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Contact : Sarah Harper, 602-229-2542, 602-402-1341 Sarah.K.Harper@azregents.edu
Julie Newberg, 602-2292534, 602-686-1803, Julie.Newberg@azregents.edu

Highlights of ABOR Meeting: Policy Reform on Fees and Tuition, Legislative Update, Coaches Contracts, Code of Conduct Revisions

Tempe, Ariz. – Following are news briefs from the Arizona Board of Regents meeting Feb. 8-9 at Arizona State University. Full board materials are available [here](#).

This Week in Arizona History

During her report to the board, President Klein reflected on the significance of February 9th in Arizona history when Arizona's first constitution was ratified by the people, establishing the board and its first public university. “We affirm those original ideals of public higher education in Arizona’s Constitution and its value as essential to opportunity and liberty. Our policies reflect our commitments to keep our campuses as places to think and to speak freely and to create campus climates free from unlawful discrimination, harassment and retaliation,” Klein noted.

Attainment Data Tool Launched

Indicative of the enterprise’s innovative work to inform education in Arizona and throughout the nation, Klein introduced a new ABOR [first-of-its-kind tool](#) that measures certificates and licenses throughout the nation. A [U.S. map](#) shows attainment data by state and type of credential - degree, certificate, license, etc. – and shows which states have set an attainment goal.

Tuition Setting Calendar

- March 16 – presidents’ tuition proposals for 2018-19 posted on ABOR website.
- March 27 - statewide tuition hearings where students, families and the public may comment on the tuition proposals.
- March 29 – tuition workshop where each university’s proposal is examined in detail.
- April 5 – board meeting and vote on tuition proposals.

Policy Reform on Student Fee Development

In keeping with ABOR’s mission and commitment to ensure greater accessibility and affordability for Arizona students, the board continues its reform agenda regarding tuition and fee setting at Arizona’s public universities. During prior meetings, the board discussed the need to implement reforms to update fee development processes and policies to provide appropriate oversight over fees within the enterprise.

Coupled with recommendations proposed in a recent fee audit conducted by the auditor general, the board introduced a multi-phase process for implementing policy reforms in the short- and long-term. Highlights are summarized in the table below:

Recommendation	Addressed in Forms	Addressed in February	Addressed Later
1. ABOR should determine if administrative costs are an allowable use of class fees	x	x	
2a. Develop clearly defined purposes	x		
2b. Consider the appropriateness of the fees	x		
2c. Include administrative costs in fee requests	x		
3. Set expectations for student input	x		x
4. Periodic review of fee practices			x
5. Review of all student fees		x	x
6. Consider other fees when setting a fee	x		

A full list of phase one and future reforms, including context and strategy for implementation, can be found [here](#). Additionally, the board reviewed on first reading proposed revisions to board policy 4-101, [“Authority to Set Tuition and Fees.”](#)

“These recommendations reflect and reinforce ABOR’s continued commitment to keeping an Arizona university education as affordable and accessible as possible – for as many students as possible,” Klein said. “I look forward to working with our regents and universities to begin implementation of these significant reforms, which I’m confident will vastly improve transparency, simplicity and predictability within our fee setting process.”

Legislative Update

The board heard updates on current legislation related to or impacting Arizona public universities and took positions on the following bills:

Opposed:

- [HB 2280](#) (universities; lease-back financing) - the legislation would restrict the ability of Arizona’s universities to be entrepreneurial and innovative in pursuing alternative ways to fund higher education. These real estate activities represent one of many revenue streams our universities have developed in order to continue to succeed and grow after previous years of higher education spending cuts by the state.
- [HB 2172](#) (postsecondary institutions; possession; nonlethal weapons) – the legislation would allow "non-lethal" forms of self-defense on a university campus. In a subsequent agenda item during the meeting, the board updated its policies to clarify that common personal safety devices such as certain chemical repellants and alarms are not prohibited on our campuses (see **Codes of Conduct Revisions** in these news briefs).

- [SB 1422](#) regarding tuition and fees that would require differentiation for online tuition and reestablish the tuition remittance process that moves tuition from the universities to the state where it is remitted back to the universities.

Support:

- [HB 2482](#) (foster care tuition waiver); supported [SB 1215](#) (WICHE; continuation) that extends the Western Interstate Commission for Higher Education (WICHE) for eight years. Arizona's WICHE program is administered by ABOR. The board also supported [HB 2475](#) that would appropriate state funds for Arizona National Guard members tuition/fees. The board also voted to take a neutral position on HB 2563 that addresses free expression policies.

ASU Operational and Financial Review

ASU President Michael Crow presented an in-depth review of the university's operations and finances to the board. Crow reviewed with the board progress that the institution has made toward strategic goals set by the board in areas that reflect student success such as graduation rates and enrollment as well as metrics that are indicative of new knowledge created and economic activity generated for our state such as research. Also outlined was the university's financial status. The board conducts an annual comprehensive review of the operations and finances of each university as part of its constitutional responsibility to ensure that Arizona's public universities accomplish their public purpose and mission. The review includes a [background report](#), [business plan](#) and [presentation](#). More information on OFRs for all of the universities is available on the ABOR [website](#).

Proposed Revisions to University Coaches' Contracts

Multi-year athletics contracts for university head coaches and athletics directors have been a heightened focus of the Arizona Board of Regents in recent weeks. During this week's meeting, the board reviewed on first reading proposed revisions to ABOR policies that govern these contracts, which can be viewed [here](#).

These revisions reflect recent board discussions, including Chair Bill Ridenour's call during the December meeting for a more transparent and accountable process.

Key proposed policy revisions include:

- Consolidating policies and guidelines for athletics contracts into a single policy.
- Requiring board approval for multi-year university contracts with athletics directors and head coaches for football, basketball and baseball.
- Requiring that the university disclose certain information and proposed contract terms (noted in detail in the [executive summary](#)) for athletic directors and coaches.
- Requiring each athletics director and head coach to promptly disclose suspected violations of NCAA or conference rules by themselves or other employees of the university's athletics department to the university president and other appropriate authorities.
- Requiring each athletics director and head coach to cooperate in investigations initiated by the NCAA, conference, the university or law enforcement.
- Requiring each athletics director and head coach to comply with all board and university policies, including Title IX and other laws related to sexual violence, sexual assault and related conduct.

"In December, I directed board staff to review our policies surrounding multi-year university athletics contracts, and to identify ways to improve accountability and transparency in the process," Ridenour said. "I'm pleased with the comprehensive consideration this matter was given. These recommendations

represent a significant step in the right direction. I look forward to our continued work to address this issue.”

Board clarifies code of conduct policies

State law authorizes the Arizona Board of Regents to adopt codes of conduct for students, faculty, staff and members of the public while on university or board property. Codes of conduct include descriptions of prohibited conduct as well as definitions of terms used in those prohibitions.

The board reviewed for first reading and immediate implementation proposed revisions to the codes of conduct.

The changes update and clarify definitions and prohibitions related to the use and possession of weapons and dangerous instruments on campus including:

- Adding definitions of “dangerous instrument” to mirror state statute: “anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.”
- Update the prohibition regarding the possession and use of weapons to clarify that the possession or use for self-defense of personal alarms or chemical repellents designed to protect personal safety from physical attacks by other people are not prohibited.
- Update the codes of conduct to prohibit the carrying of torches and other devices with open flames on university property or at university activities.

“Safety for our students, faculty, staff and visitors to our university campuses is our No. 1 priority,” Klein said. “These updates improve upon and bring clarity to the policies that govern the conduct of students, staff and the general public on university grounds.”

Current code of conduct policies and suggested revisions can be viewed in their entirety [here](#).

Athletics Contracts Approved for NAU, UA and ASU

- The board approved a five-year employment contract for Michael Marlow as vice president for Intercollegiate Athletics at Northern Arizona University. Marlow’s background includes serving as deputy director of athletics for Washington State University; senior associate athletics director for external Affairs at University of Oregon; assistant athletic director for the University of Idaho; and assistant director for the Grizzly Athletic Association at the University of Montana.

The contract may be viewed [here](#).

- The board also approved a five-year contract for Kevin Sumlin to serve as new head football coach at the University of Arizona. Sumlin is a highly qualified coach with an impressive background. Most recently, Sumlin was the head coach at Texas A&M for six years with a win-loss record of 51-26. Prior to that, he served as head football coach for the University of Houston for four seasons. He also has nearly two decades of assistant coaching experience at Washington State University, University of Wyoming, University of Minnesota, Purdue University, and University of Oklahoma.

The terms of the contract can be viewed in detail [here](#).

- A one-year extension of the multiple-year employment contract for Robert Hurley as head men's basketball coach at ASU was approved by the board. Hurley is in his third season at ASU. While his current contract is not set to expire until 2021, ASU requested an extension of his contract for an additional year, pointing to a number of significant successes ASU's basketball program has enjoyed under Hurley's leadership.

The extended contract and amended terms can be viewed in detail [here](#).

- An extension for the employment contract for Charli Turner Thorne as head women's basketball coach at ASU was approved by the board. Turner Thorne is in her 21st season at ASU. Her contract is also set to expire in 2021, and ASU is similarly seeking an extension for an additional year. Thorne is the winningest coach in Sun Devil Women's basketball history and No. 2 in the Pac-12 in most career wins.

The extended contract and amended terms can be viewed in [here](#).