

The Utah College of Applied Technology (UCAT)  
Board of Trustees Meeting

DATE: 18 October 2012

TIME: 10:00 AM – 3:00 PM

LOCATION: Utah College of Applied Technology  
2801 Ashton Boulevard  
Lehi, UT 84043

(Anchor location for electronic access)

**MINUTES**

Board of Trustees Present

Michael Madsen, Vice Chair – BATC Board of Directors  
Michael Jensen – DATC Board of Directors  
Ron Larsen – DXATC Board of Directors  
Arthur Newell – MATC Board of Directors Substitute  
Don Roberts – SWATC Board of Directors  
Mark Dennis – UBATC Board of Directors  
Jim Olsen – Business-Industry Governor’s Appointee  
Kendall Willardson – Snow College CTE  
Dale Cox – Union Apprenticeship  
Brad Tanner – Non-Union Apprenticeship  
Stanley Parrish – Salt Lake Community College  
David Crandall – State Board of Education Representative  
Dave Buhler – Commissioner of Higher Education  
Mike McCandless – USU-Eastern CTE

Excused

Tom Bingham, Chair – TATC Board of Directors  
Jim Evans – MATC Board of Directors  
Steve Moore – OWATC Board of Directors  
Teresa Theurer – State Board of Regents Representative  
Spencer Eccles – Governor’s Office of Economic Development

UCAT Administration

Robert Brems – President  
Kimberly Roberts – Executive Assistant to the President  
Jared Haines – VP, Instruction and Student Services  
Tyler Brinkerhoff – VP, Administrative Services  
Jordan Rushton – Staff  
Darrell White – Director of Development

Others Present

Tim Osterstock – Legislative Auditor  
Tim Berece – Legislative Auditor  
Richard Maughan – BATC, Campus President  
Mike Bouwhuis – DATC, Campus President  
Kelle Stephens – DXATC, Campus President  
Collette Mercier – OWATC, Campus President  
Clay Christensen – MATC, Campus President  
Dana Miller – SWATC, Campus President  
Scott Snelson – TATC, Campus President  
Mark Walker – UBATC, Campus President  
Jay Greaves – DATC Staff  
Russell Galt – DATC Staff  
JoAnn Matern – DATC Staff  
Robyn Bagley – Charter School Applicant  
Jim Blair – Charter School Applicant

## **MINUTES OF MEETING**

UTAH COLLEGE OF APPLIED TECHNOLOGY  
Board of Trustees  
18 October 2012

### **I. INTRODUCTION ITEMS**

#### **I.A Call to Order**

Meeting was called to order at 10:00 a.m.

#### **I.B Pledge of Allegiance**

#### **I.C Approval of Agenda**

Motion to approve the agenda

Motion: Don Roberts; Second: Ron Larsen; Voting: Unanimous

#### **I.D Approval of 13 June 2012 Minutes**

Motion to approve the 13 June 2012 Minutes

Motion: Ron Larsen; Second: Michael Madsen; Voting: Unanimous

#### **I.E Oath of Office for Dave Buhler**

Vice Chair Michael Madsen welcomed the trustees and introduced Dave Buhler who was appointed as Commissioner of Higher Education. Dave Buhler replaced William Sederburg as a voting member of the UCAT Board of Trustees.

Barbara Miner, Notary Public, administered the oath of office for Trustee Buhler.

#### **I.F Recognition of Mark Walker/Presidential Search**

UBATC Campus President Mark Walker had announced his resignation, effective October 19, 2012 citing family needs preventing him from relocating to the Uintah Basin. During President Walker's tenure, UBATC has continued to develop and increased support from business and industry has led to significant financial donations and increased enrollment. UCAT Administration, the UBATC Board of Directors and the UCAT Board of Trustees are appreciative of President Walker's service over the past 18 months and wish him well in his future endeavors.

President Brems has initiated a search process to identify President Walker's successor, in consultation with the UBATC Board of Directors. The position is currently being advertised with a deadline of October 19th for applications to be received at the Office of the UCAT President. Screening and interview processes are scheduled for late October and early November. It is anticipated that President Brems will recommend a new campus president for the Board of Trustees approval in November. That meeting will be conducted by conference call and details will be announced when they are known.

President Walker took a few minutes and reported on his experiences as UBATC Campus president and thanked the Board of Trustees for allowing him to serve in the position.

### **II. ACTION ITEMS**

#### **II.G UCAT Endorsement of PACE Metrics**

The Governor's Education Excellence Commission adopted metrics to support the preparation, access, completion and economic success (PACE) of all of Utah's students. For UCAT, this means that each campus, and the UCAT system, will focus on tripling the number of board-approved post-secondary certificates awarded each year.

Governor Herbert has requested that UCAT and public and higher education adopt a resolution supporting the PACE metrics with a goal of requesting that the 2013 Utah Legislature also adopt that resolution early in the session. UCAT's FY 2014 budget request has been developed around a system plan to award 8,000 board approved post-secondary certificates in FY 2014. Adoption of this resolution is complementary to that request and will increase the potential of receiving new funding to support campus and system goals.

Motion that the Board of Trustee approve the draft resolution endorsing Governor Herbert's Vision 2020 Goal and the Governor's Education Excellence Commission's PACE metrics.

Motion: Dale Cox, Second: Ron Larsen; Voting: Unanimous

### **II.H FY 2014 Budget Requests**

UCAT and campus administration have identified financial needs to accommodate the continued growth and long-term success of UCAT. UCAT administration recommended that the Board of Trustees approve the budget request for presentation to the Governor's office and the Legislature.

Motion: Michael Jensen, Second: Don Roberts  
Voting: Approved, with Dave Buhler voting in opposition.

### **II.I Capital Facilities Presentations: DXATC, UBATC**

DXATC has acquired 30 acres at the site of the old St. George airport through a donation of 10 acres from the City of St. George and an appropriation of \$2,500,000 for the remaining 20 acres at a price greatly reduced by the City of St. George. DXATC's capital facilities request is for \$18,360,000 to build a new, permanent, 90,000 square foot main campus building on that property. Anticipated O&M is \$667,700.

UBATC is requesting \$7,800,000 to expand and remodel its Roosevelt campus building. It is anticipated that UBATC will be able to raise approximately \$1,200,000 in private funding to facilitate the project. This will allow UBATC to expand its Roosevelt operations especially in the oil and natural gas training programs. The project will add 42,000 square feet to the Roosevelt campus. Anticipated O&M is \$316,260

These represent a total one-time request of \$26,160,000 for facilities and an estimated ongoing O&M amount of \$983,960 based on a UCAT assigned rate of \$7.53 per square foot.

UCAT administration recommended approving the capital facilities requests with DXATC retaining the Trustees' "number 2" priority position and UBATC being added at "number 6."

Motion: Jim Olsen, Second: Mike McCandless; Voting: Unanimous

### **II.J Certification of FY 2012 Student Data**

Campuses have submitted data to the Office of the UCAT President from their student information systems for Fiscal Year 2012 in accordance with the UCAT Data Dictionary. Each campus president certified that the data submitted complies with the provisions of UCAT Policies 200 (Program/Course Approval and Reporting) and 201 (Membership Hour Policy), and is consistent with UCAT's core mission and all applicable statutes and policies. Each campus board of directors has approved its campus president's certification and authorized the submission of its data as final.

The Office of the UCAT President has reviewed, accepted, and approved the data submissions and certifications of all eight campuses. Summaries of the data showing membership hours and student headcount by campus for secondary and post secondary enrollment in comparison with previous years are attached. Total certificate completions for FY 2012 are also included. With Board of Trustees approval, the

enrollment and completion information will become the official data to be published in the 2012 UCAT Annual Report.

UCAT Administration recommended the Board of Trustees approve the FY 2012 data, as summarized in the reports.

Motion: Mike McCandless, Second: Kendall Willardson; Voting: Unanimous

***(Note – the reports attached to this item were old versions – Board approved correct versions in 10/25/2012 special meeting)***

### **II.K Potential Approval of UCAP Charter High School at DATC**

Utah Code 53A-1a-521 allows for the authorization of a charter school by a board of trustees of a higher education institution. As the statute addresses the Utah College of Applied Technology, a campus board of directors may enter into an agreement to establish and operate a charter school with the approval of the UCAT Board of Trustees.

In January 2012, the Board approved UCAT Policy 103, Authorization of Charter Schools by UCAT Campuses, indicating that a campus board of directors may approve a charter school application according to Policy 103 and then must request approval from the UCAT Board of Trustees to establish and operate that charter school. The policy further directs that after properly receiving a charter school authorization request from a campus board of directors the Board of Trustees may approve the request; recommend changes in the proposed charter school; or deny the request. If the changes recommended by the UCAT Board of Trustees are accepted by the campus board of directors, the request to establish and operate the charter school shall be resubmitted to the UCAT Board of Trustees.

Since the Board adopted Policy 103 in January, several approaches have been made to some UCAT campuses by prospective charter schools. On September 27, 2012, the Davis Applied Technology College Board of Directors approved an application for the Utah Career Path (UCAP) Charter High School to authorize a charter school at the DATC-Kaysville campus to operate as early as August 2013. The DATC Board of Directors is now requesting approval of the Board of Trustees to proceed.

The proposed Service Provider Fee is \$250/student during year one, \$500/student during year two, \$1,000/students during year three, \$1,500/student during year four and \$1,750/students during year five.

It was recommended that DATC President Michael Bouwhuis, UCAT Trustee/DATC Board Chair Michael Jensen and other DATC representatives discuss the approval of the UCAP Charter High School application by the DATC Board of Directors with the Board of Trustees and answer questions regarding the proposed authorization.

After a few hours of discussion between board members, DATC representatives and the Charter applicants it was decided to hold a special meeting on October 25, 2012. UCAT Board of Trustee's members felt they needed more time to go over the information at hand.

Motion to approve Charter School application: Michael Jensen, Second: Kendall Willardson

Substitute Motion to take under advisement and bring to the next Board meeting: Jim Olsen,  
Second: Ron Larsen;

In Favor: Ron Larsen, Don Roberts, Mark Dennis, Jim Olsen, Dale Cox, Brad Tanner, Michael Madsen and Arthur Newell

Opposed: Michael Jensen, Kendall Willardson

Absent for Vote: Stanley Parrish, Dave Buhler, Mike McCandless

### **II.L New Policy Proposal – 104 (Evaluation of Campus Presidents)**

Utah Code 53B-2a-107(d) states “A campus president is subject to regular review and evaluation administered by the Utah College of Applied Technology president, in cooperation with the campus board of directors, through a process approved by the board of trustees.” This proposed policy conforms to that section of the law and will provide for a systematic process of evaluation of campus presidents. The following schedule of evaluations is proposed:

**2012-2013 School Year**

Kelle Stephens, DXATC  
Dana Miller, SWATC  
New President, UBATC

**2013-2014 School Year**

Clay Christensen, MATC  
Collette Mercier, OWATC  
Scott Snelson, TATC

**2014-2015 School Year**

Richard Maughan, BATC  
Mike Bouwhuis, DATC

Specific dates for each campus president’s evaluation will be coordinated with the campus president and the campus board of directors.

UCAT Administration recommended that the Board of Trustees approve Policy 104 “Evaluation of Campus Presidents”, and the proposed schedule of evaluations, with amendments as noted in 104.5.2.

Michael Jensen suggested to changing the word “may” to “shall” in 5.2. Ron Larsen also suggested having “Campus Chair or Vice Chair” added to the end of 5.2.

5.2 The UCAT President shall seek input from members of the Campus Board of Directors, Campus Chair or Vice Chair.

Motion to approve Policy 104 “Evaluation of Campus Presidents” with amendments as noted in 104.5.2, and approve the proposed schedule of evaluations: Ron Larsen, Second: Michael Jensen; Voting: Unanimous

**II.M Policy Revision – 102 (Delegations of Authority) and 204 (Tuition and Fees)**

Policy 102 (Delegations of Authority) – Some questions have been raised concerning campus authority to offer instruction outside the assigned geographic area. Utah Code has some specific statements concerning this issue. However, these requirements have not been incorporated into UCAT Policy. This proposed policy revision includes the legal requirements and clarifies the process a campus must follow prior to offering any instruction outside the assigned geographic area.

Trustees recommended the following revisions to the proposed draft:

**9.4** *A UCAT campus may not offer non-credit career and technical education or non-credit basic instruction outside the geographic area served by the UCAT campus. Exceptions may be made with the written approval of the UCAT President, if a campus complies with the following provisions:*

**9.4.1** *A cooperative agreement between the campus and an affected institution has been established; or*

Policy 204 (Tuition and Fees) –The issue of “out of state tuition”, in the past, was covered in Board of

Regents Policy which exempted all UCAT and USHE institutions from determining residency classification for students enrolled in short term, non-credit programs. All UCAT programs were exempted under the Board of Regents Policy because they are considered short term and are non-credit. In order to establish UCAT policy on this issue previously covered under Board of Regents' policy, we have incorporated this precedent into Policy 204.

Trustees recommended the following amendment to the proposed draft:

**6.5 Residency Classification:** *Because UCAT career and technical education and basic instruction classes are short term and non-credit, campuses are not required to determine students' state residency classification.*

UCAT Administration recommended that The Board of Trustees approve the proposed revisions of Policy 102 and Policy 204, with amendments as noted in 102.9.4 and 204.6.5.

Motion to approve the proposed revisions, of policy 102 and Policy 204, with amendments as noted in 102.9.4 and 102.9.4.1, and 204.6.5: Jim Olsen, Second: Kendall Willardson; Voting: Unanimous

#### **II.N 2012 UCAT Annual Report**

The UCAT Annual Report highlights the success of UCAT each year and provides the governor, legislature, stakeholders, and the general public with ongoing information regarding UCAT activities.

The UCAT Board of Trustees is required by law {53B-2a-104(2)(i)} to "prepare and submit an annual report detailing its progress and recommendations on career and technical education issues to the governor and to the Legislature's Education Interim Committee by October 31 of each year".

A draft of the 2012 Annual Report was provided to the Trustees for final review. After Board approval in the meeting, the report will be completed, published and submitted to the governor and to the Legislature's Education Interim Committee. The report will be formally reviewed during the Education Interim Committee meeting on Wednesday, 14 November, 9:00 a.m. to 12:00 p.m., at the State Capitol.

UCAT Administration recommended that the Board of Trustees authorize the UCAT President to proceed with the 2012 UCAT Annual Report as presented.

Motion: Brad Tanner, Second: Mark Dennis; Voting Unanimous

#### **II.O Board of Trustees Calendar**

Proposed UCAT Board of Trustees meeting dates for 2013 are as follows:

Thursday, January 10, 2013  
Thursday, April 25, 2013  
Thursday, June 13, 2013  
Thursday, September 26, 2013

The Board also recommended adding a conference call for a special meeting on Thursday, October 25, 2012 to discuss the proposed UCAP Charter School at DATC.

Motion to approve the meeting calendar for 2013 with the addition of a special meeting on Thursday, October 25, 2012.

Motion: Michael Jensen, Second: Arthur Newell; Voting: Approved

In Favor: Michael Jensen, Arthur Newell, Kendall Willardson, Dale Cox, Brad Tanner, David Crandall  
Opposed: Michael Madsen, Ron Larsen, Don Roberts, Mark Dennis, Jim Olsen  
Absent for Vote: Stanley Parrish, Dave Buhler, Mike McCandless

***III. INFORMATION ITEMS***

President Brems suggested that if anyone would like to find out more information on items III.P Legislative Audit Progress, III.Q Program Changes Approved, and III.R Office of the UCAT President Budget Report they may call President Brems, VP Haines, or VP Brinkerhoff. President Brems also suggested having the Board make a motion to move information item III.S (Tuition Rate Background) and III.T (Campus Open Entry/Open Exit Programs) to the January 10, 2013 meeting.

Motion: Mark Dennis, Second: Kendall Willardson; Voting: Unanimous

**Adjourn**

Motion to Adjourn: Kendall Willardson, Second: Dale Cox  
Meeting adjourned at 3:59 p.m.