



DRAFT MINUTES

HIGHER EDUCATION APPROPRIATIONS SUBCOMMITTEE

Monday, August 17, 2020 | 1:00 p.m. | 445 State Capitol

Members Present:

Rep. Michael K. McKell, House Chair
Rep. Susan Duckworth, House Vice Chair
Sen. Deidre M. Henderson
Sen. Lyle W. Hillyard
Sen. Karen Mayne
Sen. Ann Millner
Sen. Evan J. Vickers
Rep. Melissa G. Ballard
Rep. Jon Hawkins
Rep. Kelly B. Miles
Rep. Candice B. Pierucci

Rep. Rex P. Shipp
Rep. Mark A. Strong
Rep. Mark A. Wheatley

Members Absent:

Sen. Keith Grover, Senate Chair
Sen. Jerry W. Stevenson

Staff Present:

Sean C. Faherty, Finance Officer
Ben Leishman, Finance Manager
Lorna Wells, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair McKell called the meeting to order at 1:05 p.m.

1 . 2020 General Session Review

Seán Faherty gave an overview of the Higher Education budget changes since the 2020 General Session.

[3a-Higher Education Budget Update Presentation](#)

[3b-HED Budget of the State of Utah](#)

Rep. Pierucci asked for clarification about the status of buildings that were funded in the 2020 Session. Seán Faherty responded.

2 . Special Session 5 Budget Adjustment Follow-Up

Seán Faherty discussed the budget reallocations necessary since the General Session.

[4a-Issue Brief - 2020 Interim - Utah System of Higher Education Reallocation Requests](#)

Dave Woolstenhulme, Commissioner, Utah System of Higher Education (USHE) discussed requests for line item changes at the system office.

Rich Amon, Chief Financial Officer, USHE discussed reallocation requests for the USHE institutions.

Rep. Miles asked about personnel reductions and available federal funding. Commissioner Woolstenhulme responded.

Rich Amon discussed the CARES Act funding.

Ben Leishman discussed some reallocations within institutions in Operations and Maintenance. Rich Amon responded.

Sen. Hillyard asked about restrictions of the CARES Act money. Chair McKell said this will be discussed later in the meeting.

Sen. Mayne discussed the importance of maintenance on buildings.

3 . Transition to the Utah Board of Higher Education

Commissioner Woolstenhulme discussed the USHE and USTC transition to the Utah Board of Higher Education.

[5d-USHE Transition Presentation](#)

[5b-Utah Board of Higher Education Statutory Responsibilities](#)

[5c-Institutional Roles and Missions](#)

Geoffrey Landward, Deputy Commissioner, General Counsel, USHE discussed the changes in duties & responsibilities of the Board.

[5a-Delegated Duties and Responsibilities](#)

Sen. Millner asked about program approval. Commissioner Woolstenhulme responded.

Chair McKell would like to see a flowchart of program approval for future discussion.

Sen. Hillyard asked about the consideration of electronic learning. Commissioner Woolstenhulme responded.

Chair McKell asked if there were any issues that developed as the transition has taken place. Commissioner Woolstenhulme responded.

4 . COVID-19 System Update

Commissioner Woolstenhulme discussed the COVID-19 impacts on the USHE institutions.

[6c-USHE COVID-19 Presentation](#)

Spencer Jenkins, Chief Student Affairs Officer, USHE discussed some of the challenges with the CARES funding.

Sen. Hillyard asked if the 100 percent of the money can be spent on areas that need funding. Spencer Jenkins and Rich Amon responded.

Spencer Jenkins continued his presentation.

Ruth Watkins, President, University of Utah discussed some of the effects of COVID-19.

[6b-UofU COVID-19 Presentation](#)

Rep. Ballard commended Pres. Watkins on her leadership.

Chair McKell asked about the COVID-19 responses from all 16 institutions. Comm. Woolstenhulme responded.

Clay Christensen, President, Mountainland Technical College gave an overview of MTECH's COVID responses.

[6a-MTECH COVID-19 Presentation](#)

Pres. Tuminez gave a perspective of the COVID-19 challenges at Utah Valley University.

MOTION: Rep. Shipp moved that the reallocations as included in the Issue Brief titled USHE Reallocations Requests be recommended to the Executive Appropriations Committee for inclusion and implementation in the next available Fiscal Year 2021 budget bill. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. M. Ballard
Rep. S. Duckworth
Rep. J. Hawkins
Sen. D. Henderson
Sen. L. Hillyard
Sen. K. Mayne
Rep. M. McKell
Rep. K. Miles
Sen. A. Millner
Rep. C. Pierucci
Rep. R. Shipp
Rep. M. Strong
Sen. E. Vickers
Rep. M. Wheatley

Nays-0

Absent-2

Sen. K. Grover
Sen. J. Stevenson

MOTION: Rep. Hawkins moved to approve the minutes of the May 27, 2020 meeting. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. M. Ballard
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Rep. M. McKell
Rep. K. Miles
Sen. A. Millner
Rep. C. Pierucci
Rep. R. Shipp
Rep. M. Strong
Sen. E. Vickers
Rep. M. Wheatley

Nays-0

Absent-2

Sen. K. Grover
Sen. J. Stevenson

5 . State Auditor Report on Mandatory Fees in the Utah

Tyson Plastow, Special Projects Supervisor, Auditor's Office reported on the audit findings regarding mandatory fees.

[7a-State Auditor Report on Higher Education Fees](#)

[7b-USHE Mandatory Fee Auditor Presentation](#)

John Dougall, State Auditor of Utah discussed work that has taken place since the audit was completed.

Sen. Hillyard asked how many fees had concerns and how many did not. John Dougall responded.

Rep. Pierucci asked for a brief comparison of the 2011 audit and the current audit. John Dougall responded.

Sen. Vickers asked what percentage student fees were of a student's overall costs. John Dougall responded.

Rep. Ballard mentioned the importance of giving these metrics to the Board of Trustees under the new higher education structure. John Dougall responded.

Rep. Miles asked for specific information about how fees were instigated. John Dougall responded.

Comm. Woolstenhulme gave a response from the USHE Board regarding the audit results.

Chair McKell asked what the standard or policy for setting fees should be. Commissioner Woolstenhulme responded.

Chair McKell asked staff that as the Commissioner's office develops these policies to review this information get it to committee members.

6 . Campus Safety and Security

Commissioner Woolstenhulme discussed the findings of the task force regarding Campus Safety.

8a-USHE Police Comparison Info for 8.17.20 HED Meeting

Spencer Jenkins discussed the baseline study of public safety on campuses.

Marlon Lynch, Chief Safety Officer, University of Utah gave an update regarding campus safety.

Rep. Pierucci asked questions about the Lauren McCluskey case.

Rich Amon discussed the procedures that are followed in law suits.

Rep. Pierucci asked what changes have been made regarding communication gaps that were identified by this case.

Marlon Lynch explained how the University of Utah has responded to those issues.

Rep. Pierucci expressed more of her concerns about this case and would like a follow-up meeting to ensure that implementation goals being met.

Sen. Vickers mentioned that all lawsuits are handled through specific procedures. Sen. Vickers mentioned that there are other mitigating issues that cannot be discussed because this is an ongoing case.

Sen. Mayne mentioned the tremendous work that Sen. Iwamoto has done on this particular case.

Chair McKell commended Marlon Lynch on his great work coming on board during this unique and difficult time.

Comm. Woolstenhulme commended Pres. Watkins on her tremendous work moving forward with campus safety and security. Marlon Lynch responded.

MOTION: Rep. Strong moved to adjourn. The motion passed with a vote of 14 - 0 - 2.



Yeas-14

Rep. M. Ballard
Rep. S. Duckworth
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Sen. D. Henderson
Sen. L. Hillyard
Sen. K. Mayne
Rep. M. McKell
Rep. K. Miles
Sen. A. Millner
Rep. C. Pierucci
Rep. R. Shipp
Rep. M. Strong
Sen. E. Vickers
Rep. M. Wheatley

Nays-0

Absent-2

Sen. K. Grover
Sen. J. Stevenson

Chair McKell adjourned the meeting at 3:27 p.m.