

UTAH COLLEGE OF APPLIED TECHNOLOGY
13 NOVEMBER 2002
BOARD OF TRUSTEES MEETING
MINUTES

Board of Trustees

Norman Bangerter, Chair - Salt Lake/Tooele
Doug Holmes, Vice Chair - Ogden-Weber
John Busch – Uintah Basin
Thomas Bingham - Gov. Appt.
Pamela J. Atkinson - SBOR
Don Roberts - Southwest
Don Ipson - Dixie
Charlie Johnson – Regents
Michael Madsen - Bridgerland
A. Earl McCain - SBOE
Wayne Woodward - Southeast
Doyle Mortimer - Mountainland
Janet Cannon - SBOE

Regional ATC Presidents

Mike Bouwhuis - Davis
Bo Hall - Salt Lake/Tooele
Richard Jones - Uintah Basin
Richard Maughan - Bridgerland
Rich VanAusdal - Dixie
Miles Nelson - Southeast
Brent Wallis - Ogden-Weber
Don Reid - Southwest
Carl Holmes - Central
Rob Brems – Mountainland

Institutional Representation

Gregory G. Fitch

Commissioners Office

Cecelia H. Foxley, Commissioner
Gary Wixom, Assistant Commissioner for Applied Technology Education and Special Projects
Linda Fife, Assistant Commissioner of Programs
Brad Mortensen, Assistant Commissioner of Business and Finance

Media Present

Deseret News

Others Present

Collette Mercier – VP, Ogden-Weber ATC
Mary Shumway - SBOE
Debbie Hadden - Fiscal Analyst
Boyd Garriott - Fiscal Analyst

Excused Absent

Carl Albrecht – Central
William Prows - Davis

MINUTES OF MEETING
UTAH COLLEGE OF APPLIED TECHNOLOGY
BOARD OF TRUSTEES
REGENTS' BOARD ROOM
13 NOVEMBER 2002

The meeting of the UCAT Board of Trustees was held on 13 November 2002 in the 5th floor Utah Board of Regents Board Room.

Call To Order

Chair Bangerter called the meeting to order at 10:04 a.m. and the Secretary was in attendance. A quorum was present.

Approval of the Agenda

Chair Bangerter asked if there were any additions and/or corrections to the agenda of the 13 November 2002 Board meeting. Being none, motion was made by M. Madsen and seconded by P. Atkinson to approve as presented. Motion carried.

Approval of Minutes from 9 October 2002 Board Meeting

Chair Bangerter asked if there were any additions and/or corrections to the minutes of the 9 October 2002 Board meeting (Tab U). Being none, motion was made by T. Bingham and seconded by P. Atkinson to approve as presented. Motion carried.

ACTION ITEMS

A. Legislation (Tab V)

G. Fitch: Introduced the Presidents' Cabinet response draft of HB 1003, which had been sent previously to the Board members for review. To assist with that review, under Tab V was an overview sheet indicating each recommended change and the accompanying page number.

President Fitch reminded the Board that during the October Board meeting parts of the legislation were reviewed. Changes and projections were discussed, and a motion made which directed the Regional Presidents to look at whether the UCAT colleges are 10 of 1 or 1 of 10 (UCAT Board of Trustees Meeting minutes, 9 October 2002, p. 8), and how the effort is coordinated which would be reflected in the legislation. Also discussed were specific changes to the original enrolled draft that could improve the operation and functionality of UCAT.

The following indicate discussions associated with specific proposed changes and the associated page numbers as reflected in the Presidents' Cabinet Response draft of HB 1003.

Page 4

(4) The board shall authorize the Utah College of Applied Technology Board of Trustees to develop and award approve any a competency-based high school diploma equivalent before any through the applied technology college may offer the diploma equivalent.

G. Fitch: "... asking this to be struck because the high school competency-based diploma is required to be equivalent to and equal to a high school diploma. This is not a GED. What we are doing is asking the State Board of Education to authorize and set the parameters and requirements for granting a high school diploma and grant the diploma under that umbrella. What we are asking for is authorization, a formal action by the State Board of Education to set those parameters for a competency-based high school diploma so that we can design and put it together under that umbrella and provide it to the students."

J. Cannon: "I believe that this would be a bit premature without having a discussion at the Board (of Education) level because it is the authority of the Board to be the central agency that grants high school diplomas in the state of Utah. This would require a change in authorizing not only the Board but authorizing the UCAT to also grant diplomas. I'm not sure what kind of confusion

that might create. Also, you should know that the Board is taking a serious look at all graduation requirements and looking at competency-based requirements versus seat time requirements. And this might prematurely put us in a difficult position.”

J. Cannon: MOVED to delay a request to the State Board of Education for formal authorization to set the parameters for a competency-based high school diploma until the State Board of Education can complete it’s work on high school graduation and competency-based requirements versus seat time requirements. The motion was seconded by P. Atkinson.

T. Bingham: “. . . when would you expect to have a decision? Are we talking years?”

P. Atkinson: “At the last curriculum meeting, they made a recommendation to the Board . . . that we needed six months to get the input from the public and all the school districts and then we would be back to the full Board of Education with recommendations . . . so its at least six months, but not years . . . this is something that is on the fast track.”

Chair Bangerter: “The way the law currently reads is that the State Board would approve any degrees that we offer. Can we now offer high school competency-based degrees?”

G. Fitch: “. . . basically the law now says that the UCAT can create equivalent competency-based high school diplomas and the Board will approve them. That’s in the law. What we’ve done in the change of the law is indicate that the Board (State Board of Education) has the full authority and they would authorize us to do this, so its very similar language. But right now we already have the capability to bring forward a high school diploma requirement.”

J. Cannon: “I guess my interpretation was different . . . we interpreted this copy of HB 1003 to give us that requirement that we look into offering competency-based diplomas.”

G. Fitch: “And this change doesn’t make any difference there. What it does is authorize us to move ahead to start developing and award this degree under your auspices, and that’s what we are asking for.”

J. Cannon: “. . . I think that should be a discussion that the State Board has before we, as UCAT, pass something that says that the Board shall authorize . . .”

G. Fitch: “We actually can’t pass this, we can only make a recommendation . . . this is language that would have to go to the Legislature.”

Chair Bangerter: “We need to make a decision on what we are going to send to the Legislature.”

T. Bingham: “I’m not comfortable waiting six months before we start looking at what this would be. Understanding that the Board of Education has to approve it before we do it, I don’t know why you would want us to wait six months before deciding what we want it to look like.”

J. Cannon: “The language we have here does not say the Board ‘may’ authorize, it says the Board ‘shall’ authorize what you do. And I think that’s a bit of creeping into State Board authority.”

G. Fitch: “The ‘shall’ is not a word that we added.”

J. Cannon: “. . . this says that the Board shall authorize you (UCAT) to do it. I think that’s a major difference.”

D. Holmes: “. . . who’s going to develop this high school diploma?”

G. Fitch: “The State Board of Education as reflected on page 3 sets the minimum standards and guidelines. For example, they would set a blueprint of requirements for this diploma. Then once I assume the blueprints are there, then the UCAT would create this high school diploma under their authorization to be awarded to students . . . it would be done by a combination of our chief

academic officers, some of our Presidents . . .”

J. Cannon: “I guess that the point is, high school diplomas and the awarding of them is the purview of the State Board of Education and what kind of mission creep is it when we have a higher ed authority coming in and saying that we want you to authorize us to present, to now develop and give out . . .”

G. Fitch: “. . . Does the State Board of Education grant the high school diploma or is it the local school district?”

J. Cannon: “We set up all of the degree requirements and then the districts do the work . . .”

G. Fitch: “That’s all that I’m asking. That you set up the requirements and that we go ahead and do it.”

C. Johnson: “The operative word is ‘develop’ . . . not to ‘award’. Award is after you’ve achieved all of the requirements. I’m pretty persuaded that the authorization should remain with the State Board of Education . . .”

B. Wallis: “The discussion in the Presidents’ Cabinet meeting, the issue is that the current UCAT legislation suggests and encourages us to begin to look at operating or developing . . . a high school competency-based diploma . . . As we look at the language as it was currently constituted and the rewrite that we have recommended to you here is really “shall we”, shall we be authorized to do this? Because the way that it is currently written in the law, it just sits there. And we interpreted that as who is really going to get the development of the degree moving or should it stay in a dormant-kind of state? This really asks you ‘Do you want us to do it?’”

D. Mortimer: “. . . who’s best able to deliver applied technology education? If the State Board is moving rapidly to look at competency-based diplomas then should we and can we allow them the time to see what they come up with and then we can decide . . . can we fill what they put together and offer it as well as the high schools or will it be so well done through the traditional high schools that they can offer it rather than us . . .”

Chair Bangerter: “Have the Presidents had any discussion of what they would do . . . under the current legislation I presume that you are authorized to request of the State Board of Education to authorize you to issue degrees. Is that correct?”

B. Wallis: “This is my understanding . . . in our discussion it was written in such a way that the intent is there that you would like us to but there wasn’t any action to get us started in that direction, so that is why the write-up is this way, we would like to know whether or not you would like us to do it and if you would, then we would move ahead with it . . .”

Chair Bangerter: “. . . what I’m assuming this authorizes is that we can submit a request for a competency-based degree to the State Board of Education and they have an obligation to approve it, I presume subject to their satisfaction, that it does not circumvent the degree process . . . What can we do today if we determine that we want to award a high school equivalent, and we should only be doing it if there is a need . . . could we expect cooperation from the State Board of Education to do that, which I believe is strongly suggested in the current legislation . . .”

G. Fitch: “. . . basically at this point in time we have been operational for just over a year. The UCAT would like to provide those services to the students that would benefit from a competency-based high school diploma that is created. On page 3, where it outlines the parameters and requirements before we develop and actually create one, we would like to know what the specific requirements are under the State Board of Education’s auspices and control . . . What we want to know is what materials, what requirements are there . . . tell us what it is for a competency-based equivalent diploma and then authorize us to develop it within those parameters and then forward it to you for approval.”

P. Atkinson: “. . . since the requirements are in a state of change, this needs to be on hold . . . the whole state is on hold in terms of what the graduation requirements will be in the next year.”

Chair Bangerter: “. . . if we want to issue a degree, we work under the current ground rules not the proposed ground rules. If

the ground rules change, then we need to change to comply with the ground rules . . . we have some verbiage that could be major, I don't think that it's too major, but it's major if the State Board does not want to give us that authority which the legislation clearly says that we should have . . ."

Chair Bangerter: "Do we have a mechanism under the current law without any change to issue a high school competency-based degree? Can we apply and expect a cooperative effort to be able to do that, assuming that we meet the requirements on the preceding page?"

J. Cannon: "Yes, I think that they would certainly take a good look at that along with what they are doing with all high school requirements."

J. Cannon: MOVED to rescind the new language and retain the current language in the enrolled copy of HB 1003. The motion was seconded by C. Johnson. (Motion later SUBSTITUTED).

Discussion to the Motion:

T. Bingham: "I would urge you not to do that because I think we've got to get off 'dead center', we've got to start moving the competency-based criteria, something that the business community wants. The people who understand it are here. I don't see any appetite from the State Office of Education to move toward competency-based. They have indicated in response to criticism that high school students aren't well prepared, they want to add more seat time. That is not what we need. And I think that we need to start developing that and let the Board approve it when they will."

A. E. McCain: "I don't believe that is an accurate description of what's happening with that ad hoc committee."

T. Bingham: "Mr. Laing has met with our coalition and repeatedly said that they want to add more seat time to high school diplomas. That's his solution to the problem."

P. Atkinson: "The resolution, the motion passed by the Board at our meeting last week was to take away seat time and look at competency-based education and the whole Board voted unanimously on that . . . that's the direction . . . because seat time is not fair on a lot of students . . ."

Chair Bangerter: "Have you discussed anything on a 2-tier certificate? One of the things is that you tighten up those requirements, you orient your high school more and more toward the academics, where 20% of the jobs are and away from the technical training where 80% of the jobs are . . . but I haven't liked the notion that we are going to increase some of those requirements for every student to get a high school diploma."

D. Mortimer: Suggested a SUBSTITUTE motion, to omit the word "award" and replace with "submit for approval" (as follows). The substitute motion was seconded by D. Roberts. (Motion later APPROVED).

(4) The board shall authorize the Utah College of Applied Technology Board of Trustees to develop and submit for approval ~~approve any a competency-based high school diploma equivalent before any~~ through the applied technology college may offer the diploma equivalent.

Discussion to the Motion:

J. Busch: "I would hope that after you had submitted it to them, that they wouldn't just sit on it also. If there would be some way to put a time frame in there, some way to get it off the 'dead center' again once it got to there."

C. Johnson: "It seems to be that what we are all worried about is speed and inaction. And if we are talking about legislation that's going to be signed in late March . . . wouldn't we be better off to get the process going right now with these committees . . . and then by April when the legislation is effective we'll be done anyway. Just cooperate and go to work."

VOTE on the SUBSTITUTE motion. Unanimously approved and carried.

D. Mortimer: “. . . in our last meeting I thought that we had a general consensus that if at all possible we were going to avoid opening the legislation this legislative session because we were still new enough in the process and that we had plenty of things to work out . . .”

G. Fitch: “. . . you indicated that the primary concern of the legislators that you talked to . . . that you had an interest in the financial, economic situation. The changes in here are not necessarily economically based; there is not a financial application in the majority of these changes . . . what we have are changes that are directly in line with the accreditation elements that we are looking at, the naming of the institutions, the presidents and so forth. It is an element that we have to follow that is critical because our students are under an 18-month calendar for providing financial aid. If we delay this legislation and we don't continue our application for accreditation we'll no longer have financial aid for a lot of students. We also had a motion by Pamela Atkinson in regards to a need to clarify one institution versus ten institutions . . . and this legislation, with the name changes, the titles of the institutions, Campus Presidents versus Regional Presidents, are all reflected in that motion. We took this information back to the Presidents as requested, asked them what their response was on an individual basis, and that's why this change has been brought back to you in this legislation . . . As recently as last Friday, Senator Blackham has indicated that he would be more than happy to look at this legislation with a group of 5-6 legislators to determine what we need and what circumstances we can use to improve the legislation so that we can be functional under the law. And that's why it is here before you.”

W. Woodward: “. . . so it has much to do with accreditation . . .?”

G. Fitch: “The adjustments and changes go back to those original questions that we were confronted with, who's in charge, the organizational patterns, what are your titles, why are you colleges, are you one college or ten, and that goes back to the original motion by this Board, and the Board made that motion and approved that motion and that's what we are reacting to.”

D. Holmes: Referring to the accreditation meeting with COE (1 November) – “. . . as I understand, they are not concerned about governments, and who's in charge and they are very willing to work with us, so I think the questions that Northwest Association are concerned with are not necessarily critical anymore because we can get candidacy status from the COE . . . I don't think that the accreditation issue should drive this legislation . . . I don't believe that there is any pressing need to go ahead with the legislation changes at this time. . .”

Chair Bangarter: “That's the prerogative of the committee; the subject's before us, there are proposed changes . . . unless there is a motion to the contrary, I'm going to move through the proposed changes and you can deal with them as you will.”

D. Mortimer: MOVED to bypass this item and move onto the next agenda item. The motion was seconded by M. Madsen. (Motion later WITHDRAWN).

Discussion to the Motion:

C. Johnson: “. . . until we have the discussion, I can't tell what's really important and not important, so it seems to me that we ought to go through it and then that motion would be appropriate to have . . . and I was in an open meeting with the State Board of Regents and Senator Blackham did indicate a suggestion that we bring what we had to a certain number of legislators and let them get involved to see whether or not they do believe that it's necessary to go forward. There is some logic in hearing this and making a determination on whether we take this to the next step or not.”

P. Atkinson: “. . . spoke with Senator Blackham . . . and we talked about some of the changes that have been brought up by this group, and he did not seem to think that it would be a problem. He said that there are 5-6 key people with whom we would have to sit down with right now before the session started, but he said that if the UCAT Board were interested in making some of these changes, he didn't see that there would be a problem in getting them through.”

D. Mortimer: In response to his previous motion -- “I don't think that we should not have discussion on these items . . . we should

have this discussion even if it weren't legislation because we have to have this discussion. I think that it bears a lot more than what we can hurry to try to get ready for this legislative session . . ."

MOTION WITHDRAWN.

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~~(5) shall, after consulting with local school districts, prepare and submit an annual report to the governor and to the Legislature's Education Interim Committee by October 31 of each year detailing:~~

~~(a) how the applied technology education needs of secondary students are being met; and~~

~~(b) what access secondary students have to programs offered at applied technology colleges campuses.~~

G. Fitch: "This was a requirement under law that the State Board of Education was to create and provide a report for the Legislative Interim Committee due October 31. That same basic component was repeated in the UCAT legislation; so they have it in two places in the law . . . My interpretation is that they didn't want duplicate reports, reports from two different entities. So what we did is report it under the UCAT legislation and the State Board did not create this particular report, that's why I am asking that this be struck because it is a duplication of effort."

J. Cannon: ". . . seeing this as another 'mission creep' concern for me because this takes away the report of how applied technology education needs of secondary students are being met from the point of view of the State Board and now that report is going to be presented by UCAT. Is there somewhere in here that says UCAT must take into consideration the secondary students' needs?"

G. Fitch: "Exactly. Almost word for word is in the UCAT legislation. That's the report that we presented to this Board that you authorized and approved to go to the Interim Committee that reflected those numbers and those services under UCAT in meeting these requirements. This is duplication in language, both under the State Board of Education and under UCAT . . . Your report has not been reported as of October 31 so under that idea what we want to do is to eliminate rather than create two of the same report. If you consider it 'creep', I have no problem, create your own report."

J. Cannon: "I would like to ask Mary Shumway to respond to that."

M. Shumway: "When this was put in, it was my understanding that it was very necessary to appease both groups, the State Board of Education wanted their own report and also UCAT to have their own report. The report that was filed on October 31 from UCAT, much of the data was compiled by somebody in our office . . . Talking to a couple Board members and Superintendent Laing, we feel that this is important to keep in the legislation, to have the perspective, it says it a little different, that we would gather information from the school districts and report on this to the Interim. We did not file it this year because we felt like things hadn't changed . . . talked with Superintendent Laing yesterday about this, and we feel that it's still an important issue for the State Board to file a report as well . . ."

J. Cannon: MOVED to retain the proposed struck language in the draft (leave as in the original enrolled copy). The motion was seconded by A.E. McCain. (Motion FAILED).

Discussion to the Motion:

Chair Bangerter: ". . . we are either something or we are nothing, and I'm not sure we're destining ourselves to be nothing. We have an uphill battle to establish a little bit of turf and this is going to be in the final analysis if UCAT succeeds and I think the jury is still out. If we are the ones that are most qualified and can best provide the technical education, we cannot do it under the umbrella of public education . . . It will not work. It's too cumbersome, it's too bureaucratic and it's too difficult to change and I'm a supporter of the public education system. But we're trying to do something different essentially from what the public education system does. If we have to submit our budgets, if we have to submit everything through them, to me, the budgets still have to be weighed against their merits in the legislation . . . So we have to decide, we're an institution with a mission to fulfill and if we're

not, then we better back off and say 'have it'. So I don't think that we should . . . dismiss all of these changes . . ."

J. Cannon: "It's my concern that when this UCAT legislation was drafted, we were looking at, as the State Board of Education, giving up all of the control and interest over applied technology education in the state to Higher Education. But we do have a vested interest in seeing that services are available to secondary students because 45% of the students that took the applied technology courses offered were our high school secondary students. So having a report where we can say how well the applied technology needs of secondary students are being met gives a perspective of those 45% . . . if we eliminate this it easily could move to be more of a system that was interested in serving adult students rather than continuing to offer students through our secondary schools and then we are back in the quandary of how do we provide secondary students with all of those applied technology needs in our high schools because the entity that we've created to do it has gone another route which may be more lucrative serving adults and students that pay more than most secondary students do. So my interest in maintaining a report is that the needs of those secondary students will be represented from a secondary student point of view."

B. Wallis: "In the Presidents' Cabinet response, it was not our intent to shy away from the reporting of how we were taking care of secondary needs. The question that is raised here is that it is a duplication of effort. We submitted a report under the auspices of the UCAT Trustees that directs its attention to how we service, and if you recall in that report, a very large section of the report was directed toward this very issue. So our point is not to eliminate the report or de-emphasize the support of secondary students, this is just another report that we would like to combine into one report."

D. Roberts: "Do we have what the duplication is?"

G. Fitch: ". . . for example, what we have requested from the legislation to be struck, '(a) how the applied technology education needs of secondary students are being met;' our 'a' for our response is 'how the applied technology education needs of secondary students are being met', so it's word for word. And '(b) what access secondary students have to programs offered at applied technology colleges campuses', our 'b' is 'what access secondary students have to programs offered at applied technology colleges'. The wording is word for word exactly on 'a' and 'b' components. The distinction comes up above where it talks about 'shall, after consulting with local school districts,' in our case, all of our numbers and reflections deal with consulting with the local school districts, the students that are enrolled, the attendance records and so forth, they are all there. And that's why all the Presidents' Cabinet was doing and through my emphasis. The Presidents are not directly involved. It is my responsibility, was to say that the primary components, word for word on this report, was nothing but a duplication and what we are trying to do is to ensure that you don't have to do a second report if we are already doing one. And in this year, the transition year that occurred, we actually used State Board of Education personnel to help us do this particular report because that is where we needed the numbers from."

D. Holmes: "It seems that we are focusing on the wrong language. Whether it's exact words or not, the point to me is, UCAT does this report and the State Board does a report, and we're going to have different perspectives to different things, and I don't see why UCAT is concerned about a report that the State Board is going to submit . . ."

Vote on the Motion:

MOTION FAILED. 4 Yea, 10 Nay.

T. Bingham: MOVED to approve the strike of subsection (5) on page 6. The motion was seconded by J. Busch.
Discussion to the Motion:

D. Mortimer: ". . . if we take out their reporting, are we just going to have a one-sided report? Or if we're going to be the only report, then do we do exactly what President Fitch said and work with the State Board so that we're looking at both sides of it?"

T. Bingham: ". . . if it's so critical, why did they choose not to file the report required by the legislature?"

M. Shumway: "I am new in this position and actually I was confused to begin with the legislation. I thought there was only one

place in this legislation . . . that this was Greg's (Fitch) report. We provided data and UCAT presented the report on October 31. As I began reading this, just this last week, I didn't realize that the State Board was supposed to do this. As I talked to my bosses, they said . . . we can even file a late report or maybe because the legislation has only been in place for a year we don't file . . . It's still very important to the State Board and it's important whether it's one report or two reports, what's missing in the UCAT part is that it's just the information for UCAT, it does not go out and survey each of the school districts . . ."

C. Johnson: "It seems that dueling reports never do any good when they go to the legislature . . . I like the idea that we have one report . . . this is all about cooperation . . . the regional boards are already charged with consulting with school districts in their region. I think that the process is already there. I favor striking it . . ."

Vote on the Motion:

MOTION CARRIED. 13 Yea, 1 Nay (J. Cannon)

G. Fitch: Requested time from the Chair to address concerns regarding the legislation expressed by the Board.

"There is some inference, some concern that this report . . . may not give a true picture of what's being done when our college presidents, for example, work directly with the students who are involved. I think it does give a true picture . . ."

Our intention was not to subvert or undercut your authority (the Board of Education) whatsoever, it was, one, to move forward with a high school diploma to help those kids falling through the cracks as we sit here today, and secondly, to relieve you of additional work because the report's there."

President Fitch explained that it is his responsibility to make recommendations to the Board, and that it is the prerogative of the Board to accept them or not. ". . . That's why I forwarded the legislation as I interpreted the motion, to ask me, are we one college or ten? And all of these component parts of the legislation are indicative of the one college concept."

President Fitch expressed concern regarding the impact that 'turf issues' appears to influence the Board's ability to objectively review proposed changes to HB 1003. "That's why they have given you the authority as trustees of this institution to make it work. If you can't make it work and the legislation can't assist you in making it work and your presidents and I can't help you make it work, then what I would recommend is that you do what Mr. Mortimer indicated, that you simply take this legislation, close it for now and reopen it a year from now. This legislation is our effort to try to improve recommendations, not solely for accreditation. Let's ignore turf, let's deal with cooperation and let's serve some students."

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(3)(a) Twenty weighted pupil units shall be computed for each district, or 25 weighted pupil units may be computed for each district that consolidates applied technology administrative services with one or more other districts and/or the Applied Technology College.

G. Fitch: "This is a critical one and the Presidents looked at it and we knew that this one would be controversial . . . because as you are aware with the WPU allotment, two schools districts and so forth they have the authority to gain additional funding through the technology funds and support for programs in their areas. What we are asking for is that the school districts like the applied technology college, recognize the applied technology college to pick up at least 20 weighted pupil units in that area . . . This is one of great importance because it has to do with the funding . . . this is one we put forward because we want that same balance in there, and we do serve high school students from each of our areas."

R. Brems: "In listening to your explanation of this, I think this is part of the statute for public education, the State Board, that has to do with the school districts and was originally placed in legislation to try to consolidate the administration of (more than one) school districts. I'm not sure that the change indicated has anything to do with the transfer of funding from public education to anything affiliated with UCAT, it's only if there is collaboration to include the applied technology college . . ."

G. Fitch: "But the Utah College of Applied Technology benefits from that additional funding and that participation . . . because the students will be served . . . that was my understanding."

R. Brems: "It would need to be by mutual agreement between the school district and the regional applied technology college . . ."

Chair Bangerter: "You're saying that this would be different from the current law . . ."

R. Brems: "It's adding the ability for consolidated administration to take place between the school district and the regional applied technology college, right now it's only between two or more school districts."

J. Cannon: "The concern is that what is being addressed here is that if we had a district ATE person who is there to serve more than one school district, does this in any way preclude their doing their job or does this take finances away from those district ATE directors?"

G. Fitch: "I wouldn't interpret it as taking away from the job or their ATE directors. What I'm looking at is somehow to add value-added to school districts directly in relation to that report that we talk about. How can we better serve the school districts by being part of whatever district organization or operation we can have? So you do have the value-added. For example, we could provide information and support for the associate degree component, if they were doing that or as we look at the competency-based high school diploma it would seem logical that if UCAT were to do that, they would be directly involved with the district. It doesn't supplant or remove any of your people."

C. Johnson: MOVED to approve the addition, as presented on page 9, subsection (3)(a). The motion was seconded by D. Ipson. Motion unanimously approved and carried.

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(2)(b)(iii) appointing the president for the Utah College of Applied Technology in accordance with Section 53B-2a-102; and board policy;

G. Fitch: ". . . this is the component that upon my application and hire they had to publish the finalists' names which is different from some of the requirements under the private and open meeting requirements. But there are elements related to board policy that are directly related so the only language that we ask is not only do we comply with this law but also Regents' policy."

P. Atkinson: MOVED to approve the addition, as presented on page 13, subsection (2)(b)(iii). The motion was seconded by M. Madsen. Motion unanimously approved and carried.

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(1)(b)(iv)(B) at least three individuals with personal experience in applied technology education, which could include service on a ~~regional~~ an applied technology college regional campus board Board of Directors.

G. Fitch: ". . . on page 20 . . . are changes in the two names. One, you have 'Regional Applied Technology College' changed to 'Applied Technology College Campus' and also the 'board' which would be 'Board of Directors'. Right now, those ten of you that come from our other college boards by law are under Regional Boards. That's your total title. You are not Boards of Trustees. What we are looking at based on the designation and your authority, as a regional board is to have recognition that you direct that particular campus under the policies and the law required for you. This does not diminish any of your authority from your local board. What it does is give you a title as a board of directors, to direct your institution in conjunction with your President and your advisory boards."

C. Johnson: "I think that there will be a definitional change later on . . . so let's not bring that up now."

P. Atkinson: MOVED to wait on the discussion of these changes specifically, until they are presented and discussed as part of the proposed definitional changes in Chapter 2a. Utah College of Applied Technology, page 20. The motion was seconded by M. Madsen. Motion unanimously approved and carried.

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Chapter 2a. Utah College of Applied Technology.

President Fitch introduced this section of the legislation by pointing out that this section is specific to the Utah College of Applied Technology and as such, places the board in “a position of authority to make recommendations for changes.” He further explained that “What we tried to do in Chapter 2a is clean up a lot of language from the enrolled copy . . . there are a lot of references and some errors in regards to which board is which, who’s who. What we are trying to do is not change any authority but simply for the legislation identify those boards so that you recognize them and place them in their authority and understand what the operation and process is, it will give you a clear outline.”

(1) The State Board of Education shall be known as the “Board.”

G. Fitch: “Throughout this legislation, it has been recognized as the State Board of Education, the Board of Education, the Board . . . and it gets confusing . . . So we are suggesting that the State Board of Education be known for this legislation and it’s purposes throughout as the ‘Board’.”

(2) The State Board of Regents shall be know as the “Regents.”

G. Fitch: “In the enrolled copy, they are recognized as the Regents, the Board of Regents, the Board . . . What we are suggesting is that the legislation directly related to UCAT . . . is that we simply identify them as the Board of Regents or ‘Regents’.”

(3) The Utah College of Applied Technology Board of Trustees shall be known as the “Board of Trustees.”

G. Fitch: “No change.”

(4) Regional Boards shall be known as the “Campus Board of Directors.”

G. Fitch: “You were known as regional boards . . . you have policy making authority, you have the authority to develop programs, create budgets . . . all of which falls under the UCAT umbrella, but you still have that authority on your local campus, that local control component is there. So we feel that the title of Board of Directors would be an appropriate title . . . that would allow you to direct your institution . . . and it gives you a distinctive title . . .”

(5) Regional Presidents shall be known as the “Campus Presidents.”

G. Fitch: “. . . we’ve had questions about what does a regional president mean given the geographical area and this goes back to turf and interpretation and perception . . . These presidents have been very gracious, they have done a remarkable job over the past year so I would like to retain that title as the ‘presidents’ . . . just as we have the Campus Board of Directors, we have the Campus Presidents. This does not encroach upon your title or the name of your ten institutions. They are still for example and this is later in the legislation, ‘Bridgerland Applied Technology College: A Utah College of Applied Technology Campus’, and that’s the way the reflection will be and the Presidents have agreed to incorporate that in data, reports, materials and other information. They still have community recognition, and a local board of directors responsible to their community as stewards in that particular area, you have a president . . . but you also have the responsibility to recognize that you are a campus under the Utah College of Applied Technology because in the legislation where they identify the tenth college within the whole Utah System of Higher Education, there’s only one college specifically named there and that’s the Utah College of Applied Technology. But it gives you all of those things, if you want the best of both worlds . . .”

(6) **“Applied technology education” means open-entry, open-exit, competency-based education. “Applied technology education” may include approved programs that are not open-entry, open-exit, competency-based education only for secondary students. organized educational programs offering sequences of courses and/or skill sets directly related to preparing individuals for paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree.**

Applied technology education (success) is reflected in the diploma, certificate training, the awarding of the Associate of Applied Technology degree, and life-long learning provisions.

G. Fitch: “The struck components . . . represents the initial attempt to define applied technology education. The open-entry, open-exit concept is not applied technology education because open-entry, open-exit could be applied to almost anything that you would want to do. What it is basically is a delivery method . . . What we’ve tried to do is identify for you, for the legislature and for the community at large, a particular definition based on federal and state guidelines on what applied technology education is.”

(7) **“Accreditation” means a voluntary review process that “recognizes educational institutions for performance, integrity, and quality that entitles them to the confidence of the educational community and the public. . .” (Accreditation Handbook, 1999 ed. Commission on Colleges, p. 1).**

“The accrediting process requires institutions to examine their own goals, operations, and achievements, and then provides the expert criticism and suggestions of a visiting evaluation committee, and later, the recommendations of the accrediting body.” (Accreditation Handbook, 1999 ed. Commission on Colleges, p. 1). Accreditation will be sought for the Utah College of Applied Technology, not for the individual college campuses.

G. Fitch: “. . . we’ve used the Commission on Colleges, the regional accreditation body’s definition, and we’ve used that because the other nine institutions in this state are accredited by the regional body. The regional body is recognized typically in education, as the highest basis for which we are recognized. Those of you from business and industry will appreciate this and why accreditation is a key issue. In your business and industry you have talked about your employees and certain standards of accomplishment, skill or ability that you recognize and you set those standards. That’s reflected in our degree requirements and curriculum. For education, for colleges, and even for the K-12 system, accreditation is the body that sets our industry minimum standards to ensure quality control for our customers. Our customers are business and industry and our students. So by looking at accreditation, clearly defining what it’s supposed to be, we are setting a basic standard . . . When we pursue COE accreditation or Northwest accreditation, what we are voluntarily saying is that we want to commit to your standards of quality. The delivery method, competency-based technical education, how we do it in this state, is why we are dealing with more than one accrediting body, based on your direction because we are trying to find the right accrediting body that will allow us to be what we are supposed to be. We are supposed to be providing applied technology education for high school students, for adult learners with primary emphasis on short-term certificate training and certificate training overall. The degree component is only one element and probably a small element initially; we are still a certificate preparation institution. We are a technical college. We are not a community college; we are not a college providing general education, we are not a college looking for other degrees, we are a technical college providing specific training sequences, and that’s what we hope to do with the accreditation and negotiate with the accrediting bodies.”

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(8) **“Associate of Applied Technology (AAT) Degree” means programs of study intended to prepare students for entry-level professional careers, meeting the following criteria: the AAT degree is competency-based and offered on an open-entry/open-exit basis. Requirements include the mastery of a series of technical competencies, general education course work and other requirements as established by the Utah College of Applied Technology Board of Trustees, Campus Boards of Directors and program advisory committees. The average time to completion of the AAT degree should fall within a range of 1890 to 2070 hours; typically, open-entry/open-exit, competency-based instructional delivery allows students to complete their course of study at their own pace. Like the Associate of Applied Science (AAS) degree, the AAT degree is designed to prepare students for direct entry into the workforce; however, the AAT**

degree will also transfer directly into the Bachelor of Applied Technology (BAT) degree programs currently under development at some institutions in the Utah System of Higher Education.

G. Fitch: “. . . this is a definition of our specific degree and it also highlights that it is comparable to but not the same as other degrees, like the AAS degree. It is designed to prepare students for direct entry into the workforce. However there are options for a Bachelor of Applied Technology degree if our students choose that. It is an option, it is not our primary responsibility.”

(9) “General Education” mean program of study that introduce students to the content and methodology of the major areas of knowledge – the humanities and fine arts, the natural sciences, mathematics, and the social sciences – and helps them develop the mental skills that will make them more effective learners. General education may be taught in different ways, and an institution must judge whether its students are better served by curricula or requirements that approach the disciplines through content and methodology, or that approach the disciplines by concentrating on outcomes. The rationale and plan for the general education requirements should be cooperatively developed by the faculty, administrative staff, and designated boards, and Regents, and the expected outcomes should be stated in relation to the institution’s mission and goals (Accreditation Handbook, 1999 ed. Commission on Colleges, p. 36).

(a) “Related Instruction” means programs of study, for which applied or specialized associate degrees are granted, or programs of an academic year or more in length for which certificates are granted. These programs of study must contain a recognizable body of instruction in program-related areas of 1) communication, 2) computation, and 3) human relations. Additional topics which should be covered as appropriate include safety, industrial safety, and environmental awareness. In instruction in the related instructional areas may be either embedded within the program curriculum or taught in block or specialized instruction. Each approach, however, must have clearly identified content that is pertinent to the general program of study (Accreditation Handbook, 1999 ed. Commission on Colleges, p. 36).

G. Fitch: “ ‘General education’ is defined based on the Accreditation Handbook and the development of our Associate of Applied Technology degree. These are definitions (page 20 and 21) that correlate directly with the standards within state education requirements.”

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(2) (10) “Board of trustees” means the Utah College of Applied Technology Board of Trustees.

(3) (11) “Competency-based” means mastery of subject matter and/or skill level, as demonstrated through business and industry approved standards and assessments rather than credit hours.

A competency-based curriculum focuses both on the acquisition of knowledge and the ability of the learner to apply that knowledge in practical situations. Mastery of specific skills (competencies) is achieved through participation in a hands-on learning environment, which is tied to observable, measurable performance objectives. Competencies set forth guidelines (the process), parameters, (the measurable skills/objectives), and the learning outcome (skill mastery) by which performance is measured.

G. Fitch: “The Presidents and I all agree and recognize the importance of, in preparation for employment, that it must be business and industry standards. We want our students, whether they are high school students or adult learners to come out not having to be retrained by you or upgraded, but capable of meeting your employment needs now.

(12) “Delivery” means open-entry and open-exit, but may include those services and/or programs requiring fixed time frames, e.g., secondary student training, licensed programs, and accreditation required.

(a) “Open-entry/Open-exit” typically means a method of instructional delivery that allows students to begin or end study at any time, progress through course material at their own pace, and demonstrate competency when knowledge and skills have been mastered. Students may receive an institutional credential (certificate, diploma, degree) upon attainment of the competencies prescribed for the student’s training and education goals.

(13) "Clock Hour" means a 50- to 60-minute class, lecture, or recitation in a 60-minute period; a 50- to 60- minute faculty supervised laboratory, shop training, or internship in a 60-minute period; or sixty minutes of preparation in a correspondence course (Code of Federal Regulations, Title 34, v. 6, Subpart A, §600.2, rev. July 1, 2001).

For purposes of transfer, financial aid, and general use, a clock hour compares on a 30 to 1 clock to credit hour ratio. Ninety membership hours mean three (3) credits. If utilized by the Utah College of Applied Technology in recording of general education credits, the transcript will reflect the formula (ratio) and identify the credits as "competency credits."

G. Fitch: ". . . we are looking at the federal regulations dealing with clock hours. We will eventually, as we get to our audit reviews and higher education takes over the complete audit be looking at the clock hours on a single basis so that we are all talking about the same time component without any adjustments. As you move through you see some relationship between 90 membership hours meaning three credits. The reason that is incorporated in our legislation is because of the recognition of the transfer of the Associate of Applied Technology degree into a Bachelor of Applied Technology degree. Credits are the language of higher education generally, but it's not the language of UCAT. So what we've done is to create a formula that will show what our membership hours are equal to. So if there is ever a question, whether business and industry or in transfer to another institution, they know that our membership hours mean this and are comparable to."

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(14) "Transferability" means the "portability" of course work and degrees from one school to another. In Utah, the Associate of Science and Associate of Arts Degrees have been developed to include a full complement of general education course work that all colleges and universities will accept if the degree has been completed. The Associate of Applied Science is not considered a "transfer degree," although individual courses may transfer. The Associate of Applied Technology Degree is unique in that statutory language directs the degree's transferability, but does not differentiate between the complete transferability that exists with the AA and AS degrees, or transferability on a course-by-course basis that exists with the AAS degree. The 12-15 hours of general education that will be incorporated into the AAT Degree will not fulfill the entire general education requirement for a bachelor's degree in the Utah System of Higher Education, but will partially fulfill general education requirements.

G. Fitch: "This is a key issue in this state . . . And what we are looking for is 100% portability for our students."

(15) "Tuition" means the Utah College of Applied Technology tuition is based upon clock hours rather than semester credit hours. No tuition is charged to secondary students.

G. Fitch: "We've clarified the language at this point. If you go back to the original legislation they talk about 'low cost'. We've had a real problem defining what low cost means because each of our institutions has a variety of tuition levels. Some of those are based on utilization of vendor property and vendor licensing. Some of our institutions are directly aligned with a local college and the charges fall in line with that local college. With that in mind, what we've tried to reflect that tuition at the Utah College of Applied Technology is based upon clock hours rather than semester credit hours. The 95 cents per hour is for adults and there is no tuition charged to secondary students. We qualify 'no tuition' because there are certain fees associated with attendance for secondary students and that has been ongoing and has not changed . . . Later in the legislation, as we look and talk about tuition, we want to ensure that under the Board of Regents we have the appropriate hearings as we did last year in relation to that 95 cents. That's our common denominator across all of our campuses. We need to protect this common denominator because of the other tuition applications that we are forced to follow with the vendor requirements, etc."

C. Johnson: ". . . we were talking about competency-based education, this takes all the curriculum back to seat time, hours spent, what's your equivalent . . .?"

G. Fitch: ". . . we're talking about competency-based education and recognizing it. This is where the equivalency formula occurs. We recognize that under the membership hour application for a particular program like welding, these might be 1500

hours on average based on the history of completing the competencies and skill requirements, and the projects associated with that program. That would be the normal basis by which you would apply a student's 95 cents per hour times 1500. However, we recognize that our students often times have the ability to finish that 1500-hour course early because they're not employed and they can devote more time to it, or their skill level and background, whatever they bring to the classroom, allows them to finish that course in 1000 hours. They will not be assessed the additional 95 cents, they essentially meet their competency requirement and the certificate training within that 1000 hours. What the hourly designation becomes is just a standard measure so we can apply the cost associated with the provision of that skill area."

T. Bingham: "I would like to go back to the definition section . . . having spent 25 years working in rural Utah, I think there is some sensitivity to the terminology 'regional'. I would like to suggest that we include 'regional' in the definitions for both 'campus board of directors' and 'campus presidents'. It might help the smaller and less populated areas of the state feel like they are not being ignored . . . I don't think it changes what you are trying to do . . ."

R. Maughan: Expressed concern that in his area the term 'regional' is confusing. He stated that 'regional president' creates a question by other university presidents and school district superintendents as to what region is being referred to. Does that region include the university and/or school districts or just the Bridgerland ATC campus? Said that he and the other UCAT Regional Presidents are more comfortable with the term 'campus president'.

T. Bingham: "How does your business representative board members feel about losing the 'regional'?"

R. Maughan: Responded that there is no concern by his committees or board that there will be a change in the title. Doesn't feel that it lessens any responsibility or any control, and that they seem to be more comfortable with 'campus president'."

B. Wallis: "The problem that we had in putting this together was making UCAT, one college. If we said that we are one college then we are ten campuses. And that starts to get into the local area in terms of your brand. The brand that you represent within your community. We've taken a big step . . . for example, the Ogden-Weber Applied Technology College. People feel that they are going to a college and that's important. So how do we create the syntax in a way to take the ten colleges and make them one college? And there are regional implications for it . . . sensitivities to it . . . but when you go back and say what is it – you're a UCAT, a campus of UCAT, then the region becomes cumbersome and difficult to primarily deal with. This is a give and take. When we were in the original discussions with the legislation trying to determine regional board, the regional idea is a unique concept itself. But how does that tie to one institution? That is really the struggle that I've seen. . . have to come down to some new terminology in terms of how do we define ourselves as a college and then ten colleges within that."

M. Madsen: MOVED to accept definitions 1 through 5 as presented in this draft. The motion was seconded by P. Atkinson. Motion unanimously approved and carried.

P. Atkinson: MOVED to adjourn for lunch. The motion was seconded by A. E. McCain. Motion unanimously approved and carried.

Adjourn for lunch (12:07 – 12:34)

D. Holmes: Referring to **page 20, definition (6), paragraph 2:**

Applied technology education (success) is reflected in the diploma, certificate training, the awarding of the Associate of Applied Technology degree, and life-long learning provisions.

" . . . should have some verbiage in there about jobs . . . and satisfying the needs of business and industry. I don't think that our success is in the diplomas and degrees, but in the success of our graduates in getting jobs and increasing their life-long ability to make a living."

D. Holmes: MOVED to amend the draft version indicated above to read:

Applied technology education (success) is reflected in the diploma, certificate training, the awarding of the Associate of

applied technology degree for career preparation and employment, and life-long learning provisions.

The motion was seconded by M. Madsen. Motion unanimously approved and carried.

D. Holmes: Felt that the citations indicated in the definitions were not appropriate at this level and expressed concern about revising citations in the future and the need to amend the legislation accordingly (page 20, definition [7], page 21, definition [9], [9a] and page 22, definition [13]).

G. Fitch: "The reason that they are included in the bill at this time is because you saw the language and description that they had previously was in error. What this does is by using the 1999 edition of the Accreditation Handbook is that, one, it meets our legal obligation that if we cite or quote somebody, we need to recognize who they are. The second component is the language on these definitions, accreditation and general education, have been ongoing . . . this is the historical information that all of our colleges and universities are subject to in this particular area. I agree with you in one case, I hate to put a lot of definitions into legislation . . . however we are operating right now without clear definitions because depending on who you talk to, they have their own opinion about open-entry/open-exit, competency-based, etc. so we are simply trying to clarify the language as best we can."

D. Holmes: "Couldn't we accomplish the same thing by rules or regulation and not put it into statute?"

G. Fitch: "We could take this information and put it into a policy handbook for our organization under UCAT. The problem that we have right now is that the policy handbook is in its development and this is the legislation that we need to direct us. If you remember when we began this discussion on this legislation the question was, is there anything specific in here that we need to move forward? These definitions are what we are basing our provisions for certificate training and for the associate degree, and moving forward toward accreditation. These are the guidelines that we need to have."

T. Bingham: ". . . I think the definitions need to be there but we don't need to reference where we got each one . . ."

M. Madsen: MOVED to adopt the intent of definitions 6 through 15 but to remove the citations and revise accordingly. The motion was seconded by T. Bingham. Motion unanimously approved and carried.

Page 23, 53B-2a-102

(1)(c) The president shall serve at the board's Regents' discretion and at the salary the board determines in cooperation with the Utah College of Applied Technology Board of Trustees. Salary and benefits to be set by the Regents in line with postsecondary levels within the state and in recognition of the Utah College of Applied Technology budget.

G. Fitch: ". . . beginning with (c), all we did was identify from our cleanup phase, the 'Regents' versus 'board's' indicating discretion because it's the Board of Regents responsibility to do that. The Board of Regents typically set the salaries in coordination of hiring the Presidents at the other institutions . . . at this particular time they also set my salary, but because the UCAT Board moves through another process with its budgeting sequence . . . I think it appropriate in cooperation with the Utah College Board of Trustees that any salary and benefits set by the Regents be in line with the general postsecondary levels within the state and in recognition of the applied technology budget."

J. Busch: ". . . doesn't that leave it open that if you have a poor budget year . . . readjust your salary?"

G. Fitch: "It does . . . it has already impacted it at this point in time and we have handled it internally without any issues . . . I think that you have a right within your budget as Utah College of Applied Technology trustees to say that this is the amount of money that we have, and then have the ability to work with it. If there are no salary raises across the state then that President should be subject to that same issue. If there is a problem in the economy, that President needs to make a decision if he's willing to continue to work at that level . . . that's the commitment that needs to be made."

J. Busch: "I don't see any use of that part, ' . . . in recognition of the Utah College of Applied Technology budget'."

G. Fitch: "I'm just trying to give this Board more flexibility since your budget is created a different way than normal."

Chair Bangerter: "I don't know that you can give us flexibility where they set the salary . . ."

G. Fitch: "But you can contribute to their decision making."

Chair Bangerter: "I don't disagree but I think that you could just cut that at 'postsecondary' levels. They're going to deal with the budget issue anyway."

P. Atkinson: "I don't believe that it needs to be in there, I support what you are saying."

J. Busch: MOVED to end the sentence at " . . . postsecondary levels within the state" and to strike " . . . and in recognition of the Utah College of Applied Technology budget", to read as follows:

(1)(c) The president shall serve at the board's Regents' discretion and at the salary the board determines in cooperation with the Utah College of Applied Technology Board of Trustees. Salary and benefits to be set by the Regents in line with postsecondary levels within the state.

The motion was seconded by P. Atkinson. Motion unanimously approved and carried.

T. Bingham: "Subsection (d), are you reinstating that somewhere else?"

(d) As president of the Utah College of Applied Technology, the president is also an associate commissioner of higher education.

G. Fitch: "No, I'm not. I'm eliminating that totally. Right now during the deliberations and the concerns with establishing UCAT, the UCAT President was made the President of UCAT and also an Associate Commissioner for Higher Education, and my understanding, was to help facilitate the transition to Higher Education and coordinate work with the Commissioner's Office . . . Over the past year it's obvious to me, at this point in time, I am asking for all of the give and not giving anything back as an Associate Commissioner. I'm truly serving as the UCAT President in my time and duties. What I'm getting back is Linda (Fife), previous to becoming a 1/3 time UCAT employee, Gary (Wixom) and Brad (Mortensen) with their time from the Commissioner's office. I did talk to Commissioner Foxley about this and can see no reason why the UCAT President would be any different from the other Presidents. They are not Associate Commissioners. And that's why I suggested that they drop it. If you recall the last meeting, Mr. Holmes had indicated that I was from Higher Education in his comments in dealing with the reports and so forth. What I'm saying is that I'm higher education because the Utah College of Applied Technology is higher education but I'm the President of UCAT, I'm not necessarily functioning as an Associate Commissioner."

Chair Bangerter: "In reality, you've never functioned as an Associate Commissioner."

(2)(a) direct the Utah College of Applied Technology and coordinate the activities of each regional applied technology college campus;

D. Holmes: Gave a brief history of the compromises that led to the creation of the UCAT Board (under the Board of Regents versus as an independent Board). Vice Chair Holmes then expressed concern regarding the UCAT President's power to 'direct the Utah College of Applied Technology and coordinate the activities . . .' "What he's (President Fitch) done, if we adopt this . . . is take authority away from local boards and give it to Central Administration. I think that was contrary to the intent of the legislation. I think that part of the success of the ATCs have been their local control and their ability to coordinate swiftly with business and industry, and I think that any time that we move things away from the local boards to Central Administration we are doing a disservice to our business and industry clients and students."

MOVED that the added words to section (2)(a) be deleted and this subsection be returned to the original language. The motion was seconded by D. Mortimer. (Motion later SUBSTITUTED).

Discussion on the Motion:

J. Busch: "The only thing that I take from it is what the President's doing is trying to direct the accreditation and funding formula, those things that are better held at the top and coordinate it with the individual regional campuses. I don't know per se that he is trying to usurp authority . . . because somebody has got to take the lead on all those things that benefit all of the ten campuses."

P. Atkinson: "I would just like to clarify something. My understanding is that the Presidents approved this and are comfortable with this statement . . . and like John I see this coordination and cooperative effort in directing that there are some things that need to be done from a central point of view. And I'm not uncomfortable with it . . ."

R. Maughan: "From my perspective, as far as direction and coordination, that doesn't bother me in my role. It really gives me the security of knowing that I have that higher headquarters, if you will, to turn to for additional support. Although as we look at this, from my perspective, I saw that language as an additional support to what we were doing and to our roles in the colleges. So I didn't feel that we were being limited to any direction or coordination in a certain institution . . ."

D. Ipson: "This does make it more consistent."

P. Atkinson: ". . . statements like this particular line in no way distracts from the individuality, the creativity or the leadership at the local level and our regional campus presidents . . ."

G. Fitch: "When we began this legislation one of the things that I pointed out to you, with the name changes to the Board of Directors and Campus Presidents, that there are no changes in the responsibilities or the duties that were outlined in the original legislation. I have not usurped, demeaned or changed any of their responsibilities and authority. All it says now is that under the one institution concept, the Utah College of Applied Technology, that you have someone responsible for directing those energies and those efforts . . . it doesn't say 'control you' it says 'direct you'. You have the option at the Board level and at the UCAT level to make whatever determinations you have, if I had control you wouldn't be looking at this right now . . . But if you have issues with it, you'll have to deal with regular legislation. On the next page, **Page 24 (g)**, this is part of the original language, the UCAT President can '**establish minimum standards for applied technology programs of the . . .**' colleges. That means that I can make that determination. So if you have a question on directing activities, you have some other issues in here that are part of the original legislation, so it's either going to be one side or the other as we work at it. If I've demonstrated during the past year that I have encroached, tell me that. If not, we need to move ahead."

M. Madsen: "Doesn't it also enforce the fact that you receive the suggestions from your campus presidents and as suggestions come in, you as a body, would decide if it's good for one institution, that it might possibly work in the other institutions? So that leaves you an option to be open to the suggestions of your various campus presidents, not being closed, where you're making the sole decision but you're able to review them all together."

Chair Bangerter: "The President's job is to direct the college. That is my view. But he ought to do it in coordination with the others . . ."

D. Ipson: SUBSTITUTE MOTION to leave (2)(a) as indicated in the Presidents' Cabinet response draft. The substitute motion was seconded by P. Atkinson. Vote: 12 Yea, 1 Nay (D. Holmes). Motion carried.

G. Fitch: "On **page 28** just as a clarification, the strike out lines on the bottom for example, **(1)(b) includes the facilities, equipment, and personnel of the Bridgerland Applied Technology Center;** Ogden-Weber Applied Technology College and so forth, that strikes the language because those actions have already been conducted . . . It doesn't change the membership of that board."

T. Bingham: "You have a similar situation on **page 25, (2)(b) At the first meeting of the board of Trustees**: where it told us how we were to establish that. You ought to hold that out to legislative research because they'll want to take that language that's dated out of there."

D. Holmes: On **page 25, (1)(d)**, Vice Chair Holmes pointed out that the 's' on representatives need to be eliminated.

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Each campus will be recognized as college campuses of the Utah College of Applied Technology, and regional affiliation will be retained and recognized through local designations, e.g., Bridgerland Applied Technology College: A Utah College of Applied Technology Campus, Ogden-Weber Applied Technology College: A Utah College of Applied Technology Campus, etc.

G. Fitch: "What this does is recognize each campus officially as campuses of the Utah College of Applied Technology and regional affiliation will be retained and recognized through local designations. The intent was to insure that the local boards and local activities recognize that you are, for example, the Bridgerland Applied Technology College: A Utah College of Applied Technology campus, and each one would be recognized. That gives us the individual recognition for local services but it clearly delineates the idea that we are one college because they are a campus of that institution, and the Presidents agreed to that one."

Chair Bangerter: "I won't take a motion unless we have a problem with anything. Page 31."

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(1)(d) offer ~~competency-based associate of applied technology degrees~~ appropriate Associate of Applied Technology Degrees with the majority of instruction provided in an open-entry, open-exit environment, that have been reviewed by the Board of Trustees and approved by the State Board of Regents in accordance with Section 53B-1-103:

G. Fitch: "What we did is try to look for some clear language that would be direct and forward for the student. The majority of our instruction, we do provide open-entry, open-exit, however there are some types of instruction that we are directly involved in, like Nursing, that because of the clinical assignments and requirements and levels that they need to attain it isn't open-entry, open-exit. They can't drop out of a clinical and then come back in later . . . we are saying that the majority of our training is that way."

Chair Bangerter: "Page 32 . . . down to Section 22 . . . I'd like to take a motion to that point."

T. Bingham: MOVED to approve Section 106. The motion was seconded by P. Atkinson. Motion unanimously approved and carried.

M. Madsen: Referred to **page 23, (1)(b) The president of the Utah College of Applied Technology does not need to have a doctorate degree, but shall have extensive experience in applied technology education.** "I think that should also apply to our campus presidents . . . I think that it's important that our campus presidents have related experience in applied technology and not necessarily have a doctorate to do it."

MOVED to take the qualification documented on page 23, (1)(b) and incorporate it as (2)(d) on page 32, referring to the Campus Presidents, creating the same qualifications for the Campus Presidents as for the President of UCAT. The motion was seconded by D. Ipson. Motion unanimously approved and carried.

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(1) The president of the Utah College of Applied Technology shall appoint a ~~regional campus~~ president for each regional applied technology college campus, from a list of at least three names submitted to the president by the regional

college campus board of Directors, to serve a the chief executive officer of the regional applied technology college campus. The Campus President is subject to regular review (evaluation) in a process designed by the Utah College of Applied Technology President. The Campus President is an "at-will" employee of the college and serves at the discretion of the President of the Utah College of Applied Technology.

J. Busch: "It doesn't make sense to me that the Campus President is under the direction of the Regional Board of Directors, but they have no authority to discipline him in any way yet he's supposed to follow their direction in the day-to-day operation . . . I think there's some vagueness there. He's serving two masters . . ."

G. Fitch: "I understand what you are saying. Here you are a Regional Board and yet you can't do much with your President because of the legislation . . . That's why . . . we have now, and some of you participated in it as contact people, similar to the Board of Regents, an evaluation process for your local president. The Campus President is evaluated with your input and the information provided from your local Board. And that's incorporated not only in the evaluation process but setting the objectives for the future. We discussed during the Presidents' Cabinet, the 'at-will' component that places them subject to disciplinary action . . . What it does is allow me based on your contact, to investigate that circumstance and make a decision on that basis."

J. Busch: ". . . you're (President Fitch) the one that fires them. I would listen a lot more to you than I would listen to the Board that can't fire me."

G. Fitch: "That's the way that the legislation is set . . . I'm guessing that they gave that authority to the UCAT President because of the difficulties historically in trying to hold people accountable under certain circumstances . . ."

P. Atkinson: ". . . Greg (Fitch), you get input from a multitude of people about performances of people with whom you work. And I think that's what's inherent in here . . ."

D. Holmes: MOVED to amend 53B-2a-107(1) to add the following language at the end of the paragraph ". . . in cooperation with the Campus Board of Directors." The motion was seconded by D. Ipson. Motion unanimously approved and carried.

(1) The president of the Utah College of Applied Technology shall appoint a regional campus president for each regional applied technology college campus, from a list of at least three names submitted to the president by the regional college campus board of Directors, to serve a the chief executive officer of the regional applied technology college campus. The Campus President is subject to regular review (evaluation) in a process designed by the Utah College of Applied Technology President. The Campus President is an employee of the college and serves at the discretion of the President of the Utah College of Applied Technology in cooperation with the Campus Board of Directors.

D. Mortimer: MOVED to replace "Utah College of Applied Technology" to "Utah State College of Applied Technology" throughout this legislation.

Chair Bangerter: Requested that the motion be DEFERRED until the review of this legislation by the Board is complete.

G. Fitch: ". . . as a point of clarity. In the Regents portion of this law, it says that the Regents have the full authority to change names of institutions of all institutions except the Utah College of Applied Technology. So the Regents have had their authority cut in that particular area and the legislature has set this title . . ."

D. Mortimer: Agreed to DEFER the motion.

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(h) establish approve credentials for employees and define assign employees to duties in line with the Utah College of Applied Technology (accreditation) guidelines;

D. Holmes: “. . . it’s taking authority away from the local boards.”

(m) develop policies and procedures for the admission, classification, instruction, and examination of students in line with the Utah College of Applied Technology, State Board of Education, Regents policy and accreditation guidelines.

D. Holmes: MOVED to have Subsections (h) and (m) to remain as stated in the original legislation. No second to the motion.

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C. Holmes: “If Carl (Albrecht) were here . . . would ask that you take a look at Section 2 ‘a’ and ‘b’ at the top of the page and question the reason or need to remove that.”

~~**(2) In apportioning monies appropriated by the Legislature to the Central Applied Technology College, the regional board of the Central Applied Technology College:**~~

~~**(a) may not, until June 30, 2006, diminish applied technology education services currently provided at Snow College South; and**~~

~~**(b) may direct that any new monies provided to the Central Applied Technology College go first to funding underserved portions of the geographic areas it serves.**~~

(2) In agreement, Snow College Richfield will serve as the fiscal agent for the Snow College – Richfield campus and the Central Applied Technology college campus. All funds generated, appropriated and/or developed by the two campuses in Richfield will remain with those campuses and shall go first to funding the needs in the geographical area.

G. Fitch: “The intent, if you recall from our discussion when we met as a Presidents’ Cabinet, was to look at that because the memorandum of understanding, the agreement that you have struck with Snow College allows you to continue to provide those programs under the CATC application and it keeps all funds on that Richfield campus. It just eliminates those components in there that have Snow College in our legislation.”

C. Holmes: “Their question was whether we needed that in terms of, they could see the reasoning to have the protection on our campus but wasn’t sure whether it protected us . . . trying to pull part of those funds out to the outreach programs rather than securing the programs on our campus. The intent of the legislation when that was put in there was that they wanted to protect that campus so that it didn’t get diminished at the expense of that campus to expand programs elsewhere with our local board pushing those programs out because we have the largest board in the state. We actually have a greater number of our board members representing the outreach areas than we do have representing the campus area in Richfield. . . They were concerned that they were losing that protection . . . We need to look at the new language and see if that not only protects us on the campus in terms of the funds generated there, but other funds that may be available to take out into the other areas.”

G. Fitch: “. . . the underlying new language is just a clarification based on a memorandum of understanding that was created over the past several months through Snow College, CATC, the Commissioner’s Office and the Utah College of Applied Technology. Basically what it outlines is the idea that related to the agreement that has been struck by the two institutions, Snow College - Richfield . . . and CATC, is that Snow College - Richfield will serve as the fiscal agent because there has been a transfer of personnel and support in that area . . . all funds generated and appropriated, that would be those funds now that apply to whatever distribution formula that you have now for CATC and Snow College – Richfield or any that are developed . . . the funds that would be created on those two campuses, there is a difference, some of the FTE are applied to Richfield. What we’re doing is over a period of time going to straighten that out under the memorandum of understanding so that the funds that are created by CATC and the student enrollment remains with that particular service component. The funds created by Snow College – Richfield remain with them . . .”

C. Holmes: “Our regional people very much like this new language. They were questioning whether we had lost any of our protection.”

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G. Fitch: Referred to the subsection ~~(5) This section does not apply to a student who completes an associate of applied technology degree from the Utah College of Applied Technology.~~

"This has to do with the scholarship change. If you note, the scholarship are for students who meet certain basic requirements and complete degrees within a certain period of time. In the original legislation the part that is struck, said that UCAT could not participate . . . What I'm suggesting is that we strike the language and make our students who go on the degree track meet those requirements, get the same recognition for the scholarship as any other student."

C. Johnson: MOVED to approve the draft copy from page 32 forward as presented with the few changes already discussed. The motion was seconded by D. Roberts. Motion unanimously approved and carried.

A. E. McCain: Referred to **Page 21 (8) ". . . The average time to completion of the AAT degree should fall within a range of 1890 to 2070 hours; . . ."**

"What kind of hours are those?"

L. Fife: "Clock hours."

A. E. McCain: Referred to **Page 22 (13) "For purposes of transfer, financial aid, and general use, a clock hour compares on a 30 to 1 clock to credit hour ratio. Ninety membership hours mean three (3) credits. If utilized by the Utah College of Applied Technology in recording of general education credits, the transcript will reflect the formula (ratio) and identify the credits as 'competency credits'."**

". . . Membership hours and clock hours are the same?"

L. Fife: "Yes."

A. E. McCain: MOVED to insert the word "clock" into **Page 21 (8) ". . . The average time to completion of the AAT degree should fall within a range of 1890 to 2070 clock hours; . . ."** The motion was seconded by W. Woodward. Motion unanimously approved and carried.

D. Ipson: MOVED that this draft legislation be presented for introduction into the legislative session. Seconded by M. Madsen. (Motion later AMENDED).

Discussion on the Motion:

T. Bingham: "Could we just have the caveat that the meeting with the five . . . legislators, that they are in agreement that this would not be a terribly contentious issue that would jeopardize the progress we've made? I was one who was concerned about moving too quickly on making substantive changes to the statute because it was such a contentious issue. If Senator Blackham and all believe that these will be acceptable and not create a problem, then I don't have a problem moving ahead with it."

Chair Bangarter: "Why don't you amend the motion that we present this to the legislature and meet with the key people contingent upon their recommendation . . ."

P. Atkinson: "I would just like to add that the people with whom Senator Blackham were talking were the people who were involved in the original part of this legislation . . ."

Chair Bangarter: "When you look at this it's not a major change in reality, it's more clarification . . ."

T. Bingham: MOVED to AMEND previous motion to present this draft to the key people first and contingent on their approval, and then present the draft legislation for introduction into the legislative session. The motion was seconded by P. Atkinson. Motion unanimously approved and carried.

B. Diploma Format (Tab W)

G. Fitch: Referred to diploma draft under Tab W. Several diploma formats were analyzed by a committee and the attached draft was the recommendation of the Committee, without the printed lines for the graduate's name and type of AAT degree.

D. Ipson: Recommended that the individual campus name be listed at the top under "Utah College of Applied Technology".

W. Woodward: MOVED that the diploma be approved as presented, without the printed lines for the graduate's name and type of AAT degree. The motion was seconded by D. Roberts. Motion unanimously approved and carried.

INFORMATION/DISCUSSION ITEM

A. Process Audit (Tab X)

G. Fitch: Referred to Tab X, Utah College of Applied Technology Testing of Membership Enrollment report. ". . . We conducted a process audit. We typically applied what would be State Board of Education requirements associated with these processes because we were trying to determine where the weaknesses would occur in our transition because our higher education activities and reporting are different than the State Board of Education activities. What you have before you is a basic letter dealing with some very specific components, with changes that occurred and were developed and found by the audit. You also have matrices within the report (identified as Appendix A, B and C) that are created that reflect addition and subtraction of hours, also . . . specific issues or problems facing our institutions that we'll be adjusting through procedures on our own campuses and through UCAT under our policy development. Under Appendix C-1, specific identification by institution of some of the key issues and concerns that they found in the process audit. There's not much in this audit that is really critical except for a few points in identifying hours and numbers, etc., in some cases we are penalized because a high school will not respond. What this will help us do is become a working document to make determinations in how best to write our procedures and policies so this doesn't occur again. It also falls under the purview of the responsibility of your President locally to make these determinations and corrections. It's a transitional device to identify our strengths and weaknesses and how can we best make it work."

J. Busch: "In reality other than a tool, we won't get penalized if we appeared on this more than once?"

G. Fitch: "The appearance on the matrix more than once will not be a penalty toward you. The only penalties that you'll see are specific to the first two pages in the letter."

B. Accreditation (Tab Y)

G. Fitch: Referred to the diagram on the board (Attachment A). ". . . There were a lot of significant changes in the attitude of Northwest Association. What the Council on Occupational Education (COE) is saying is that under this umbrella, and this umbrella is basically UCAT, that our ten institutions if they file the 45-page application by December, will be considered at the February board meeting of the Council on Occupational Education. If the Council grants candidacy status in February, then our institutions under the Department of Education can start providing financial support for our students. Their accreditation process actually accredits as you move from candidacy to accredited status . . . each one of the institutions are looked upon independently. That's contrary to the legislation and the concept of one college that we have, and that was one of the problems that we had with Northwest . . . However I have negotiated with COE at this time, verbally, that if in fact if we have everyone in candidacy status independently and we seek accreditation and they allow us three full years, institutions that would meet accreditation requirements under COE would file that accreditation request through the UCAT and then the UCAT would write a letter of authorization to support that accreditation request and then they could be granted full accreditation . . . For example, each one of these colleges, as they were to come on line during these three years would have to go through this Board. If you didn't vote that they are to be accredited, they wouldn't get it. That's why on our candidacy status right now, unless all ten applications are in at the same time, we're not going to seek candidacy at this time, it will be at a different date. So you have a control mechanism there when we go through COE. However, it doesn't eliminate the perception that they are stand-alone and

the potential for a rogue heading out, so we have issues that we would have to deal with. They get three years with which to seek accreditation and based on their visits that they had here, they feel that there are at least two or three institutions that can seek accreditation within the next 18 months or so very easily. However, institutions that cannot due to circumstances would be in a situation where they would have the three years initially and be granted one more year in extension. I do not know what the penalty fifth year is . . . if they would allow them an additional year, which would change the makeup of our institutions from one college to, for example, six colleges and 4 centers. In the Northwest Association . . . they are the one that challenged us with who's in charge, are you ten colleges or one and do you have a preponderance of degrees, etc.? At that time, we couldn't answer those questions, but we can answer them now so they are being more responsive. Interestingly, there is a problem within the Northwest Association right now. For example, they are broken down into two commission bodies, one is higher education and one is K-12 . . . When we were seeking accreditation, they said no because we didn't fit that model. They changed their mind as of yesterday. Yesterday they said that they are looking at some kind of hybrid, what was first suggested is that components of higher education and K-12 come together into an accrediting commission body that would have high school students and college students in what they call Career Colleges. Passed out to you are standards (Attachment B) 'Accreditation Standards and Quality Indicators' that were set for these Career Colleges. The irony of these Career Colleges and this concept is that the higher education body and the K-12 body have not talked to each other about it. The coordination and communication haven't been there to create that. . . What you have before you are qualifications and standards for a Career College. As you look at them, the first six are Utah standards, almost word for word. They recognize the five states that are involved with this, that Utah colleges presently accredited and recognized under the Special Purpose Schools have the standards and qualifications that they are seeking. So they want Utah schools now to be part of the Northwest Association and provide the leadership to create this body of Career Colleges . . . They accredit K-12 education, what they are suggesting is that they start accrediting K-14, which would mean our associate degree . . . However, the higher ed side is saying no, we accredit higher education/postsecondary education. So they'll need to settle their problems. To show you their interest, the head of this organization has agreed to fly here on November 25 and meet with the Committee that we have for accreditation . . . and the Presidents . . . She wants to explain the blueprint . . . What she is concerned about . . . are you one college? Yes we are. Do you have a head of the UCAT Board with its coordination? Yes we do. Okay, then you don't need a particular campus because under their own venue they have approved the Western Governor's University, which has a virtual campus. So we don't need to have Greg Fitch sitting someplace on a campus. So a lot of that element has been eliminated. My question on the preponderance of the degrees, they now recognize with five states interested that the Career Colleges are a viable element and they need to talk about it . . . So we are continuing to cultivate both (Northwest and COE). Once we submit our application in December, December through June 30, the cost associated with COE is \$29,000 plus two team site visits, approximately \$35,000 . . . for six months accreditation. Is that good money? If we pass in February that means that we can start providing financial aid to all of our eligible students . . . Mary Shumway helped and Rob Brems was instrumental and key in getting this, we have been granted from the State Board of Education a \$150,000 grant that we are applying to accreditation standards and requirements. We have the funds available so that we can pay this initial part, it is a large amount for six months but it does put us into a candidacy status where we can start to offer financial aid."

D. Ipson: "How long will it be before we know if we have candidacy status through Northwest?"

G. Wixom: "18 months to two years . . ."

G. Fitch: "And we are under the gun for 18 months because the present student financial aid that we have under the Special Purpose Schools."

Referred to Tab Y, copies of PowerPoint slides presented by COE during the 1 November visit.

". . . There is no reason, recognizing the need for a Northwest accreditation down the line, that we can't parallel it (Northwest and COE accreditations) because this organization (COE) is working with a group very similar to Northwest, except in the south."

R. Brems: "Hasn't it always been our concept that COE would be something that we could do as an interim step? So going both directions at once is a good concept."

C. Regional Presidents' Cabinet Report (Tab Z)

President Fitch referred to the Regional Presidents' Cabinet Agenda from the most recent meeting on 30 October 2002 to present various agenda items.

Item #2 Building Board – notice

"This is a lease situation. We are compiling all of our leases for UCAT because there is a question with the Building Board whether they have approval process or recognition or notification process. So we are pulling all of our leases and will submit them in total along with the Board of Regents because they are doing the same thing. We have some issues with individual institutions that we are correcting at this time to ensure that they meet the lease requirements."

Item #4 Development Funds: Placements (?)

"The development formula . . . the key issues in which you have identified as our placements. We have great difficulty under certain circumstances trying to identify if our people have been placed. And the issue is, are they working in a job that they were trained for, is that the proper placement or did they just come out of high school or college and are just working? We need to improve that and it is an element or a portion of the distribution so we're trying to determine if it is an accurate one that we can use to appropriate money to our institutions . . ."

Item #5 Health Benefits Review

"Right now we are looking at a system that would be applicable to the whole state and is right now in a consultant's hand. We have some of our institutions being reviewed for the health benefits that they provide to determine which is the best way to do it, which is the most inexpensive for the best coverage. This is something that you authorized and Mr. Prows is our representative on that committee as they move forward."

Item #7 Other

"I asked the Presidents for additional staffing from their folks . . . I needed a President's Advisory Committee . . . Collette (Mercier), Linda (Fife) and Brent Petersen are going to be key components representing UCAT and we'll sit and meet regularly so they know when they meet with their counterparts from USU or the U, what's going on with UCAT . . . so when they carry the message, they are carrying UCAT's message . . . we'll also be using Gary Wixom in regard to a lot of the accreditation applications as we look at Northwest and so forth."

T. Bingham: MOVED that the next UCAT Board of Trustees meeting be Wednesday, January 8, 2003. The motion was seconded by P. Atkinson. Motion was unanimously approved and carried.

ADJOURN

T. Bingham: MOVED to adjourn the meeting. The motion was seconded by P. Atkinson. Motion was unanimously approved and carried.

Chair Bangerter adjourned the UCAT Board of Trustees meeting at 2:14 p.m.