



**BRIDGERLAND  
TECHNICAL  
COLLEGE**  
btech.edu

**BRIDGERLAND TECHNICAL COLLEGE  
BOARD OF TRUSTEES  
INSTITUTIONAL ADVISORY COMMITTEE**

**DECEMBER 8, 2025, 4 P.M.  
1301 NORTH 600 WEST, LOGAN, UTAH**

**MINUTES**

**~ DRAFT ~**

**Board Members Attendance**

Jennifer Avery – Logan Regional Hospital, Logan  
Karina Brown – North Logan  
Matt Chowning – Paragon Medical, Smithfield  
Kathy Christiansen – Cache County School District, Smithfield  
Lisa Clawson – Great Harvest Bread, Paradise  
Jack Draxler – Draxler Appraisal Services, Inc., North Logan  
Monica Holdaway – Box Elder Chamber of Commerce, Brigham City  
Nancy Kennedy – Box Elder School District, Brigham City  
Richard Lamb – Rich School District, Garden City  
Paul Nelson – Northrop Grumman, Providence  
Mark Smoot – Entrepreneur/Owner, Garden City

**Bridgerland Technical College Attendance**

K. Chad Campbell, President  
Brandi Gittins, VP for Administrative Services and Chief Financial Officer  
Emily Hobbs, Administrative Chief of Staff  
Renee Milne, VP for Student Services  
Lisa Moon, Executive VP and Chief Instructional Officer  
Jennifer Tenhoeve, Director of Continuing Education

**Guest(s)**

Nicole McInelly, BTECH  
Jeremy Shaw, USHE  
Kim Ziebarth, USHE

***Item 1***

**Welcome & Pledge of Allegiance**

Paul Nelson conducted the meeting and welcomed those in attendance. The meeting was called to order at 4:10 p.m. The Pledge of Allegiance was recited.

## **Item 2**

### **Consent Calendar**

*Paul Nelson, Board Chair*

- **Minutes** – Minutes from the August 25, 2025, Board meeting are available online for review and subsequent approval.
- **Policy Updates**
  - Policy 201 – Authority and Amendments of Sections 100-900
    - Added the word 'binding' to strengthen the procedures section.
  - Policy 533 – Title IX and Protection from Sex Discrimination and Hazing
    - Updated to comply with Federal Title IX regulations by adding Dating Violence, Domestic Violence, and Sexual Assault sections, as well as updating the Informal Resolution description.
  - Policy 732 – Withdrawal and Return of Title IV Funds – Clock Hours (Rescinded)
    - Replaced with Policy 733 for credit hours.
  - Policy 733 – Withdrawal and Return of Title IV Funds – Credit Hours
    - This new policy reflects federal rules for credit-hour programs following the college's transition from a clock-hour to a credit-hour structure, and it supersedes and rescinds Policy 732.

**ACTION:** Motion was made by Jack Draxler for the approval of the minutes from the August 25, 2025, Board meeting and the policy updates as outlined. Richard Lamb seconded. The motion carried unanimously.

## **Item 3**

### **Board Member Appreciation**

Larry Williams has concluded his service on the Logan School District Board, thereby ending his term on the Bridgerland Technical College Board of Trustees. A replacement will be chosen by the Logan School District Board and should be in place for the next meeting. Although Larry was not present, board members expressed their appreciation for his dedicated service and valuable contributions to the board.

## **Item 4**

### **InTech Collegiate Academy Board Appointment**

Larry Williams currently serves as the BTECH representative on the InTech Collegiate Board. With his appointment ending, a new representative must be appointed to fill this position. Volunteers or nominations were requested by Paul Nelson.

**ACTION:** Karina Brown nominated Kathy Christiansen as the new representative to the InTech Collegiate Academy Board, who expressed her willingness to serve in this role. With no further nominations, Monica seconded. The motion carried unanimously.

## **Item 5**

### **Training on Open and Public Meeting Laws**

Every state has open meeting laws for accountability and transparency. These requirements are to be reviewed annually. President Campbell led the board in the online training during the meeting. The full training video was watched and the quiz completed (score of 100%) as a group. For more information, see Utah Code Title 52 – Chapter 04 – Open and Public Meetings Act.

### **Item 6**

#### **Audit Committee Report – USHE Internal Auditors**

In compliance with Policy R567, the Utah System of Higher Education (USHE) Internal Audit team recently completed an audit. The results were presented to the BTECH Audit Committee prior to the meeting. Jack Draxler, Audit committee chair, provided the board with a brief summary, which is included below:

- President's Out-of-State Travel: Jack announced no findings. Paul Nelson reported that Administration has been proactive in developing procedures for Board Chair approval of presidential travel. Emily Hobbs implemented a digital workflow that has proven to be highly effective. He commended Administration for implementing processes that enhance transparency.
- IT Risk Assessment: Jack announced that this was more of a risk assessment than an audit. There were three items of critical risk, which are confidential and not to be discussed in a public meeting. It was explained that these risks align with findings at other technical colleges. The Information Systems department was present for the Audit Committee reporting and is aware of the findings and possible solutions. Improvement is ongoing and will never be 'done.' There will always be technological advancements that require continued effort. It was noted that many of the solutions require substantial commitment of funds. Administration is committed to supporting the department as funds allow. The assessment is available for board members as requested.
- Institutional Investments: No findings.
- Discretionary Funds: No findings.

**ACTION:** Jack said the audit was very thorough and professionally done. He made a motion to approve the audit as conducted. Kathy Christiansen seconded. The motion carried unanimously.

### **Item 7**

#### **Instructional Updates**

- **New Program**

The passing of Senate Bill 330, in the 2025 legislative session, provided expanded opportunities in cosmetology. Lisa Moon said the college would like the Board of Trustees' approval to pursue a Nail Technician program on the Logan Campus. Commissioner Landward has provided a letter of support recommending Trustee approval and the Office of the Commissioner has completed a compliance review. Both documents were provided for the board.

New program requested:

- Nail Technician – length 9 credits / 300 hours

Lisa explained that the program would initially launch for post-secondary students, with enrollment for high school students beginning in the following school year. Tuition for post-secondary students would be \$855. Students would also be required to purchase approximately \$1,100 in equipment, which they would retain upon completion of the program to support business start-up.

The program would require the hiring of a faculty member, which has been included in the budget. A small facility remodel will also be necessary, with an estimated cost of \$10,000.

Required equipment would bring the estimated total to around \$35,000. It is anticipated that the remodel could be completed by May 2026.

Following Lisa's comments, discussion was held on the need for additional nail technicians in the region. There was excitement for the possibility of cosmetology services now being offered in Logan. Lisa explained that once approved by the Board of Trustees, application for final approval will be forwarded to the Council on Occupational Education (COE).

**ACTION:** Karen Cronin made a motion to approve the Nail Technician program to be offered at the Logan Campus. Matt Chowning seconded. The motion carried unanimously.

Mark Smoot commented on the need for small engine repair technicians, noting the difficulty in finding qualified individuals. He said it is hard to find good technicians. Lisa Moon reported that, following research, the topic was determined to be better suited for Continuing Education rather than a full program. She also noted, when reviewing statewide trends, a sister institution previously offered a power sports program but has since discontinued it.

- **Evaluations**

A brief update regarding collegiate student evaluations was provided. During the recent summit, Jack Draxler inquired about the use of student evaluations. It was noted that listening to the voice of the customer is a key component of continuous improvement. Lisa provided the results of the program evaluations for 2024-2025 and 2025-2026 during the meeting. Overall, the board expressed positive feedback regarding the results.

## **Item 8**

### **Information Items**

#### **A. Management of College Investments**

Bridgerland Technical College's VP for administrative services and chief financial officer, under the direction of the college president and the college Board of Trustees, invests the college funds in the Utah Public Treasurers' Investment Funds (UPTIF) and other qualified investments and follows the rules of the Utah System of Higher Education, the State Money Management Act, and the rules of the State Money Management Council. The Accounting department creates monthly investment reports to be submitted to the college president and the Board of Trustees. The report(s) available to date were included as a link.

#### **B. Calendar/Happenings**

- Calendar available at [btech.edu/event-calendars](https://btech.edu/event-calendars)
  - February 2-6, 2026: Tech Week (activities throughout the week)
  - May 6-7, 2026: Career Days
  - June 12, 2026: Graduation @ Logan High School
- Board Meeting Dates

- March 23, 2026 @ 4 p.m.
- June 22, 2026 @ 4 p.m.
- August 24, 2026 @ 4 p.m.

**C. Other**

President Campbell updated the board on the Capital Development request, which was presented to the Utah Board of Higher Education (UBHE) on October 2. The UBHE approved BTECH's project at a prorated amount of \$3.8 million. The request now goes to legislature for funding approval. Although the state is not looking to fund large Capital Development projects, the college is hopeful it will continue through the process and be funded by the legislature.

***Item 9***

**Adjournment**

Jack Draxler made a motion to adjourn at 5:20 p.m. Richard seconded. The motion was carried unanimously.

NUMBER: 201

SUBJECT: AUTHORITY AND AMENDMENTS OF SECTIONS 100-900

APPROVAL DATE OF LAST REVISION: JANUARY 24, 2011; JUNE 19, 2017; NOVEMBER 15, 2021; MARCH 21, 2022

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**201.1 – AUTHORITY AND AMENDMENTS OF SECTION 100 THROUGH SECTION 900**

These policies are subordinate to State of Utah Statutes, Utah Board of Higher Education (UBHE), Utah System of Higher Education (USHE) policies, and the authority of the BTECH Board of Trustees and the college president. They supersede all previous college policies and procedures and take precedence over previously issued executive memoranda and other policy directives affecting the provisions of this document.

**201.2 – POLICY FOR AMENDING SECTION 100 THROUGH SECTION 900****201.2.1 – PROPOSAL PROCESS**

Proposals or recommendations for policy changes may be submitted to the Administrative Council by any faculty, staff, student, or college stakeholder through officially recognized councils, committees, president, vice presidents, associate vice presidents, and respective department heads.

**201.2.2 – RATIFICATION BY THE ADMINISTRATIVE COUNCIL**

The Administrative Council will consider the proposed amendments after discussion of the appropriate justification and, when administratively approved, forwarded to the college Board of Trustees if required. Procedural changes may be approved for immediate implementation.

**201.2.3 – RATIFICATION BY THE COLLEGE BOARD OF TRUSTEES**

The board will take action on the proposed amendments and, if approved, refer them to the college president for implementation.

**201.2.4 – PROCEDURAL CHANGES WITHIN POLICIES**

In accordance with the Council on Occupational Education Policies and Rules of the Commission, an “operational procedure” is defined as, “Specific provisions that have been established by the institution to implement the policies adopted by the governing board.” A “procedure” is further defined as, “A formal or set order of operating or doing something—a method of conducting affairs.”

Based on the policies and rules of the commission, the procedures section in each policy approved by the Board of Trustees exists to implement the policies and are designed to provide guidance for consistency. Procedures may be updated and/or changed by the college administration on an as-needed basis. Procedural changes may be reported to the board but do not require board action or approval. They become effective **and binding** when updated and posted to the website and the college’s shared network drive.

**201.3 – PROCEDURES****201.3.1 – NEW OR AMENDED POLICY RECORDS**

Upon approval of a new or amended policy by the BTECH Board of Trustees, the policy or amendments will be added to the college’s official repository available on the network and website.

**201.3.2 – DEPARTMENTAL OR PROGRAM-SPECIFIC NEW OR AMENDED POLICY UPDATES**

It is the responsibility of the department head, faculty, and staff to promulgate the new policy or amendments to employees or students under their supervision. This communication may include an update to the website or any program-specific syllabi as is appropriate under the circumstances.

NUMBER: 533

SUBJECT: TITLE IX AND PROTECTION FROM SEX DISCRIMINATION AND HAZING

APPROVAL DATE OF LAST REVISION: AUGUST 13 &amp; 24, 2020; JUNE 26, 2023; AUGUST 25, 2025

SOURCES(S): CODE OF FEDERAL REGULATIONS, TITLE 34, PART 106 AS AMENDED (EFFECTIVE AUGUST 14, 2020); TITLE IX OF THE HIGHER EDUCATION AMENDMENTS ACT OF 1972; UTAH SYSTEM OF HIGHER EDUCATION ATTORNEY DRAFT AND INTERPRETATION

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**533.1 – PURPOSE**

This policy defines and prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities; details how to report a violation of this policy; describes Bridgerland Technical College's resources and supportive measures to protect those involved in the process; and outlines investigation, disciplinary, and due process procedures for addressing reported violations of this policy. This policy applies to all persons who are (1) employed by, attending, or affiliated with the college; (2) participating in any of the college's program or activity, including but not limited to trustees, administrators, faculty, staff, students, independent contractors, volunteers, and guests; and/or (3) visiting the college's campus or any property owned or leased by the college.

**533.2 – ADDITIONAL SOURCES**

- Americans with Disabilities Act (ADA) (as amended)
- Campus Sexual Violence Elimination Act (SaVE) – Reauthorization of the Violence against Women Act of 2013 (VAWA)
- Family Educational Rights and Privacy Act (FERPA)
- Stop Campus Hazing Act, a federal anti-hazing law
- Health Insurance Portability and Accountability Act (HIPAA)
- Jeanne Clery Campus Safety Act (Clery Act)
- Title VII of the Civil Rights Act of 1964 (Title VII)
- ~~Utah Code § 53B-27-101 et seq. Campus Advocate Confidentiality Amendments~~
- Utah Code § ~~53B-28-302~~ **53H-7-502** Code of Conduct Violation-Report of Sexual Violence
- Utah Code § ~~53B-28-304~~ **53H-7-504** Criminal Retaliation Against a Victim or a Witness
- Utah Code § 53G-9-601 Utah Anti-Hazing Law
- Utah Code § 63G-2 Government Records Access and Management Act (GRAMA)
- Utah Code § 63G-7-301 Waivers of Immunity-Exceptions
- Utah Code § 76-5-107.5 Prohibition of Hazing
- Utah Code § 76-5-404.1 Sexual Abuse of a Child
- Utah Code § 77-36 Cohabitant Abuse Procedures Act
- Utah Code § 77-38 Rights of Crime Victims Act
- Utah State Board of Regents' Policy R256 Student Disciplinary Processes
- Utah State Board of Regents' Policy R842 Restrictions on Faculty/Staff Relationships with Students

**533.3 – DEFINITIONS**

**Actual Knowledge:** Notice of sexual harassment or allegations of sexual harassment to the college's Title IX coordinator or any official of the college who has authority to institute corrective measures on behalf of the college. Imputation (an accusation) of knowledge based solely on vicarious liability (one party held responsible for actions of a third party) or constructive notice ("should have known") is insufficient to constitute actual knowledge. This standard is not met when the only official of the college with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the college.

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**Clear and Convincing Evidence:** Is the evidentiary standard used during a sexual misconduct investigation/review to determine if the allegations occurred and if a violation of college policy has occurred. Clear and convincing evidence means evidence presented must be highly and substantially more probable than not.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent:** Agreement or permission to engage in a sexual encounter. Consent must be given by all participating parties; must be clear, knowing, and voluntary; and may be given only by someone who is 18 years of age or older and is not mentally and/or physically incapacitated. Consent is active, not passive. Consent requires an affirmatively communicated willingness through words and/or actions to participate in sexual activity. Silence, in and of itself, may not be interpreted as consent.

**Decision Maker(s):** Must not be the same person as the Title IX coordinator or investigator(s), must issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.

**Dating Violence:** Dating violence includes violence committed by a person who is or has been in social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on a consideration of the following factors: (a) the length of the relationship, (b) the nature of the relationship, and (c) the frequency of interaction between the persons involved in the relationship.

**Discrimination:** For purposes of this policy, discrimination means adverse action occurring against a person in the United States toward college employees or students in the terms or conditions of employment; college admission or education; access to college programs, services, or activities; or other college benefits or services, on the basis of their inclusion or perceived inclusion (in the case of sexual orientation, gender identity, or gender expression) in the protected classes of sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression that has the effect of denying or limiting participation in a college's education program or activity.

**Domestic Violence:** Domestic violence includes felony or misdemeanor crimes of violence committed against the complainant by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic of family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. A criminal charge or conviction is not a predicate for an allegation of domestic violence to be brought under the policy.

**Education Program or Activity:** Includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurred. Title IX applies to all of the school's education programs or activities, whether such programs or activities occur on-campus or off-campus.

**Exculpatory:** Is that which may clear guilt.

**Final Rule:** Herein refers to the Department of Education's Final Rule ensuring that schools do not violate First Amendment rights when complying with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities.



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**Formal Complaint:** A document filed by a complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that the college investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the college with which the formal complaint is filed. A formal complaint may be filed with the Title IX coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX coordinator, and by any additional method designated by the college. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the college that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

**Hazing:** An act that is intentional, knowing, or reckless committed by a person (alone or in concert with others) against another person or people (regardless of the other person's/people's willingness) in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization and causes or creates a risk of physical or psychological injury.

**Incapacitation:** An individual who is incapacitated cannot give consent to engage in a sexual encounter. Incapacitation is defined as the physical and/or mental inability to make informed, rational judgments. Factors that could be indications of incapacitation include but are not limited to mental or physical disability; lack of sleep; alcohol; illegal, date-rape, or prescription drug use; unconsciousness; blackout; or involuntary physical restraint. Being intoxicated by drugs or alcohol does not diminish one's responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

**Inculpatory:** Is that which may cause blame; to incriminate.

**Investigator(s):** Must not be the same person as the Title IX coordinator or decision maker(s), acts as a neutral party in the investigation, conducts a prompt and thorough investigation, and provides a detailed, unbiased report regarding the findings of the investigation.

**Party:** Complainant or respondent.

**Recipient:** means any institution that operates an educational program or activity to whom Federal financial assistance is extended. Recipient herein refers to Bridgerland Technical College and may also be identified as college, institution, school, or other common reference. Use of the word recipient may also indicate assignment of responsibility to the responsible administrator for a required action.

**Recipient Administration:** Includes members of the college's administrative team, the president, and vice president(s), who have the authority to make decisions on behalf of the institution.

**Recipient Community:** Herein refers to all persons employed by or affiliated with Bridgerland Technical college in any way and persons participating in any college program or activity, including but not limited to trustees, advisory board members, administrators, faculty, staff, students, independent contractors, volunteers, and guests or visitors to any campus or property owned or leased by the college.

**Respondent:** Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

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**Responsible Administrator:** Is the Title IX coordinator, or a designee selected by the college's Administration to complete the roles and tasks of the Title IX coordinator as outlined in this policy.

**Responsible Employee(s):** Responsible employees are officials with authority to institute corrective measures who must report sexual harassment or other sex discrimination to the Title IX coordinator. Responsible employees include the Title IX coordinator, vice presidents, or president.

**Retaliation:** An action, performed directly or through others, that is aimed to dissuade a reasonable person from engaging in a protected activity or is done in retribution for engaging in a protected activity. Action in response to a protected activity is not retaliatory unless (i) it has a materially adverse effect on the working, academic, or other college-related environment of an individual and (ii) it would not have occurred in the absence of (but for) the protected activity. Examples of protected activities include reporting (internally or externally) a complaint of sexual harassment in good faith, assisting others in making such a report, or honestly participating as an investigator, witness, decision maker, or otherwise assisting in an investigation or proceeding related to suspected sexual harassment.

**Sexual Assault:** includes any sexual act or attempted sexual act, including rape or sexual contact, directed against another person without their consent. This includes instances where the person is incapable of giving consent because of their age or incapacitation. Sexual assault also includes unlawful acts, such as incest and statutory rape.

**Rape:** Penetration, regardless of how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another individual or by a sex-related object, without their consent.

**Sexual Contact:** The intentional touching of the clothed or unclothed body parts without consent of the complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the complainant of the actor's clothed or unclothed body parts, without consent of the complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the complainant is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication.

**Sexual Harassment:** Conduct occurring against a person in the United States on the basis of sex that satisfies one or more of the following: (1) An employee of the college conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's education program or activity; or (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

**Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the college's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the college's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The school must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the

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ability of the college to provide the supportive measures. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

**Title IX:** refers to the section of Higher Education Amendments, which prohibits discrimination on the basis of sex in education programs or activities.

**Title IX Coordinator:** The college's employee(s) designated and authorized to coordinate its efforts to comply with its responsibilities under Title 34 of the Code of Federal Regulations, part 106.

#### **533.4 – SEX DISCRIMINATION, SEXUAL HARASSMENT, HAZING, AND RETALIATION PROHIBITED**

##### **533.4.1 – SCOPE OF POLICY**

This policy applies to all employees of the recipient and any persons participating or attempting to participate, in any recipient program or activity. To the extent that any other recipient policies address sex discrimination, sexual harassment, hazing, or retaliation, as defined in this policy, this policy and its procedures govern.

##### **533.4.2 – NON-DISCRIMINATION**

Bridgerland Technical college does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX and 34 CFR part 106. The requirement not to discriminate in education programs or activities extends to admission and employment. Inquiries about the application of Title IX and its regulations to recipient may be referred to the Title IX coordinator, to the Department of Education, Office for Civil rights, or both.

##### **533.4.3 – VIOLATIONS OF POLICY**

The recipient prohibits sex discrimination, sexual harassment, hazing, and retaliation as defined in this policy. Violations of this policy include but are not limited to acts or attempts of dating and relationship violence; domestic violence; discrimination based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression; hostile environment based on sex, pregnancy, pregnancy-related conditions, sexual orientation, gender identity, or gender expression (including intimidation and hazing/bullying); sexual harassment; sexual assault (including nonconsensual sexual contact or nonconsensual sexual intercourse); sexual exploitation (including engaging in sexual trafficking); and stalking.

##### **533.4.4 – CONSENT**

All participants in the sexual activity are responsible for ensuring that they have the consent of all involved to engage in sexual activity. Any individual who engages in sexual activity without receiving clear, knowing, and voluntary consent, or in which one of the parties withdraws consent at any point but is forced to participate, has violated this policy. Sexual activity with someone deemed unable to grant clear, knowing, and voluntary consent constitutes a violation of this policy. This includes, but is not limited to, individuals who are:

- a) Mentally and/or physically incapacitated for any reason (such as by mental or physical disability; lack of sleep; alcohol; illegal, date-rape or prescription drug use; unconsciousness; blackout; or involuntary physical restraint);
- b) Under the age of 18; or

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- c) Forced to give consent in any way, including but not limited to by coercion, intimidation, duress, deception, threats, implied threats, and/or physical force.
- d) Consent to any one form of sexual activity does not automatically imply consent to any other forms of sexual activity. Past consent to sexual activity does not imply ongoing future consent. The current or past existence of a relationship does not imply consent. Whether an individual has taken advantage of a position of authority over an alleged victim may be a factor in determining consent or coercion.

**533.4.5 – SEXUAL CONDUCT WITH SUBORDINATE EMPLOYEES OR STUDENTS**

Employees shall not engage in sexual conduct with subordinate students or employees unless there has been proper disclosure, and potential for abuse of power has been removed. The purpose of this restriction is to prohibit the abuse of power by employees and the exploitation of subordinate students or employees.

- a) Subordinate students are the recipients students or applicants whose educational opportunities could be adversely impacted by employees.
- b) For purposes of this section, sexual conduct is any sexual relationship or sharing any sexually explicit or lewd communication, image, or photograph. Sharing sexually explicit or lewd communication, image, or photograph does not include any communication, image, or photograph that faculty shares with students as part of a legitimate academic exercise, such as pedagogical (related to teaching) requirements for specific classes such as those taught in health programs.
- c) For purposes of this section, educational opportunities include admission, receipt of financial aid, assessment of academic performance, or placement in academic opportunities such as internships, and graduation.
- d) All employees engaging or intending to engage in sexual conduct with a subordinate student or employee shall immediately disclose the relationship to their direct supervisor and/or the Title IX coordinator, or be subject to disciplinary action, up to and including termination. Supervisors who receive such reports or who otherwise become aware of such relationships shall promptly report the relationship to the Title IX coordinator, who shall work with the relevant parties to remove the subordinate relationship to ensure compliance with Utah Code § 63G-7-301 and this policy. If the subordinate relationship cannot be removed or otherwise appropriately managed, the dominant employee may be subject to discipline, up to and including termination. In cases of proven false accusation, the false accuser may be disciplined or terminated.

**533.4.6 – RETALIATION PROHIBITED**

Neither the recipient nor any member of the recipient community may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

- a) Intimidation, threats, coercion, or discrimination, including charges against an individual for policy violations that do not involve sex discrimination, sexual harassment, or hazing, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment or hazing, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

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- b) Any retaliatory threat or act of violence against victims or witnesses of sexual violence, moreover, is a third-degree felony under Utah Code § 53B-28-304 and may be subject to criminal prosecution.
- c) Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination under this policy.

#### **533.4.7 – PROTECTED RIGHTS OR CLASSES**

Nothing in this policy shall be interpreted as diminishing any party's rights protected under the United States Constitution or employee rights under Title VII of the Civil Rights Act of 1964 to be free from discrimination. See Policy 535 *Nondiscrimination, Equal Opportunity, and Free Expression* for more information regarding protected classes. This and other school policies may be found online at <https://btech.edu/about-us/policies-2/>.

#### **533.5 – TITLE IX NOTIFICATION**

**533.5.1** – The recipient must notify applicants for admission or employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient of the following:

- a) The name or title, office address, electronic mail address, and telephone number of the employee designated as the Title IX coordinator.
- b) The nondiscrimination policy statement contained in Section 533.4 of this policy.
- c) The recipient's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, or hazing and how the college will respond.

**533.5.2** – The recipient must prominently display the contact information and policy statement described above on its website and in each handbook or catalog that it makes available to applicants for admission and employment, students, employees, or all unions or professional organizations holding collective bargaining or professional agreements with the recipient.

#### **533.6 – REPORTING**

##### **533.6.1 – HOW TO REPORT**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination, sexual harassment), or hazing to the Title IX coordinator using any of the following methods: in person, by mail, telephone, electronic mail, or any other means that results in the Title IX coordinator receiving the person's oral or written report. The Title IX coordinator contact information is published on the college's website [www.btech.edu](http://www.btech.edu).

##### **533.6.2 – WHO MUST REPORT**

The Title IX coordinator, vice president, or president are responsible employees, officials with authority to institute corrective measures who must report sexual harassment, other sex discrimination, or hazing to the Title IX coordinator, which then charges a school with actual knowledge and triggers the school's response obligations.

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**533.6.2.1** – Consistent with Utah Code section 62A-4a-403, anyone who reasonably suspects any incident of sexual harassment, hazing, or abuse involving a minor shall immediately report suspicions to campus security or the local police department. Employees who become aware of allegations involving a minor shall notify the Title IX coordinator and their supervisor that they have reported the allegation to the police.

**533.6.3 – WHO MAY REPORT**

All other faculty, associate vice presidents, staff, and students who become aware of sex discrimination, harassment, or hazing, are encouraged to report such issues, with the consent of the alleged victim, to the Title IX coordinator. These employees may act as confidential resources for students to discuss sexual harassment without triggering a report to the Title IX coordinator.

**533.6.4 – WHO MAY NOT REPORT**

Licensed mental health counselors and medical professionals working within the scope of their license, or designated advocates authorized by the Title IX coordinator, generally may not report incidents of sexual harassment except with written consent or in instances of imminent danger or when the victim is a minor or vulnerable adult.

**533.7 – CONFIDENTIALITY**

**533.7.1** – Recipient maintains as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the recipient's ability to provide the supportive measures.

**533.7.2** – Recipient keeps confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment or hazing, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the federal *Family Educational Rights and Privacy Act (FERPA)*, its regulations, or as required by *Utah Government Records and Management Act (GRAMA)*, the federal *Health Information Portability and Accountability Act (HIPAA)* or other law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising under Title IX.

**533.7.3** – Recipient protects confidential communications to designated recipient advocates authorized by the Title IX coordinator, protected under the *Utah Campus Advocate Confidentiality Amendments* (Utah Code § 53B-28-101 *et seq.*), where disclosure is not required by applicable federal law, including Title IX, Title VII, or the *Clergy Act*, or consented in writing.

**533.7.4 – Amnesty:** An individual who makes a good faith report of sexual harassment or sexual violence, as defined at Utah Code 53B-28-201, that was directed at them or another person will not be sanctioned by the recipient for a violation related to the use of drugs or alcohol that the recipient discovers because of the report. This may also be true for those making a good faith report of hazing.

**533.8 – TRAINING**

**533.8.1** – Recipient trains Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process on the definition of sexual harassment or hazing, the scope of the recipient's education



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program or activity, how to conduct an investigation and grievance process including live hearings, appeals, informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

**533.8.1.1** – Training materials do not rely on sex stereotypes and promote impartial investigations and adjudications of formal complaints of sexual harassment or hazing.

**533.8.2** – Recipient trains decision-makers how to determine issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, on evidentiary standards, and on live hearing procedures.

**533.8.3** – Recipient ensures that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

**533.8.4** – Recipient provides training to the Title IX coordinator(s), decision maker(s), and other necessary parties on all technology to be used in live hearings.

**533.8.5** – All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process are made publicly available on the college website.

### **533.9 – RECORDKEEPING**

**533.9.1** – The Title IX Office maintains the following records for a period of seven years:

- a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required by this policy, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to recipients education program or activity;
- b) Any appeal and the result;
- c) Any informal resolution and the result; and
- d) All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

**533.9.2** – For each report to the Title IX coordinator of sexual harassment or hazing in a recipient's education program or activity against a person in the United States, the Title IX Office must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the Title IX Office will document the basis for its conclusion, that its response was not deliberately indifferent, and that it has taken measures designed to restore or preserve equal access to the recipient's education program or activity. If the recipient does not provide a complainant with supportive measures, then the Title IX Office will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

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### ***533.10 – REPORTS, REVIEW, THE GRIEVANCE PROCESS, AND FILING A FORMAL COMPLAINT***

#### ***533.10.1 – SCOPE AND APPLICABILITY OF THESE PROCEDURES***

All reports and formal complaints of sex discrimination, sexual harassment, hazing, and retaliation, as defined in this policy, are subject to the procedures set forth in this section.

#### ***533.10.2 – PRELIMINARY REVIEW OF REPORTS OF SEXUAL HARASSMENT OR HAZING***

##### ***533.10.2.1 – GENERAL RESPONSE***

Upon receiving a report of sexual harassment or hazing, the Title IX coordinator shall promptly contact the complainant to (1) discuss the availability of supportive measures, (2) consider the complainant's wishes with respect to supportive measures, (3) inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and (4) explain the process for filing a formal complaint. Supportive measures shall also be offered as appropriate to the respondent.

##### ***533.10.2.2 – EMERGENCY REMOVAL***

Responsible employees may remove respondent from the recipient's education programs or activities on an emergency basis, provided that the recipient undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment or hazing justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

##### ***533.10.2.2.1 – NON-STUDENT EMPLOYEE LEAVE***

A non-student employee respondent may be placed on administrative leave in accordance with recipient policy.

##### ***533.10.2.3 – CLERY OBLIGATIONS***

The Title IX coordinator will assess the reported conduct for any Clery obligations, including issuance of a timely warning, and report to campus or local law enforcement when necessary.

### ***533.10.3 – GRIEVANCE PROCESS GENERAL PRINCIPLES***

***533.10.3.1*** – Complainants, respondents, and witnesses shall be treated equitably and with respect throughout the grievance proceedings.

***533.10.3.1.1*** – Recipient will evaluate all relevant evidence—both inculpatory and exculpatory—objectively and determine credibility without respect to a person's status as complainant, respondent, or witness.

***533.10.3.2*** – Deadlines and timeframes provided in this policy may be extended for good cause with written notice to the parties and the reasons for the extension. Good cause may include considerations such as the absence of a party, a party's advisor, or witness; concurrent law enforcement activity; or the need for



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language assistance or accommodation of disabilities.

**533.10.3.2.1** – Parties may submit a request for a temporary delay to the Title IX coordinator. Any request for temporary delay or limited extension should include a good cause statement and the reason(s) for the request. If no good cause exists, the Title IX coordinator will deny the requesting party's request in writing.

**533.10.3.3** – Any person designated as a Title IX coordinator, investigator, or decision maker shall be free of conflict of interest or bias for or against complainants or respondents generally or individually.

**533.10.3.4** – Complainants, respondents, and witnesses shall not knowingly make materially false statements or knowingly submit materially false information during the grievance process. However, a determination regarding responsibility alone is not sufficient to conclude that any individual proffered a material falsehood.

**533.10.3.5** – Complainants and respondents shall have supportive measures made available and be given the opportunity to request modifications necessary for physical and/or emotional safety.

**533.10.3.6** – Complainants, respondents, and other participants in the Title IX process may request accommodations necessary under the *Americans with Disabilities Act (ADA)* through the Title IX coordinator (who also serves as ADA coordinator) who will implement approved accommodations.

#### **533.10.4 – FORMAL COMPLAINT**

A formal complaint is a document filed by a complainant or signed by the Title IX coordinator alleging sex discrimination, sexual harassment, hazing, or retaliation. A formal complaint may be filed by a complainant who is participating in or attempting to participate in an education program or activity of the college at the time of filing the formal complaint.

**533.10.4.1** – A formal complaint shall be filed with the Title IX coordinator in person, by mail, or by electronic mail, by using the contact information posted for the Title IX coordinator, as described in Section 533.6.1 above.

**533.10.4.2** – The formal complaint shall contain written notice of the allegations of sex discrimination, sexual harassment, hazing, or retaliation, including a concise statement describing the incident, when and where the misconduct occurred, why the complainant believes it violates recipient policy, and a proposed resolution. The complainant shall be instructed to provide and preserve all corroborating or potentially relevant evidence in any format, list potential witness names, and sign the statement. From this information, the Title IX coordinator shall prepare a notice of investigation as defined in Section 533.12.3 – Formal Investigations and Findings.

**533.10.4.3** – By filing a formal complaint, the complainant is giving consent for the Title IX coordinator (or designee), and/or investigators to discuss the information provided with other persons who may have relevant factual knowledge of the circumstances of the complaint, and is authorizing the collection and examination of all records and other documentation relevant to the complaint.

**533.10.4.4** – When the Title IX coordinator signs a formal complaint, the Title IX coordinator is not a complainant or otherwise a party under this policy and must comply with the requirements of impartiality under this policy.

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**533.10.4.5 – CONSOLIDATION OF FORMAL COMPLAINTS** – The recipient may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

**533.10.4.6 – DISMISSAL OF THE FORMAL COMPLAINT** – The recipient shall investigate all allegations in a formal complaint unless the conduct alleged in the formal complaint:

- a) Would not constitute sexual harassment or hazing as defined in this policy even if proved;
- b) Did not occur in the recipient's education programs or activities; or
- c) Did not occur against a person in the United States.

**533.10.4.7** – If the conduct falls within the criteria outlined in 10.4.6, the recipient must dismiss the formal complaint with regard to that conduct for the purposes of Title IX; such dismissal does not preclude action under another provision of the college's code of conduct or policy.

**533.10.4.8** – Recipient may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- a) A complainant notifies the Title IX coordinator in writing that the complainant wants to withdraw the formal complaint or any allegations therein;
- b) The respondent is no longer enrolled or employed by the recipient; or
- c) Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint.

**533.10.4.9** – Upon a required or permitted dismissal of the formal complaint, the Title IX coordinator shall promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

### **533.11 – INFORMAL RESOLUTION**

Informal resolution is a voluntary process in which parties agree to resolve a formal complaint without completing an investigation and hearing, or at any time prior to the conclusion of the investigation and hearing process. The process begins when there is a formal complaint alleging sexual harassment that falls under the jurisdiction of this policy filed by a complainant. An informal resolution may be facilitated through arbitration, mediation, restorative justice, or another appropriate method that is agreed upon by the parties and the Title IX Coordinator. An informal resolution is not available to resolve allegations that an employee sexually harassed a student. Informal resolution is encouraged to resolve concerns at the earliest stage possible with the cooperation of all parties involved. Participation in the informal resolution process is voluntary; the recipient shall not compel either party to engage in informal resolution. Informal resolution may be appropriate for responding to anonymous reports and/or third-party reports. Informal resolution may not be used in cases involving sexual violence, even if the complainant volunteers for informal resolution. Informal resolution may also be inappropriate when one or both of the parties are reluctant to participate in good faith.

**533.11.1** – Because each case is different, the Title IX coordinator shall determine whether a report of sexual misconduct or hazing is appropriate for informal resolution, mediation, or requires an investigation.

**533.11.2** – Informal resolution may include an inquiry into the facts, but typically does not include an investigation. Informal resolution should be flexible enough to meet the needs of each case, and may include mediating an agreement between the parties, separating the parties, referring the parties to counseling programs, negotiating an

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agreement for disciplinary action, conducting targeted preventive educational and training programs, or providing remedies for the individual harmed by the offense.

**533.11.3** – The recipient endeavors to conclude informal resolution promptly and shall keep a written record of all informal resolution efforts.

**533.11.4** – After concluding informal resolution of a complaint, the Title IX coordinator shall notify the complainant and respondent of the resolution that was agreed upon.

**533.11.5** – Participation in informal resolution does not prohibit either party from terminating informal resolution and/or requesting an investigation at any point during the informal resolution process. Where a report was closed after informal resolution, the matter may later be reopened at the discretion of the Title IX coordinator when requested by the complainant and/or if the Title IX coordinator determines there is a risk to the safety of the recipient community.

#### **533.12 – FORMAL INVESTIGATIONS AND FINDINGS**

If a Complainant files a formal complaint or the Title IX coordinator signs a formal complaint, the recipient shall conduct a thorough, impartial investigation by interviewing witnesses, collecting documentary evidence, and preparing a written report of findings. The purpose of the investigation is to establish whether there is a reasonable basis, based on clear and convincing evidence, to conclude the respondent violated this policy. The recipient reserves the right to engage an outside investigator to conduct the investigation. Investigations under this policy shall incorporate the following standards:

**533.12.1** – The burden of proof and the burden of gathering evidence sufficient to reach a determination rests on the recipient and not on the parties.

**533.12.1.1** – Recipient shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the recipient obtains the party's voluntary, written consent to do so for a grievance process under this policy.

**533.12.1.2** – Recipient shall presume the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

**533.12.1.3** – Recipient will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. This section notwithstanding:

- a) Retaliation is prohibited. Attempts to alter or prevent a witness's or party's testimony are forms of prohibited retaliation.
- b) Parties may be directed to cease communications with one another (i.e., a "no contact order").
- c) Parties' communications remain subject to state laws protecting against defamation and wrongful invasions of privacy, such as intrusion upon seclusion, publication of private facts, and false light claims.

**533.12.1.4** – Recipient shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

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**533.12.1.5** – Investigators or others shall not question the complainant, or otherwise seek evidence, regarding the complainant's sexual predisposition or prior sexual conduct with anyone other than the respondent(s).

**533.12.1.6** – Parties may choose to be accompanied by an advisor of their choice, who may be an attorney, to any related meeting or proceeding. The advisor may not disrupt the meetings or other proceedings or speak on behalf of the party. Generally, the advisor is limited to listening and quietly conferring with the party. If an advisor is disruptive even after warning, the investigator may exclude them from meetings.

**533.12.1.7** – At any time before or during the investigation, the investigator may recommend that the recipient provide support measures for the parties or witnesses. Any individual's intentional interference with support measures may be considered retaliatory and a separate violation of this policy.

**533.12.1.8** – If either party fails to participate in the investigation, the investigator(s) may make findings without the response of that party, potentially leading to an unfavorable outcome for that party, or recipient may dismiss the case according to Section 533.10.4 Formal Complaint of this policy.

**533.12.1.9** – Recipient will provide to a party whose participation is expected or invited, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

**533.12.1.10** – Recipient will provide both parties with equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including all inculpatory or exculpatory evidence, whether relied upon or not in reaching findings, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

**533.12.2** – The Title IX coordinator shall select impartial investigators from the chosen investigator team who do not have a conflict of interest. Should the Title IX coordinator have a conflict of interest, the recipient Administration should select a Title IX coordinator designee and investigators as appropriate. The Title IX coordinator or designee will collaborate with the Assistant Attorney General assigned to the college on an as needed basis.

**533.12.3** – Upon initiating an investigation, the recipient via the Title IX coordinator shall provide the parties with a copy of the formal complaint, a notice of investigation, and a copy of this policy. A notice of investigation shall include statements informing the parties that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility is made at the conclusion of the grievance process; that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and who may inspect and review evidence; and inform the parties of any provision in the recipient's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during a grievance process.

**533.12.4** – If, at any point during the investigation, the recipient determines a need to investigate known allegations not included in the formal complaint, the recipient must provide notice of the additional allegations to the parties.

**533.12.5** – Upon conclusion of the investigative fact-finding, the investigator(s) shall prepare a draft report that summarizes the complainant's allegations and respondent's responses, summarizes the relevant evidence and the material witnesses supporting or opposing the allegation(s), and includes preliminary findings.

**533.12.6** – Before the report is finalized, investigators will give complainant and respondent and their advisors equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations in the formal complaint, including evidence upon which the recipient does not intend to rely in reaching a determination of

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responsibility, whether inculpatory or exculpatory, in electronic or hard copy format.

**533.12.7** – The parties may submit a written response or information to the investigator within ten calendar days of the date of the notice of the opportunity to review the draft report and evidence. This is the parties' final opportunity to submit any additional information or witnesses. In the absence of good cause, investigators shall not consider information discoverable through the exercise of due diligence that is not provided to the investigator(s) at this juncture.

**533.12.7.1** – Investigator(s) shall consider any written response, information, or evidence provided by the parties.

**533.12.8** – The investigator(s) shall prepare a final investigation report that contains a statement of the allegations, the positions/responses of the parties, a summary of relevant evidence and material witnesses the investigator(s) relied on, and any findings.

**533.12.8.1** – A recommended decision of "unfounded" indicates that the investigator(s) believes either that there is insufficient evidence to conclude that the event(s) occurred as alleged, or even if the event(s) occurred, it/they did not constitute sexual harassment or retaliation.

**533.12.8.2** – A recommended decision of "inconclusive" means that the investigator(s) believes the evidence provided by both parties did not reach clear and convincing evidence in favor of either party.

**533.12.8.3** – A recommended decision of "substantiated" means that the investigator(s) believes the events occurred as alleged by clear and convincing evidence in favor of the complainant.

**533.12.9** – The Title IX coordinator, or designee, and the recipient's Administration and the Assistant Attorney General assigned to the college shall review each final investigation report or summary before it is finalized to ensure compliance with this policy.

**533.12.10** – The final report shall be provided to the parties and their advisors, if any, in an electronic or hard copy format, at least ten days prior to any hearing under this policy, for their review and written response.

**533.12.11** – The final investigation report shall be submitted to the responsible Title IX coordinator or recipient Administration's designee with authority to implement actions and/or discipline necessary to resolve the complaint. The final investigation report shall be kept in the investigation file and may be used as evidence in other related proceedings, such as subsequent complaints, disciplinary actions, and/or hearings or appeals.

**533.12.12** – Nothing in this procedure shall be interpreted to alter the status of otherwise at-will employees.

### **533.13 – SANCTIONS AND REMEDIES**

Upon receiving the final investigation report, the responsible administrator (the Title IX coordinator or recipient Administration's designee) with the support of recipient Administration, in consultation with Human Resources when the respondent is an employee, and in consultation with the Assistant Attorney General assigned to the college shall promptly determine the appropriate sanctions and remedies based on the investigative findings, including offering remedies to the complainant and/or recipient community, implementing changes in programs and activities, providing training, and imposing any disciplinary sanctions. The recipient shall ensure any proposed sanctions and remedies are appropriate to end the prohibited conduct, to prevent further violation of this policy, and remedy the effects of any violation. In determining the appropriate sanction(s), the responsible administrator shall be guided by the following considerations:

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SOURCES(S): CODE OF FEDERAL REGULATIONS, TITLE 34, PART 106 AS AMENDED (EFFECTIVE AUGUST 14, 2020); TITLE IX OF THE HIGHER EDUCATION AMENDMENTS ACT OF 1972; UTAH SYSTEM OF HIGHER EDUCATION ATTORNEY DRAFT AND INTERPRETATION

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- a) The severity, persistence, or pervasiveness of the misconduct;
- b) The nature of violence in the misconduct and/or use of weapons, drugs, or alcohol (if applicable);
- c) The impact of the misconduct on the complainant;
- d) The impact or implications of the misconduct on the recipient community;
- e) Prior misconduct by the respondent, including the respondent's relevant prior disciplinary history;
- f) Whether the respondent has accepted responsibility for the misconduct;
- g) The maintenance of a safe, nondiscriminatory, and respectful working and learning environment; and
- h) Any other mitigating, aggravating, or compelling factors.

**533.13.1** – Respondents who are found to have violated this policy may be subject to the following sanctions:

**533.13.1.1 – Faculty/Staff:** Possible sanctions against faculty and non-faculty employees for violations of this policy include verbal counseling, written warning, probation, reassignment, transfer, demotion, reduction in pay, suspension, termination of employment, and an order of no trespassing on campus and/or in recipient programs, services, and activities.

**533.13.1.2 – Students:** Possible sanctions against students for violations of this policy include fines, restitution, interim suspension, suspension, suspension withheld, warning, probation, expulsion, withholding or revocation of certificate, discretionary sanction, organizational sanction, and notation on the student's transcript consistent with the *Family Educational Rights and Privacy Act*.

**533.13.1.3 – Vendors/Contractors/Visitors:** Possible sanctions against vendors, contractors or visitors to campus who are neither students nor employees of the recipient include banning the individuals from all or part(s) of the recipient and/or ending business relationships with the vendors and contractors.

**533.13.2** – The responsible administrator shall send any proposed sanctions and remedies, subject to a final determination on the alleged violations, in writing to the complainant, respondent, Title IX coordinator (if responsible administrator is designee), and decision maker(s). However, the responsible administrator, in consultation with the recipient Administration may choose not to disclose to the complainant the proposed sanctions, and shall not disclose to the complainant the discipline proposed to be imposed on a respondent student, except under the following circumstances:

- a) The discipline directly affects the other party, such as when the respondent student is ordered to stay away from the other party, is transferred to another job site, worksite, class, or is suspended or dismissed from the recipient; or
- b) The complainant alleged sexual harassment or hazing involving a crime of violence or a non-forcible sex offense; or
- c) The respondent student gives their written permission to disclose the discipline.

**533.13.3** – The recipient complies with all applicable reporting requirements and reserves the right to report findings of criminal misconduct to the police.

#### **533.14 – LIVE HEARINGS**

**533.14.1** – Upon receipt of the final investigation report, the responsible administrator shall immediately appoint decision maker(s) and arrange for a live hearing to occur after the 10th day of having notified parties and advisors of the final report. The responsible administrator shall arrange for the Assistant Attorney General assigned to the college to be present at the live hearing.



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**533.14.2** – Upon appointing a decision maker(s), the responsible administrator will issue to the parties and the parties' advisors, in either an electronic or hard copy format, a notice of hearing containing dates, deadlines, and/or requirements appropriate for the orderly Administration of the live hearing as determined by the decision maker(s) assigned to the live hearing under this policy.

**533.14.3** – The notice of hearing will contain a statement informing the parties that the recipient must, upon either party's request, provide for a live hearing where the parties are located in separate rooms with technology enabling the decision maker(s) and the parties to simultaneously see and hear the party or witnesses answering questions.

**533.14.4 – REQUIRED DISCLOSURES**

As outlined in Section 533.12, the parties and the parties' advisors received in either an electronic or hardcopy format a copy of the final investigation report and all evidence, exculpatory or inculpatory, whether or not the evidence was relied upon to reach the findings in the final investigation report related to the allegations in the formal complaint.

**533.14.5 – DISCLOSURE OF WITNESSES AND DOCUMENTS**

At least seven calendar days before the hearing date, the recipient, complainant, and respondent must provide each other a list of witnesses and documents that they will be presenting to the hearing officer.

**533.14.6 – DISCLOSURE OF EXPERT TESTIMONY**

A party shall disclose the identity of any person who may be used at a live hearing to present expert opinion evidence to the recipient and other parties no later than five business days prior to the date of the live hearing.

**533.14.6.1** – Unless otherwise stipulated, this disclosure shall be accompanied by a written report prepared and signed by the witness or party. The report shall contain the subject matter on which the expert is expected to testify; the substance of the facts and opinions to which the expert is expected to testify; a summary of the grounds for each opinion; and the expert's qualifications of the witness.

**533.14.6.2** – A party seeking to present the testimony of an expert witness at the live hearing shall certify that the individual providing the expert testimony is qualified to offer the opinions.

**533.14.6.3** – Decision maker(s) may exclude expert testimony that is not relevant.

**533.14.7 – ADVISORS**

Parties may be accompanied to the live hearing by an advisor, who may be, but is not required to be, an attorney.

**533.14.7.1** – Recipient will not limit the choice or presence of a party's advisor, but the decision maker(s) may limit an advisor's participation if the advisor becomes unreasonably disruptive to the proceedings.

**533.14.7.2** – If an attorney appears on behalf of a party, notice served on the attorney is considered notice to the party.

**533.14.7.3** – Advisors may participate in the live hearing through asking the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

- a) Cross-examination at the live hearing must be conducted directly, orally, and in real time by a

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- party's advisor and never by a party personally.
- b) If a party does not have an advisor present at the live hearing, and the party desires to have one, recipient must provide without fee or charge to that party, an advisor of recipient's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

**533.14.8** – Recipient is not a party to the live hearing, but it shall be the recipient, not the parties, that bears the burden of producing evidence through the investigative report to the decision maker(s).

**533.14.8.1** – Recipient must remain objective and impartial throughout the grievance process, including impartially presenting the investigative report to the decision maker(s) for determination.

**533.14.8.2** – The standard of proof for determining responsibility is clear and convincing evidence.

**533.14.9 – DECISION MAKER(S) RESPONSIBILITIES**

**533.14.9.1** – The decision maker(s) cannot be the same person(s) as the Title IX coordinator or the investigator(s).

**533.14.9.2** – Decision maker(s) shall regulate the course of the live hearing to obtain full disclosure of relevant facts and to afford all parties reasonable opportunity to present their positions.

**533.14.9.3** – On the decision maker(s) own motion or upon objection by a party's advisor, the decision maker(s):

- a) May exclude evidence that is irrelevant or unduly repetitious.
- b) Shall exclude irrelevant questions directed to a party or witness. Before a party or witness answers a cross-examination or other question, the decision maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- c) Shall exclude evidence privileged in the courts of Utah, unless the privilege at issue is specifically waived by the parties.
- d) Shall exclude questions or evidence about the complainant(s)' sexual predisposition or prior sexual behavior as not relevant unless 1) questions or evidence of the complainant(s)' prior sexual behavior are offered to prove that someone other than respondent(s) committed the conduct alleged by complainant(s), or 2) questions or evidence concern specific incidents of the complainant(s)' prior sexual behavior with respect to respondent(s) and are offered to prove consent.
- e) May receive documentary evidence in the form of a copy or excerpt if the copy or excerpt contains all pertinent portions of the original document.

**533.14.9.4** – Decision maker(s) may not exclude evidence solely because it is hearsay.

**533.14.9.5** – Decision maker(s) shall afford the parties' advisors the opportunity to conduct cross-examination.

**533.14.9.5.1** – If a party or witness does not submit to cross-examination at the live hearing, the decision maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility and cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence for the live hearing or refusal to answer cross-examination or other questions.



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**533.14.9.6** – Recipient shall record the hearing and provide a copy or transcript of the hearing to the parties for inspection and review.

**533.14.9.7** – The hearing shall be conducted with all parties physically present in the same geographical location or, upon request by either party or the decision maker(s), any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

**533.14.9.8** – Nothing in this section precludes the decision maker(s) from taking appropriate measures necessary to preserve the integrity of the hearing.

**533.14.9.9** – After the close of the live hearing, the decision maker(s) will issue a written determination regarding responsibility.

#### **533.14.10 – WRITTEN DETERMINATION**

**533.14.10.1** – Decision maker(s) will provide a written determination to the Title IX coordinator within five business days after the live hearing concludes. The written determination must include:

- a) Identification of the allegations potentially constituting sexual harassment or hazing as defined in this policy.
- b) A description of the procedural steps taken from the receipt of the formal complaint through the determination including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- c) Findings of fact supporting the determination.
- d) Conclusions regarding the application of recipient's policy to the facts.
- e) Using the same criteria established in this section of policy, a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, and disciplinary sanctions the recipient imposes on the respondent, and whether the institution shall provide remedies designed to restore and preserve equal access to the recipient's education program and activity to the complainant.
- f) The recipient's procedures and permissible bases for the complainant and respondent to appeal.

**533.14.10.2** – Decision maker(s) shall provide the written determination to the Title IX coordinator, the responsible administrator (if designated), the parties, and the parties' advisors simultaneously.

**533.14.10.3** – The determination regarding responsibility and sanctions becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

#### **533.15 – APPEALS**

**533.15.1** – Either party may appeal a decision regarding responsibility or from the dismissal of any portion of a formal complaint.

**533.15.2** – A party may appeal for any of the following reasons:

- a) A procedural problem that affected the outcome of the hearing.

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- b) New evidence that was not reasonably available at the time of the decision or dismissal.
- c) The responsible administrator, the investigators, or the decision maker(s) had a conflict of interest or bias that affected the outcome of the matter.

**533.15.3** – The Title IX coordinator must receive written notice of a party's intent to appeal within five business days after the decision maker(s) issues the decision.

**533.15.4** – Upon receiving an appeal, the Title IX coordinator must immediately notify the other party.

**533.15.5** – The Title IX coordinator must notify both parties of who will officiate the appeal and that person's contact information within five business days of receiving the appeal.

**533.15.6** – The appeal officer, appointed by recipient Administration, must not be anyone involved in the matter before the appeal.

**533.15.7** – The appeal officer must comply with the standards discussed in Section 533.14.9 Decision Makers Responsibilities of this policy.

**533.15.8** – Either party may submit a written statement to the appeal officer supporting or challenging the decision of the decision maker(s).

**533.15.9** – The appeal officer must receive any written statements in support of, or challenging, the outcome within ten calendar days of the sending of the Title IX coordinator's notice discussed in Section 533.15.5.

**533.15.10** – The appeal officer will review all reports, evidence, and recordings, and make a decision.

**533.15.11** – The appeal officer will simultaneously issue a report to both parties detailing the decision and the rationale for the decision.

**533.15.12** – The appeal officer's decision is final.

#### **533.16 – CAMPUS HAZING TRANSPARENCY REPORT**

The Stop Campus Hazing Act requires colleges to develop a campus hazing transparency report should the college have a finding of a hazing violation. The report should be updated thereafter when a hazing violation occurs. See the college's Annual Security Report and Campus Crime Statistics for the hazing transparency report and details of what should be included.

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SUBJECT: WITHDRAWAL AND THE RETURN OF TITLE IV FUNDS—CLOCK HOURS

APPROVAL DATE OF LAST REVISION: JUNE 17, 2019; JUNE 21, 2021; AUGUST 28, 2023; MARCH 18, 2024

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**732.1—POLICY**

This policy is a continuation of Policy 606 *Withdrawals, Refunds, and Returns—Tuition, Fees, and Other Charges*. This Withdrawal and the Return of Title IV Funds policy specifically relates to students receiving Title IV Aid, also known as the Federal Pell Grant and commonly referred to as Federal Student Aid (FSA). This policy specifically addresses withdrawal and the return of Title IV funds as it relates to clock hours.

Title IV (Pell Grant) funds are awarded to a student under the assumption that the student will attend school for the entire period for which assistance is awarded. Funds are earned by being enrolled, attending, and completing progress hours for the payment period or period of enrollment for which a student is paid or scheduled to be paid. When a student withdraws, the student may no longer be eligible for the full amount of Title IV funds originally scheduled to be received. The amount of funds earned is determined on a pro-rata basis. This means, if a student completes 30 percent of a payment period or period of enrollment, the student earns 30 percent of the assistance scheduled to be received. If the day the student withdraws occurs after the student has completed more than 60 percent of a payment period or period of enrollment for which the student was awarded, the percentage earned is 100 percent.

If a student withdraws from school during a payment period or period of enrollment in which the student began attending, the student may have received an overpayment of Title IV funds. The college must calculate how much of the funds the student is eligible to retain and how much aid must be returned by using formulas provided by the Department of Education for the Treatment of Title IV Funds When A Student Withdraws From A Clock Hour Program (hereafter called the Return). If it is determined that a student received more Title IV funds than the student earned—the college, the student, or both, must return (repay) the unearned funds. If the amount disbursed to the student is less than the amount the student earned, and for which the student is otherwise eligible, the student may be eligible to receive a post-withdrawal disbursement of the earned aid that was not received. The amount of Title IV aid a student has earned under the Return calculation is not affected by and does not affect the institutional charges a student will be responsible for after withdrawing. Institutional charges previously paid using Title IV funds may become a debt that the student is responsible to pay. See Policy 606 for more information.

**732.1.1—GRADUATION EXCEPTION—RE-PRORATION**

As per the Distance Education and Innovation final rules published September 2, 2020, and effective July 1, 2021: A student who completes all requirements for graduation without successfully completing all of the established hours in the program does not earn 100% of funds by completing more than 60% of the payment period and is not subject to the Return calculation. Instead, the school must re-prorate the amount of Title IV aid and only pay the student for the hours successfully completed.

**Example—**A student is enrolled in a 900-clock-hour program with two 450-hour payment periods. Part way through the second 450-hour payment period (at hour 300), the student completes all of the academic requirements (competencies, coursework, etc.) to graduate and graduates from the program after only completing 750 hours in the program. The school must prorate all Title IV funds and only pay the student for a total of 750 hours, instead of paying for 900 hours.

Upon request by the student, the Financial Aid Office will provide the student with an estimate of how much federal student aid the student will retain (or may receive as a post-withdrawal disbursement) and, conversely, how much the student may have to return (repay) upon withdrawal.

**732.2—STUDENT WITHDRAWAL—WHEN A STUDENT IS CONSIDERED WITHDRAWN**

When a student ceases attendance (drops or withdraws) from all their courses in a Title IV eligible program in a payment period or period of enrollment, the student must be considered a “withdrawal” for Title IV (Pell Grant) purposes and will also be considered a “withdrawal” from the college.

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A student is considered to have withdrawn from a payment period or period of enrollment if:

- In the case of a program that is measured in clock hours, the student does not complete all of the clock hours and weeks of instructional time in the payment period (or period of enrollment) that the student was scheduled to complete—unless the student is on an approved Leave of Absence as defined by the college's policy. (See Section 600). A student requesting a Leave of Absence must include their reason for submitting the request so that an expectation of return may be determined.
- A student has not attended ten consecutive school days in his or her Title IV-eligible program.
- Students may also be considered withdrawn for reasons including officially or unofficially withdrawing, completing requirements for graduation, providing notification of intent to withdraw, being suspended or violating terms of the probationary contract.

The withdrawal date for Title IV purposes will always be the last date of the student's documented attendance.

### **732.3—TREATMENT OF TITLE IV CREDIT BALANCES**

When a student withdraws and a Title IV credit balance is created, no portion of the Title IV credit balance should be released to the student or returned to the Title IV programs until after the Return or re-proration calculation is complete. Any Title IV credit balance following the calculation must be allocated first to repay any grant overpayment owed by the student. Any remaining funds will then be applied to outstanding institutional charges before being released to the student. Any Title IV credit balance funds due will be released to the student within 14 days of the Return or re-proration calculation.

### **732.4—CALCULATING EARNED AND UNEARNED AID—THE RETURN**

Return of Title IV Funds requires Bridgerland Technical College to determine the earned and unearned portions of Title IV aid a student has received. Determinations are made as of the date the student ceases attendance based on the amount of time the student, in the case of a clock-hour program, was scheduled to be in attendance. If a recipient of Title IV aid withdraws after beginning attendance, the amount (earned or unearned) is determined by the Financial Aid Office using formulas provided by the Department of Education for the Treatment of Title IV Funds When A Student Withdraws From A Clock-Hour Program. Students who complete requirements for graduation without successfully completing all of the established hours in the program are not subject to the Return calculation described in this section. See Graduation Exception—Re-proration above for information on how to calculate earned and unearned aid.

Institutional charges used in the calculation are generally defined as tuition and fees, required books, course materials, supplies and equipment, including all such costs as required of all students in the same course of study, paid directly to the school for the successful completion of the program in which the student is enrolled. Up through the 60 percent point of the payment period or period of enrollment in which the student withdraws, the college will pro-rate the total charges for the program in which the student is enrolled to correspond with the payment period or period of enrollment. Dollars and cents will be rounded to the nearest penny using standard rounding rules in the Return calculation. If the amount disbursed to the student is greater than the amount the student earned, the unearned funds must be returned by the student to the college. If the amount disbursed to the student is less than the amount the student earned, and for which the student is otherwise eligible, the student may be eligible to receive a post-withdrawal disbursement of the earned aid that was not received. Final repayment or post-withdrawal disbursement amounts will be rounded to the nearest dollar.

Standard rounding rules will not be applied when calculating the percentage of Title IV assistance earned. Once more than 60 percent of the payment period or period of enrollment has been completed, a student has earned 100 percent of the Title IV funds they were scheduled to receive during that period. For a student who withdraws after the 60 percent point in time, there are no unearned Title IV funds. The college's Financial Aid Office must still determine if the student is eligible for a post-withdrawal disbursement.

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**732.4.1**—Payment period or period of enrollment is defined as a period of time for which a student has been awarded and is scheduled to receive Title IV aid (Pell Grant). The period for which the student has been awarded is the same period used in the Return calculation.

**732.4.2**—A student completes a payment period or period of enrollment by being enrolled in, attending, and demonstrating successful completion of coursework associated with the student's program of enrollment. See the Satisfactory Progress Policy 700.703 for more information.

### **732.5—UNEARNED FUNDS—OVERPAYMENTS**

When a student withdraws from school during a payment period in which the student was paid and began attending, and did not earn all funds received, the student may have received an overpayment of FSA funds. When it is determined that a student received more assistance than the amount earned—the school, the student, or both, must return (repay) the unearned funds.

#### **732.5.1—INADVERTENT OVERPAYMENT**

Inadvertent Overpayment may occur as a result of being paid a payment after the student has withdrawn. This may happen when enrollment is confirmed and the payment is processed, but later the student withdraws with an earlier exit date. In cases such as this, the Return or re-proration calculation may not occur for that payment. The student may be subject to repay the full amount of this overpayment.

#### **732.5.2—WHEN A RESOLVED OVERAWARD BECOMES AN OVERPAYMENT**

This may occur when a student reduces enrollment, which in turn reduces his or her Title IV aid eligibility. If the school has resolved the overpayment by reducing scheduled future disbursements for a current or subsequent payment period and the student withdraws before the end of the payment period or before earning the overpaid amount, the portion of the student's award that was an overpayment must be repaid outside of the Return or re-proration calculation.

The student should be notified in writing by the Financial Aid Office within 30 days of the date of the institution's determination that the student withdrew of any overpayment the student has received with direction on how any overpayment may be repaid. Students are responsible to repay any overpayment to the college within 30 days. If a student owes an overpayment and sufficient funds are available on the student's account, the college will use those funds to repay the overpayment. If sufficient funds are not available on the student's account, the student will be given 30 days to make payment in full to the college. Failure to repay these funds or make acceptable repayment arrangements within 30 days will result in the obligation being turned over to the State of Utah Division of Collection Services. The Department of Education may also be notified which may result in jeopardizing future financial aid eligibility at the college or any other school.

Regulations require institutions to return unearned funds within 45 days of the student's withdrawal or the date of the institution's determination that the student withdrew. Schools must return Title IV Program funds in a particular order (Loans, Pell Grant, and Other grants). Since the college only offers the Pell Grant, this order is immaterial.

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**732.6—EARNED FUNDS—POST-WITHDRAWAL DISBURSEMENT**

A post-withdrawal disbursement is a payment made after a student withdraws from a program, for hours the student has already completed and would have been eligible to receive payment, but for whatever reason, had not been paid while enrolled. Students should be notified in writing by the Financial Aid Office within 30 days of the institution's determination that the student withdrew of the amount and availability details of the disbursement. Post-withdrawal disbursements will be made on the earliest pay date possible following the withdrawal and within 45 days of the date the school determined the student withdrew. Post-withdrawal disbursements are only available if the college received a valid output document (ISIR) while the student was enrolled prior to withdrawal.

A post-withdrawal disbursement, if applicable, will be prepared and available for the student at the Student Services Office. Any remaining or unpaid charges on the student's Accounts Receivable account(s) will be collected for the student at the time funds are placed on the student's Accounts Receivable account, or the post-withdrawal disbursement check is picked up by the student. Additional amounts due, if any, will be immediately due and payable to the college. Additional amounts owed to the student, if any, will be returned to the student in accordance with the college's refund policies.

**732.7—WITHDRAWAL AND REENTRY**

Regulation dictates the treatment of a student who withdraws from school and then reenters the same program at the same school. Students reentering after withdrawal should immediately upon their return contact the Financial Aid Office to have their reinstatement for aid considered.

**732.7.1—REENTRY WITHIN 180 DAYS**

A student who reenters within 180 days is considered to be in the same payment period they were in at the time of the withdrawal. The student retains their original eligibility for that payment period, and the school may restore the aid that the student was eligible for before the student ceased attendance and schedule any appropriate disbursements. Actions to be taken by the school may include redispersing aid that had been disbursed and then returned under the Return calculation; dispersing aid the student was otherwise eligible for that had not yet been disbursed at the time the student withdrew; and canceling any overpayments assessed to the student as a result of the prior withdrawal if those funds were scheduled to be disbursed upon reentry. Once the student completes the payment period for which the student has been paid, the student may become eligible for subsequent Title IV aid payments.

For a student who completed more than 60 percent of the period for which the student was paid before ceasing attendance, the school would not have returned any Title IV aid. If that student were to reenter school within 180 days, because the student had received 100 percent of his or her aid for the period, the student would not be eligible to receive additional Title IV aid until he or she has completed the weeks of instructional time and hours for which the student was previously paid.

**732.7.1.1—WHEN A STUDENT REENTERS IN A NEW AWARD YEAR**

A student who was originally enrolled in a payment period that began, and was scheduled to end, in one award year could return after the end of that award year (June 30). However, the regulations intend that such a student is to be considered, upon their return, to be in the same period. Any Title IV funds that could be disbursed to the student should be paid from the original award year regardless of whether the resumption of the payment period is in a new award year. It is possible that a student is eligible for additional funds from an award year that is closed (typically the end of September after the official end of an award year). In such cases, schools are authorized to request an extension to report additional disbursement information and request additional funds.

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#### ***732.7.1.2—WHEN A STUDENT REENTERS INTO A SECOND PROGRAM***

If a student withdraws from one program without completing the payment period and reenters the college in a second program within 180 days after the withdrawal, and is otherwise eligible, the student starts a new payment period for the second program when the student reenters. Return or re-proration calculations completed appropriately for withdrawal from the first program will apply.

#### ***732.7.2—REENTRY AFTER 180 DAYS***

If a student withdraws from a clock-hour program without completing the payment period and reenters the same program, or transfers into a second program, more than 180 days after the withdrawal, and is otherwise eligible to receive Title IV aid, the student starts a new payment period when the student reenters.

As outlined in the Satisfactory Academic Progress Policy 703, a student's demonstrated academic progress status at the time of withdrawal will be their status upon reentry. See the complete policy for more information about this as well as Title IV eligibility for enrollment in more than one program.

#### ***732.8—ITEMS OF CONSIDERATION***

As it is impossible to appropriately address all conceivable scenarios regarding a student's withdrawal and the effect it may have on any calculation, situations beyond those described here will be researched in existing regulation and guidance and addressed on a case-by-case basis.

In an ongoing effort to maintain the rules set forth by federal regulation, there may be changes made to this policy pending the approval of the college Board of Trustees. Any changes may be in effect by practice by the Financial Aid Office to which both the college and its students may be required to observe.



NUMBER: 733

SUBJECT: WITHDRAWAL AND THE RETURN OF TITLE IV FUNDS – CREDIT HOURS

APPROVAL DATE OF LAST REVISION: **NEW!**REGULATORY CITATIONS: CODE OF FEDERAL REGULATIONS, TITLE 34, PART 668.22; HIGHER EDUCATION ACT (HEA) 485  
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**733.1 – POLICY**

This policy is a continuation of college Policy 606 *Withdrawals, Refunds, and Returns – Tuition, Fees, and Other Charges*. This Withdrawal and the Return of Title IV Funds policy specifically relates to students receiving Title IV Aid, also known as the Federal Pell Grant and commonly referred to as Federal Student Aid (FSA). This policy addresses withdrawal and the return of Title IV funds relative to credit hours.

Title IV funds are awarded to a student under the assumption that the student will attend for the entire period for which the funds are offered. When a student withdraws from their program, they may no longer be eligible for the full amount of Title IV funds they were originally scheduled to receive. The college is required to determine the earned and unearned portions of Title IV aid as of the date a student ceases attendance by following regulation defined in federal law for the treatment of Title IV funds when a student withdraws.

**733.2 – PROCEDURES**

Title IV funds are earned by a student by completing satisfactory academic progress standards for the payment period for which the student is paid or scheduled to be paid. When a Title IV recipient withdraws after beginning attendance, the college must calculate how much of the Title IV funds the student is eligible to retain and how much aid must be returned. This is done by using the formula provided by the Department of Education for the Treatment of Title IV Funds When A Student Withdraws From A Credit-Hour Program (hereafter called the Return) that results with the amount of Title IV aid earned by the student.

**733.2.1 – SATISFACTORY ACADEMIC PROGRESS**

Satisfactory academic progress standards and the requirements for maintaining them are described in Policy 704 *Satisfactory Academic Progress-Credit Hours*.

**733.2.2 – PAYMENT PERIOD**

Payment period is the portion of the academic year or program into which a student's eligibility for FSA is divided. It is the period of time for which a student has been awarded and is scheduled to receive Title IV aid. The period for which the student has been awarded is the same period to be used in the Return calculation and must be used for all students within a program who cease attendance. The Financial Aid Office at the college awards students and calculates the Return based on the payment period, rather than the period of enrollment. Multiple disbursements within a payment period do not create new or additional payment periods.

**733.2.2.1 – PERIOD OF ENROLLMENT**

A period of enrollment is the academic period established by the school for which institutional charges are generally assessed.

If it is determined that a student received more Title IV funds than the student earned – the college, the student, or both, must return (repay) the unearned funds. If the amount disbursed to the student is less than the amount the student earned, and for which the student is otherwise eligible, the student may be eligible to receive a post-withdrawal disbursement of the earned aid that was not received.

The amount of Title IV aid a student has earned under the Return calculation is not affected by and does not affect the institutional charges a student will be responsible for after withdrawing. Institutional charges previously paid using Title IV funds may become a debt that the student is responsible to pay. See Policy 606 for more information.

Upon request by the student, the Financial Aid Office will provide the student with an estimate of how much federal student aid the student will retain (or may receive as a post-withdrawal disbursement) and, conversely, how much the student may have to



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return (repay) upon withdrawal.

**733.2.3 – STUDENT WITHDRAWAL – WHEN A STUDENT IS CONSIDERED WITHDRAWN**

When a student ceases attendance (drops or withdraws) from all their courses in a Title IV eligible program in a payment period, the student must be considered a “withdrawal” for Title IV (Pell Grant) purposes and will also be considered a “withdrawal” from the college.

A student is considered to have withdrawn from a payment period if:

- In the case of a program that is measured in credit hours, the student does not complete all of the days in the payment period that the student was scheduled to complete.
- A student has not attended ten consecutive school days in their Title IV eligible program.
- Students may also be considered withdrawn for reasons including officially or unofficially withdrawing, completing requirements for graduation, providing notification of intent to withdraw, being suspended or violating terms of the probationary contract. See Policy 606 for withdrawal procedures.

The withdrawal date for Title IV purposes will always be the last date of the student's documented attendance.

**733.2.3.1 – WITHDRAWAL EXEMPTION**

A student who completes all the requirements for graduation from their program before completing the days or hours in the payment period that they were scheduled to complete is not considered to have withdrawn for Title IV purposes, which means that no Return calculation is required for that student.

**733.2.4 – TREATMENT OF TITLE IV CREDIT BALANCES**

When a student withdraws and a Title IV credit balance is created, no portion of the Title IV credit balance should be released to the student or returned to the Title IV programs until after the Return calculation is complete. Any Title IV credit balance following the completion of the Return calculation, must be allocated within 14 days after the calculation first to repay any grant overpayment owed by the student. Any remaining funds will then be applied to outstanding institutional charges before being released to the student.

**733.2.5 – CALCULATING EARNED AND UNEARNED AID – THE RETURN**

Return of Title IV Funds requires the college to determine the earned and unearned portions of Title IV aid a student has received. Determinations are made as of the date the student ceases attendance based on the amount of time the student was scheduled to complete a payment period. If a recipient of Title IV aid withdraws after beginning attendance, the amount (earned or unearned) is determined by the Financial Aid Office using formulas provided by the Department of Education for the Treatment of Title IV Funds When A Student Withdraws From A Credit-Hour Program.

A pro rata schedule is used to determine the amount of Title IV funds the student has earned at the time of withdrawal. This means, if a student completes 30 percent of a payment period, the student earns 30 percent of the assistance scheduled to be received.

Institutional charges used in the calculation are generally defined as tuition and fees, required books, course materials, supplies and equipment, including all such costs as required of all students in the same course of study, paid directly to the school for the successful completion of the program in which the student is enrolled. Charges are not student specific but rather are based on published program costs. Up through the 60 percent point of the payment period in which the student withdraws, the college will pro-rate the total charges for the program in which the student is enrolled to correspond with the

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payment period. Dollars and cents will be rounded to the nearest penny using standard rounding rules in the Return calculation. If the amount disbursed to the student is greater than the amount the student earned, the unearned funds must be returned by the student to the college. If the amount disbursed to the student is less than the amount the student earned, and for which the student is otherwise eligible, the student may be eligible to receive a post-withdrawal disbursement of the earned aid that was not received. Final repayment or post-withdrawal disbursement amounts will be rounded to the nearest dollar.

Standard rounding rules will not be applied when calculating the percentage of Title IV assistance earned. Once more than 60 percent of the payment period has been completed, a student has earned 100 percent of the Title IV funds they were scheduled to receive during that period. For a student who withdraws after the 60 percent point-in-time, there are no unearned Title IV funds. The college's Financial Aid Office must still determine if the student is eligible for a post-withdrawal disbursement.

**733.2.6 – UNEARNED FUNDS – OVERPAYMENTS**

When a student withdraws from school during a payment period in which the student was paid and began attending, and did not earn all funds received, the student may have received an overpayment of FSA funds. When it is determined that a student received more assistance than the amount earned – the school, the student, or both, must return (repay) the unearned funds.

**733.2.6.1 – INADVERTENT OVERPAYMENT**

Inadvertent Overpayment may occur as a result of being paid a payment after the student has withdrawn. This may happen when enrollment is confirmed and the payment is processed, but later the student withdraws with an earlier exit date. In cases such as this, the Return calculation may not occur for that payment. The student may be subject to repay the full amount of this overpayment.

**733.2.6.2 – WHEN A RESOLVED OVERAWARD BECOMES AN OVERPAYMENT**

This may occur when a student reduces enrollment, which in turn reduces the students' Title IV aid eligibility. If the school has resolved the overpayment by reducing scheduled future disbursements for a current or subsequent payment period and the student withdraws before the end of the payment period or before earning the overpaid amount, the portion of the student's award that was an overpayment must be repaid outside of the Return calculation.

The student should be notified in writing by the Financial Aid Office within 30 days of the date of the institution's determination that the student withdrew of any overpayment the student has received with direction on how any overpayment may be repaid. Students are responsible to repay any overpayment to the college within 30 days. If a student owes an overpayment and sufficient funds are available on the student's account, the college will use those funds to repay the overpayment. If sufficient funds are not available on the student's account, the student will be given 30 days to make payment in full to the college. Failure to repay these funds or make acceptable repayment arrangements within 30 days will result in the obligation being turned over to the State of Utah Division of Collection Services. The Department of Education (ED) may also be notified which may result in jeopardizing future financial aid eligibility at the college or any other school.

Regulations require institutions to return unearned funds within 45 days of the student's withdrawal or the date of the institution's determination that the student withdrew. Schools must return Title IV Program funds in a particular order (loans, Pell Grant, and other grants). Since the college only offers the Pell Grant, this order is immaterial.

**733.2.7 – EARNED FUNDS – POST-WITHDRAWAL DISBURSEMENT**

A post-withdrawal disbursement is a payment made after a student withdraws from a program, for time the student has already completed and would have been eligible to receive payment, but for whatever reason, had not been paid while

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enrolled. Students should be notified by the Financial Aid Office within 30 days of the institution's determination that the student withdrew of the amount and availability details of the disbursement. Post-withdrawal disbursements will be made on the earliest pay date possible following the withdrawal and within 45 days of the date the school determined the student withdrew. Post-withdrawal disbursements are only available if the college received a valid output document (ED's Institutional Student Information Record) while the student was enrolled prior to withdrawal.

A post-withdrawal disbursement, if applicable, will be prepared and available for the student at the Student Services Office. Any remaining or unpaid charges on the student's Accounts Receivable account(s) will be collected for the student at the time funds are placed on the student's Accounts Receivable account, or the post-withdrawal disbursement check is picked up by the student. Additional amounts due, if any, will be immediately due and payable to the college. Additional amounts owed to the student, if any, will be returned to the student in accordance with the college's refund policies.

### ***733.2.8 – WITHDRAWAL AND REENTRY***

Regulation dictates the treatment of a student who withdraws from school and then reenters the same non-term credit hour program at the same school. Students reentering after withdrawal should immediately upon their return contact the Financial Aid Office to have their reinstatement for aid considered.

#### ***733.2.8.1 – REENTRY WITHIN 180 DAYS***

A student who reenters within 180 days is considered to be in the same payment period they were in at the time of the withdrawal. The student retains their original eligibility for that payment period, and the school may restore the aid that the student was eligible for before the student ceased attendance and schedule any appropriate disbursements. Actions to be taken by the school may include re-disbursing aid that had been disbursed and then returned under the Return calculation; disbursing aid the student was otherwise eligible for that had not yet been disbursed at the time the student withdrew; and canceling any overpayments assessed to the student as a result of the prior withdrawal if those funds were scheduled to be disbursed upon reentry. Once the student completes the payment period for which the student has been paid, the student may become eligible for subsequent Title IV aid payments.

For a student who completed more than 60 percent of the period for which the student was paid before withdrawing, the school would not have returned any Title IV aid. If that student were to reenter school within 180 days, because the student had received 100 percent of their aid for the period, the student would not be eligible to receive additional Title IV aid until the student has completed the time for which they were previously paid.

#### ***733.2.8.1.1 – WHEN A STUDENT REENTERS IN A NEW AWARD YEAR***

A student who was originally enrolled in a payment period that began, and was scheduled to end, in one award year could return after the end of that award year (June 30). However, the regulations intend that such a student is to be considered, upon their return, to be in the same period. Any Title IV funds that could be disbursed to the student should be paid from the original award year regardless of whether the resumption of the payment period is in a new award year. The calculation must use the original institutional charges associated with the original period before the withdrawal, and the student's cost of attendance must also reflect the original educational costs associated with the payment period from which the student withdrew. It is possible that a student is eligible for additional funds from an award year that has closed (typically the end of September after ED's official end of an award year). In such cases, schools are authorized to request an extension to report additional disbursement information and request additional funds.

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#### ***733.2.8.1.2 – WHEN A STUDENT REENTERS INTO A SECOND PROGRAM***

If a student withdraws from one program without completing the payment period and reenters the college in a second program within 180 days after the withdrawal, and is otherwise eligible, the student starts a new payment period for the second program when the student reenters. Return or re-proration calculations completed appropriately for withdrawal from the first program will apply.

#### ***733.2.8.2 – REENTRY AFTER 180 DAYS***

If a student withdraws from a non-term credit hour program without completing the payment period and reenters the same program, or transfers into a second program, more than 180 days after the withdrawal, and is otherwise eligible to receive Title IV aid, the student starts a new payment period when the student reenters or transfers.

As outlined in policy, a student's demonstrated academic progress status at the time of withdrawal will be their status upon reentry. See the complete policy for more information about this as well as Title IV eligibility for enrollment in more than one program.

#### ***733.2.9 – ITEMS OF CONSIDERATION***

As it is impossible to appropriately address all conceivable scenarios regarding a student's withdrawal and the effect it may have on any calculation, situations beyond those described here will be researched in existing regulation and guidance and addressed on a case-by-case basis.

In an ongoing effort to maintain the rules set forth by federal regulation, there may be changes made to this policy pending the approval of the college Board of Trustees. Any changes may be in effect by practice by the Financial Aid Office to which both the college and its students may be required to observe.

# OCHE Program Assessment and Peer Review Report

## New Technical Education Program

### New Technical Education Program

**Institution:** Bridgerland Technical College

**Program Title:** Nail Technician

**Requested Credential:** Technical Certificate (300 Clock Hours)

**CIP Code:** 12.0410

#### 1. Policy Compliance Overview

##### **Policy R312: Institutional Roles and Missions**

The proposed Nail Technician program aligns with Bridgerland Technical College's role and mission as a technical college. CIP code 12.0410 is designated as "Technical" per the USHE CIP designation matrix, making this credential appropriate for technical college delivery under Table 1 of R312.

##### **Policy R315: Designation of Service Regions**

The program will be offered at the college's main campus in Logan, Utah, which lies within the institution's approved service region under R315.

##### **Policy R401: Approval and Modification of Instructional Programs**

The proposal satisfies the conditions for new technical education programs under R401-5.3, including documentation of institutional approval processes, workforce demand, and resource availability.

##### **Policy R402: Certificate and Degree Award Structures**

The program is appropriately structured as a 300 clock-hour Certificate of Completion, meeting the standards outlined under R402-2.4. The proposal includes aligned foundational and supplemental course sequences with appropriate credit-hour equivalencies.

##### **Policy R403: Short-Term Training**

The program is structured as a formal certificate, not short-term training. It serves both secondary and postsecondary students and is open to new entrants to the field. It complies with R403 definitions by preparing students for initial licensure and employment.

### **Policy R404: Technical Education Program Alignment**

The program meets the alignment criteria of R404. The curriculum includes foundational competencies, supplemental courses, and preparation for state licensure. Instructional objectives and course sequences align with statewide Nail Technician standards adopted across USHE institutions.

## **2. Workforce and Economic Relevance**

### **Market Demand**

- The U.S. Bureau of Labor Statistics projects 12% national growth in employment for manicurists and pedicurists from 2023 to 2033.
- Utah employed approximately 710 nail technicians as of May 2023.
- While the Utah Department of Workforce Services assigns a one-star rating to the occupation statewide, this is consistent with other appearance-related occupations and does not reflect localized employer needs.
- Employment data for the Cache, Rich, and Box Elder counties is unavailable, but regional employer interest and the absence of local training offerings suggest adequate demand.

### **Wage Potential**

- Utah's statewide mean wage is \$36,480 annually (\$17.50 hourly).
- In the Ogden/Clearfield metro area (nearest reporting region), median wages reach \$39,580 annually (\$19.30 hourly), indicating more substantial regional earning potential.

### **Employer Collaboration**

- The proposal reflects employer demand, particularly as Bridgerland Technical College expands its cosmetology-related programs. Advisory feedback supported the development of this program.

## **3. Duplication of Programs**

- Similar Nail Technician programs exist at other technical colleges and Snow College.
- The program uses the standard 300 clock-hour structure shared across USHE institutions.
- No duplication concerns exist within Bridgerland's service area, and the program will meet regional access needs in the Cache Valley.

## **4. Institutional Capacity and Resources**

### **Facilities, Equipment, and Significant Resources**

- The program will operate in the West (W) Building on the Logan Campus.
- A minor remodel of Room 1901 will be completed by in-house staff at a cost of approximately \$10,000.

- Necessary lab equipment includes nail tables, drills, and ventilation systems, budgeted at \$25,000.

#### **Faculty Number and Qualifications**

- One full-time instructor, licensed in Nail Technician and cosmetology instruction, will staff the program.
- Existing support staff from the cosmetology program will support this offering.

### **5. Peer Review Feedback**

- As of this assessment, no material concerns have been raised in peer reviews.
- The program structure aligns with comparable offerings at other institutions.

#### **Conclusion**

The proposed Nail Technician program at Bridgerland Technical College complies with Utah Board of Higher Education policies R312, R315, R401, R402, R403, and R404. It meets institutional role expectations, demonstrates employer and community support, and reflects statewide standards for technical education licensure programs.

#### **Recommendation for Approval**

The program is **recommended for Trustee approval**.

**Attachment:** Program Proposal (including all supporting documentation)

#### **Prepared by:**

Kim Ziebarth, Associate Commissioner for Technical Education  
Utah System of Higher Education



**November 5, 2025**

Board of Trustees  
Bridgerland Technical College  
1410 North 1000 West  
Logan, UT 84321

Dear Trustees,

In accordance with Utah Code 53B-16-102(5)(b)(ii), this assessment is provided for the proposed *Nail Technician* program, which the Bridgerland Technical College Board of Trustees will review for approval.

The Office of the Commissioner of Higher Education (OCHE) evaluates program proposals to ensure compliance with Utah Board of Higher Education policies and statutory requirements. This includes reviewing program alignment with institutional roles, service regions, credential definitions, program approval processes, and technical education standards. The assessment also incorporates peer review feedback into OCHE's analysis and recommendation.

### **Program Assessment and Peer Review Feedback**

The Nail Technician program:

- Aligns with the institutional role of technical colleges under R312 and is located within the designated service region under R315.
- Meets the requirements for a Certificate of Completion under R402 and R404.
- Prepares students for state licensure through structured coursework and clinical instruction.
- Responds to community and employer demand for nail technician training in the Cache Valley region.
- Provides students with pathways for academic credit at Utah State University, Weber State University, and Snow College.
- Received no material concerns from peer reviewers and aligns with statewide program structure standards.

### **Commissioner's Recommendation**

The Nail Technician program is recommended for Trustee approval.



### **Next Steps and Trustee Actions**

The Board of Trustees will review this proposal and OCHE's assessment to determine whether to approve, defer, or reject the program. If approved, Bridgerland Technical College will notify OCHE, and the program will be placed on the Utah Board of Higher Education's consent agenda for final review.

Please let us know if you have any questions regarding this report.

Sincerely,



**Geoffrey Landward**  
Commissioner  
Utah System of Higher Education

### **Copy**

Angie Stallings, Deputy Commissioner and COO

Kim Ziebarth, Associate Commissioner for Technical Education

Chad Campbell, President

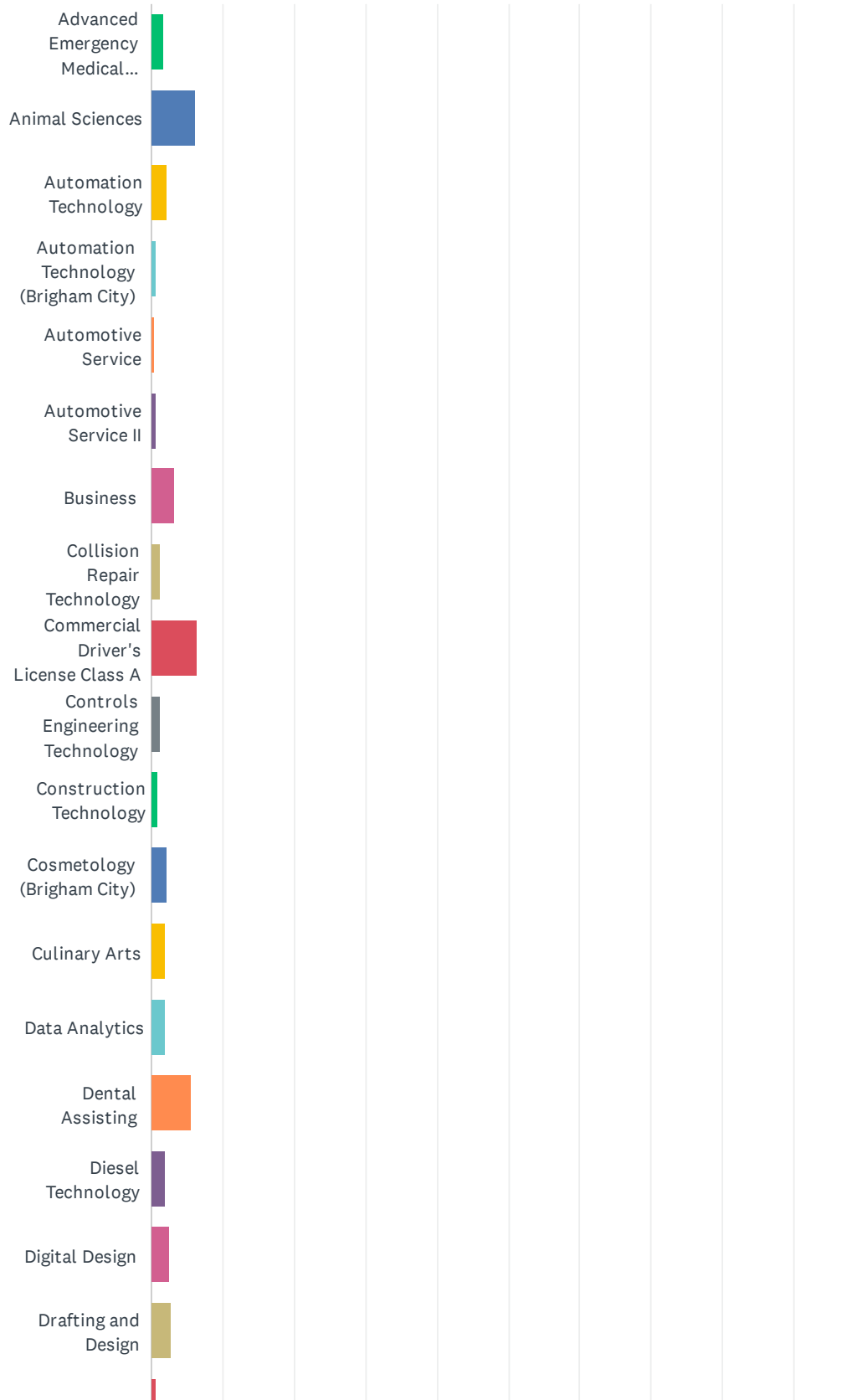
Lisa Moon, Chief Instructional Officer

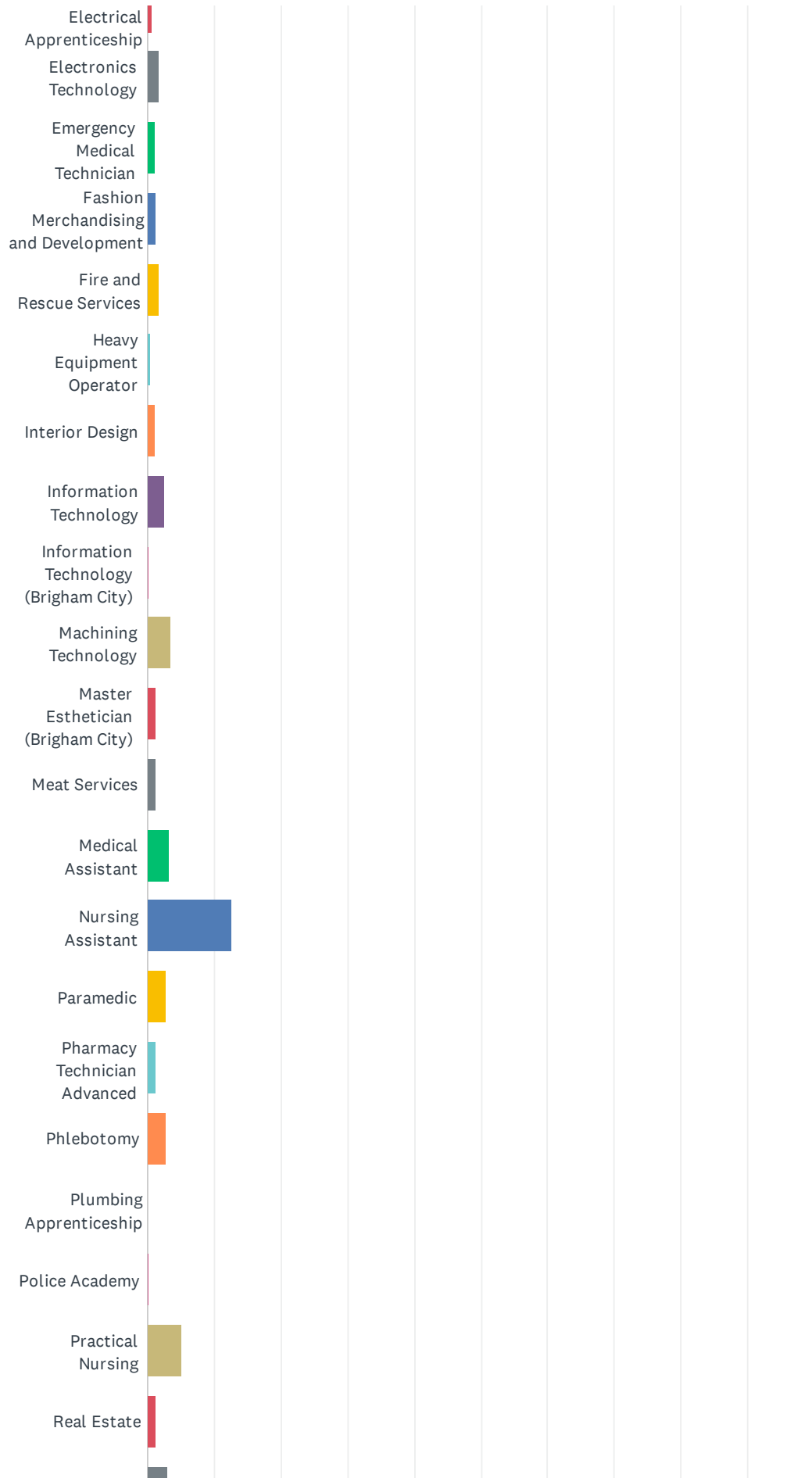
### **Attachments**

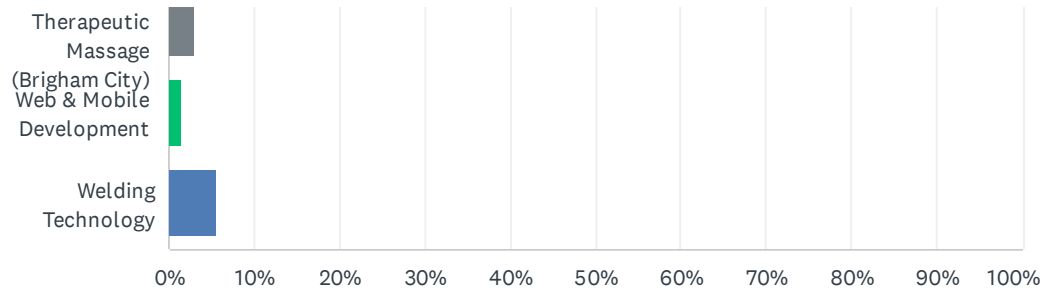
- OCHE Program Assessment and Commissioner's Recommendation
- New Program Proposal

## Q1 Choose your program:

Answered: 807 Skipped: 0





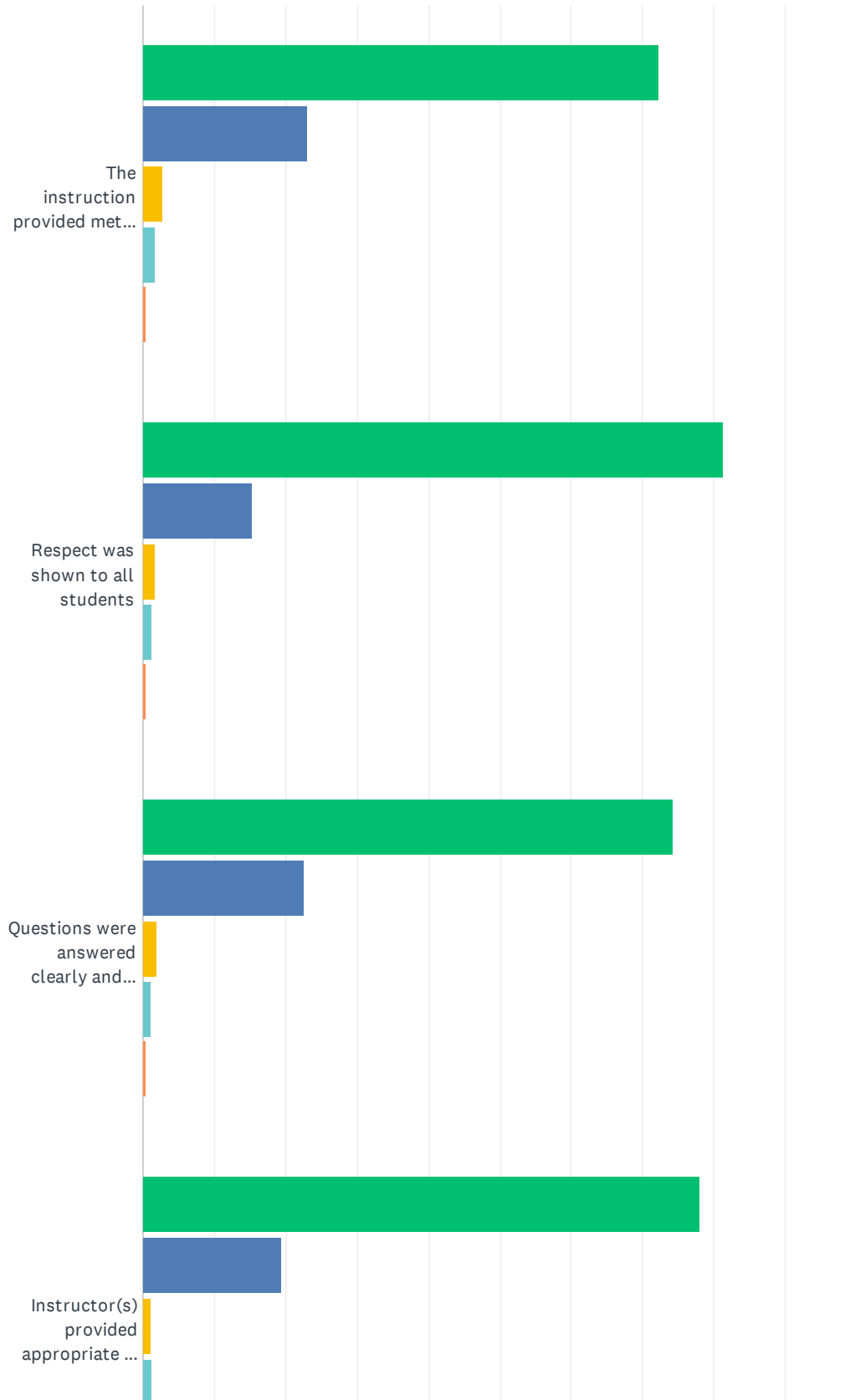


ANSWER CHOICES	RESPONSES	
Advanced Emergency Medical Technician	1.73%	14
Animal Sciences	6.20%	50
Automation Technology	2.11%	17
Automation Technology (Brigham City)	0.74%	6
Automotive Service	0.50%	4
Automotive Service II	0.62%	5
Business	3.22%	26
Collision Repair Technology	1.24%	10
Commercial Driver's License Class A	6.44%	52
Controls Engineering Technology	1.36%	11
Construction Technology	0.87%	7
Cosmetology (Brigham City)	2.11%	17
Culinary Arts	1.98%	16
Data Analytics	1.98%	16
Dental Assisting	5.45%	44
Diesel Technology	1.86%	15
Digital Design	2.60%	21
Drafting and Design	2.85%	23
Electrical Apprenticeship	0.74%	6
Electronics Technology	1.73%	14
Emergency Medical Technician	1.12%	9
Fashion Merchandising and Development	1.24%	10
Fire and Rescue Services	1.73%	14
Heavy Equipment Operator	0.50%	4
Interior Design	1.12%	9
Information Technology	2.48%	20
Information Technology (Brigham City)	0.25%	2
Machining Technology	3.35%	27
Master Esthetician (Brigham City)	1.36%	11
Meat Services	1.24%	10
Medical Assistant	3.22%	26
Nursing Assistant	12.52%	101

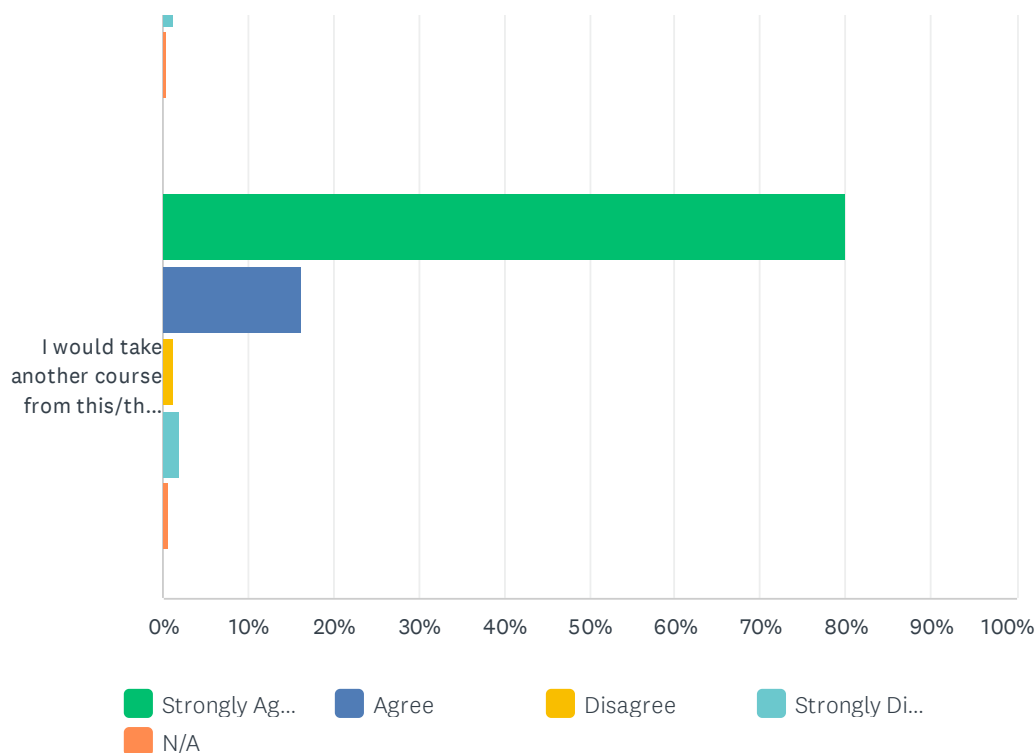
Paramedic	2.85%	23
Pharmacy Technician Advanced	1.24%	10
Phlebotomy	2.85%	23
Plumbing Apprenticeship	0.00%	0
Police Academy	0.12%	1
Practical Nursing	5.20%	42
Real Estate	1.36%	11
Therapeutic Massage (Brigham City)	2.97%	24
Web & Mobile Development	1.49%	12
Welding Technology	5.45%	44
TOTAL		807

## Q2 Please rate your instructors:

Answered: 807 Skipped: 0



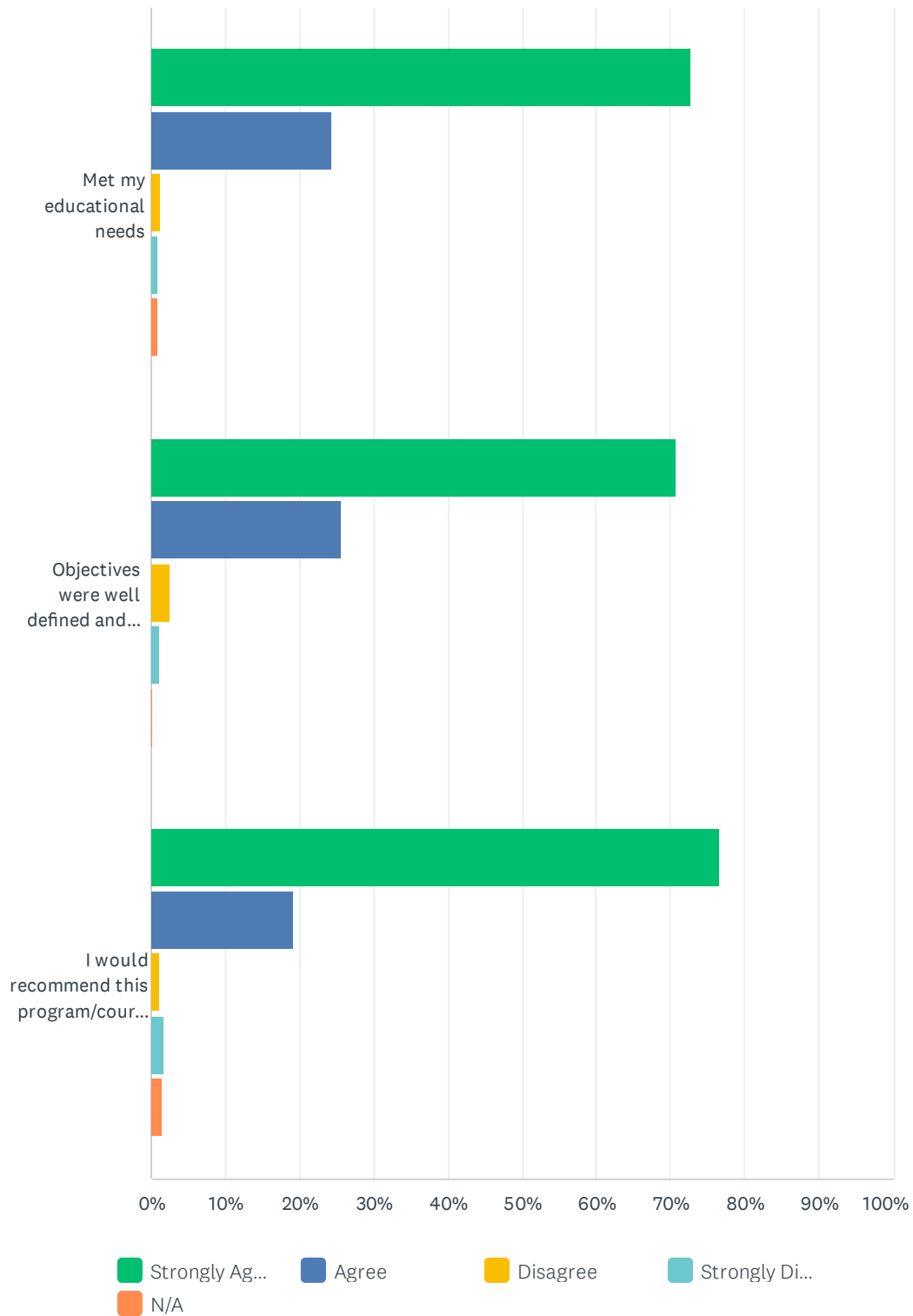




	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
The instruction provided met my expectations	72.24% 583	22.92% 185	2.73% 22	1.61% 13	0.50% 4	807	3.67
Respect was shown to all students	81.29% 656	15.37% 124	1.73% 14	1.24% 10	0.37% 3	807	3.77
Questions were answered clearly and promptly	74.10% 598	22.55% 182	1.86% 15	0.99% 8	0.50% 4	807	3.71
Instructor(s) provided appropriate and timely responses	77.94% 629	19.33% 156	0.99% 8	1.36% 11	0.37% 3	807	3.75
I would take another course from this/these instructor(s)	79.93% 645	16.11% 130	1.36% 11	1.86% 15	0.74% 6	807	3.75

## Q3 Please rate. My program/course:

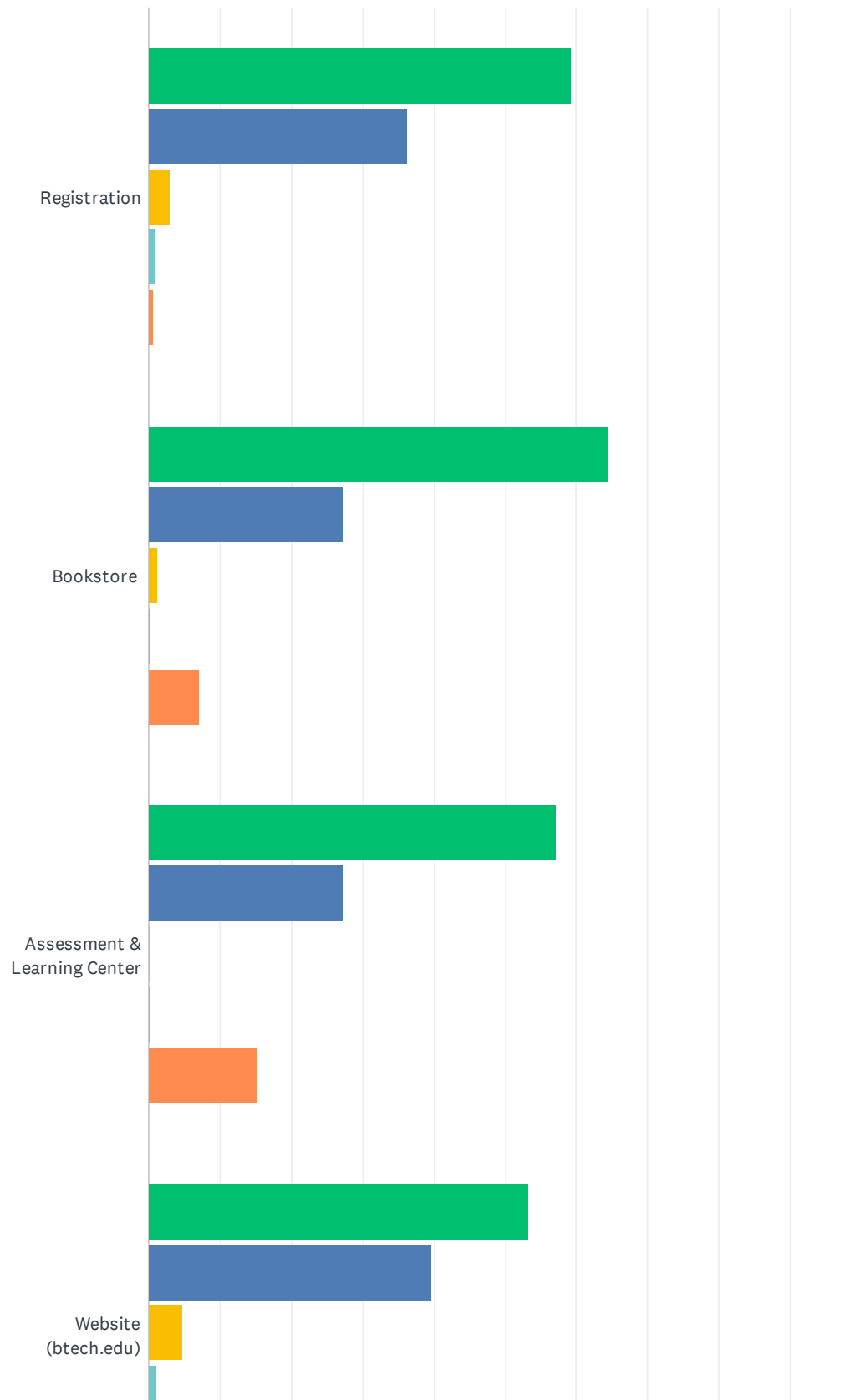
Answered: 802 Skipped: 5

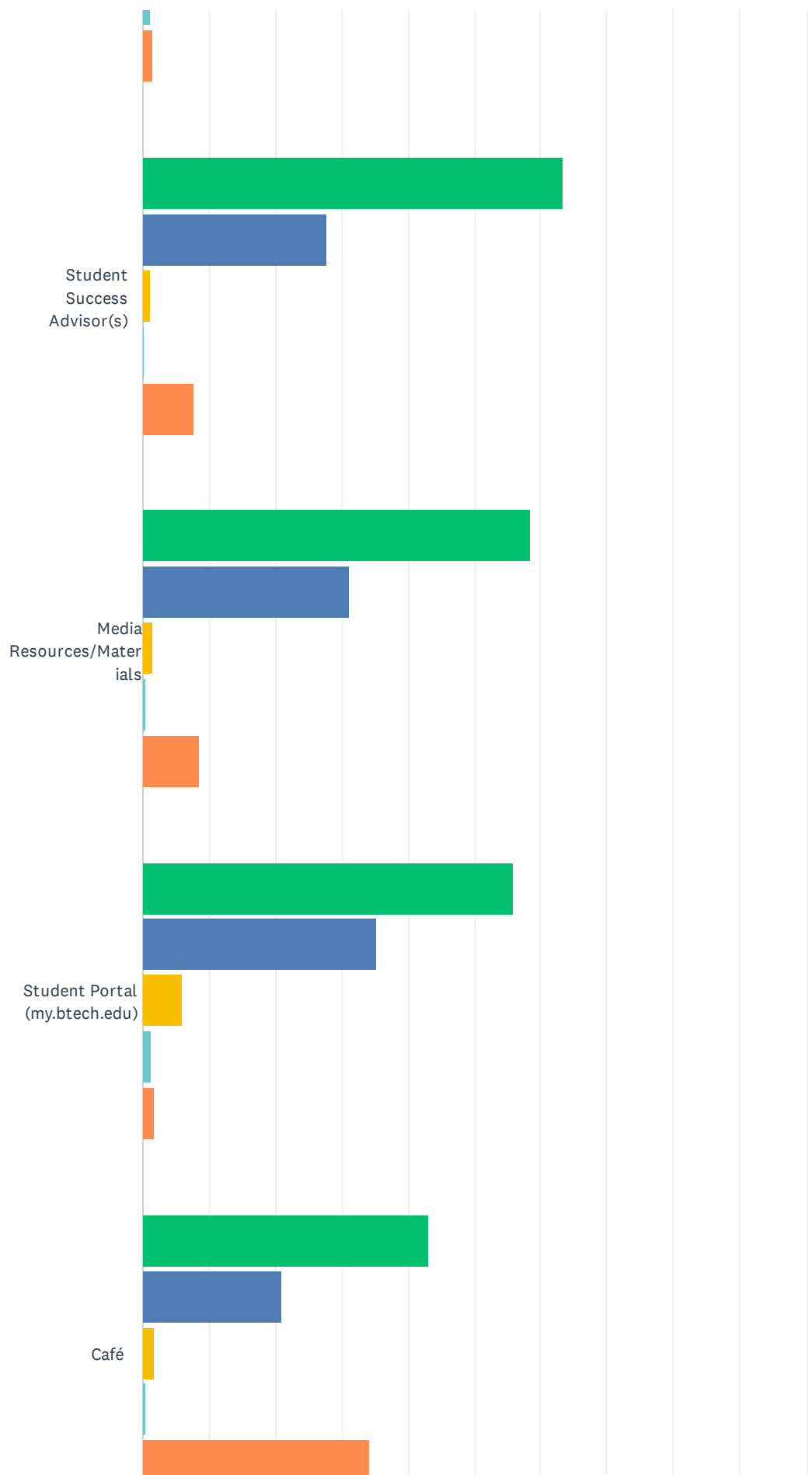


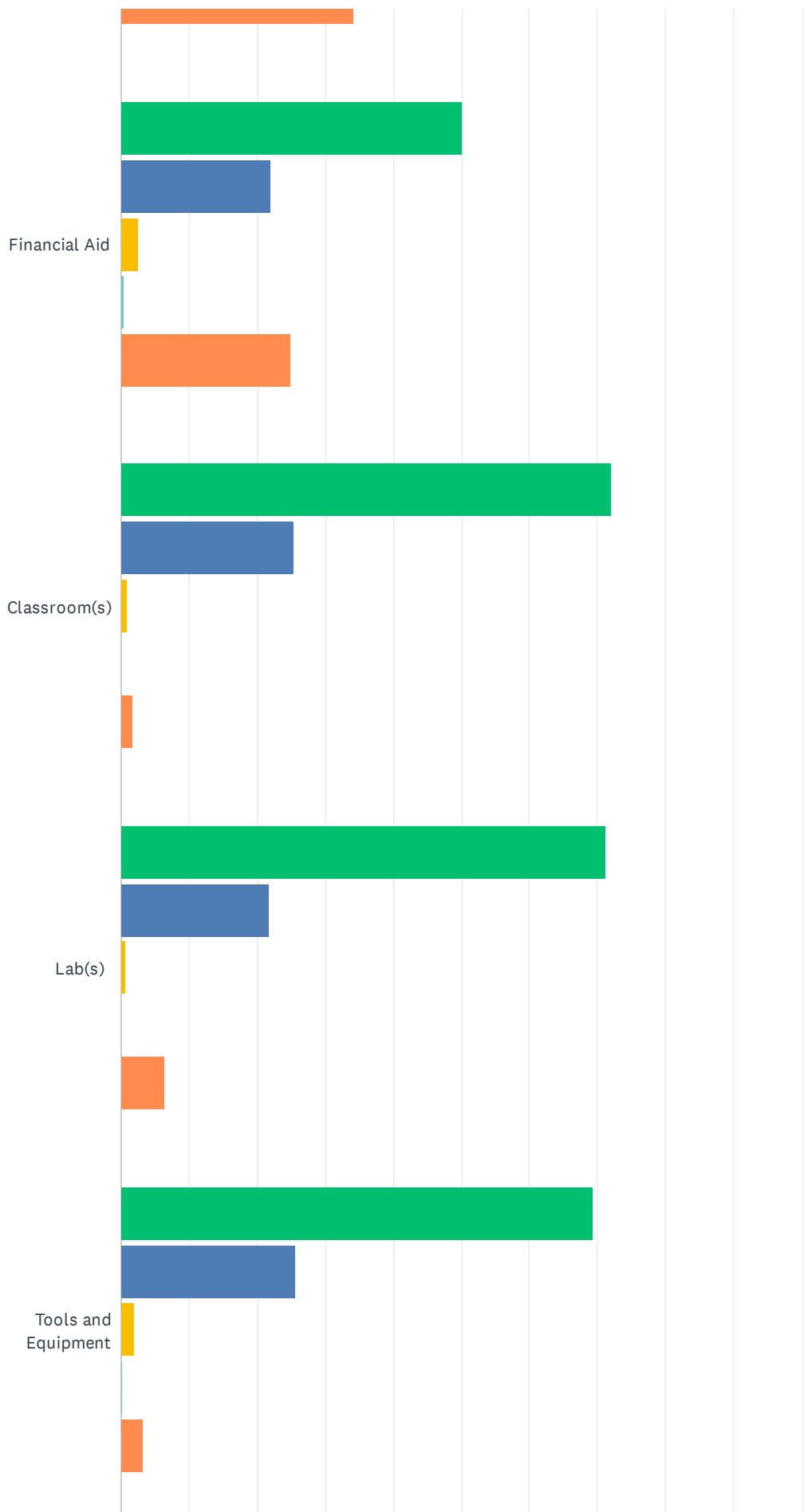
	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
Met my educational needs	72.69% 583	24.31% 195	1.37% 11	0.87% 7	0.75% 6	802	3.70
Objectives were well defined and followed	70.70% 567	25.56% 205	2.49% 20	1.00% 8	0.25% 2	802	3.66
I would recommend this program/course to others	76.56% 614	19.20% 154	1.12% 9	1.62% 13	1.50% 12	802	3.73

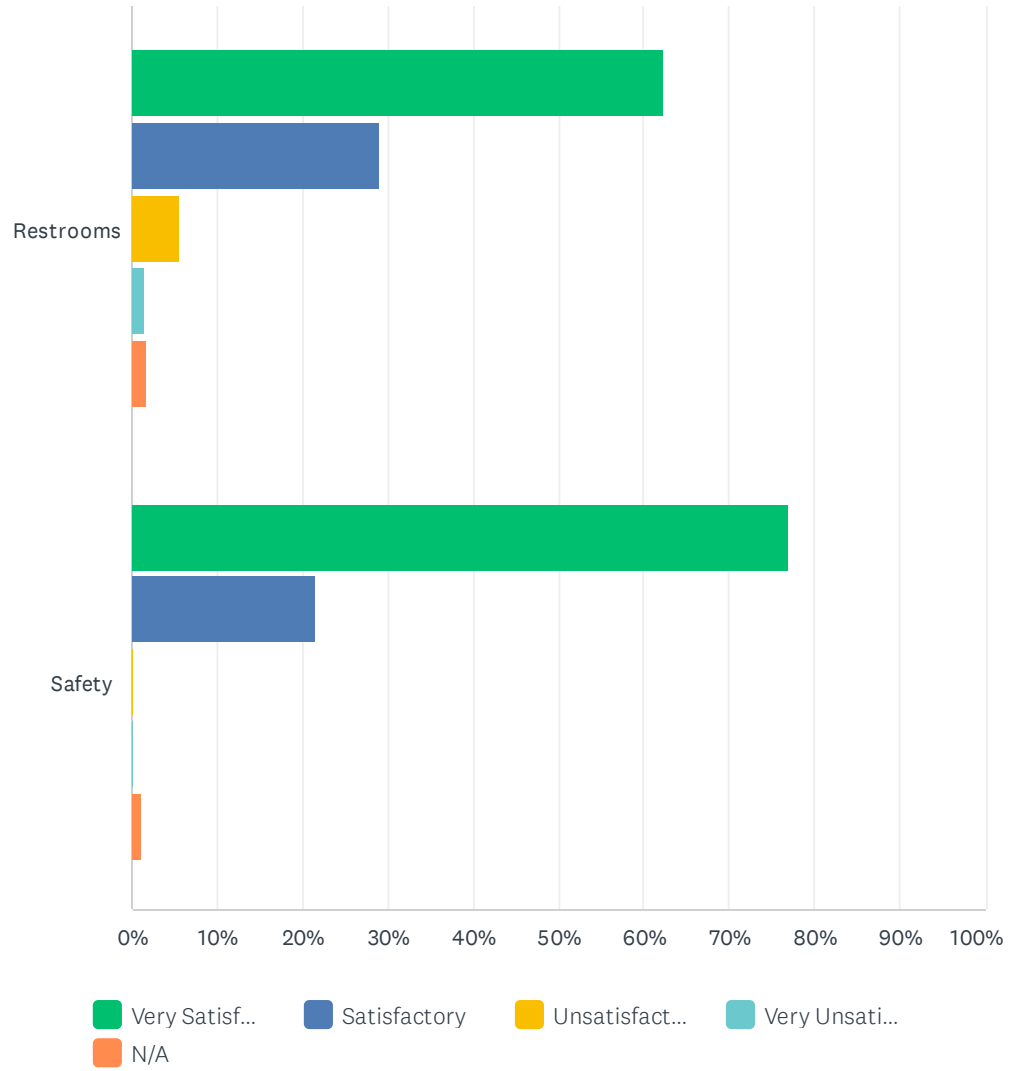
## Q4 Please rate Bridgerland services and facilities

Answered: 793 Skipped: 14







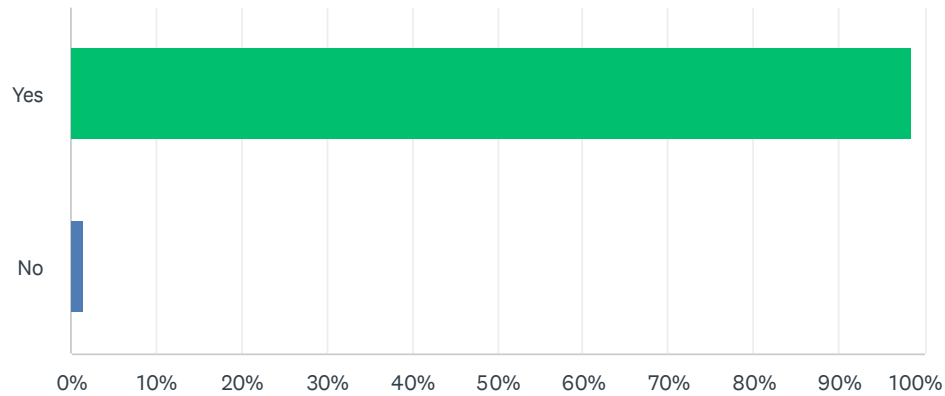




	VERY SATISFACTORY	SATISFACTORY	UNSATISFACTORY	VERY UNSATISFACTORY	N/A	TOTAL	WEI AVE
Registration	59.27% 470	36.32% 288	3.03% 24	0.76% 6	0.63% 5	793	
Bookstore	64.44% 511	27.24% 216	1.26% 10	0.13% 1	6.94% 55	793	
Assessment & Learning Center	57.12% 453	27.24% 216	0.25% 2	0.25% 2	15.13% 120	793	
Website (btech.edu)	53.34% 423	39.60% 314	4.67% 37	1.01% 8	1.39% 11	793	
Student Success Advisor(s)	63.30% 502	27.62% 219	1.13% 9	0.25% 2	7.69% 61	793	
Media Resources/Materials	58.39% 463	31.15% 247	1.39% 11	0.50% 4	8.58% 68	793	
Student Portal (my.btech.edu)	55.86% 443	35.18% 279	6.05% 48	1.26% 10	1.64% 13	793	
Café	43.00% 341	20.81% 165	1.64% 13	0.50% 4	34.05% 270	793	
Financial Aid	50.19% 398	21.94% 174	2.52% 20	0.38% 3	24.97% 198	793	
Classroom(s)	72.01% 571	25.47% 202	0.76% 6	0.00% 0	1.77% 14	793	
Lab(s)	71.25% 565	21.82% 173	0.63% 5	0.00% 0	6.31% 50	793	
Tools and Equipment	69.23% 549	25.60% 203	1.89% 15	0.13% 1	3.15% 25	793	
Restrooms	62.17% 493	29.00% 230	5.55% 44	1.51% 12	1.77% 14	793	
Safety	76.92% 610	21.56% 171	0.13% 1	0.25% 2	1.13% 9	793	

**Q5 Did you have access to adequate learning resources (i.e. audio-visual materials, equipment, reference books, etc.) necessary to be successful in your program?**

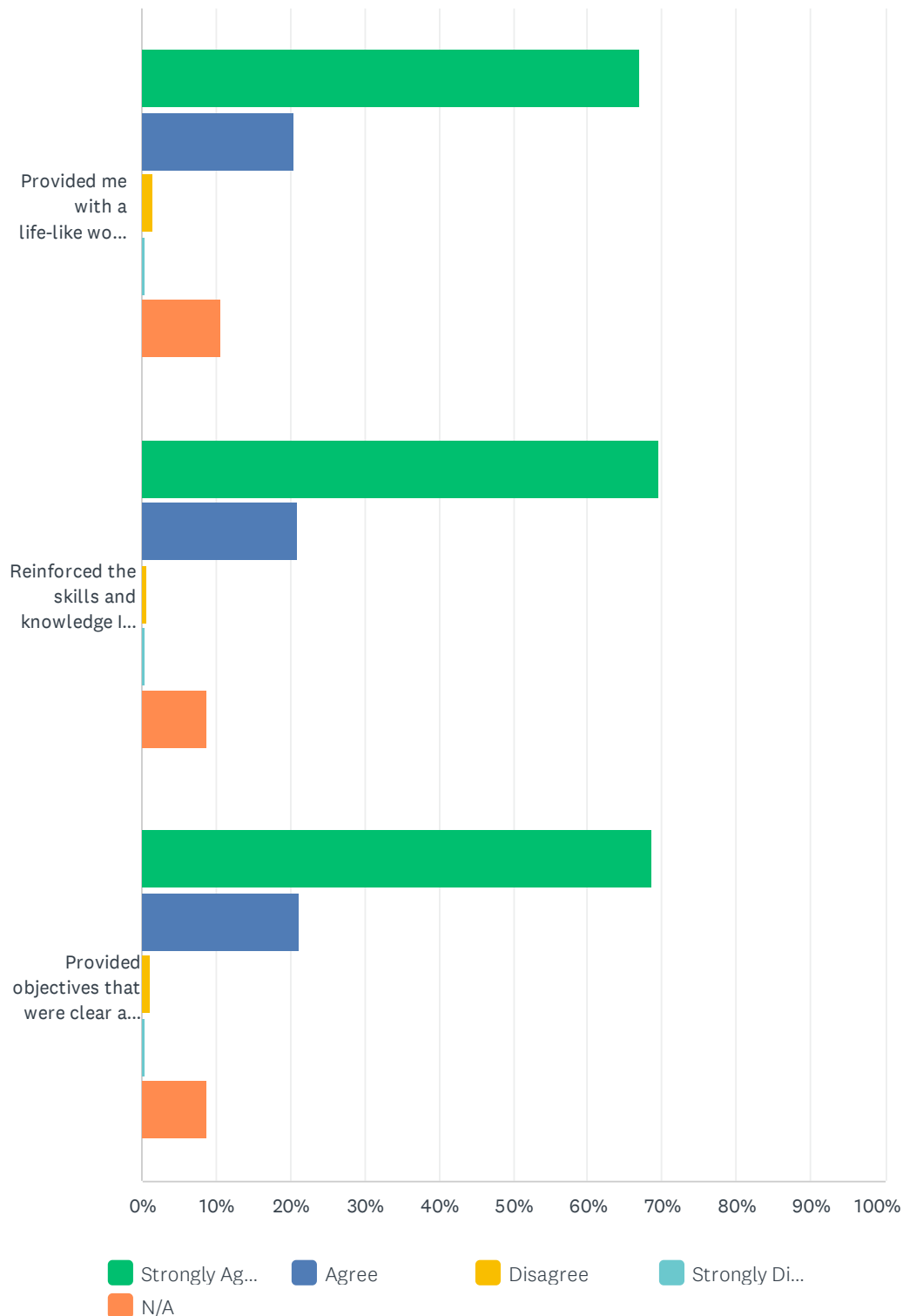
Answered: 785 Skipped: 22



ANSWER CHOICES	RESPONSES	
Yes	98.47%	773
No	1.53%	12
TOTAL		785

Q6 Many Bridgerland programs include work-based activities such as: Internships, Externships, and Services (haircuts, auto services, etc.). The work-based activity I participated in:

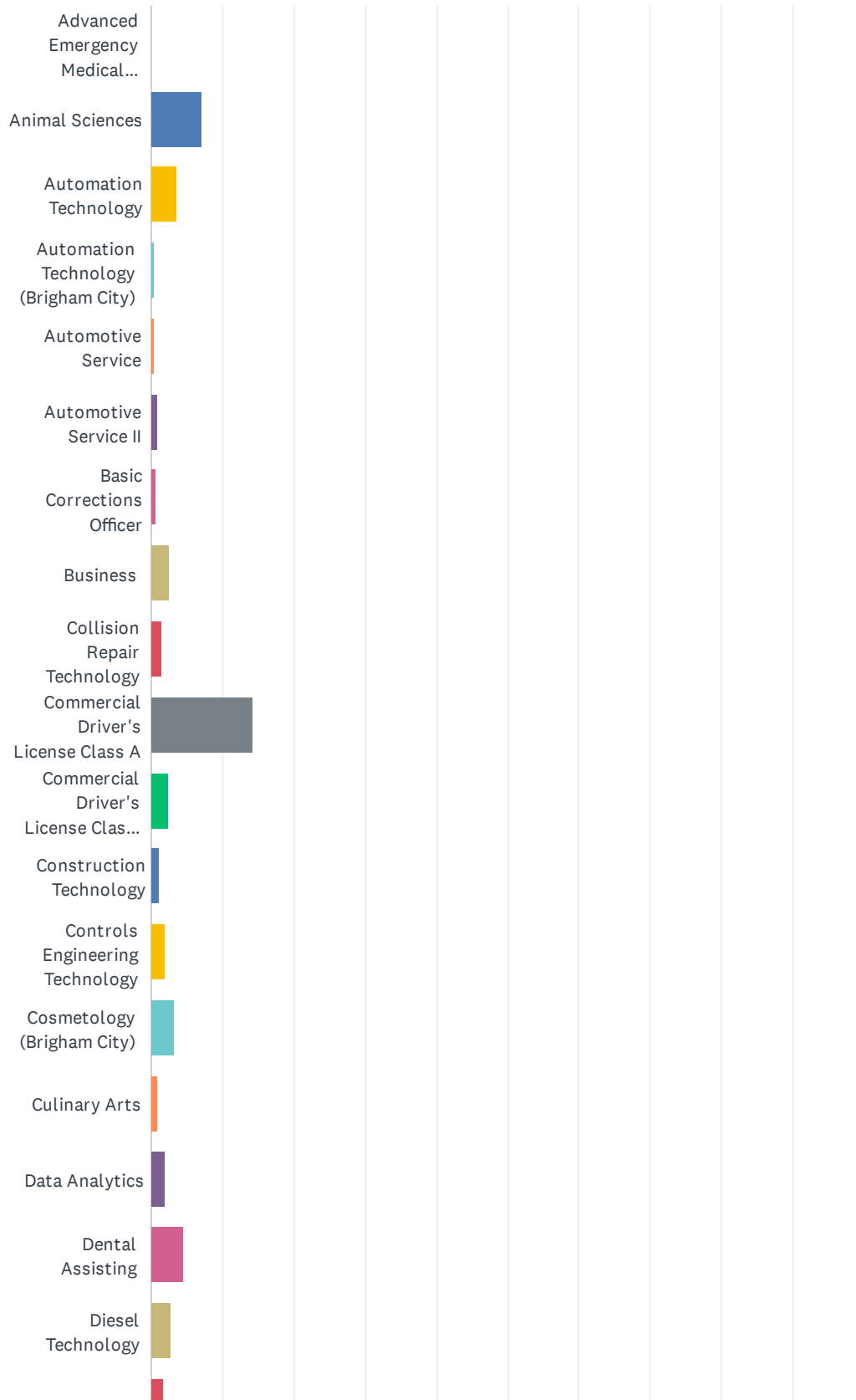
Answered: 785 Skipped: 22

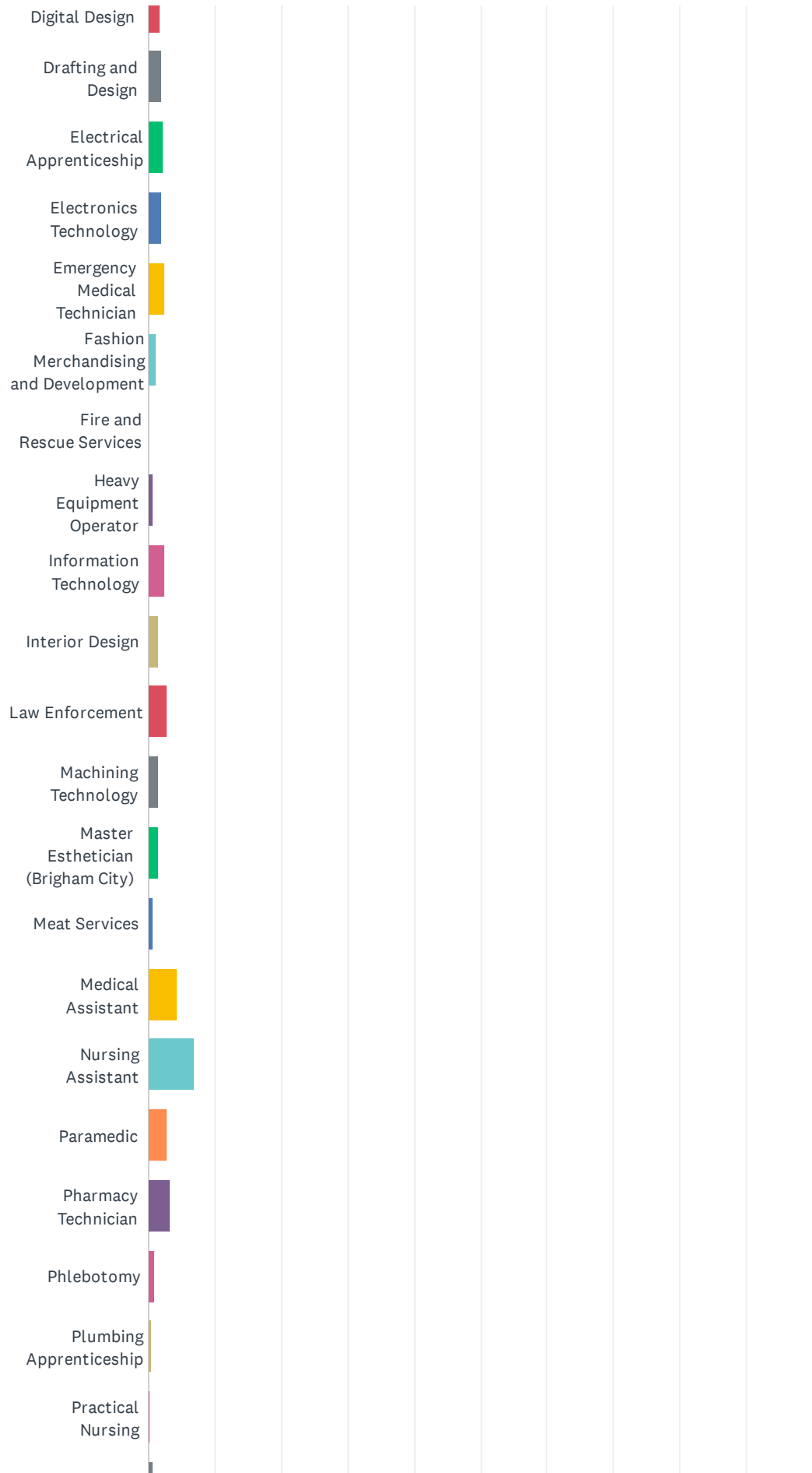


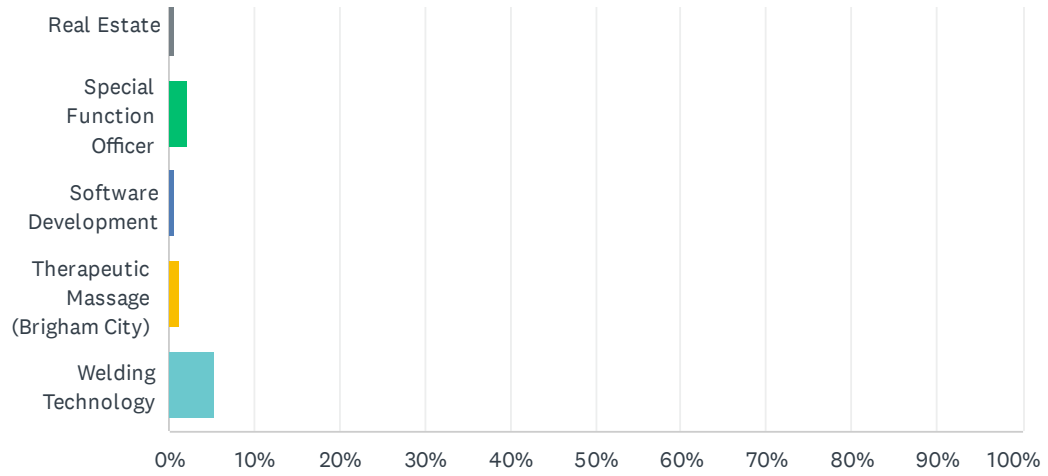
	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
Provided me with a life-like work experience that prepared me for employment	67.01% 526	20.38% 160	1.53% 12	0.51% 4	10.57% 83	785	3.72
Reinforced the skills and knowledge I learned within my program	69.52% 545	20.79% 163	0.64% 5	0.38% 3	8.67% 68	784	3.75
Provided objectives that were clear and attainable	68.62% 538	21.05% 165	1.15% 9	0.38% 3	8.80% 69	784	3.73

## Q1 Choose your program:

Answered: 709 Skipped: 0







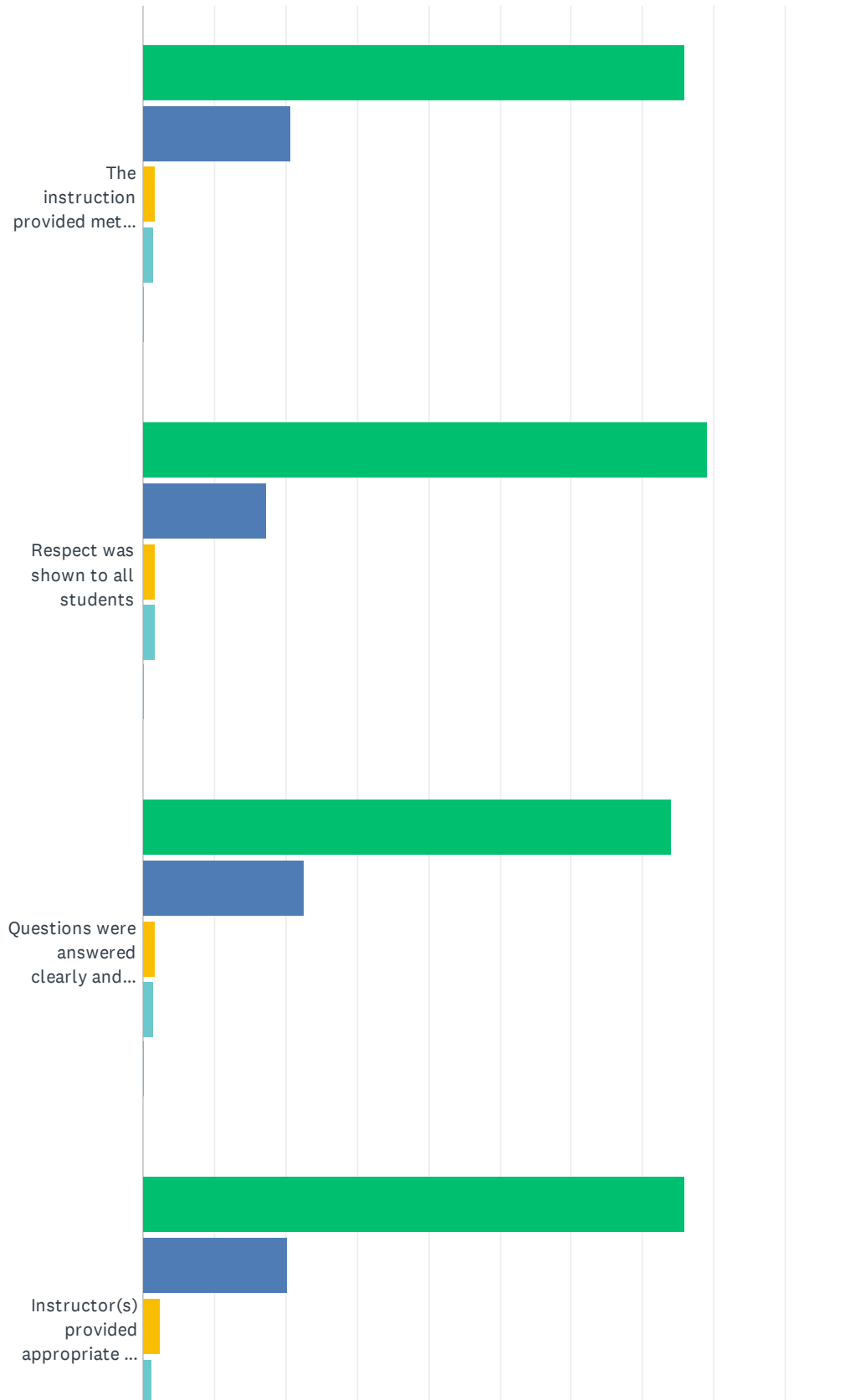


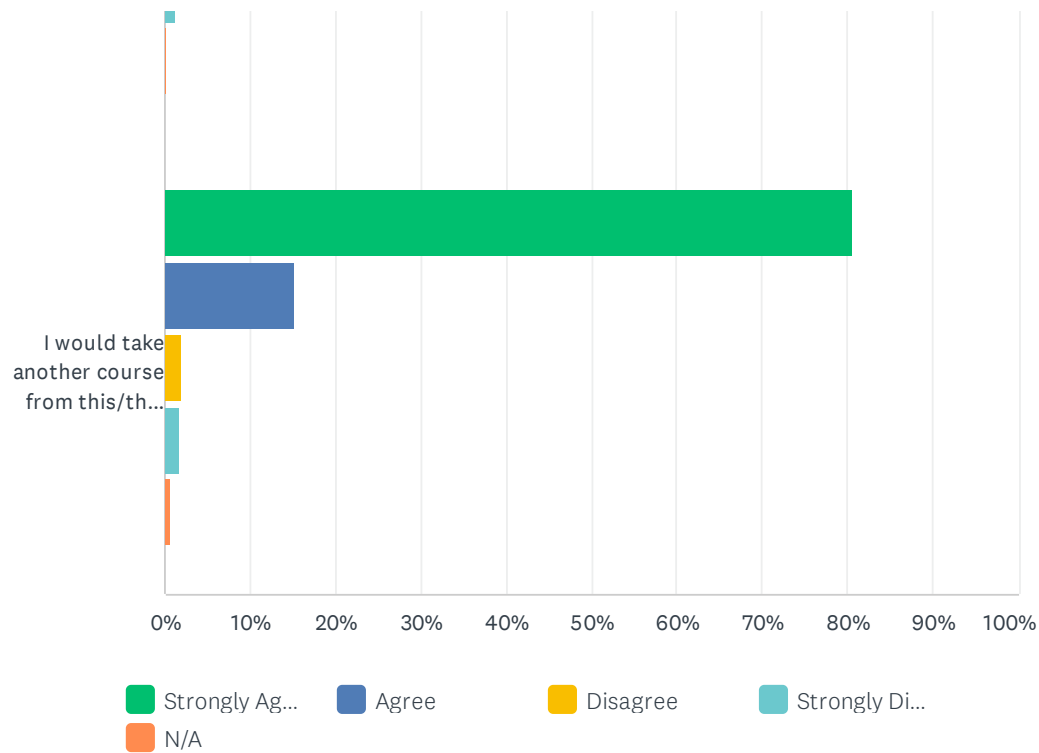
ANSWER CHOICES	RESPONSES	
Advanced Emergency Medical Technician	0.00%	0
Animal Sciences	7.05%	50
Automation Technology	3.67%	26
Automation Technology (Brigham City)	0.42%	3
Automotive Service	0.42%	3
Automotive Service II	0.85%	6
Basic Corrections Officer	0.56%	4
Business	2.54%	18
Collision Repair Technology	1.55%	11
Commercial Driver's License Class A	14.25%	101
Commercial Driver's License Class A (Brigham City)	2.26%	16
Construction Technology	0.99%	7
Controls Engineering Technology	1.83%	13
Cosmetology (Brigham City)	3.10%	22
Culinary Arts	0.85%	6
Data Analytics	1.97%	14
Dental Assisting	4.51%	32
Diesel Technology	2.82%	20
Digital Design	1.69%	12
Drafting and Design	1.83%	13
Electrical Apprenticeship	2.12%	15
Electronics Technology	1.97%	14
Emergency Medical Technician	2.26%	16
Fashion Merchandising and Development	0.99%	7
Fire and Rescue Services	0.00%	0
Heavy Equipment Operator	0.71%	5
Information Technology	2.40%	17
Interior Design	1.55%	11
Law Enforcement	2.68%	19
Machining Technology	1.41%	10
Master Esthetician (Brigham City)	1.41%	10
Meat Services	0.71%	5

Medical Assistant	4.23%	30
Nursing Assistant	6.91%	49
Paramedic	2.82%	20
Pharmacy Technician	3.24%	23
Phlebotomy	0.85%	6
Plumbing Apprenticeship	0.42%	3
Practical Nursing	0.28%	2
Real Estate	0.56%	4
Special Function Officer	2.12%	15
Software Development	0.56%	4
Therapeutic Massage (Brigham City)	1.27%	9
Welding Technology	5.36%	38
TOTAL		709

## Q2 Please rate your instructors:

Answered: 709 Skipped: 0

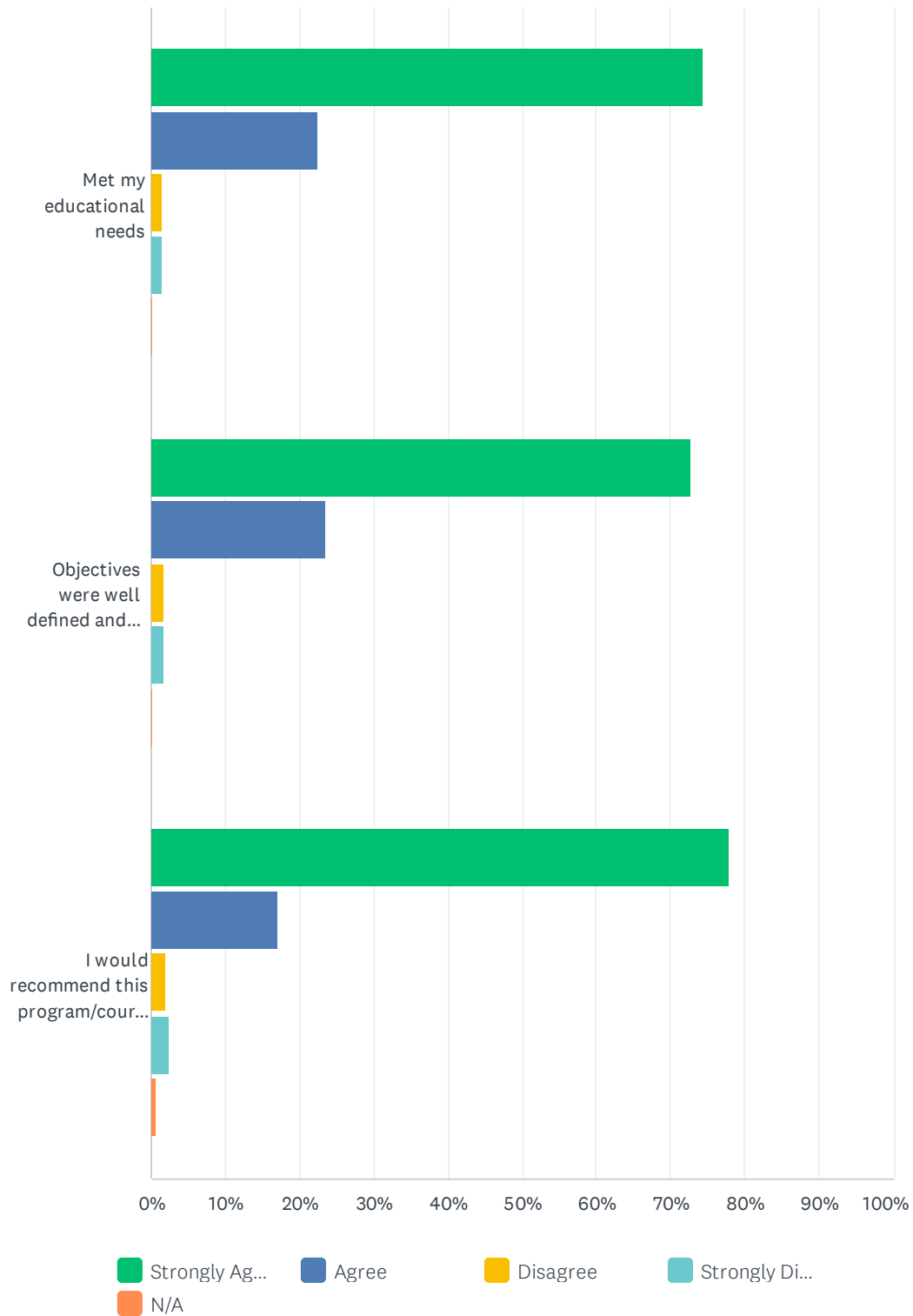




	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
The instruction provided met my expectations	75.88% 538	20.73% 147	1.69% 12	1.55% 11	0.14% 1	709	3.71
Respect was shown to all students	79.13% 561	17.21% 122	1.69% 12	1.69% 12	0.28% 2	709	3.74
Questions were answered clearly and promptly	73.91% 524	22.57% 160	1.69% 12	1.55% 11	0.28% 2	709	3.69
Instructor(s) provided appropriate and timely responses	75.88% 538	20.17% 143	2.40% 17	1.27% 9	0.28% 2	709	3.71
I would take another course from this/these instructor(s)	80.68% 572	15.09% 107	1.83% 13	1.69% 12	0.71% 5	709	3.76

## Q3 Please rate. My program/course:

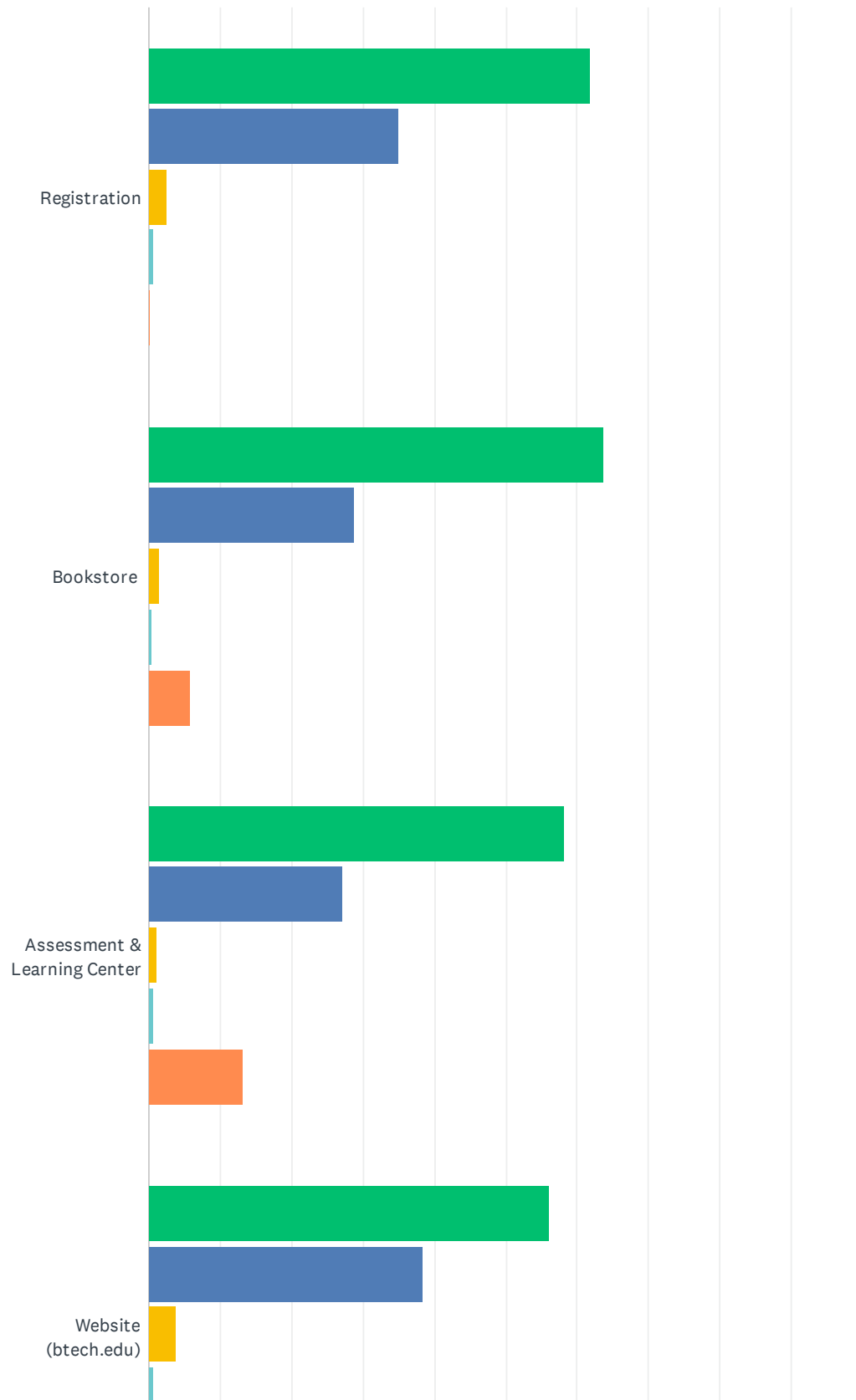
Answered: 706 Skipped: 3



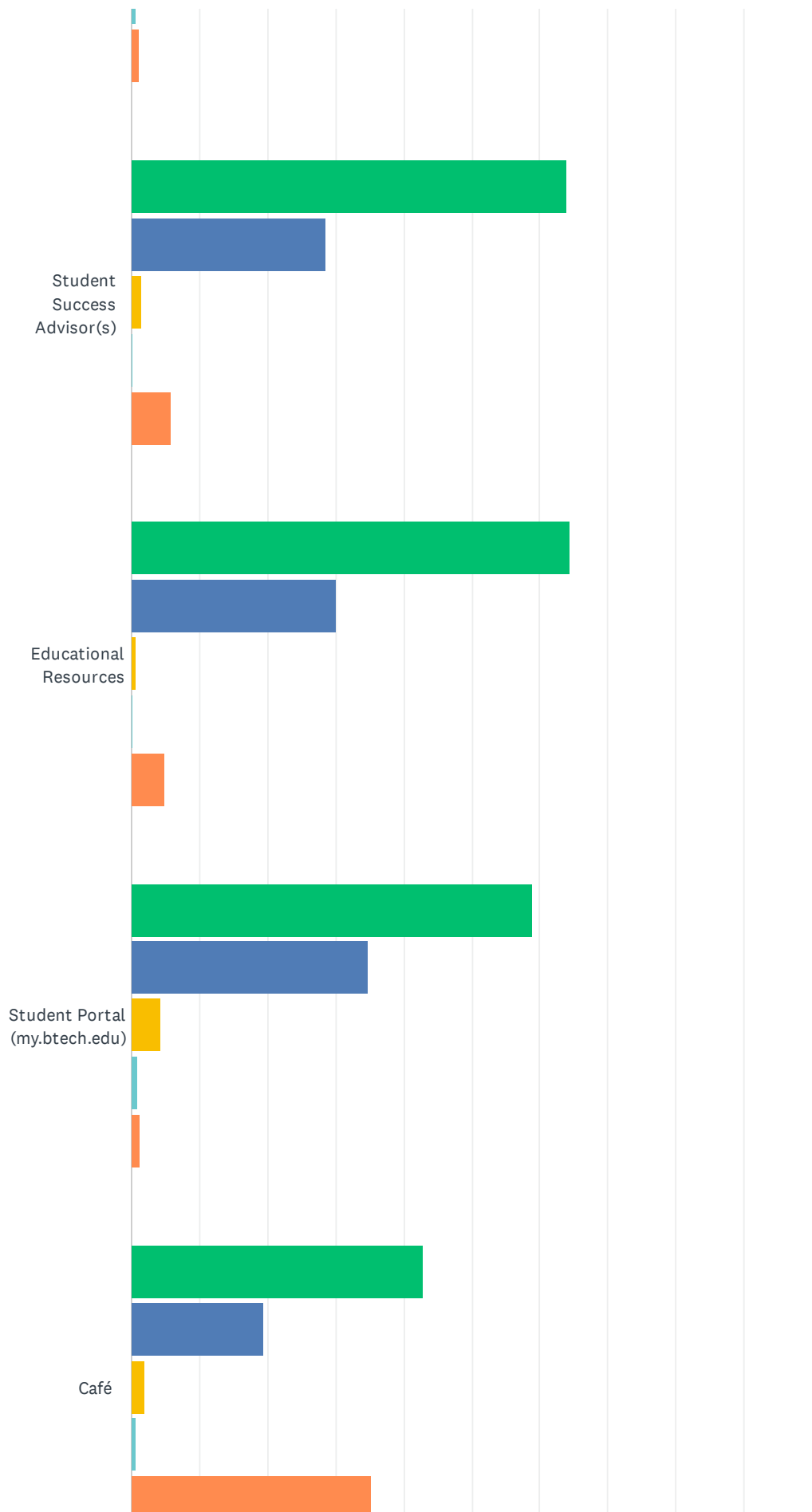
	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
Met my educational needs	74.50% 526	22.38% 158	1.56% 11	1.42% 10	0.14% 1	706	3.70
Objectives were well defined and followed	72.80% 514	23.51% 166	1.70% 12	1.70% 12	0.28% 2	706	3.68
I would recommend this program/course to others	77.90% 550	17.14% 121	1.84% 13	2.41% 17	0.71% 5	706	3.72

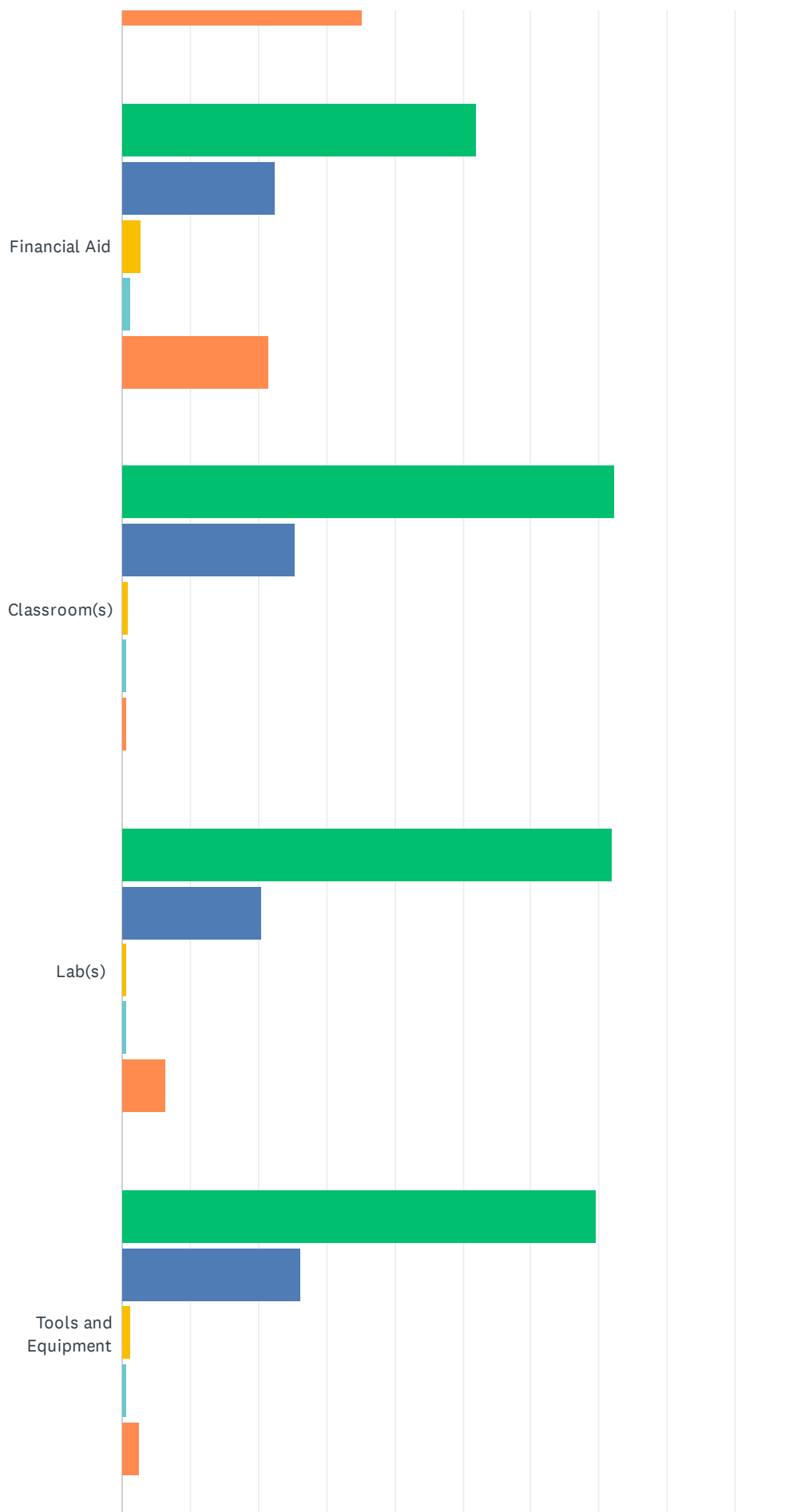
## Q4 Please rate Bridgerland services and facilities

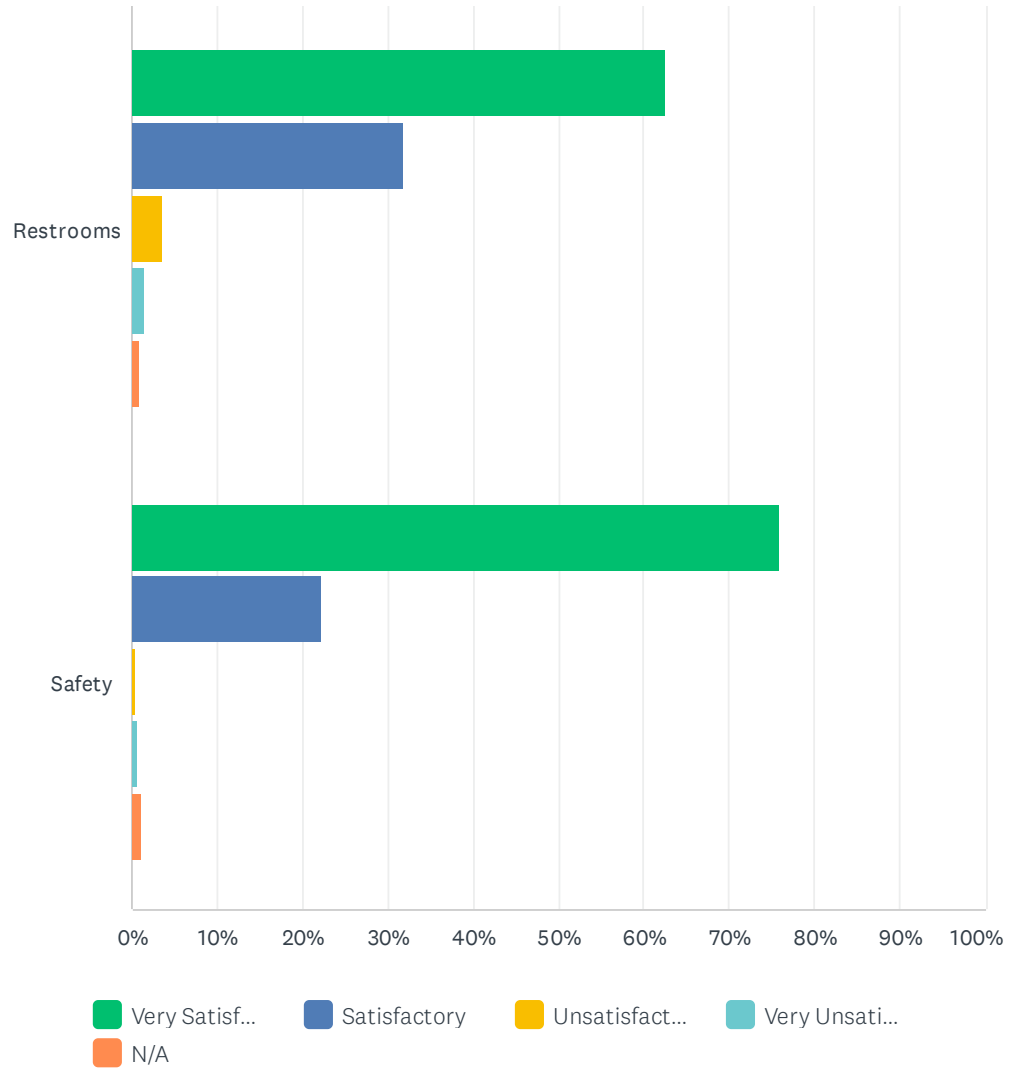
Answered: 703 Skipped: 6







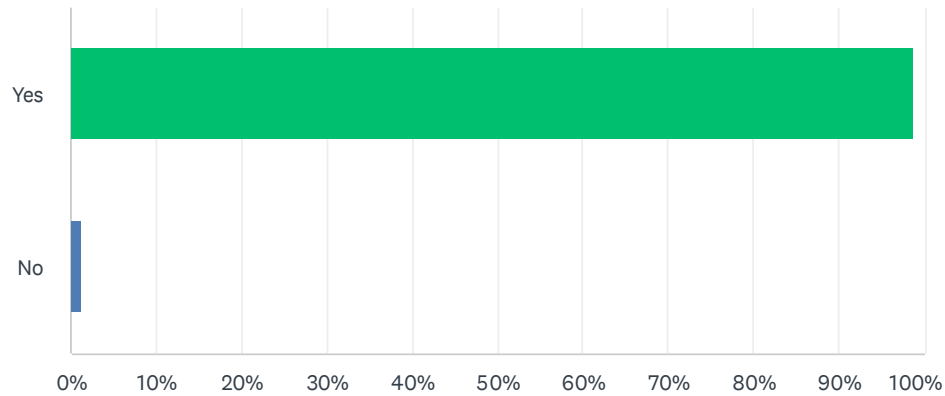




	VERY SATISFACTORY	SATISFACTORY	UNSATISFACTORY	VERY UNSATISFACTORY	N/A	TOTAL	WEIGHTED AVERAGE
Registration	61.74% 434	34.99% 246	2.56% 18	0.57% 4	0.14% 1	703	3.0
Bookstore	63.73% 448	28.73% 202	1.42% 10	0.43% 3	5.69% 40	703	3.0
Assessment & Learning Center	58.18% 409	27.03% 190	1.00% 7	0.57% 4	13.23% 93	703	3.0
Website (btech.edu)	56.05% 394	38.41% 270	3.84% 27	0.71% 5	1.00% 7	703	3.0
Student Success Advisor(s)	64.01% 450	28.59% 201	1.42% 10	0.28% 2	5.69% 40	703	3.0
Educational Resources	64.30% 452	30.01% 211	0.57% 4	0.28% 2	4.84% 34	703	3.0
Student Portal (my.btech.edu)	58.89% 414	34.71% 244	4.27% 30	0.85% 6	1.28% 9	703	3.0
Café	42.82% 301	19.49% 137	1.85% 13	0.71% 5	35.14% 247	703	3.0
Financial Aid	51.92% 365	22.48% 158	2.70% 19	1.28% 9	21.62% 152	703	3.0
Classroom(s)	72.26% 508	25.46% 179	0.85% 6	0.71% 5	0.71% 5	703	3.0
Lab(s)	71.83% 505	20.48% 144	0.71% 5	0.57% 4	6.40% 45	703	3.0
Tools and Equipment	69.42% 488	26.17% 184	1.28% 9	0.57% 4	2.56% 18	703	3.0
Restrooms	62.45% 439	31.72% 223	3.56% 25	1.42% 10	0.85% 6	703	3.0
Safety	75.82% 533	22.19% 156	0.43% 3	0.57% 4	1.00% 7	703	3.0

## Q5 Did you have access to adequate learning resources (i.e. audio-visual materials, equipment, reference books, etc.) necessary to be successful in your program?

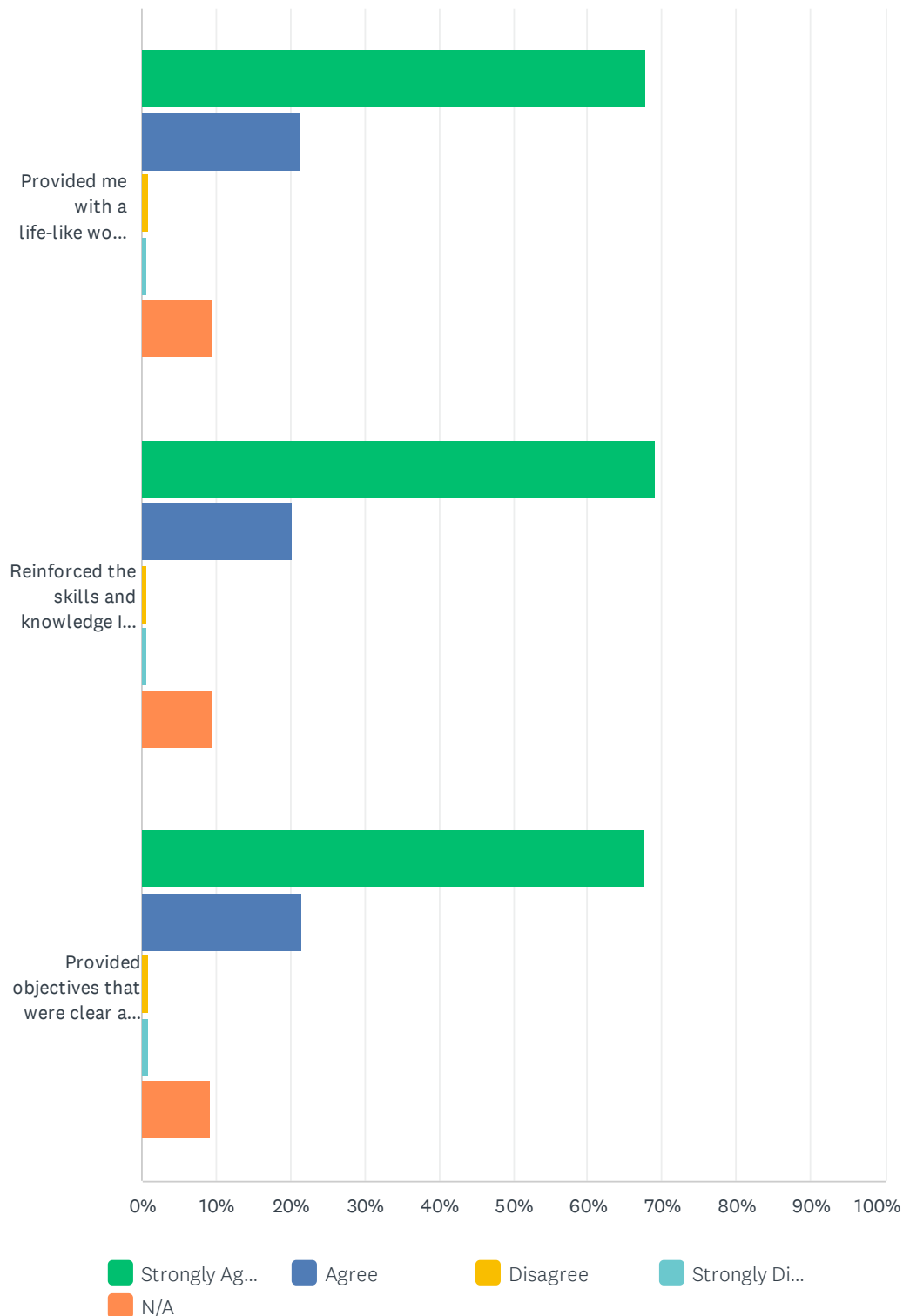
Answered: 700 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	98.71%	691
No	1.29%	9
TOTAL		700

Q6 Many Bridgerland programs include work-based activities such as: Internships, Externships, and Services (haircuts, auto services, etc.). The work-based activity I participated in:

Answered: 700 Skipped: 9



	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
Provided me with a life-like work experience that prepared me for employment	67.86% 475	21.29% 149	0.86% 6	0.71% 5	9.29% 65	700	3.72
Reinforced the skills and knowledge I learned within my program	69.10% 483	20.31% 142	0.57% 4	0.72% 5	9.30% 65	699	3.74
Provided objectives that were clear and attainable	67.57% 473	21.57% 151	0.86% 6	0.86% 6	9.14% 64	700	3.72

**USHE - REPORT OF CASH, CASH EQUIVALENTS, AND INVESTMENTS**

**ALL FUNDS - AS OF JUNE 30, 2025**

CATEGORY OF ASSET	DESCRIPTION OF ASSET	NAME OF BANK OR ISSUER	ACQUISITION DATE	MATURITY DATE	TOTAL FAIR VALUE	ENDOWMENT FUNDS AMT	FOUNDATION FUNDS AMT	ALL OTHER FUNDS AMT
Cash Per Books	Cash Per Books	N/A	N/A	N/A	5,000	-	-	5,000
					-	-	-	-
					-	-	-	-
Savings Accounts	Checking - Operating	Wells Fargo	00/00/00	00/00/00	(476,630)	-	-	(476,630)
	Checking - FA	Wells Fargo	00/00/00	00/00/00	1,000	-	-	1,000
	Sweep Investment	Wells Fargo	00/00/00	00/00/00	210,605	-	-	210,605
					(260,025)	-	-	(260,025)
Utah PTIF Accounts	Savings	UPTIF	00/00/00	00/00/00	11,420,009	-	448,780	10,971,229
					-	-	-	-
					-	-	-	-
					11,420,009	-	448,780	10,971,229
TOTAL FAIR VALUE					11,159,984	-	448,780	10,711,204