

DSUTM

DIXIE STATE UNIVERSITY
ST. GEORGE, UTAH

*Board of Trustees
Meeting Agenda*

Wednesday, July 16, 2014

*South Administration Building
Conference Room
11:00 a.m.*

**DIXIE STATE UNIVERSITY
BOARD OF TRUSTEES MEETING
South Administration Building Conference Room
Wednesday, July 16, 2014
11:00 a.m.**

A G E N D A

[*] = Handout Included

I. WELCOME (Chair Steven G. Caplin)

II. ACTION ITEMS

- A. *Ratification of President Nadauld's *President Emeritus* Status (Chair Caplin/
Bill Christensen)**
- B. Policies (Chair Caplin)**
- ***Policy 6-NEW: University Collections**
 - ***Policy NEW: Trustee Conflict of Interest [Followed by Trustees signing –
and Jane Leaphart notarizing – Conflict of Interest Disclosure Statements]**

**III. ELECTION OF DSU BOARD OF TRUSTEES LEADERSHIP [CHAIR AND VICE
CHAIR] (Chair Caplin)**

IV. THANK YOU TO OUTGOING CHAIR STEVEN G. CAPLIN (Bill Christensen)

V. CALENDAR OF UPCOMING MEETINGS AND EVENTS

- ***Summer School:***
 - ***Full-term Courses*** – May 5 – August 8, 2014
 - ***1st Five-Week Block*** – May 12 – June 13, 2014
 - ***Eight-Week Block*** – May 27 – July 18, 2014
 - ***2nd Five-Week Block*** – June 16 – July 18, 2014
- ***DSUSA Summer Internship*** – June 1 – August 1, 2014
- ***Group Interviews with Presidential Candidates (three finalists)*** – Wednesday, July 16,
Holland Centennial Commons
- ***Board of Trustees Meeting*** – Wednesday, July 16 @ 11AM, South Admin Conference
Room
- ***Announcement of New DSU President*** – Thursday, July 17 @ 3:30PM, Zion Room
- ***Board of Regents Meeting*** – Friday, July 18 @ SUU
- ***Pioneer Day Holiday*** – Thursday, July 24, 2014
- ***Summer R.O.A.D.S. Schedule*** – August 4, 2014
- ***Council of Presidents Budget Meeting*** – Friday, August 8, 2014
- ***Pre-Fall Inservice Meetings*** – August 18-22, 2014
- ***Freshman Friday*** – Friday, August 22, 2014
- ***Fall Semester Begins*** – Monday, August 25, 2014
- ***Labor Day Holiday*** – Monday, September 1, 2014
- ***China Photo Retreat*** – September 1-15, 2014

V. CALENDAR OF UPCOMING MEETINGS AND EVENTS (CONTINUED)

- ***DOCUTAH Film Festival*** – September 2-6, 2014. Highlights:
 - *Opening Night at Town Square* – Tuesday, September 2 – *Reception @ 7PM, Community Arts Building/3rd Floor*
 - *Formal State Dinner (w/Ambassadors)* – Thursday, September 4 @ 5PM, Zion Room
 - *“Road to the Globe” (Partnership with the Utah Shakespeare Festival)* – Friday, September 5, 2014
- *University Council Meeting* – Thursday, September 4 @ 3PM, South Admin Conference Room
- *Back-to-School Convocation* – Sunday, September 7 @ 7PM, Cox Auditorium
- *Council of Presidents Meeting* – Tuesday, September 9, 2014
- *Board of Trustees Meeting* – Friday, September 19, 2014
- *Board of Regents Meeting* – Thursday & Friday, September 25-26 @ USU
- *Fall Break* – Thursday and Friday, October 16 and 17, 2014
- *Homecoming* – October 20-25, 2014
- *Council of Presidents Meeting* – Tuesday, October 28, 2014
- *“Muslim Journeys” Program* – October 28-30, 2014
- *Board of Regents Meeting* – Friday, November 14, 2014 @ UVU
- *Board of Trustees Meeting* – Friday, November 21, 2014
- *Thanksgiving Break* – November 27-28, 2014
- *Finals Week* – December 15-19, 2014
- *Holiday Break* – December 22, 2014 through January 9, 2015
- *Spring Semester Begins* – Monday, January 12, 2015

VI. NEXT BOARD OF TRUSTEES MEETING – FRIDAY, SEPTEMBER 19, 2014

From: Steve Caplin [<mailto:steve.caplin@steton.com>]
Sent: Wednesday, April 30, 2014 12:03 PM
To: Christensen, Bill
Cc: Dave Clark; Elisabeth Bingham
Subject: Fwd: President Emeritus

Bill, it's unanimous. Let's proceed with the Emeritus presentation. Once again, thank you for your suggestion. The Board is extremely excited about this!

Steve Caplin
Sent from my iPad

On Apr 29, 2014, at 3:02 PM, "Steve Caplin" <steve.caplin@steton.com> wrote:

Fellow Trustees,
Thank you for your time and contributions at yesterday's board meeting. Each of you is a valuable member of the DSU Board and I greatly appreciate your efforts!

Recently our terrific CAO (Chief Academic Officer), Bill Christensen, approached us with the suggestion to grant Dr. Nadauld the special designation of President Emeritus status as a surprise at Commencement this Friday. I felt the suggestion had great merit so I contacted Commissioner Buhler for some guidance. He in turn visited with the Board of Regent leadership then subsequently informed me that the Board of Trustees has the authority to grant President Emeritus status, and suggested the following approach:

- 1) Create the definition of DSU President Emeritus with associated privileges and responsibilities – Status: Work in Progress, Bill Christensen
- 2) Garner faculty leadership support – Status: Completed, Bill Christensen
- 3) By email, obtain preliminary Board approval for Dr. Nadauld's President Emeritus – Status: Vote in response to this email
- 4) Openly ratify the President Emeritus designation in a subsequent Board of Trustee meeting – Status: Agenda item in tentatively scheduled July 17th Board of Trustee meeting

If you are supportive of granting Dr. Nadauld President Emeritus Status, please respond to this email with a Yay vote. If you do not support the proposal please respond Nay.

If the Board approves this proposal, Bill Christensen will handle this designation during his commencement business. Please keep in mind this is not on the commencement agenda, and we want this to remain a surprise until the exact moment.

Best regards,
Steve
Steven G. Caplin
President / CEO
T: 435-627-5088
M: 435-862-9580
www.steton.com

Steton

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES MANUAL	Section: 6
	Policy No: NEW
	Approved: Revised:
Policy: University Collections	

I. Scope.

- A. All works of art, artifacts, and geological and biological specimens owned by Dixie State University, including individual units thereof, are covered by this policy and are referred to throughout as the “Collections”. Objects in the Collections typically have aesthetic, cultural, educational, historical, and/or scientific value. All objects in the Collections are held in trust for the benefit of DSU students and faculty, and other members of the public.*
- B. All objects in the possession of the University at the time this policy is approved and all objects that come into the possession of the University after approval of this policy are included in the Collections and are subject to this policy and any associated addenda, plans, or procedures. The purpose of the Collections is to support the mission of the University, and to:*
- i. Obtain and preserve works of art and contemporary and historical artifacts to reflect trends in visual art throughout history with the goal of raising awareness and appreciation of different forms and periods of visual art, including educational and outreach efforts to that end.*
 - ii. Obtain and preserve non-living specimens of animals; plants; rocks, minerals, and other geologic specimens, human artifacts, and other subjects of scientific study with the goal of disseminating scientific knowledge and raising awareness and appreciation of natural history, including educational and outreach efforts to that end.*
- C. The Collections typically include three types of objects:*
- i. Art: Physical and non-material works created to fulfill an aesthetic or artistic function, which may include but are not limited to works of visual art in a wide variety of formats: architecture, conceptual art, decorative art, environmental art, folk art, found art, and land art.*
 - ii. Artifact: Any object made or modified by a human culture that is of cultural or historical interest. Although artifacts may have aesthetic or artistic qualities, the purpose of the object as part of the Collections is not primarily aesthetic.*
 - iii. Specimen: A non-living or preserved animal, plant, rock, mineral, or other geologic material used as an example of the species or type for study or display.*

D. The following types of objects are exempt from this policy except that they will be appropriately documented and inventoried and departmental procedures will be established to control their use:

i. Consumables.

ii. Teaching materials used only within classes, including laboratory classes, which are not used primarily for display.

iii. Items acquired and/or maintained solely for research purposes.

vi. Living animals or plants not intended for perpetual inclusion in the Collections.

E. The Special Collections of the University Library, guided by best practices of professional library, local history, and other associations, serves a specific purpose distinct from that of the Collections. The Library and its collections and archives are outside the scope of this policy except for the following provisions:

i. The University Library will develop and maintain a Special Collections Development Plan similar to the University Collection Management Plan (see III below) to be approved and reviewed by the President and the Executive Council at least once every four years. Concomitant to submitting the Collection Development Plan for approval or review, the Library will submit a comprehensive report on Special Collections. After approval, this plan will become an addendum, to this policy.

ii. An acquisition purchased with any University funds when the price of the object requires approval as specified in the University Collections Management Plan.

iii. A deaccession when the value of the object requires approval as specified in the University Collections Management Plan.

iv. The loan of object(s) in the Collections when the cumulative value of the object(s) requires approval as specified in the University Collections Management Plan.

v. Works of art, art objects, and specimens that are part of or are housed in the University Library Special Collections will be registered in the appropriate Collections database as well as or instead of the Library catalog.

II. Authority.

A. The action of the University President is required related to objects in the Collections in these situations:

i. An accession purchased with any University funds when the price of the object requires the approval of the President or designee as specified in the Plan.

ii. A deaccession when the value of the object requires the approval of the President or designee as specified in the Plan.

iii. The loan of object(s) in the Collections when the cumulative value of the object(s) requires the approval of the President or designee as specified in the Plan.

iv. At the specific request of the President.

B. Individual employees are assigned daily operation of collection management as specified in the Plan, with responsibilities including but not limited to research documentation, safety and security, physical protection, conservation, storage, access, display, registration, inventory, and insurance according to accepted museum practices.

i. The curator(s) and collection manager(s) will act with integrity, prudence, intellectual honesty, foresight, and appropriate transparency in the best interests of the Collections and the University, including compliance with the Collection Management Plan, the Code of Ethics of the American Alliance of Museums, and the Code of Ethics of the Association of Art Museum Directors.

ii. In accordance with the Code of Ethics of American Alliance of Museums, individuals with responsibility for the Collections are specifically prohibited from establishing the monetary value or authenticity of any objects, including objects within the collection, under consideration for inclusion in the collection, and/or not under consideration for inclusion in the collection.

1. An individual with responsibility for any part of the Collections may not prepare an appraisal and may not estimate any object's value for any purpose, including sale, obtaining insurance, filing a claim, or determining accession or deaccession to the DSU or other collection.

2. An individual with responsibility for the Collections or a sub-collection may supply authentication documentation related to personal interactions.

C. Under direction from the President, the University Collections Committee and the other collection managers are responsible for developing, implementing, and maintaining a Collection Management Plan ("Plan").

i. After approval by the President and Executive Council, the Plan will be considered an addendum to this policy. Substantive changes to the Plan require the same approval.

D. The University Collections Committee ("Committee") will offer assistance to employees responsible for curation and collection management, including but not limited to developing and implementing the Plan, increasing relevant accessions, selecting exhibits, choosing display locations, developing funding sources, and recommending deaccessions.

i. Members of the Committee will be selected by the President, typically to include the deans of the schools of Humanities, Science & Technology, and Visual & Performing Arts, and the dean of the library, or their designees; the art curator(s), collection manager(s) for the specimen collection, and the Special Collections librarian(s); representative(s) from the University Development and Institutional Advancement offices; and others selected by the President.

ii. The President will name the chair of the Committee, who will be responsible for holding at least four meetings each year, from within the membership.

E. Members of the Committee will avoid all conflicts of interest or the appearance of a conflict of interest, including cases in which they have any personal connection to objects being offered for accession or deaccession. All such connections must be fully disclosed and the member may be required to recuse him/herself from all deliberations and decisions concerning that object.

i. When appropriate, the Committee will work with others on- and off-campus as appropriate to coordinate Collections activities.

ii. The Committee will oversee the creation and maintenance of one or more publically accessible registration record database to include all works of art, artifacts, and specimens in the Collections as required by the Collection Management Plan.

iii. An Annual Report compiled by the curator(s), collection manager(s), and/or the Committee will be submitted by the Committee chair to the President and Executive Council at the beginning of each fiscal year. The report will include the following:

1. Record of accessions.

2. Record of deaccessions.

3. Collections statistics.

4. Loans.

5. Description of exhibitions and attendance at such exhibitions.

6. Educational and outreach activities related to the Collections.

7. Fundraising and development activities related to the Collections.

8. Other significant events during the year.

9. Other information relevant to oversight of the Collections.

III. Collection Management Plan.

A. Under the guidance and direction of the University Collections Committee, the curator(s) and other collection manager(s) will develop and maintain one or more Collection Management Plans ("Plan") to guide the daily operation and management of the Collections.

i. The Plan will generally adhere to appropriate guidelines and best practices from the American Alliance of Museums, Society for the Preservation of Natural History Collections, and/or other professional organizations as appropriate.

B. The Plan and substantive changes to the plan require the approval of the President and his/her Executive Council. The Plan will include the following as well as other relevant information:

- i. Scope of the Collections.*
- ii. Categories or sub-collections within the Collections, and the individuals designated as responsible for them.*
- iii. Criteria, standards, and procedures for accession, including accession forms.*
- iv. Criteria and procedures for deaccession, including deaccessions forms.*
- v. Procedures for incoming and outgoing loans, and appropriate forms.*
- vi. Standards and procedures for documentation, registration, records, and inventories.*
- vii. Standards and procedures for conservation, storage, and care.*
- viii. Procedures and criteria for placement and display.*
- ix. Insurance and risk management.*

IV. Addenda.

A. Addenda to this policy regarding documentation, criteria and procedures for accession and deaccession, and loans of objects will remain part of this policy until such time as a Collection Management Plan is approved at which time they can be removed as addenda.

- i. Documentation Requirements.*
- ii. Criteria and Procedures for Accession.*
- iii. Criteria and Procedures for Deaccession.*
- iv. Loans.*

B. Once approved, the Plan will become an addendum to this policy and will become part of the University policy library and substantive revisions will undergo the same approval process as the original plan.

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES MANUAL	Section: 6
	Policy No: NEW
	Approved: Revised:
Policy: University Collections – Addendum 1: Documentation Requirements	

A. All objects in the Collections will be properly registered and documented in a database according to the current standards of American Alliance of Museums, Society for the Preservation of Natural History Collections, and/or other professional organizations as appropriate. The database will be, insofar as is prudent, accessible to any member or the University community as well as the general public.

i. It is acknowledged that objects existing in the Collections at the time this policy is approved may lack appropriate documentation or provenance. Such items will be included in a Collection database with appropriate notations about missing information.

B. Approval, accession, authenticity, loan, and deaccession documents for each object will be created and maintained.

C. Each object will be indelibly labeled with a unique identifier to match the database records.

D. The permanent location of each object in the Collections will be recorded. The curator(s) or collection manager(s) will be responsible for ensuring that the permanent or temporary location of any object in the Collections is appropriate, safe, and secure.

E. When objects are moved from their permanent location, the object's record in the database is modified to include the temporary location, date the object was moved, purpose of temporary relocation as appropriate, expected date of return, and name of the individual temporarily responsible for the object.

F. In some cases, moving an object off-campus temporarily may not qualify as a loan of the object since it will remain in the care of an employee. Objects of substantial value or unique qualities may only be removed from campus after a recommendation from the University Collections Committee and/or the President.

G. Written documentation requirements and procedures will be developed and maintained as part of the Collection Management Plan.

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES MANUAL	Section: 6
	Policy No: NEW
	Approved: Revised:
Policy: University Collections – Addendum 2: Accession Criteria and Procedures	

- A. Accession is the act of acquiring an object for inclusion in a collection, including the formal act of legally accepting an object as a permanent part of the Collections.*
- B. Each accession must fit within the criteria of a Collection Management Plan, and the University must have a plan to properly care for, store, and use of an object before it can be accepted.*
- C. Objects can be added to the Collections through the following accession methods: purchase, gift, donation, bequest, exchange, and transfer. The University will only add objects to the Collections that are acquired in an ethical and legal manner, including realistic valuations and accurate documentation for tax purposes.*
- D. No accession is complete until the appropriate legal documents are completed and signed. Only an employee designated as a curator or collection manager and the Chair of the University Collections Committee, in accordance with this policy and the Collection Management Plan, and the University President are authorized to formally accept an object as an accession.*
- i. Each accession document must clearly delineate the University’s rights to the object, including intellectual property, digital and electronic use, licensing, commercial and other image use, royalties and fees, privacy, replication and reproduction, and the right to photograph, film, or otherwise record the object.*
- 1. Accessions which would significantly limit the University’s rights in any of those areas, including transfer or ownership, are discouraged and should be undertaken only with the permission of the University Collections Committee or President.*
 - 2. Any donor-specified restrictions or requirements regarding display, care, storage, retention, or deaccession must be included in the accession documentation and will be carefully scrutinized, including legal review as prudent, before the accession is finalized.*
- ii. Purchase approvals are required as follows:*
- 1. Purchase using any University funds of an object valued at over \$5,000 requires University Collections Committee approval.*
 - 2. Purchase using any University funds of an object valued at over \$10,000 requires University Collections Committee and Executive Council approval.*

iii. Accession of an object with a current market value above \$5,000 requires a formal appraisal.

iv. Accession of objects that are inconsistent with this policy must be approved by the University Collections Committee or the President.

E. An object being considered for accession will be evaluated according to the Collection Management Plan with strong consideration for these factors:

i. Consistency with the mission, purposes, and activities of DSU.

ii. Condition, including whether DSU can provide for storage, protection, and conservation in compliance with accepted professional standards.

iii. Documented authenticity and provenance based on research and/or documentation.

iv. Waiver of rights, including not being encumbered by donor, trademark, copyright, or other restrictions.

F. An object may be denied accession for the following or other reasons:

i. The object is duplicative of an object already in the Collections.

ii. The object falls outside the accession criteria or the scope of a Collection Management Plan.

iii. The object's quality or condition is not appropriate.

iv. The object is not relevant to or supportive of the purpose of the Collections.

v. The object's authenticity, legal title, and/or provenance are suspect or faulty.

vi. The University will not be receive required rights to the object.

vii. The donor requires unreasonable limits on deaccession.

viii. The object and/or donor require unreasonable conditions for display, care, storage, or retention.

G. Found objects with unclear title can only be accessioned after they are declared abandoned property under State of Utah regulations.

H. Art, artifacts and specimens that are not appropriate for accession to the Collections or are not designed to become part of the permanent Collections but are accepted or acquired in order to sell or auction at a later date will not at any time be considered a part of the Collections. A curator, a collection manager, and the University Collections Committee will not be responsible for the valuation, maintenance, storage, insurance, or conservation of such non-accessioned assets.

I. Objects can be added to a study or educational collection as appropriate according to this policy and upon recommendation or acceptance by the relevant academic program.

J. An individual unit of the University may have cause or opportunity to acquire works of art, artifacts, or specimens through purchase, gift, donation, bequest, exchange, and transfer. When such transmissions occur, the object so acquired automatically becomes part of the University Collections unless specifically excluded from the Collections in this policy.

i. Accession may only occur according to this policy and the University Collections Management Plan, including criteria and procedures for accession and deaccession.

ii. The approval of the President, Committee, and/or individual designated as responsible for all or part of the Collections is required as specified in the Collection Management Plan.

iii. Accession documentation is required.

iv. The object should be made available for registration and inclusion in the collection database within 30 days of acquisition.

K. Written accession procedures, which include official accession forms, will be developed and maintained as part of the Collection Management Plan.

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES MANUAL	Section: 6
	Policy No: NEW
	Approved: Revised:
Policy: University Collections – Addendum 3: Deaccession Criteria and Procedures	

- A. Deaccession is the act of removing an object from a collection. Deaccession is an integral part of responsible collection management when used to improve the quality, scope, and appropriateness of the Collections in support of the University mission. The proposed permanent removal of an object from the Collections necessitates serious consideration.*
- B. Deaccession of a work of an object should be made based upon consideration of its physical condition, overall quality, and relationship to mission, rather than contemporary trends or personal taste. Criteria and conditions for deaccession include but are not limited to the following:*
- i. Duplication: The object duplicates a better example and/or is redundant.*
 - ii. Collection quality: The object cannot be preserved or has deteriorated to the point that it cannot be used for exhibition or study or the object is of little or no artistic, aesthetic, historical, or scientific value to the University mission.*
 - iii. Care or use requirements:*
 - 1. The object cannot be properly preserved, stored, or exhibited.*
 - 2. The object is unsafe to individuals or other object(s) in the Collections.*
 - 3. The object has restrictions or conditions that make it impractical or impossible to maintain within the purpose of the Collections.*
 - iv. Relevance: The object is not consistent with the purpose of the Collections and/or the accession criteria thereof.*
 - v. Authenticity: The object is determined to be a forgery or an issue of provenance precludes legal and ethical ownership.*
- C. An object will only be deaccessioned after the object has been thoroughly documented and cataloged. Objects in the University Collections are exempt from the Utah Surplus Property Program, but that program may be utilized if appropriate. Deaccession can be made using any of the following methods:*
- i. Exchange for one or more objects that meet the Collections accession criteria.*

- ii. Transfer to another agency that will hold the item in the public trust, such as units and agencies of the State of Utah and institutions that comprise the Utah System of Higher Education.*
- iii. Sale or auction to any public or private entity by the most profitable means. Proceeds from the sale of any object in the Collections can only be used to further develop the Collections, for Collections conservation and care, and/or to provide scholarships for DSU students*
- iv. Donation to not-for-profit-entities where the object will remain in the public trust, or to the artist, original donor, or member(s) of the families of those individuals if appropriate.*
- v. Disposal, in cases where no other method is feasible.*

D. Deaccession approvals are required as follows:

- i. Deaccession of an object valued at over \$5,000 requires University Collections Committee approval.*
- ii. Deaccession of an object valued at over \$10,000 requires University Collections Committee and Executive Council approval.*

E. A recommendation for deaccession will include at least the following information:

- i. Reasons for the suggested deaccession.*
- ii. Title or name, artist or source, medium or material, size, and description, unique identification number.*
- iii. Date, method, and cost of acquisition.*
- iv. Any limiting conditions agreed to at the time of the accession and an explanation of those conditions.*
- v. Formal appraisal if the item if valued at more than \$5,000.*
- vi. Photograph of the object.*
- vii. Legal opinion indicating whether the Visual Artists Rights Act of 1990 (VARA), 17 U.S.C. §106A is relevant.*
- viii. Estimated cost of removal.*
- ix. Condition of the object, including the opinion of a professional conservator and an estimate for restoration if condition is the primary factor in deaccession.*
- x. Suggested alternative course of action.*
- xi. Method of removal and/or disposal of the object.*

F. Deaccession will not be approved if it would violate the terms of an accession agreement.

G. The artist and donor, insofar as they are living and known to the University, or a living and known heir if both the artist and donor are deceased, will be notified in writing by the Chair of the University Collections Committee or the President of the University that an object they created or donated was approved for deaccession. The notification will include the rationale for that recommendation and the proposed method of ownership transfer or disposal.

H. No employee of the University, member of the University Collections Committee or Board of Trustees, or member of their immediate families can personally benefit from the deaccession of an object.

I. The registration record of a deaccessioned object will remain in the Collections database with appropriate documentation of the deaccession, including required approvals.

J. Written deaccession procedures, which include official deaccession forms, will be developed and maintained as part of the Collection Management Plan.

DIXIE STATE UNIVERSITY POLICIES AND PROCEDURES MANUAL	Section: 6
	Policy No: NEW
	Approved: Revised:
Policy: University Collections – Addendum 4: Loans	

- A. Objects in the Collections may be placed on display or internally loaned to specific DSU buildings, facilities, departments, or employees for on-campus use.*
- i. All objects need not be available for display outside the object’s permanent location. The Curator or collection manager are responsible for ensuring that any display or internal loan is appropriate for the object, taking into consideration the object’s format and condition.*
 - ii. Typically, objects from the Collections are not available for display in employee offices, and exceptions require the approval of the University Collections Committee.*
- B. Loans of objects from the Collections to other entities such as universities, museums, communities, or other institutions may take place.*
- C. Loan approvals are required as follows:*
- i. Loan of an object valued at, or the cumulative value of more than one object, over \$5,000 requires University Collections Committee approval.*
 - ii. Loan of an object valued at, or the cumulative value of more than one object, over \$10,000 requires University Collections Committee and Executive Council approval.*
- C. The Collection Management Plan will include written procedures to cover situations when the University borrows art, artifacts, and specimens from other individuals, institutions, or organizations. All such loans will be documented by appropriate written agreements.*
- D. Written loan procedures, to include official loan agreements and appropriate insurance provisions, will be developed and maintained as part of the Collection Management Plan.*

DIXIE STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Section: **6**

Policy No: **NEW**

Approved:

Policy: *Trustee Conflict of Interest*

I. To act in the best interests of Dixie State University and in compliance with the Utah Board of Regents Board Conflict of Interest policy (R122) and the Utah State Code, the following standards of conduct are expected of each member of the Dixie State University Board of Trustees (Trustee).

II. A Trustee must comply with all Dixie State University (DSU) policies, all Utah Board of Regents policies, and all state laws, regulations, and guidelines, with particular attention given to those laws covering conflict of interest and service as a public official, including but not limited to Utah Code Annotated §63G-6a-2304.5 (Utah Procurement Code), §67-16-(1-15) (Utah Public Officers' and Employees' Ethics Act, and §76-8-105 (Receiving or Soliciting a Bribe).

III. A Trustee is expected to abide by the following restrictions.

A. Not to engage in improper disclosure of confidential information gained as a Trustee. Improper disclosure is the disclosure of confidential information to any person who does not have both the right and the need to receive said information.

B. Not to use or attempt to use his/her official position as Trustee to substantially further or advance his/her personal economic interests or those of the Trustee's immediate family.

C. Not to secure or attempt to secure special privileges or exemptions related to the Utah Board of Regents, Dixie State University, or other institutions in the Utah System of Higher Education for the Trustee or others.

D. Not to allow other employment or interests to impair his/her independence of judgment or the ethical performance of his/her duties as a Trustee.

IV. A Trustee is required to submit a sworn disclosure statement in the following circumstances.

A. A Trustee who is an officer, director, or employee, or who is an owner of a substantial interest in any business entity, that is or potentially may be involved in a transaction with Dixie State University or its sub-units, is required to disclose such facts in a sworn, written disclosure statement as set forth below.

i. The definition of substantial interest is the same as Utah Board of Regents policy R122: the legal or equity ownership of at least 5% of the outstanding capital stock of a

corporation of a 5% interest in any business entity by a Trustee, the Trustee's spouse, or any or all of the Trustee's minor or dependent children.

1. A Trustee will submit a new disclosure statement prior to the next Board meeting whenever there is a significant change to a position with or substantial interest in a business entity that is or potentially may be involved in a transaction with Dixie State University or its sub-units.

2. The definition of substantial interest will remain the same as Board of Regents policy R122.

B. A Trustee may not receive or agree to receive compensation for assisting any person or business entity in a transaction involving the Utah Board of Regents or Dixie State University without first disclosing such facts in a sworn, written disclosure statement.

i. Such a disclosure statement must be submitted within ten (10) calendar days after the date of any agreement between a Trustee and the person or entity being assisted or within ten (10) calendar days of the receipt of compensation, whichever is earlier.

V. Trustee disclosure statements are considered public information and are available for examination by the public. Trustee disclosure statements are submitted or renewed annually during the month of July, using Public Officer's Disclosure Statement forms sent to the Board of Trustees secretary.

A. Prior to the first Board of Trustees meeting of a fiscal year, Trustee disclosure statements will be forwarded to the members of the members for review. At the first meeting in the fiscal year, the Board Chair will request a motion regarding that review. If no disclosure statements have been received, the Board Chair will report on that fact.

B. Trustee disclosure statements submitted after the first Board meeting of the fiscal year will be forwarded to the members of the Board for review. At the beginning of the next Board meeting, and prior to any official business being undertaken, the Board Chair will request a motion regarding that review.

VI. A Trustee is expected to recuse him- or herself from any Board discussion and/or voting on a matter that involves any business entity to which s/he is an officer, director, or employee; of which s/he owns a substantial interest; or for which s/he has received or agreed to receive compensation for assistance involving the Utah State Board of Regents or Dixie State University.

VII. Addendum: Public Officer's Disclosure Statement form.

**DIXIE STATE UNIVERSITY
PUBLIC OFFICER'S DISCLOSURE STATEMENT**

I, _____, having first been duly sworn, hereby make
Print name of Trustee

the following declarations:

1. My address is _____
Print legal address

2. I am a Trustee of Dixie State University.

3. I am an officer, director, or employee of the following business entity or entities that are or potentially may be involved in a transaction with Dixie State University.
(Mark NA if not applicable)

Name of Business Entity

Position Held

4. I, my spouse, or one or more of my minor or dependent children own, either equitably or legally, at least 5% of the following business entity or entities that are or potentially may be involved in a transaction with Dixie State University.
(Mark NA if not applicable)

Name of Business Entity

Name of Owner

5. I will receive or have agreed to receive compensation for assisting a person or business entity in a transaction involving the Utah Board of Regents or Dixie State University, with the transaction and parties described below. *(Mark NA if not applicable)*

Name and address of person or business entity being assisted:

Description of the transaction and the nature of the service performed or to be performed:

6. I understand that this Disclosure Statement is considered to be public information.

DATED this _____ day of _____, 20____.

Signature of Trustee

SUBSCRIBED AND SWORN TO before me by _____
Print name of Trustee

this _____ day of _____, 20____.

My Commission expires:

NOTARY PUBLIC

Residing at: