3.3 If the policy proposal is for a new policy or the revision of an existing policy, the policy drafting committee shall, in conjunction with the Policy Office, develop and write a new or revised policy draft.

5.3.4 If the policy proposal is for the suspension or the deletion of a policy, the policy drafting committee shall write a statement regarding whether the policy should be suspended or deleted.

5.3.5 The Policy Office, the policy sponsor, and the Office of General Counsel are responsible for determining the need for legal review of a policy proposal. If deemed appropriate, the policy sponsor shall obtain and incorporate the feedback of the Office of General Counsel.

5.4 President's Council Review

5.4.1 To facilitate President's Council review, the policy recommendation (if written) or policy proposal shall be submitted to the Policy Office for an assessment of its readiness to be considered by President's Council. The policy recommendation (if written) or policy proposal shall be submitted to the Policy Office with sufficient time for this assessment and for distribution to and review by the President's Council prior to the meeting in which it shall be considered.

5.4.2 Policy recommendations shall be presented to President's Council by potential policy sponsors or stewards. Policy proposals shall be presented to President's Council by the assigned policy sponsors and stewards.

5.4.3 Policy recommendations or policy proposals may be withdrawn by a policy sponsor at any time in the policy approval processes prior to a vote by the Board of Trustees.

5.4.4 The President's Council shall review policy recommendations and proposals for content, need, conflict with existing policies, and duplication of existing policies. After reviewing the policy recommendations or policy proposal, policy sponsors (see 3.9) shall advise the president on whether the policy recommendation or proposal should be (a) advanced to the next stage, (b) remanded to the policy sponsor and policy steward for further development or to a previous stage, or (c) dismissed. The president's decision, and any substantive feedback of the President's Council, shall be recorded in the minutes of that body.

5.4.5 The policy sponsor or policy steward shall incorporate feedback of the President's Council before submitting a revised version of the policy proposal to the Policy Office for the next stage of the policy approval process.

5.5 Review by Board of Trustees



5.5.1 The president shall present the policy proposal to the Board of Trustees for its review and may withdraw it at any time prior to a vote on the policy proposal. The Board of Trustees shall consult and advise the president generally and (a) approve or (b) disapprove policy proposals (Board of Regents Policy R220 4.4).

5.5.2 If the Board of Trustees disapproves a policy proposal that would likely be approved with non-substantive revisions, the president may (a) make the non-substantive revisions at the Board of Trustees meeting and request approval of the revised policy proposal, or (b) remand the policy proposal to the policy sponsor and to an appropriate stage of the approval process.

5.5.3 If the Board of Trustees disapproves a policy proposal that would likely be approved with substantive revisions, the president may remand the policy proposal to the policy sponsor and to an appropriate stage of the approval process.

5.5.4 The actions of the Board of Trustees shall be recorded in the minutes of that body.

5.6 Regular Policy Approval Process

5.6.1 The regular policy approval process is used for new policies, substantive revisions of existing policies, and deletions of existing policies. Non-substantive revisions may also be made through the regular policy approval process.

5.6.2 Preapproval Process (See 5.2.1–5.2.3)

5.6.3 Regular Process Stage One—Policy Drafting and Revision

5.6.3.1 Policy Drafting Committee (See 5.3.1–5.3.5)

5.6.3.2 President’s Council Review (See 5.4.1–5.4.5)

5.6.4 Regular Process Stage Two—Review by University Entities

5.6.4.1 The Policy Office shall post the President’s Council approved policy proposal to the policy website and notify university entities that the proposal is ready for their review and feedback.

5.6.4.2 The policy steward shall contact the university entities and act as a resource during the review period.

5.6.4.3 During the academic year, university entities shall have up to 60 days from the date of notification by the Policy Office to review the policy proposal and to provide the policy sponsor and/or policy steward with written feedback. If policy proposals are advanced to stage two with fewer than 60 days remaining before the end of spring semester, the review of the policy



proposal may be suspended until the first day of the following fall semester, when the review period for university entities shall begin again and the university entities shall have up to 60 days to provide the policy sponsor and/or policy steward with written feedback. At the discretion of the President's Council, university entities may be granted an additional 60 days to review policy proposals.

5.6.4.4 The policy sponsor or policy steward shall document the feedback from the university entities and incorporate the feedback into the policy proposal or provide reasons the feedback was not incorporated. This documentation shall be submitted as part of the policy proposal to the Policy Office.

5.6.4.5 President's Council Review (See 5.4.1–5.4.5)

5.6.4.5.1 The President's Council may make substantive or non-substantive revisions to the policy proposal in this stage.

5.6.5 Regular Process Stage Three—Review by University Community

5.6.5.1 The President's Council shall determine the length of time allotted for the university community review, which shall be not less than seven (7) and not greater than 30 calendar days.

5.6.5.2 The Policy Office shall post the President's Council approved policy proposal to the policy website, notify the university community that it is posted for review, and indicate the closing date for feedback on the policy proposal.

5.6.5.3 The policy sponsor or policy steward shall document the feedback from the university community and incorporate it into the policy proposal or provide reasons the feedback was not incorporated. This documentation shall be submitted as part of the policy proposal to the Policy Office.

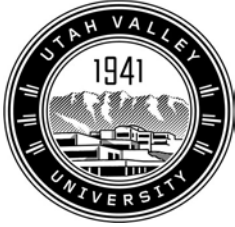
5.6.5.4 President's Council Review (See 5.4.1–5.4.5)

5.6.5.5 The President's Council shall not make substantive revisions to the policy proposal in this stage, but it may remand the policy proposal to a previous stage for further development if substantive revisions are needed.

5.6.6 Regular Process Stage Four—Review by Board of Trustees (See 5.5.1–5.5.4)

5.6.7 Post-Approval Process

5.6.7.1 Once a policy proposal has been approved by the Board of Trustees, the Policy Office shall notify the university community in a timely fashion.



5.6.7.2 If the policy proposal is for a new policy, the Policy Office shall post the new policy in the policy manual.

5.6.7.3 If the policy proposal is for the revision of an existing policy, the Policy Office shall post the revised policy in the policy manual in the place of the existing policy that it is replacing. The existing policy shall be placed in the policy archive.

5.6.7.4 If the policy proposal is for the deletion of an existing policy, the Policy Office shall delete the policy from the policy manual and maintain it in the policy archive.

5.6.7.5 If required by Board of Regents' policy, a copy of the new or revised university policy shall be forwarded to the Board of Regents.

5.6.8 Pause of Policy Process in Extraordinary Circumstances

5.6.8.1 In extraordinary circumstances in which the normal policy governance process cannot be conducted or proceed practically, President's Council may extend the regular policy process timeline. President's Council shall not make this action selectively; it shall apply to all policy proposals currently in the regular policy process.

5.7 Temporary Emergency Policy Approval Process

5.7.1 The temporary emergency policy approval process is reserved for new policies, substantive revisions of existing policies, or suspensions of existing policies that are deemed by the president to be crucial and that must be processed in a shorter time period than is possible through the regular approval process.

5.7.2 If it is anticipated that a university policy will be needed at the time of the expiration of a temporary emergency policy, the president shall designate a policy sponsor to oversee the development and advancement of a policy proposal through the regular approval process.

5.7.3 Policy proposals related to tenure, rank, and conditions of employment shall not be processed in the temporary emergency policy approval process unless mandated by law.

5.7.4 Preapproval Process (See 5.2.1–5.2.3)

5.7.5 Temporary Emergency Process Stage One—Policy Drafting and Revision

5.7.5.1 Policy Drafting Committee (See 5.3.1–5.3.5)

5.7.5.2 President's Council Review (See 5.4.1–5.4.5)



5.7.5.3 The president, the vice presidents, and the presidents of the Faculty Senate, PACE, and UVUSA or their designees must all be present and have a reasonable opportunity to review the temporary emergency policy proposal.

5.7.5.4 Policy sponsors (see 3.9) shall advise the President on the policy proposal. Any substantive feedback and policy sponsor concerns together with the President's decision shall be recorded in the minutes of President's Council.

5.7.6 Temporary Emergency Process Stage Two—Review by Board of Trustees (See 5.5.1–5.5.4)

5.7.7 Post-Approval Process (See 5.6.7)

5.7.7.1 Temporary emergency policies remain in effect for a specified period not to exceed one year and cannot be renewed. Temporary emergency policies (including revisions and suspensions) will expire at the conclusion of the specified period or on the effective date of a relevant policy proposal enacted through the regular approval process, whichever occurs first.

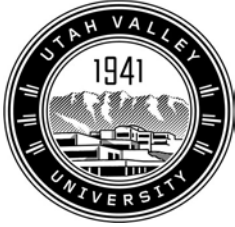
5.7.7.2 A temporary emergency policy that is a new policy shall include an expiration date and be clearly identified as “temporary” on the policy itself and in the policy manual. If no relevant policy proposal is enacted through the regular approval process prior to the expiration date of such a policy, it shall no longer be in effect and shall be deleted from the policy manual.

5.7.7.3 A temporary emergency policy that is a substantive revision of an existing university policy shall include an expiration date and be clearly identified as “temporary” on the policy itself and in the policy manual. If no relevant policy proposal is enacted through the regular approval process prior to the expiration date of such a policy, the unrevised university policy shall be returned to the policy manual in its previous state.

5.7.7.4 A university policy that is suspended via the temporary emergency approval process shall have the expiration date and “temporarily suspended” clearly identified in the policy manual next to the policy number and policy title. The text of a university policy that has been suspended shall not be accessible to the university community via the policy manual. If no relevant policy proposal is enacted through the regular approval process prior to the expiration date of such a policy, the university policy that was suspended shall go back into effect and be returned to the policy manual in its previous state.

5.8 Expedited Policy Approval Process

5.8.1 The expedited policy approval process is reserved for non-substantive revisions of existing university policies. The approval of non-substantive revisions does not constitute the enactment of a new or revised policy and does not change the approval or effective date of such policies.



5.8.2 Preapproval Process (See 5.2.1–5.2.3)

5.8.3 Expedited Process Stage One—Policy Revision

5.8.3.1 Policy Drafting Committee (See 5.3.1–5.3.5)

5.8.3.2 President’s Council Review (See 5.4.1–5.4.5)

5.8.3.3 If the President’s Council determines that substantive revisions are being proposed or that substantive revisions would be required to satisfactorily revise the policy, the policy proposal may be dismissed or placed in the regular or temporary emergency approval process.

5.8.4 Post-Approval Process (See 5.6.7)

5.8.4.1 The Policy Office will prepare and maintain a list of non-substantive changes approved by the President’s Council.

5.8.4.2 The president will present the list of non-substantive changes as an information item to the Board of Trustees at their next scheduled meeting.

5.8.4.3 After the approval of the Board of Trustees, the Policy Office shall post the revised policy in the policy manual in the place of the existing policy that it is replacing. The existing policy shall be placed in the policy archive.

POLICY HISTORY		
April 14, 2005	Approved.	UVU Board of Trustees
December 9, 2010	Revised policy, regular process, approved.	UVU Board of Trustees
June 17, 2016	Revised policy, regular process, approved.	UVU Board of Trustees
March 2020	Non-substantive change: “his or her” changed to singular “their” “he or she” changed to singular “they”	UVU Policy Office
March 25, 2020	Temporary Emergency	UVU Board of Trustees



**UVU BOARD OF TRUSTEES
Agenda Item Coversheet**

DATE:	March 25, 2020
TITLE:	Extension of Current Temporary Emergency Policies by Six Months
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Linda Makin, Vice President for Planning, Budget & Human Resources
SUBJECT:	Extend all (3) temporary emergency policies by six months due to extraordinary circumstances (COVID-19)
BACKGROUND:	<p>In accordance with section 4.2.3.4 of UVU Policy 101 <i>Policy on Policies</i>, Trustees are requested to approve the extension of three temporary emergency policies by six months.</p> <p>Given UVU’s modified operating conditions (in response to COVID-19) anticipated for the remainder of Spring Semester, these policies may be unable to complete the regular policy process prior to their currently approved temporary emergency policy expiration dates.</p> <p>Policy 162 <i>Sexual Misconduct</i>, extend to December 18, 2020</p> <p>Policy 165 <i>Discrimination, Harassment, and Affirmative Action</i>, extend to December 18, 2020</p> <p>Policy 361 <i>Leave of Absence</i>, extend to June 5, 2021</p>
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve the extension of all (3) temporary emergency policies by six months as outlined above.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	



UVU BOARD OF TRUSTEES
Agenda Item Coversheet

DATE:	March 25, 2020
TITLE:	UVU Policy 161 <i>Freedom of Speech</i>
EXECUTIVE/RESPONSIBLE STAFF MEMBER:	Clark Collings
SUBJECT:	UVU Policy 161 <i>Freedom of Speech</i>
BACKGROUND:	<p>Many states and universities prohibit masked protests. Courts have upheld these bans, which are aimed at preventing violence and apprehending wrongdoers without regard to any underlying expressive content or viewpoint. Content- and viewpoint-neutral limitations need to only advance an important public interest, such as safety. UVU’s current policy 161, however, stops well short of the law’s allowable restrictions on masks. The current policy allows a prohibition of masked protests <i>if</i> protestors’ conduct threatens to endanger the safety of others or to damage University property. That moment—a present threat—is simply too late to prohibit masks or to responsibly secure human safety. The proposed, limited-scope revision removes this condition and allows UVU to decide in advance whether masks present an unacceptable safety risk.</p>
ALTERNATIVES:	<ul style="list-style-type: none"> • Approve as presented, “I move to approve UVU Policy 161 <i>Freedom of Speech</i> for entrance into the UVU Policy Manual.” • Amend and approve, “I move to approve, as amended, UVU Policy 161 <i>Freedom of Speech</i> for entrance into the UVU Policy Manual.” • No action, “I move that we go to the next agenda item.”
FINANCIAL IMPACT:	
EXHIBITS:	Policy 161



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Proposed Policy Number and Title: 161 Freedom of Speech		
Existing Policy Number and Title: 161 Freedom of Speech		
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	
LIMITIED SCOPE (Section 4.9.2.2)	Anticipated Expiration Date:	
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date: <u>February 27, 2020. Stage 4 Draft</u>
President's Council Sponsor: <u>Kyle Reyes, Clark Collings</u> Ext. _____
Policy Steward: <u>Alexis Palmer, Jeremy Knee</u> Ext. _____

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>07/25/2019</u></p> <p>University Entities Review Entrance Date: <u>07/25/2019</u> Close Feedback: <u>10/10/2019</u></p> <p>University Community Review Entrance Date: <u>02/27/2020</u> Open Feedback: <u>03/09/2020</u> Close Feedback: <u>03/12/2020</u></p> <p>Board of Trustees Review Entrance Date: _____ Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <p>Policy Office personnel who verified and posted this policy to the University Policy Manual Name: _____ Date posted and verified: _____</p>



UTAH VALLEY UNIVERSITY Policies and Procedures

POLICY TITLE	Freedom of Speech	Policy Number	161
Section	Governance, Organization, and General Information	Approval Date	June 22, 2017
Subsection	Individual Rights	Effective Date	June 22, 2017
Responsible Office	Office of the Vice President of Student Affairs and the Office of General Counsel		

1.0 PURPOSE

1.1 As free expression and the free exchange of ideas are central to the goals of a university, Utah Valley University is committed to the principles of free speech and assembly guaranteed by the United States Constitution and the Utah Constitution, and in accordance with generally accepted concepts of academic freedom. It is the purpose of this policy to protect and enhance the free exchange of ideas, the right to free speech, 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.

2.0 REFERENCES

- 2.1 [U.S. Const. amend. I](#) ~~United States Constitution~~
- 2.2 Title VII of the *Civil Rights Act of 1964*, [34 C.F.R. § 106.1 \(1972\)](#)
- 2.3 Title IX of the *Educational Amendments of 1972*, [20 U.S.C. § 1681 \(1972\)](#)
- 2.32.4 ~~See~~ *Miller v. California*, 413 U.S. 15, ~~21~~ (1973).
- 2.42.5 [Utah Const. art. I § XV](#) ~~Utah Constitution~~
- 2.52.6 [Campus Individual Rights Act](#), Utah Code Ann. ~~etated~~ § 53B-27-101 ~~et seq.~~ ([H.B. 542017](#))
- 2.62.7 UVU Policy 154 *Workplace Violence*
- 2.72.8 UVU Policy 162 *Sexual Misconduct*
- 2.82.9 UVU Policy 165 *Discrimination, Harassment, and Affirmative Action*
- 2.92.10 UVU Policy 402 *Keys and Proximity Cards*
- 2.102.11 UVU Policy 425 *Scheduling Campus Facilities*



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[2.112.12](#) UVU Policy 430 *Institutional Campus Closure Policy*

[2.122.13](#) UVU Policy 541 *Student Code of Conduct*

[2.132.14](#) UVU Policy 601 *Classroom Instruction and Management*

[2.15](#) UVU Policy 635 *Faculty Rights and Professional Responsibilities*

[2.142.16](#) UVU Policy 703 *Restrictions on the Use of Skateboards, Roller Blades, Roller Skates, Bicycles, Motorcycles, and Hoverboards*

[2.152.17](#) UVU Policy 706 *Campus Walkway Safety Policy*

[2.162.18](#) UVU Policy 710 *Clery Act Compliance*

3.0 DEFINITIONS

3.1 Appeals Committee: The Appeals Committee, comprised of the Senior Vice President of Academic Affairs, the Vice President of Student Affairs, and the Vice President of Finance & Administration (or their designees), reviews all appeals of any denials or other decisions made pursuant to sections 4.8 through 4.14 of this policy.

3.2 Commercial speech: For the purposes of this policy, commercial speech includes all spoken, written, and symbolic speech intended, in whole or in part, for the profit of the person, organization, or institution engaged in the speech. Commercial speech at the University includes speech paid for by persons or organizations who are not members of the university community. Examples include advertisements in or on the UCCU Center, ~~Brent Brown-UCCU~~ Ballpark, UCCU Center outdoor digital sign, or commercial handbills. Generally, the sponsors of commercial speech are subject to established university fees and must comply with appropriate university procedures.

3.3 Demonstration/~~p~~Protest: Any rally, gathering, protest, parade, or procession to express views or opinions.

3.4 Members of the university community: For the purposes of this policy, all enrolled students, all persons employed by the University, including but not limited to administrators, faculty, and staff, and all organizations comprised of members of the university community, such as UVUSA and registered student clubs.

3.5 Obscenity: For the purposes of this policy, obscenity is defined by applicable law, including the following US Supreme Court's "Miller test": whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest; whether the work depicts or describes, in a patently offensive way, sexual



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conduct specifically defined by applicable state law; and whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

3.6 A Registered student club: A student group with a common interest or goal, with at least six members where 75 percent of the members are currently enrolled UVU students, that complies with university-registered club requirements, including but not limited to having a lawful purpose, chartering the club, having a club constitution, having a president who is a full-time UVU student and who meets other requirements, and establishing and assessing dues. Registered student clubs are at a minimum funded by member dues and additional funding from the Utah Valley University Student Association (UVUSA).

3.7 Structure: Any object (other than objects such as handbills, signs, small lawn signs, notices and posters, arm bands, or personal attire) used in expressing views or opinions, including but not limited to booths, buildings, billboards, banners, large lawn signs, and similar displays.

3.8 Time, place, and manner restrictions: Generally speaking, time, place, and manner restrictions refer to requirements on when, where, and how messages may be presented on a university campus. These restrictions are viewpoint neutral, narrowly tailored to serve significant university interests, and designed to leave open ample alternative channels of communication.

3.9 University campus: Any campus or facility, physical or virtual, owned or leased by the University, including but not limited to the Orem, Wasatch, UVU West, UVU North, and Provo Airport campuses and the university learning management system.

3.10 University organizations: For purposes of this policy, university administrative departments and academic schools/colleges, centers, institutes, or departments.

4.0 POLICY

4.1 Scope of this Policy

4.1.1 All persons on any Utah Valley University campus, including members of the university community and visitors or guests, are protected by and subject to freedom of speech laws and this policy. In permitting the exercise of free speech on its campuses, the University does not sponsor or sanction the messages stated or the methods of speech used, unless expressly stated otherwise.

4.2 Policy Statement

4.2.1 Because free expression and the free exchange of ideas are central to the goals of a university, Utah Valley University is committed to the principles of free speech and assembly guaranteed by the United States Constitution and the Utah Constitution, and in accordance with generally accepted concepts of academic freedom. The University is committed to protecting and



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enhancing the free exchange of ideas and to artistic expression, the right to free speech, 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.

4.2.2 Nothing in this policy shall be construed as protecting, authorizing, or condoning the following unlawful or otherwise unprotected speech, as defined by applicable law: (a) obscenity (see section 3.6); (b) child pornography; (c) defamation; (d) speech that by its very utterance tends to incite an immediate breach of the peace by the hearer; (e) speech that incites or produces imminent lawless action and that is likely to incite or produce such action; (f) speech that creates a hostile environment within the meaning of Title IX of the *Educational Amendments of 1972*, Title VII of the *Civil Rights Act of 1964*, or other applicable law; (g) speech that substantially disrupts, obstructs, or interferes with classes, teaching, the use of offices, ceremonies, sporting events, or other university activities related to teaching, research, or administration of the University, or vehicular or pedestrian traffic; (h) speech that damages university or private property; (i) speech that discloses confidential information or trade secrets of the University or private parties without appropriate authorization; and (j) employee speech that is not a matter of public concern.

4.2.3 Nothing in this policy shall be construed as authorizing or condoning the use of university trade or service marks (including but not limited to names, logos, mascots, and imagery) in any materials that may be created or displayed under this policy without the express written authorization of the University Department of Trademarks and Licensing.

4.2.4 Students or employees who violate this policy or its referenced procedures are subject to university discipline. Moreover, all persons who violate this policy are subject to orders to leave the campus and possible arrest for criminal trespass for failure to comply with such orders.

4.3 Freedom of Speech and Assembly

4.3.1 Members of the university community shall have the right to freedom of speech and assembly without prior restraint or censorship, subject to clearly stated, reasonable, and nondiscriminatory rules and procedures regarding time, place, and manner.

4.4 Freedom of the Press

4.4.1 Members of the university community in their publications or broadcasts are entitled to the full protection of the constitutional right of freedom of the press. Reasonable and nondiscriminatory rules and procedures, consistent with this policy, may be adopted regarding the operations of student, faculty, and staff publications, posting of signs and notices, the distribution of commercial advertising materials, and the solicitation of funds.

4.4.2 Student publications supported by university funds or student fees, other than those publications sponsored by a college/school, department, or academic program, shall be regulated



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by the University's Student Publications Board pursuant to reasonable and nondiscriminatory procedures, which shall be viewpoint neutral, consistent with this policy, and published on the Student Publications Board website or made available for public inspection upon request. No member of administration or staff, including but not limited to student publication advisors, shall exercise any prior restraint or editorial control over the content of these publications.

4.4.3 In the case of student publications sponsored by a college, school, department, or academic program, such publications and the roles of any student editors shall be regulated in accordance with the procedures adopted by the sponsoring college, school, department, or academic program, which shall be consistent with this policy.

4.5 Academic Freedom

4.5.1 Academic freedom in the pursuit and dissemination of knowledge through all media shall be maintained at Utah Valley University (see UVU Policy 635 *Faculty Rights and Professional Responsibilities*). Academic freedom shall be recognized as a right of all members of the faculty, whether with or without tenure or continuing appointment, as they engage in teaching, scholarly and creative activities, and service to the University and their professions.

4.5.2 Faculty shall evaluate students solely on academic bases reasonably related to legitimate pedagogical concerns, and not on student opinions or conduct unrelated to the academic standards of a course as defined by the standards of the applicable discipline or profession.

4.5.3 Discussion and expression of all views relevant to the subject matter of a class, even if unpopular, are recognized as necessary to the educational process; however, students have no right to impinge on the freedom of instructors to teach or the right of other students to learn. Faculty members shall not permit classroom behavior that interferes with the faculty member's ability to teach and/or the students' ability to learn. If a student persists in behaving disruptively in class after the instructor has explained the unacceptability of such conduct, the instructor may dismiss the student from the class and may refer the matter to the University's Director of Student Conduct, who shall address the conduct in accordance with UVU Policy 541 *Student Code of Conduct* and other applicable policies.

4.5.4 Faculty members have the legal rights and privileges of citizens and shall not be subject to punishment or reprisal for the exercise of such rights and privileges; however, they may be subject to sanctions for breach of other policies applicable to faculty, including but not limited to the rules and responsibilities enumerated in UVU policies 154 *Workplace Violence*, 162 *Sexual Misconduct*, 165 *Discrimination, Harassment, and Affirmative Action*, and 635 *Faculty Rights and Professional Responsibilities*.

4.5.5 All faculty members have the right to academic freedom and the right to examine and communicate ideas relevant to their courses by any lawful means, even where such activities generate hostility or pressures against the faculty member or the University. Faculty shall not use academic freedom or freedom of speech as a pretext to discriminate or create a hostile



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environment within the meaning of Title IX of the *Educational Amendments of 1972*, Title VII of the *Civil Rights Act of 1964*, or other applicable laws or to violate the rights of students pursuant to UVU Policy 541 *Student Code of Conduct* or other applicable UVU policies. Faculty shall also not use academic freedom or freedom of speech as a pretext to teach controversial matter that is not related to their subject.

4.5.6 Faculty members' exercise of freedom of communication, association, or assembly, or their participation in political activities, does not constitute a violation of duty to the University, to their profession, or to students, except as prohibited by applicable law.

4.5.7 Faculty members are entitled to support and assistance from the University in maintaining a climate suitable for the exercise of rights of academic freedom, scholarship, and effective teaching and learning. Faculty members are entitled to classrooms free from violence or systematic disruption (see UVU Policy 601 *Classroom Instruction and Management*).

4.6 Right to Form Registered Student Clubs

4.6.1 Registered student clubs may be established for any lawful purpose. Affiliation of any student club with lawful off-campus groups shall not, in itself, disqualify that club from enjoying the benefits and privileges that the University affords to student clubs. Student clubs shall have the right to keep membership lists confidential and solely for their own use. The names and addresses of officers are required by the University as a condition for registration or access to university funds or enjoyment of university privileges.

4.6.2 Any registered student club may be added to the university registered student club roster upon the filing of a completed *Club Charter Form* with the UVU Clubs Office.

4.6.3 Registered student clubs shall maintain their position on the university student club roster upon filing with the UVU Clubs Office each fall semester (by a deadline provided by the University Clubs Office). This *Charter Renewal Form* shall include any changes in the initial charter since its latest filing and shall list the current officers. Clubs that renew by the appropriate date are eligible for merit money. Any club may register at any time.

4.6.4 The UVU Clubs Office may remove a student club from the university-registered student clubs roster for failure by the club to abide by university rules and policies or federal or state law.

4.7 Student Body Officer Elections

4.7.1 Subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable, viewpoint-neutral, and nondiscriminatory time, place, and manner restrictions, student body officer elections for the Utah Valley University Student Association (UVUSA) shall be regulated pursuant to the UVUSA constitution and bylaws.



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4.8 Speakers

4.8.1 The rights of speakers to freedom of expression under the United States Constitution and the Utah Constitution shall be protected. The rights of speakers to speak and audiences to hear, free from undue disruption and interference, shall also be protected.

4.8.2 In permitting the exercise of free speech on its campuses, the University does not sponsor or sanction the messages stated or the methods of speech used unless expressly stated otherwise.

4.8.3 Members of the university community shall have the right to invite speakers to address audiences on campus (at the expense of the sponsoring organization and members), subject to the limitations on unlawful/unprotected speech (section 4.2.2), reasonable and nondiscriminatory time, place, and manner restrictions, and other policies governing the use of university facilities such as university safety and security policies (such as UVU Policy 402 *Keys and Proximity Cards*, UVU Policy 403 *Restrictions on the Use of Skateboards, Roller Blades, Roller Skates, Bicycles, Motorcycles, and Hoverboards*, and UVU Policy 407 *Clery Act Compliance*) and applicable facilities and scheduling policies (such as UVU Policy 425 *Scheduling Campus Facilities*, UVU Policy 429 *Campus Walkway Safety Policy*, and UVU Policy 430 *Institutional Campus Closure Policy*), to the extent such policies are consistent with this policy.

4.8.4 Members of the university community, except university organizations, who invite speakers to address audiences on or off the campus, may not use the name of the University to imply official sponsorship of the speaker in advertising or publicizing the event, but may use the University's name as a means to identify the location of the event.

4.8.5 Speaker Areas

4.8.5.1 Speakers may speak in any outdoor area, as long as such speech does not violate the time, place, and manner restrictions set forth in section 4.8.6 of this policy. The University also provides reasonably appropriate places inside the Sorensen Student Center and outside the Student Life and Wellness Center Plaza and the Pope Science Courtyard to enable speakers to address those wishing to listen. These places shall be available to any person, but university organizations and members of the university community shall have scheduling preference in the use of these designated places.

4.8.5.2 Nothing in this section (4.8.5) shall be interpreted as limiting the right of free speech elsewhere on the campus as provided by this policy.

4.8.6 Time, Place, and Manner Restrictions for Speakers

4.8.6.1 Although it is not necessary for a person using one of the designated places in section 4.8.5.1 to obtain prior permission from the University, the University encourages such persons to contact the Campus Scheduling Office to reserve or schedule a designated place in advance to ensure availability, in accordance with the UVU Policy 425 *Scheduling Campus Facilities*.



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University organizations and members of the university community reserving use of these designated places shall be given priority over those seeking to use these places without reservation.

4.8.6.2 The Campus Scheduling Office shall provide general notice of the procedures for reserving the speaker areas in section 4.8.5.1. Use of the speaker areas may be reserved for up to two hours for purposes of speaking.

4.8.6.3 Persons reserving speaker areas may use university-provided tables and other temporary means for displaying or distributing information, provided that they set up and remove them upon the expiration of their reservation. Reservations and arrangements for tables, including the payment of applicable fees, shall be made with the Campus Scheduling Office.

4.9 Protests and Demonstrations

4.9.1 To facilitate robust debate and the free exchange of ideas, peaceful protests and demonstrations on campus are legitimate means of expression. Anyone who wishes to engage in protests and demonstrations shall be permitted to do so, as long as the protest/demonstration and the conduct of participants

- 1) Does not take place in indoor rooms/areas where quiet or reflection may be expected by those using these rooms/areas (including but not limited to classrooms, laboratories, the Reflections Center, the Woodbury Art Museum, the Fulton Library, the Bingham Gallery, the Noorda Center for the Performing Arts, and other indoor venues where theatrical/musical performances or public or private ceremonies are occurring);
- 2) Does not take place inside buildings where minors or vulnerable populations are predominantly present (including but not limited to the Wee Care Center, the Cole Nellesen Building, or indoor rooms/areas where youth camps are taking place);
- 3) Is not violent; and
- 4) Does not unduly disrupt the functioning of the University, interfere with the rights of other members of the university community, or damage university or private property. Protests and demonstrations are also subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable and nondiscriminatory time, place, and manner restrictions.



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4.9.2 Time, Place, and Manner Restrictions for Protests and Demonstrations

4.9.2.1 Although it is not necessary for a person planning a protest or demonstration to obtain prior permission from the University, the University encourages such persons to contact the Campus Scheduling Office to reserve or schedule a place in advance to ensure availability, in accordance with UVU Policy 425 *Scheduling Campus Facilities*. University organizations and members of the university community reserving use of university facilities and places shall be given priority over those who do not have a reservation.

4.9.2.2 Protests and demonstrations must be orderly at all times and must not jeopardize public order or safety. The University reserves the right to [balance the safety of the community and the safety of protestors; and may](#) prohibit protestors from wearing masks or otherwise disguising their identity during protests. ~~if protestors' conduct threatens to endanger the safety of others or to damage University property.~~

4.9.2.3 Protests and demonstrations must not interfere with the entrances and exits to buildings or the normal flow of pedestrian or vehicular traffic.

4.9.2.4 Protests and demonstrations must not disrupt or obstruct university functions, organized meetings, or other assemblies in such a way as to invade the rights of others to assemble and the rights of speakers to free expression.

4.9.2.5 Protests and demonstrations must not interfere with classes and teaching, the use of administrative or academic departments or offices, university activities related to teaching or research, or previously scheduled meetings or events.

4.9.2.6 Persons violating the time, place, and manner restrictions relating to protests and demonstrations may be subject to arrest or other action authorized by law after notice is given of the restrictions being violated and the persons refuse to cease and desist.

4.9.2.7 Protesters and demonstrators shall be financially responsible for any damages caused by their protests and demonstrations. Damages caused by third parties not part of the protests and demonstrations shall be assessed against such third parties, with such assessments not being final until they are appealed to and reviewed by the Appeals Committee (section 5.1).

4.10 Sound Amplification Equipment

4.10.1 Sound equipment shall be used only at volume levels that do not disrupt or disturb teaching, research, or other duly authorized meetings or activities at the University, and in accordance with city ordinances.



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4.11 Posting of Signs, Notices, Posters, and Banners

4.11.1 Non-Commercial Signs, Notices, Posters, and Banners

4.11.1.1 The University shall provide reasonable space indoors and outdoors for the posting of non-commercial signs, notices, posters, and banners by members of the university community. Subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable and nondiscriminatory time, place, and manner restrictions, such signs, notices, posters, and banners may deal with any subject matter, including but not limited to notices of meetings or events and expressions of positions and ideas on social or political topics.

4.11.2 Time, Place, and Manner Restrictions for Posting Non-Commercial Signs, Notices, Posters, and Banners

4.11.2.1 Members of the university community may post non-commercial signs, notices, and posters on bulletin boards and kiosks located on UVU campus and maintained by the University; however, they may not be posted on bulletin boards or kiosks maintained by academic and administrative departments of the University or in classrooms (per section 4.11.2.2). Non-commercial signs, notices, and posters shall not be attached to non-bulletin board or kiosk locations, such as on trees, buildings or portions of buildings (including walls, doors, windows, fixtures, handrails), fountains, statues, equipment, furniture, or machinery, unless otherwise expressly authorized by the Dean of Students. For lawn sign requirements, see section 4.11.2.9.

4.11.2.2 Unless expressly designated for broader use, bulletin boards, easels, and kiosks maintained by an academic or administrative department of the University, and all walls, doors, whiteboards, chalkboards, windows, and other areas within classrooms, are reserved exclusively for university organizations for university speech. Designated areas in bathroom stalls in the Sorensen Student Center and Student Wellness Center are also reserved exclusively for university speech by the UVU Student Life division. In addition, designated areas for the hanging of artwork on campus are reserved exclusively for university organizations. Postings under this section do not need to have a Campus Connection stamp but are required to comply with the department's published nondiscriminatory rules and procedures, including a procedure that all such items be date stamped and otherwise identified as authorized by the department.

4.11.2.3 University websites and digital signage are reserved for university organizations for university speech. However, 10 digital signage slots shall be reserved for registered student clubs to advertise meetings, fundraisers, service projects, or other events that are open to the entire student body. Registered student clubs must submit their signage to the UVU Clubs Office and comply with the digital signage procedures included in the UVU Clubs Handbook. The UVU Clubs Office shall post digital signage that complies with such procedures on a first-come, first-served basis, up to the 10-slot limit. The UVU Clubs digital signage procedures shall be viewpoint-neutral and shall not violate this policy.



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4.11.2.4 University organizations, UVUSA, and registered student clubs may post banners in designated banner areas only after registering the banner with Campus Connection, being assigned a banner location, paying a deposit fee, obtaining a date stamp on the banner, and otherwise complying with Campus Connection procedures. The procedures shall be viewpoint-neutral and shall not violate this policy. Outdoor banners may be posted only in designated outdoor areas identified and maintained by Campus Connection and only after paying a posting and removal fee.

4.11.2.5 Messages or slogans of any kind shall not be painted, hung, or otherwise written on trees, buildings, windows, sidewalks, grounds, fountains, walls, or other structures or surfaces, or on the personal property of others. No tape of any kind may be used for installation of signs, notices, posters, or banners. Sidewalk chalk messages may be used on sidewalks in the speaker areas designated in section 4.8.5.1 of this policy but are not permitted on any permanent standing structures. All sidewalk chalk messages shall be removed by the end of the day. Individuals or organizations that fail to comply with the requirements may be charged an additional cost for any removal of sidewalk chalk.

4.11.2.6 All non-commercial signs, notices, posters, or banners posted on UVU campus, other than those specifically exempted in sections 4.11.2.2, 4.11.2.3, and 4.11.2.11, must have a visible expiration date stamp from Campus Connection, after which date the sign, notice, poster, or banner may be removed, generally not to exceed 14 calendar days from the date of posting.

4.11.2.7 Non-commercial signs, notices, posters, or banners may be re-posted for an additional 14 calendar days within a 60-day time period after the original posting date, but only after it is shown that there is good reason for the sign, notice, poster, or banner to remain in place for a longer period (such as the occurrence of a campus closure during the original posting period) and the sign, notice, poster, or banner has been restamped by Campus Connection.

4.11.2.8 Due to the limited amount of available display space and preference for university-sponsored speech, the number of posters per event sponsored is limited to 50 for one month or 25 for two months. No more than two flyers for any event may be posted on any single bulletin board or kiosk. No more than two banners may be posted for any upcoming announcement, deadline, or event.

4.11.2.9 Small lawn signs may only be used to advertise an upcoming event or deadline held on a UVU campus or sponsored by university organizations or members of the university community, or to provide directions to such events. Sponsors of such events must obtain stamps on lawn signs with visible expiration dates from Campus Connection, which shall publish reasonable time, place, and manner procedures that comply with this policy on the size, number, and graphics requirements of such lawn signs, where such lawn signs may be posted, and for how long.

4.11.2.10 The UVUSA Elections Committee may publish viewpoint-neutral, nondiscriminatory rules and procedures for the posting of campaign posters, signs, and banners, which may include



UTAH VALLEY UNIVERSITY

Policies and Procedures

exceptions to this policy permitting additional election-related signage on campus during a designated period leading to UVUSA elections.

4.11.2.11 The University Events and the Athletics departments are exempted from the Campus Connection stamp requirement set forth in section 4.11.2.6 when they post posters, banners, small lawn signs, easels, and other similar media to publicize events sponsored by these departments, as long as they stamp and identify such items as University Events Department or Athletics Department media and otherwise comply with this policy.

4.11.2.12 University maintenance personnel or other university officials may remove any non-commercial signs, notices, posters, or banners that do not comply with this policy.

4.11.3 Commercial Signs, Notices, Posters, and Banners

4.11.3.1 Campus Connection shall publish procedures governing the posting or distribution of commercial signs (including digital signage and projections on the side of buildings), notices, posters, banners, and other materials for commercial purposes, except for commercial signage at the UCCU Center, the [UCCU Brent Brown](#) Ballpark, other athletic facilities, and at university athletic events (with Campus Connection maintaining a list of other university departments, and their procedures, responsible for commercial signage in these other venues). Campus Connection procedures may include a schedule of fees for nonmembers of the university community and limitations upon the areas in which such commercial speech may take place. The procedures shall be viewpoint neutral. Signs, notices, posters, and banners are subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable and nondiscriminatory time, place, and manner restrictions. All commercial and non-university community signs, notices, posters, and banners shall be available for inspection in Campus Connection, and a written record of actions taken under the procedures shall be maintained and be open for public inspection.

4.11.3.2 By posting the commercial sign, notice, poster, or banner on campus, the person or organization (a) agrees to hold the University harmless for any assessed damages or liability incurred as a result of the sign, notice, poster, or banner; and (b) is responsible for the content of any signs, notices, posters, or banners it sponsors or posts on campus.

4.12 Distribution of Non-Commercial Handbills, Petitions, and Other Written Material

4.12.1 Any person may hand out and distribute non-commercial handbills, petitions, or other written material throughout campus without prior approval, as long as the distributed materials clearly identify the author or sponsor of the materials, subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable and nondiscriminatory time, place, and manner restrictions.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.12.2 Time, Place, and Manner Restrictions for Non-Commercial Handbills, Petitions, and Other Written Material

4.12.2.1 Distribution of non-commercial handbills, petitions, and other written material on the university campus is permissible but must not interfere with the entrances and exits of university buildings or the normal flow of pedestrian and vehicular traffic.

4.12.2.2 Distribution may not occur within classrooms, academic and administrative departments or offices, may not interfere with classes, and teaching or university activities related to teaching, may not disrupt the functioning or events of the University, and may not interfere with the rights of other members of the university community.

4.12.2.3 Handbills or other written materials may not be attached or affixed to private property (including but not limited to vehicles) without the owner's permission and may not be dropped or left on the ground or floors, fixtures, furniture, or in other areas in violation of applicable littering laws.

4.13 Distribution of Commercial Handbills

4.13.1 Campus Connection shall publish rules and procedures governing the distribution of commercial handbills. The procedures may include a schedule of fees and limitations upon the areas in which such commercial activity may take place. The rules and procedures shall be published on the Campus Connection website, and a written record of actions taken under the rules and procedures shall be maintained and open for public inspection upon request.

4.13.2 Any person distributing handbills or written material shall be personally responsible for the content of the material and hold the University harmless for any assessed damage or liability incurred as a result of the distribution of the handbills or material.

4.14 Non-Commercial Structures

4.14.1 Members of the university community and their organizations may erect non-commercial structures on campus to express their views or opinions subject to the limitations on unlawful/unprotected speech (section 4.2.2) and reasonable and nondiscriminatory time, place, and manner restrictions. Such structures may deal with any subject matter, including but not limited to social or political issues.

4.14.2 Time, Place, and Manner Restrictions for Non-Commercial Structures

4.14.2.1 Members of the university community may erect non-commercial structures in speaker areas defined in section 4.8.5.1 of this policy. Members of the university community may erect structures outside of the speaker areas in section 4.8.5.1 where it is shown that the message is intended for an audience elsewhere on the campus.



UTAH VALLEY UNIVERSITY Policies and Procedures

4.14.2.2 The Campus Scheduling Office shall create viewpoint-neutral, nondiscriminatory procedures related to the physical requirements and limitations, such as health and safety, of non-commercial structures, which shall be maintained and available for inspection on the Campus Scheduling Office webpage.

4.14.2.3 Prior to the erection of any non-commercial structure, a person or organization must obtain a permit from the Campus Scheduling Office for each proposed structure. Permit application forms may be obtained from the Campus Scheduling Office. The permit application shall include the identity of the member or members of the university community responsible for the structure; the proposed location, size, and design of the structure; the period of time the structure will be in place (up to 30 calendar days for 12 hours per day for booths and buildings of any kind and 24 hours per day for other structures); an agreement to remove the structure at the end of each day and upon expiration of the permit and to pay for any damage the structure may cause to the site upon which it is erected; and an agreement to hold the University harmless for any assessed damages or liabilities caused by the structure itself. In the case of structures other than lawn signs, billboards, banners and similar self-explanatory structures, the Campus Scheduling Office shall require that the structure be regularly staffed during daytime school hours as a condition of issuing the permit and renewing the permit.

4.14.2.4 The Campus Scheduling Office shall issue the permit if (a) the intended non-commercial structure and uses made of it will not constitute a safety hazard and will not impede the normal functions of the University; (b) the structure does not block or impede entry to any building or interfere with normal pedestrian or vehicular traffic; and (c) the proposed location of the structure does not cause unreasonable damage, in the University's exclusive judgment, to landscaping, such as flowers and shrubs.

4.14.2.5 A permit shall be issued for up to 30 calendar days. In the event of compliance with the terms of the permit, it may be renewed, upon application, for the same time period, subject to the requirements applicable to the issuance of the original permit.

4.14.2.6 University maintenance personnel or other university officials may remove any non-commercial structures that do not comply with this policy.

4.14.3 Commercial Structures

4.14.3.1 The Campus Scheduling Office shall issue rules and procedures governing the creation and use of structures for commercial purposes. The rules and procedures, which may include a schedule of fees and limitations upon the areas in which such commercial activity may take place, shall be published on the Campus Connection website, and a written record of actions taken under the rules and procedures shall be maintained and open for public inspection upon request. Commercial structures are subject to the limitations on unlawful/unprotected speech (section 4.2.2).



UTAH VALLEY UNIVERSITY Policies and Procedures

5.0 PROCEDURES

5.1 Appeals

5.1.1 Any person seeking to appeal decisions made pursuant to sections 4.8 through 4.14 of this policy, such as the denial of a request to post signs, notices, or posters; the removal of signs, notices, or posters by university staff; the assessment of damages caused by protests/demonstrations; the denial of permission to erect a structure or restrictions placed upon a structure’s permit; etc., may do so by submitting a written appeal to Campus Connection within five business days of the adverse decision. The written appeal must include the specific reasons for the appeal request.

5.1.2 The appeal shall be referred to the Appeals Committee for decision. The committee will consult with the Office of General Counsel to ensure compliance with this policy and applicable law. The decision of the Appeals Committee, which shall be reached by a majority vote, shall be final.

POLICY HISTORY		
	<u>Regular policy, limited scope, approved.</u>	<u>UVU Board of Trustees</u>
November 29, 2018	Non-substantive change: Reference to Policy 541 updated from <i>Student Rights and Responsibilities</i> to <i>Student Code of Conduct</i> .	UVU Policy Office
March 2018	Non-substantive change: Reference to Policy 407 changed to 710 Reference to Policy 429 changed to 706	UVU Policy Office
June 22, 2017	Revisions, Regular policy process, approved.	UVU Board of Trustees
January 12, 2017	Temporary Emergency policy approved.	UVU Board of Trustees

UVU BOARD OF TRUSTEES

January 23, 2020

4 p.m. – SC 213c

Board of Trustee Members Present

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

Others Present

Braley Dodson
Jeremy Knee
Scott Trotter
Stephen Whyte

UVU Attendees

Astrid S. Tuminez, President
Anne Arendt, Faculty Senate President
Jacob Atkin, Associate Vice President, Finance
Clark Collings, Interim General Counsel
Scott Cooksey, Vice President, Development and Alumni
Cameron Gunter, UVU Foundation Board Chair
Linda Makin, Vice President, Planning, Budgets, and HR
Cam Martin, Vice President, Marketing & Communication
Kyle Reyes, Vice President, Student Affairs
Wayne Vaught, Provost & Vice President, Academic Affairs
Katie Zabriskie, Executive Communication Officer

Chair R. Duff Thompson welcomed those in attendance to the February 25, 2020, Board of Trustees meeting.

I. ACTION

1. Policy

The Board of Trustees were presented with two policies to review. The Trustees were first asked to approve Policy 114 Conflict of Interest. It was noted that this policy revision adds substance to the existing policy, addressing additional scenarios, research concerns, the appeals process, and requirements of employees. Policy 304 Employment of Relatives “Nepotism” was addressed subsequently as a policy to be deleted because the contents were being added to the revisions in Policy 114. Trustee Jill Taylor motioned to approve revisions to Policy 114 and the deletion of Policy 304. 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 Dru Huffaker seconded. The motion carried without opposition.

I. ACTION (Continued)

2. Awards of Excellence

Trustee Acerson motioned to approve the Board of Trustees Awards of Excellence recipients agreed to by the Board of Trustees in executive session with the intention to reveal those names at a later date. Trustee Rick Nielsen seconded. The motion carried without opposition.

3. Sabbaticals

Trustee Paul Thompson motioned to approve the following sabbaticals for a.) Fall 2020: David McEntire, Hsiu-Chin Chen, and Jerry Petersen and for b.) 2020-2021 Academic Year: Anton Tolman, Maria Blevins, Todd Goddard, Jans Wager, John Hunt, Mark Lentz, and Michaela Sawyer. Trustee Nielsen seconded. The motion carried without opposition.

4. Executive Tenure

Trustee James Clarke motioned to approve J. Kelly Flanagan for tenure and promotion to the rank of professor. Trustee P. Thompson seconded. The motion carried without opposition.

III. CONSENT CALENDAR

The Trustees were asked to review the Consent Calendar, which consisted of the minutes of January 23, 2020; the December 2019 Investment Reports; and the 2019 HR Report. Trustee Scott Smith motioned to approve the Consent Calendar. Trustee Huffaker seconded. The motion carried without opposition.

IV. INFORMATION

1. Inclusion Plan

The Board of Trustees were provided with an update on the current efforts of the university with regard to inclusion and diversity. Kyle Reyes, VP for Student Affairs, gave a brief history of the catalyst for the initiative and the efforts made with regard to the first inclusion plan and the hiring of a CIDO. Then, Belinda 'Otukolo Saltiban, Chief Inclusion and Diversity Officer, discussed the Inclusion Plan 2.0 and provided a summary of the 75 strategic actions that will be undertaken in the next 4 years. She reviewed the path forward and the components that will shape inclusion efforts at UVU and discussed the importance of inclusion and diversity efforts to the UVU community and our mission as an institution that welcomes all.

2. University Update

President Astrid S. Tuminez presented the Trustees with an update on the university since the January 2020 Board meeting. Topics included a review of recent university events and reminders about upcoming athletic matches, arts performances and institutional events; the announcement of the hire of Dr. Kelly Flanagan as the VP for Digital Transformation/CIO; highlights of student successes, faculty honors, program recognitions, monetary gifts, new scholarships, and campus construction. President Tuminez closed with a discussion of UVU's legislative budget priorities, changes to the structure of Utah's higher education governance, and the continuing partnership with MTECH.

3. Board of Trustee Discussion

The Trustees briefly discussed their desire to increase support of President Tuminez and her initiatives.

Chair Thompson adjourned the meeting.



UTAH VALLEY UNIVERSITY

**CASH AND INVESTMENT
REPORT
January 2020**

Monthly Composite Performance Review

UTAH VALLEY UNIVERSITY

January 2020



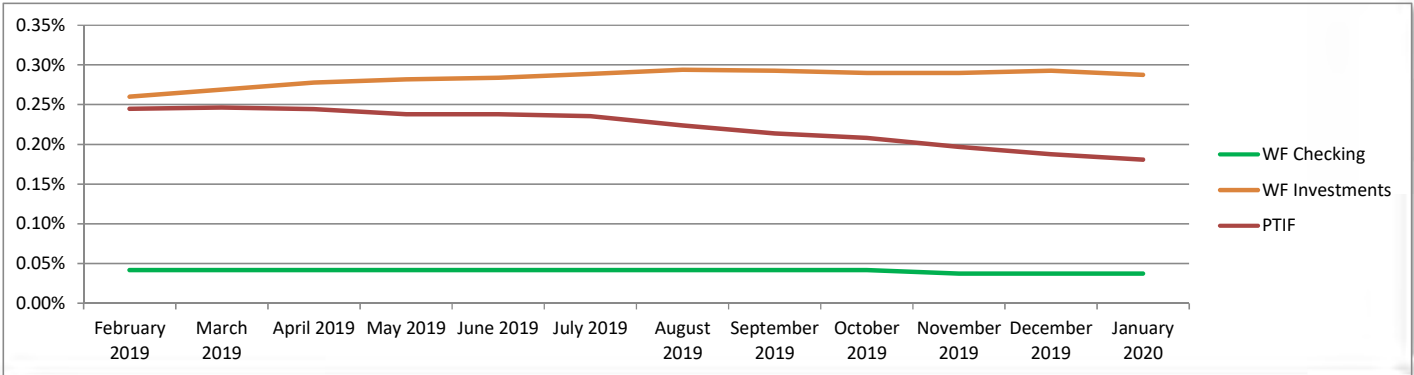
Account Activity

	Checking/Sweep	Investments	PTIF	Total University Cash and Investments	Past Twelve Months of Activity
Beginning Balance	\$ 6,813,644	\$ 87,693,281	\$ 96,105,323	\$ 190,612,248	\$ 201,456,298
Interest/Earnings Credit	8,256	246,197	204,742	459,195	5,571,281
Acquisitions/Credits	4,601,001	-	58,754,315	63,355,316	241,615,616
Dispositions/Debits	-	-	(30,000,000)	(30,000,000)	(216,037,640)
Unrecognized Gain/Loss	-	18,085	-	18,085	(9,711)
Fees	(8,256)	-	-	(8,256)	(66,742)
Transfers *	-	(246,197)	(4,015,177)	(4,261,374)	(12,353,889)
Ending Balance	\$ 11,414,645	\$ 87,711,366	\$ 121,049,203	\$ 220,175,214	\$ 220,175,214

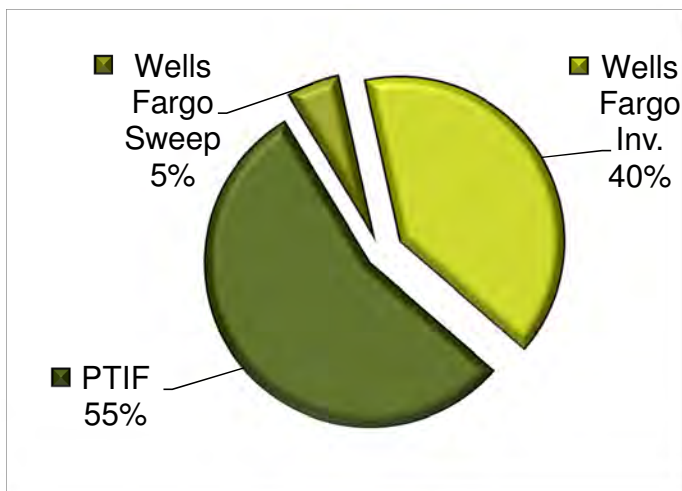
* Transfers consist of activity between UVU and the Foundation and interest transferred to UVU.

Performance Returns

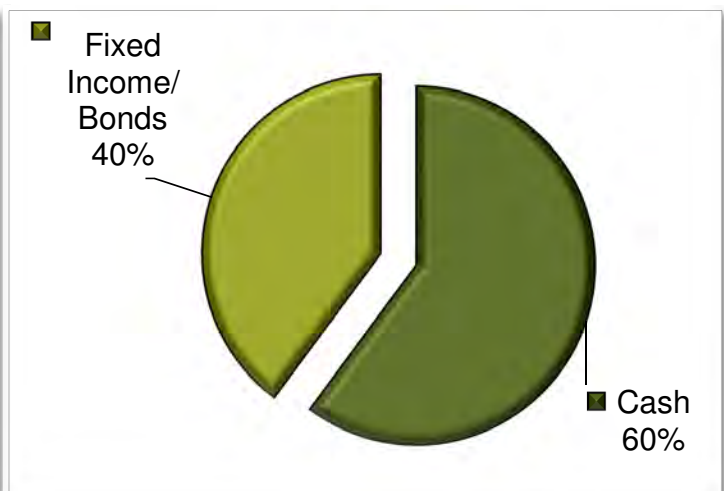
	Wells Fargo Checking/Sweep	Wells Fargo Investments	PTIF
February 2019	0.04%	0.26%	0.24%
March 2019	0.04%	0.27%	0.25%
April 2019	0.04%	0.28%	0.24%
May 2019	0.04%	0.28%	0.24%
June 2019	0.04%	0.28%	0.24%
July 2019	0.04%	0.29%	0.24%
August 2019	0.04%	0.29%	0.22%
September 2019	0.04%	0.29%	0.21%
October 2019	0.04%	0.29%	0.21%
November 2019	0.04%	0.29%	0.20%
December 2019	0.04%	0.29%	0.19%
January 2020	0.04%	0.29%	0.18%
Monthly Average	0.04%	0.28%	0.22%
12 Month Return	0.49%	3.41%	2.66%



UVU Cash and Investments as a Percent of Total



UVU Cash and Investments Investments by Type



Monthly Composite Performance Review

UVU Foundation

January 2020



Account Activity

	Unrestricted	Temporarily Restricted	Permanently Restricted - Endowments	Total Foundation Investments	Past Twelve Months of Activity	Notes Due From University ^
Beginning Market Value	\$ 3,083,672	\$ 48,704,032	\$ 32,897,689	\$ 84,685,393	\$ 74,617,277	Beginning Balance \$ 7,319,458
Interest	2,602	81,841	720	85,163	1,124,331	Additional Notes -
Acquisitions	-	7,789	589,229	597,018	14,744,303	Principal Received (339,170)
Dispositions	-	(154,330)	(442,688)	(597,018)	(15,026,514)	Ending Balance \$ 6,980,287
Gain/Loss Rec & Unrec	-	(154,395)	(291,670)	(446,065)	3,626,172	Interest Received \$ 203,904
Fees	-	-	(884)	(884)	(44,896)	Rate 5.5%
Transfers *	(1,469)	3,883,972	132,674	4,015,177	9,298,111	^ Fiscal Year Activity
Ending Market Value	\$ 3,084,805	\$ 52,368,909	\$ 32,885,070	\$ 88,338,784	\$ 88,338,784	

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

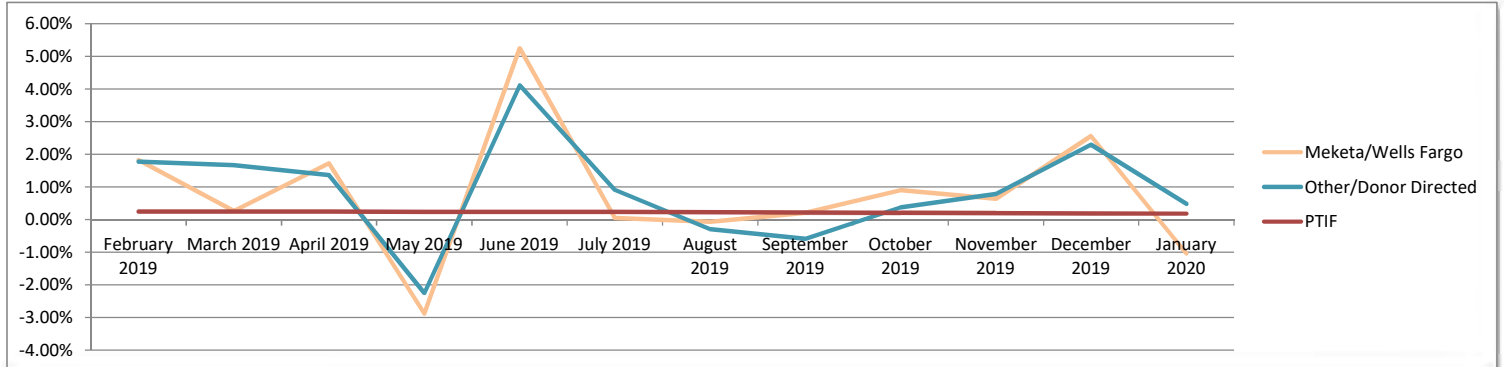
Performance Returns

	Meketa/ Wells Fargo	Other - Donor Directed	PTIF
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%
September 2019	0.21%	-0.59%	0.21%
October 2019	0.90%	0.38%	0.21%
November 2019	0.63%	0.79%	0.20%
December 2019	2.56%	2.29%	0.19%
January 2020	-1.04%	0.48%	0.18%
Monthly Average	0.78%	0.89%	0.22%
12 Month Return	9.39%	10.62%	2.66%

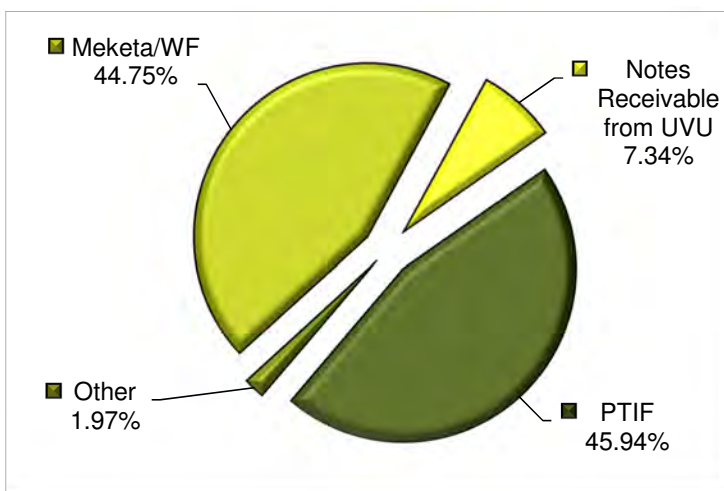
Fund Performance

	1-Year	3-Year	5-Year
UVU	7.63%	7.80%	9.29%
Benchmark	7.70%	6.00%	7.00%

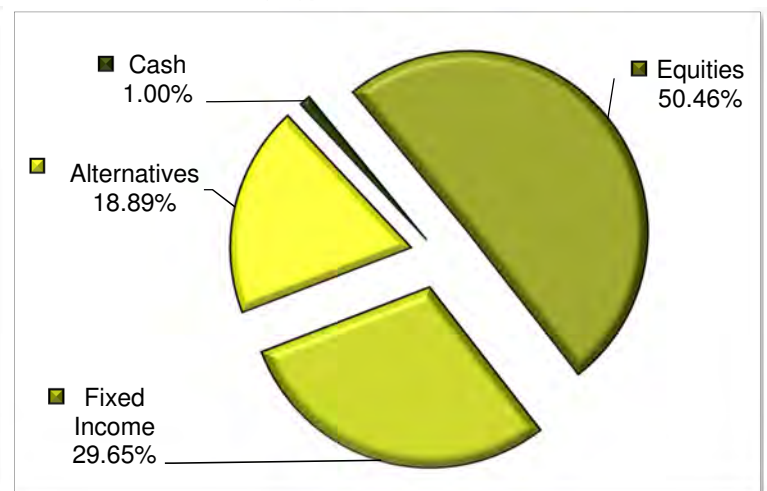
2018 data. Benchmark per NACUBO



UVU Foundation
All Funds as a Percent of Total



UVU Foundation
Investments by Type/Long-Term Investment Fund



Utah Valley University

Investments and Investment Earnings

From 7/1/19 to 1/31/20

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	2.44%	7/28/2017	3/6/2020	1,000,662.47	662.47	2,560.28	1,003,222.75	1,000,000.00	14,458.88	-	14,458.88
Goldman Sachs Group Inc SRNT	2.97%	2/23/2018	4/23/2020	5,783,361.78	100,361.78	14,213.59	5,797,575.37	5,683,000.00	148,486.92	-	148,486.92
UBS AG Stamford CT	2.76%	9/29/2017	6/1/2020	3,038,334.36	38,334.36	5,054.26	3,043,388.62	3,000,000.00	48,245.82	-	48,245.82
Morgan Stanley	2.87%	6/16/2017	6/16/2020	3,544,030.00	44,030.00	-	3,544,030.00	3,500,000.00	57,407.42	-	57,407.42
National Bank of Canada	2.45%	8/24/2017	6/12/2020	4,024,000.00	24,000.00	14,503.56	4,038,503.56	4,000,000.00	57,838.60	-	57,838.60
National Bank of Canada	2.45%	8/24/2017	6/12/2020	1,006,000.00	6,000.00	3,625.89	1,009,625.89	1,000,000.00	14,459.65	-	14,459.65
Bank of Montreal	2.33%	1/9/2018	6/15/2020	1,507,200.00	7,200.00	2,113.01	1,509,313.01	1,500,000.00	20,508.18	-	20,508.18
Wells Fargo	2.68%	8/21/2017	7/22/2020	5,083,300.00	83,300.00	8,526.39	5,091,826.39	5,000,000.00	119,943.89	-	119,943.89
Canadian Imperial Bank	2.21%	3/9/2018	10/5/2020	2,507,925.00	7,925.00	8,775.94	2,516,700.94	2,500,000.00	50,208.28	-	50,208.28
JPMorgan Chase & Co.	2.98%	1/16/2018	10/29/2020	3,076,110.00	76,110.00	16,789.24	3,092,899.24	3,000,000.00	79,274.05	-	79,274.05
American Express Co	2.10%	1/24/2018	10/30/2020	3,001,500.00	1,500.00	12,240.38	3,013,740.38	3,000,000.00	59,357.94	-	59,357.94
Canadian Imperial Bank	2.22%	2/12/2018	2/2/2021	3,006,600.00	6,600.00	12,240.38	3,018,840.38	3,000,000.00	42,376.44	-	42,376.44
Wells Fargo	3.24%	5/2/2018	3/4/2021	3,590,463.24	90,463.24	18,972.44	3,609,435.68	3,500,000.00	65,093.22	-	65,093.22
HSBC HOLDINGS PLC	4.13%	3/16/2018	3/8/2021	8,547,201.00	447,201.00	7,717.10	8,554,918.10	8,100,000.00	184,994.28	-	184,994.28
Toronto Dominion Bank	2.87%	4/10/2018	4/7/2021	3,067,953.00	67,953.00	277.55	3,068,230.55	3,000,000.00	75,589.39	-	75,589.39
Bank of Nova Scotia	2.26%	4/30/2018	4/20/2021	5,015,250.00	15,250.00	3,887.03	5,019,137.03	5,000,000.00	103,404.41	-	103,404.41
Morgan Stanley	3.22%	4/30/2018	4/21/2021	5,143,600.00	143,600.00	3,657.07	5,147,257.07	5,000,000.00	139,937.76	-	139,937.76
Santander UK PLC	2.53%	6/6/2018	6/1/2021	1,502,280.00	2,280.00	608.40	1,502,888.40	1,500,000.00	22,378.73	-	22,378.73
Mitsubishi UFJ FIN GRP	2.44%	8/10/2018	7/26/2021	1,803,030.04	10,030.04	2,229.95	1,805,259.99	1,793,000.00	40,041.98	-	40,041.98
Citigroup Inc	3.09%	8/8/2018	8/2/2021	8,670,000.00	170,000.00	5,012.96	8,675,012.96	8,500,000.00	158,493.64	-	158,493.64
Goldman Sachs Group Inc SRNT	3.08%	11/29/2018	11/15/2021	2,020,000.00	20,000.00	2,944.77	2,022,944.77	2,000,000.00	35,860.22	-	35,860.22
Santander UK PLC	2.57%	1/9/2019	11/15/2021	2,488,307.50	(11,692.50)	12,513.00	2,500,820.50	2,500,000.00	38,308.61	-	38,308.61
MIZUHO Financial Group	2.85%	2/28/2019	2/28/2022	2,016,000.00	16,000.00	-	2,016,000.00	2,000,000.00	33,623.62	-	33,623.62
Barclays Bank	2.58%	6/21/2019	6/21/2022	5,000,000.00	-	-	5,000,000.00	5,000,000.00	73,062.63	-	73,062.63
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	1,735,667.39	-	1,735,667.39
			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			