

MEMORANDUM OF UNDERSTANDING BETWEEN THE UTE INDIAN TRIBE AND THE UNIVERSITY OF UTAH



I. THE NATURE OF THE AGREEMENT

The Ute Indian Tribe encourages the University of Utah to use the Ute name for the University's sports programs with its full support. The University recognizes that the Ute name is at the core of the cultural identity of the Tribe and its members, and that it constitutes an inseparable element of their rich cultural traditions. The University is honored to be allowed to continue to use the Ute name with due respect and integrity.

The Ute Indian Tribe acknowledges that its association with the University of Utah – the flagship institution of higher learning in the state of Utah – raises tribal visibility and community awareness, and generates a source of pride to members of the Ute Indian Tribe. The Tribe desires to reaffirm the long and valued relationship between the University and the Tribe to promote educational benefits for its youth.

II. GOALS OF THE UTE INDIAN TRIBE – UNIVERSITY OF UTAH RELATIONSHIP

The Ute Indian Tribe's goals are two-fold: first, to build genuine respect and understanding of the Tribe's history, culture and contributions to the state (past, current and future); and second, to have the

University assist tribal members in helping their children lead healthy lives and be prepared to pursue a college education.

The University of Utah shares the Tribe's interest in fostering a respectful and informed understanding of the Ute Indian Tribe, and, by extension, other American Indians. To that end, the University will use the Ute name in a considered and respectful manner, reflecting the pride and dignity of indigenous people and their traditions. The University will use its position as the flagship institution of higher education in the state of Utah to support that commitment.

In addition, the University will devote human and financial resources toward the Utes and other American Indians to encourage, inspire and support tribal youth to lead healthy lives and to pursue post-secondary education.

III. AREAS OF UNDERSTANDING

Permission to Use the Ute Name – The Ute Indian Tribe reaffirms its permission for the University to continue its respectful use of the Ute name as a representative symbol of its athletics organizations.

Education campaign – The University will use the Ute name with honor and respect, and share that commitment with the larger community by:

- Preparing educational materials that explain Ute history and the Ute Indian Tribe's ongoing cultural and economic contributions to the state, subject to review and approval of the Ute Indian Tribe. The Ute Indian Tribe will assign a tribal representative to work with the University to develop and approve campaign elements in a timely fashion. Materials are intended to be used in presentations for students, sports programs, in media guides and on University web pages, and other communications channels as appropriate.
- Widely disseminating Standards for Appropriate Fan Behavior to students, athletic fans, campus groups and the broader community. The Tribe shall have the opportunity to review and comment on such materials before they are disseminated.

- Supporting and promoting campus events to raise awareness of American Indian culture, such as the annual campus Powwow and Native American Month.

Educational Access

- The University shall secure funding to support Ute and other American Indian students while attending the University.
- The University agrees that as part of the scholarship campaign, a specific scholarship category will be created to support Ute students, and that an ongoing source of funds will be created from revenue sources such as merchandise sales, private donors and/or other sources to be determined; the intent of the agreement is that these funds will be dedicated to support Ute students and not diverted to other needs.
- The specific scholarship category for Ute students shall be continually maintained in perpetuity through revenue sources such as merchandise sales, private donors and/or other sources to be determined. The administration and use of the specific Ute scholarship category shall be determined by separate agreement between the Parties to this MOU.

Advisor/Advisory Board

- The University shall appoint, with approval from the Utah Tribal Leaders Council, a Special Advisor to the President on Native American Affairs. The advisor will serve in an unpaid, part-time capacity to function as a liaison between the tribal leaders and University to address issues related to the University that may arise from time to time.
- The Utah Tribal Leaders Council shall appoint at least two members to the advisory board of the

American Indian Resource Center. In addition, the Utah Tribal Leaders Council will be invited to an annual meeting with the University President and other senior University administrators.

- As described in the “Maintenance of the Agreement” below, a joint committee composed of four members – two appointed by the Ute Indian Tribal Business Committee and two appointed by the University of Utah – will serve in an advisory capacity to the President.

IV. OUTREACH

The University agrees to work with the Ute Indian Tribe to create enrichment and educational opportunities for Ute Tribal Member youth, both in Ft. Duchesne and on the University campus, as appropriate and possible, including programs and activities as mutually agreed upon, such as the following:

- Summer youth programs for students, which shall be housed on campus as well as on the Uintah and Ouray Reservation, which may include interaction with international students.
- Consistent with NCAA regulations, an annual opportunity for Tribal member youth to attend University of Utah sporting events and practices and meet players as a motivational outreach for the students.
- An annual recruiting open house for Ute Tribal Member students to be introduced to the University and learn about educational opportunities for Ute Tribal Members.

- Honoring Ute Tribal Members through a Ute Tribe-designated design that will be incorporated into team uniforms at one home game annually in recognition of Native American Heritage Month. In addition, the Tribe shall have the right to have its Honor Guard bear the flags at the opening ceremony at one home game during Native American Heritage Month.
- The University will be open to pursuing other programs and activities as agreed upon to improve the quality of life of members of the Ute Indian Tribe.

Academic support

- The University will assist Ute Tribal Member students and their families with application and admissions processes.
- The University will provide support for Ute Tribal Member students once on campus to enhance social, economic and academic success while attending the University.
- The Tribe acknowledges and supports the University's commitment to academic freedom and freedom of speech on campus.

THE PARTIES

UNIVERSITY OF UTAH

The University of Utah is the flagship institution of higher learning in Utah. Founded in 1850, it serves more than 32,000 students from across the United States and the world. With more than 100 major subjects at the undergraduate level and over 90 major fields of study at the graduate level, including professional programs in law, medicine and dentistry, the University prepares students to live and compete in the global workplace.

The mission of the University of Utah is to educate the individual and to discover, refine and disseminate knowledge. As a major teaching and research university, the University of Utah strives to create an academic environment where the highest standards of scholarship and professional practices are observed and where responsibilities to students are conscientiously met. It recognizes the mutual relevance and interdependence of teaching and research as essential components of academic excellence. It welcomes students who are committed to learning and who conform to meet high academic standards. The right of free inquiry is zealously preserved; diversity is encouraged and respected; critical examination and creativity promoted; and intellectual integrity and social responsibility are fostered. The University is fully committed to the goals of equal opportunity and affirmative action, which are designed to ensure that each individual be provided with the opportunity for full, unhampered and responsible participation in every aspect of campus life.

UTE INDIAN TRIBE

The state of Utah derives its name from the Ute Indian Tribe. The home of the Ute Indian Tribe is the Uintah and Ouray Reservation, located in Northeastern Utah (Fort Duchesne), approximately 150 miles east of Salt Lake City. The reservation is located within a three-county area known as the Uintah Basin. It is the second-largest Indian Reservation in the United States and covers over 4.5 million acres.

The Utes have a tribal membership of 3,157 and over half of the membership lives on the Reservation. They operate their own tribal government and oversee approximately 1.3 million acres of trust land. The Utes also operate several businesses, including a super market, gas stations, bowling alley, tribal feedlot, Uinta River Technologies, Ute Tribal Enterprises LLC and Water Systems. Cattle raising and mining of oil and natural gas is big business on the Reservation.

The Ute Indian Tribe is made up of three bands: the Uintah, the White River and the Uncompahgre. Two representatives from each of these bands are elected to serve four-year terms on the Tribal Business Committee, the governing body of the Tribe. However, governmental decisions by the Business Committee are made by resolution. Once resolutions are adopted, they become law and Business Committee members then realize that they must abide by those laws.

V. MAINTENANCE OF THE AGREEMENT

The parties agree that the MOU is a public document and that each party will appoint a single representative to respond to inquiries on issues addressed in or affected by the MOU.

The parties to this MOU shall establish a joint committee composed of four members (“Members”). Two Members shall be appointed by the Ute Indian Tribal Business Committee. Two Members shall be appointed by the University of Utah. The committee shall oversee and implement the provisions set forth in this MOU and address ongoing student issues. The Committee shall make recommendations to the parties as to how the MOU might be improved based on its review, and the parties shall take appropriate action to implement the recommendations.

The parties agree to meet on an annual basis at a mutually agreed upon date not more than one year from date of signature, to review activities, performance or satisfaction with the arrangement outlined in the MOU.

The term of this Memorandum of Understanding is five (5) years from date of signing.