

BOARD OF TRUSTEES*

MARCH 23, 2016 BOARD OF TRUSTEES SPECIAL MEETING

UTAH COLLEGE OF APPLIED TECHNOLOGY

SPECIAL BOARD OF TRUSTEES MEETING AGENDA

March 23, 2016 – 9:00 a.m. to 10:30 a.m.

Utah College of Applied Technology

2801 Ashton Blvd

Lehi, UT 84043

I. Introduction

A. Call to Order & Approval of Agenda – Chair Bingham

II. Action Items

B. Impact of Senate Bill 131 – UCAT Governance Amendments – Chair Bingham

[Agenda Item B \(assets/docs/FINAL-AGENDA-ITEM-B.pdf\)](#)

C. Continuation of Search Process and/or Appointment of New UCAT President/Commissioner – Chair Bingham

[Agenda Item C \(assets/docs/FINAL-AGENDA-ITEM-C.pdf\)](#)

III. Information Item

D. Appointment of Nominating Committee for Board Officers – Chair Bingham

[Agenda Item D \(assets/docs/Agenda-Item-D-Appointment-of-Nominating-Committee.pdf\)](#)

IV. Closed Session

Board may elect to go into closed session, which will not be open to the public, pursuant to Utah Code Section 52-4-204-206.

V. Adjourn

Public Notice of Electronic Meeting Access (UCA 52-4-207(3)): This meeting will be provided with electronic meeting access via conference/speaker telephone for Board of Trustee members only by prior arrangement with the board secretary. The Utah College of Applied Technology shall be the anchor location for public attendance.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

23 March 2016

ITEM: III.D

TOPIC: Appointment of Nominating Committee for Board Officers

BACKGROUND

Senate Bill 131 provides that on May 10, 2016, the governor shall appoint a replacement for any member of the UCAT Board of Trustees who has served two or more consecutive full terms. The current Board Chair (Tom Bingham) and First Vice-Chair (Michael Madsen) have served two or more consecutive full terms, requiring them to vacate the Board and their positions as Board officers on May 10, 2016.

The process for electing Board officers provided by UCAT Bylaws (Policy 101.9) calls for the Board Chair to appoint a nominating committee, which will then contact each current voting member and determine those who are interested in having their name considered. The committee is then to nominate at least one candidate for each of the positions of chair, first vice-chair, and second vice-chair, to be considered by the full Board in open meeting along with any other nominations by trustees.

Accordingly, Chair Bingham will appoint a nominating committee that will contact all voting members and prepare nominations for the April 6, 2016, Board meeting. The Board will then consider action during the April 6th meeting to elect Board officers for the regular two-year 2016-2018 term and for the remainder of the current officers' term.

A chart showing the terms of office for all current Board members is included under the attachments for Agenda Item B, for reference in determining availability for the 2016-2018 Board officers' term.

RECOMMENDATION:

Information/discussion only



UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

23 March 2016

ITEM: II.B

TOPIC: Impact of Senate Bill 131 – UCAT Governance Amendments

BACKGROUND

During the 2016 General Legislative Session, the Utah Legislature passed Senate Bill 131, "Utah College of Applied Technology Governance Amendments". The bill, which will become effective May 10, 2016, provides for adjustments to the title and duties of the UCAT president, the naming of UCAT campuses, the appointment of UCAT Board of Trustees members and officers, and the titles and selection of UCAT campus presidents.

A summary of the bill's provisions is attached to assist the Board in awareness and discussion of its impact. A chart showing the appointments and terms of office for current Board members is also included to assist in discussion of impacts on Board member terms of office.

RECOMMENDATION:

Information, discussion, and possible action as determined by the Board.

Attachments:

SB 131 Summary of Provisions
UCAT Board of Trustees Terms of Office



SENATE BILL 131 (2016 GENERAL SESSION)
UTAH COLLEGE OF APPLIED TECHNOLOGY
GOVERNANCE AMENDMENTS

SUMMARY OF PROVISIONS

March 15, 2016

1. UCAT Commissioner of Technical Education:

- a. UCAT president is redesignated “Utah College of Applied Technology commissioner of technical education” (53B-2a-101(3) and throughout statute).
- b. Detailed duties are removed from statute (formerly 53B-2a-102(2)), and are assigned to the Board to be prescribed (53B-2a-102(2)(b) and (3)).
- c. Appointment of interim/acting commissioner during leave of absence requires Senate consent (53B-2a-102(1)(d)).

2. Applied Technology Colleges (53B-2a-101(1) and throughout statute): UCAT “campus” is redesignated “applied technology college”, including board of directors and president.

3. UCAT Board of Trustees Membership (53B-2a-103(3) and (4)):

- a. All 15 voting members will be appointed by the governor with Senate consent.
- b. Members serve four-year terms (no change), but are now limited to two consecutive terms.
- c. Current voting members will serve until their current terms expire (2017 or 2019). Members who have already served two or more full consecutive terms by May 10, 2016, will be replaced on that date.
- d. For members representing **the eight ATCs**, the governor will select from at least two nominees presented by the ATC board of directors. (An earlier version of the bill restricted a trustee from serving simultaneously on an ATC board: this provision was removed from the final bill.)
- e. For **the other seven** voting members, the governor will appoint a representative of each of the following sectors: information technology, manufacturing, life sciences, health care, transportation, union trade/apprenticeship, non-union trade/apprenticeship. At least four of the seven must be from ATC regions, with no more than two from any ATC region.
- f. The **Board of Regents** chair will continue to appoint a Regent as a non-voting member, who is not subject to the two-term limit.
- g. The current **Board of Education** member will remain on the board until June 30, 2019.
- h. By July 1, 2019, the Board will be fully transitioned to the new structure.

4. UCAT Board of Trustees Officers (53B-2a-103(8)(b)): The board chair and vice chair are limited to two consecutive two-year terms.

5. Applied Technology College Presidents (53B-2a-107(1)): Appointment, evaluation, retention, and compensation of ATC presidents is changed from the UCAT president to the UCAT board of trustees, in cooperation with the ATC board of directors. The board of trustees is to establish a policy for appointing a president using a search process with certain statutory parameters.

UCAT Board of Trustees Tenure

Constituency	Name	Appointment	# <u>Full</u> Terms Served to date*	Term Expiration
BATC	Michael Madsen	November 7, 2001	3.75	May 10, 2016
DATC	Mike Jensen	April 18, 2012	0.75	June 30, 2017
DXATC	Stephen Wade	June 12, 2014	0.25	June 30, 2019
MATC	Jim Evans	April 3, 2008	1.25	June 30, 2019
OWATC	Steve Moore	September 22, 2011	0.75	June 30, 2017
SWATC	Jerry Taylor	September 17, 2015	0.00	June 30, 2019
TATC	Thomas Bingham	November 7, 2001	3.75	May 10, 2016
UBATC	Mike Angus	January 15, 2015	0.25	June 30, 2019
SLCC	Tim Miller	April 6, 2016	0.00	June 30, 2017
Snow College	Brian Florang	January 15, 2015	0.25	June 30, 2019
USU - Eastern			0.00	June 30, 2019
GOED	Val Hale	September 18, 2014	0.00	June 30, 2017
Governor's Appt.	Jim Olsen	November 30, 2009	0.75	June 30, 2017
Union Apprent.	Dale Cox	June 15, 2010	1.25	June 30, 2019
Non-union Apprent.	Brad Tanner	June 15, 2010	0.75	June 30, 2017
Board of Regents	Jesselie Anderson	April 10, 2014	0.25	June 30, 2019
School Board	Barbara Corry	March 26, 2015	0.00	June 30, 2017

* Trustee appointments to fill partial terms are not included herein. For trustees who began a full term, their tenure is rounded to the nearest full calendar year. Trustees with greater than one full term served will not be eligible for reappointment at the expiration of their current term.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

23 March 2016

ITEM: II.C

TOPIC: Continuation of Search Process and/or Appointment of New UCAT President/Commissioner

BACKGROUND

The Board voted in its December 18, 2016, meeting to delay any further action in the selection of a UCAT president until after the 2016 General Legislative Session, which ended on March 10, 2016. Senate Bill 131 calls for the UCAT president position to be renamed "commissioner of technical education" on May 10, 2016.

A discussion will be held prior to the Board taking action to either:

- (a) determine a process to initiate a new search for a UCAT President (if selected prior to May 10, 2016), and/or a UCAT Commissioner of Technical Education (selected or continuing on or after May 10, 2016); or,
- (b) determine a process to consider finalists from the previous UCAT president search for the appointment of a UCAT President (if selected prior to May 10, 2016), and/or a UCAT Commissioner of Technical Education (selected or continuing on or after May 10, 2016).

A proposed "UCAT Commissioner Selection Process" is attached for the Board's consideration if it is determined to initiate a new search. A proposed "UCAT Commissioner Search" announcement is also attached for consideration.

RECOMMENDATIONS

It is recommended that the Board determine and approve a process either to initiate a new UCAT President/Commissioner search or to consider finalists from the previous search, including approval of a commissioner search announcement.

Attachments:

Proposed UCAT Commissioner Selection Process
Proposed UCAT Commissioner Search Announcement



**UTAH COLLEGE OF APPLIED TECHNOLOGY
UCAT BOARD OF TRUSTEES**

UCAT COMMISSIONER SELECTION PROCESS

Draft 17 March 2016

Step One: Formal Board Approval of Process

- 3/10/2016(Th): Last day of Legislative Session: adjust previous UCAT President position description and selection process for provisions stipulated by SB-131.
- 3/11/2016(F): President Brems' last day.
- 3/16/2016(W): Email 3/23/2016 agenda & proposed process to Board of Trustees.
- 3/23/2016(W): Board of Trustees special meeting to review/approve process for UCAT Commissioner selection.

Step Two: Recruitment of Candidates (if the Board elects to start a new process)

- 3/28/2016(M): Post UCAT Commissioner position announcement:
- (1) UCAT website and campus websites.
 - (2) Statewide, nationwide and limited international sites: KSL.com, higheredjobs.com, other channels reaching CTE executives.
- 4/6/2016(W): (following Board meeting) Commissioner Search Committee convenes to develop and commence an active recruitment process. Committee will seek nominations from identified stakeholders and networks. Nominees will be contacted by the committee by 4/22/2016 and invited to apply via the regular application process which follows. Applications will not be limited to those nominated to the committee, but will be open to all applicants.
- 5/6/2016(F): Position closes for applications at 5:00 p.m. MDT.

Step Three: Pre-Screening of Applications

- 5/6/2016(F): The UCAT Commissioner Search Committee will receive confidential PDF files containing each application received from nominees and from independent applicants that met the basic requirements of the process. They will be provided criteria for scoring the applications.
- 5/11/2016(W): Commissioner Search Committee members confidentially submit scores to the UCAT office.
- 5/12/2016(Th): The UCAT Commissioner Search Committee will meet to review cumulative scores and identify a group of approximately ten candidates to be interviewed.

Step Four: Selection of Finalists

- 5/13/2016(F): The UCAT Board of Trustees, the UCAT President's Cabinet, and the UCAT staff will receive confidential PDF files containing the applications of the approximate ten candidates to be interviewed.
- 5/19/2016(Th): The Board of Trustees will meet in closed session to confidentially interview the candidates, and the UCAT President's Cabinet and UCAT staff will meet to also confidentially interview the candidates. The Board and the President's Cabinet/Staff will each utilize a standardized question and answer form with metrics developed for each group. After receiving input from the President's Cabinet/Staff, and after discussion of the candidates' character and professional competence, the Board will move to open session to select approximately three finalists to move forward in the process. Within a short period of time, Governor Herbert will be consulted and the names of the finalists will be made public, according to state law. In the public announcement, members of the public will be invited to provide input on the three finalists via a specified email address. The public comments will be compiled for Board review.



Step Five: Board of Trustees Appointment of Commissioner

5/26/2016(Th): The UCAT Board of Trustees will review public input and will re-interview finalists in closed session. After discussion of the finalists' character and professional competence, the Board will move to open session to identify a new, potential UCAT commissioner. The potential selection will be communicated to Governor Herbert seeking his approval. Communication will also be made with Senate President Niederhauser for his input.

Step Six: Announcement of Appointment

5/26/2016(Th): A public announcement of the new UCAT commissioner will be made by the UCAT Board of Trustees in an official meeting of the Trustees and in conjunction with Governor Herbert. Announcement would indicate the appointment is pending consent of the Utah State Senate.

Step Seven: Senate Consent

5/31/2016(T): Governor Herbert documents formal approval of the appointment and files for Senate consent.
6/15/2016(W): (date to be confirmed) Senate considers consent for the new UCAT commissioner appointment at June interim meeting.

Step Eight: New UCAT Commissioner Begins Service

7/1/2016(F): New UCAT Commissioner begins service.

UCAT Commissioner Search Committee (possible members to consider):

New UCAT Board Chair

At least one vice chair

At least one other trustee (not more than four from executive committee, not more than seven total to avoid quorum issues)

An ATC president

A UCAT VP

An ATC board member

Others?





Utah College of Applied Technology
COMMISSIONER SEARCH

The Utah College of Applied Technology (UCAT) Board of Trustees is seeking applications for the position of Commissioner of Technical Education.

The Utah College of Applied Technology is the parent organization for Utah's eight regional applied technology colleges (ATCs.) The UCAT system currently has an annual appropriated budget of \$70,000,000 and was established by the State of Utah in 2001 to provide industry-driven training and technical education with a primary mission of serving Utah's employers.

The UCAT Commissioner of Technical Education serves as the chief executive officer to the UCAT Board of Trustees in carrying out its statutory assignment for the control, management, and supervision of the applied technology colleges. Under the direction of the Board of Trustees, the Commissioner oversees the general operation of the ATCs with the assistance of three associate commissioners, three directors, a software engineering department and an executive assistant, working with the college president of each of the eight ATCs and their staff in consultation with a local college board of directors.

In fiscal year 2015, the UCAT system logged 5.8 million instructional membership hours to 35,756 part-time, full-time, adult and secondary students. UCAT campuses offer nearly 400 accredited occupational certificate programs and many other skills training courses. In addition, UCAT provides customized training through the Custom Fit program to over 1,300 Utah companies and 14,000 trainees per year.

UCAT COMMISSIONER PROFILE

The UCAT Commissioner of Technical Education is the executive officer to the UCAT Board of Trustees, and the chief administrative officer to the Utah College of Applied Technology. He/she is appointed by the UCAT Board of Trustees, upon approval from the Utah State Governor and with consent of the Senate. The UCAT commissioner serves at the discretion of the Utah College of Applied Technology Board of Trustees and the Governor. The commissioner is responsible to the Board of Trustees to ensure that the policies and programs of the Board of Trustees are properly executed, furnish information and recommendations to the Board, provide state-level leadership in activities affecting applied technology colleges, and perform other duties as assigned by the Board in carrying out the Board's duties and responsibilities. The UCAT commissioner administers the day-to-day operations of the UCAT system and is an innovative leader committed to meeting the technical education needs of employers and school districts throughout the state, strengthening business and industry competitiveness, and supporting economic development.

Required Qualifications:

- Extensive experience in career and technical education.
- Proven record of administrative and executive leadership experience at a senior management level.
- Demonstrated ability to build relationships with, be accountable to, and collaborate with the Legislature, Governor, UCAT Board of Trustees, government and education boards and officials, and business/industry and community leaders. Ability to lead, oversee, direct, build collaboration and consensus, and inspire ATC presidents, ATC faculty and staff, and ATC boards of directors.

- Successful experience in budgeting, long-range planning, and managing fiscal resources.
- An understanding and commitment to the mission of an established system of applied technology colleges.
- Strong communication, interpersonal and negotiation skills.
- Appropriate and relevant educational background

Primary Responsibilities:

- Directs the Utah College of Applied Technology under the direction of the Board of Trustees and coordinates the activities of each of its colleges.
- In consultation with the board of trustees, ATC presidents, and ATC boards of directors, prepares a comprehensive strategic plan for delivering career and technical education through the applied technology colleges. Ensures that UCAT maintains and further elevates its position as the leader in career and technical education. Oversees the planning efforts of the ATCs to respond to employer needs with state-of-the-art instruction that will allow businesses and industries to remain competitive leaders in their fields.
- Establishes and maintains positive relationships and accountability with the Legislature, Governor, the UCAT Board of Trustees, government and education boards and officials, and business/industry and community leaders.
- Oversees development of system budgets and legislative budget requests. Is accountable for budgets, operations, capital facilities, and other fiscal responsibilities through reports and requests for approval to the UCAT Board of Trustees, the Governor's Office, the Utah Legislature, and auditors.
- Fosters close relationships with state economic development leaders, business/industry organizations and employers, ensuring that campuses are meeting needs for cutting-edge training for current and future employees.
- Establishes benchmarks, provides oversight, evaluates program performance, and obtains independent audits to ensure that the ATCs follow their non-credit career and technical education mission. Establishes minimum standards for career and technical education programs of the ATCs. Develops and implements a system of common definitions, standards, and criteria for tracking and measuring the effectiveness of career and technical education.
- Maintains a central administration office for coordination, prioritization, support, and reporting of college functions dealing with budgets and audits; facilities, including capital, capital development, and leases; management information systems; master planning efforts of the ATCs and the UCAT system; strategic planning; articulation with institutions of higher education and public education; legislative, State System of Public Education, State System of Higher Education, and Board of Regents contact; general data collection; and programs, certificates, and curriculum.
- Develops and implements a plan to inform citizens about the availability, cost, and advantages of career and technical education.
- Ensures that secondary students in the public education system have access to career and technical education through the UCAT campuses, and that UCAT curricula meet the needs of school districts and charter schools.
- Assists the UCAT Board of Trustees in its appointing and supervising of each ATC president in accordance with UCA 53B-2a-107.

APPLICATION PROCESS:

To be considered, each applicant must submit the following:

- Cover Letter
- Current Resume
- Written description of how the candidate meets each of the required qualifications and primary responsibilities listed above, using specific examples.
- List the names and phone numbers of six references who can be contacted.
- Limit total application material to 10 pages or fewer.

Salary and benefits will be competitive. All applications will be treated confidentially. A background check will be required for finalists. Names of finalists will be made public.

To ensure full consideration, application materials should be submitted by **Friday, May 6, 2016, 5:00 p.m. (MDT)**.

For further information visit: www.ucat.edu

Please submit completed applications by e-mail to:

Kristin Smith, Executive Assistant to the UCAT Commissioner.

Utah College of Applied Technology

Email: ksmith@ucat.edu | Phone: (801) 341-6012 | Fax: (801) 341-6019

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