

**OGDEN-WEBER TECHNICAL COLLEGE
BOARD OF TRUSTEES MEETING**

August 27, 2020
Electronic Meeting Via Zoom
4:00 p.m.

MINUTES

MEMBERS PRESENT

Cameron Cook	Business/Industry
Kearston Cutrubus	WSU Board of Trustees
Kori Ann Edwards	Business/Industry
Mark Jenkins	Business/Industry
William Shafer	Business/Industry
Richard Taylor	Business/Industry
Matt Wardle, Chair	Business/Industry
Paul Widdison	Weber School Board
Joyce Wilson, Vice Chair	Ogden School Board

MEMBERS EXCUSED

Slade Opheikens	Business/Industry
Toni Ure	Business/Industry

EX-OFFICIO MEMBERS

James R. Taggart	Ogden-Weber Technical College
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GUESTS

Jessellie Anderson	Utah Board of Higher Education
Chad Burchell	Ogden-Weber Technical College
Tyler Call	Ogden-Weber Technical College
Sanchaita Datta	Utah Board of Higher Education
Geoffrey Landward	Utah System of Higher Education
Brynn Murdock	Ogden-Weber Technical College
Mark Overman	OTech Audit Committee Chair
Monica Schwenk	Ogden-Weber Technical College
David Woolstenhulme	Utah System of Higher Education
Tina Smith	Recording Secretary

The Board of Trustees of the Ogden-Weber Technical College held an electronic meeting as allowed under the Board of Directors By-laws on Thursday, August 27, 2020, at 4:00 p.m. The public was provided with a link to livestream the proceedings. Chair Matt Wardle conducted the meeting, and the agenda proceeded as follows:

Mr. Wardle read the following statement regarding the college's anchor location for meetings: *"Pursuant to Utah Code 52-4-207, part 4, the Ogden-Weber Technical College Board of Trustees has determined that conducting their August 27, 2020 meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The determination is based on the status of the COVID-19 pandemic and the current risk phase as identified by the Weber-Morgan Health Department and guidelines found in the Utah Leads Together plan. The August 27, 2020, meeting will be held electronically without an anchor location. The public can view the open portion of the board of trustees meeting via a link located on the Board of Trustees' web page (www.otech.edu/about-us/board-of-directors) under 'Board Meetings'."*

Ms. Anderson introduced herself as one of the new Utah Board of Higher Education members. She previously served on the Utah Board of Regents for seven years.

Mr. Wardle thanked the Culinary Arts students for preparing baskets of baked goods for board members. The students usually prepare food items for board meetings but haven't been able to do so because of the pandemic.

1. APPROVAL OF THE MINUTES OF THE MEETINGS HELD JUNE 25, 2020

A motion to approve the minutes of the meeting held June 25, 2020, was made by Kori Ann Edwards, seconded by Kearston Cutrube, and carried unanimously.

2. APPROVAL OF FY20 AUDIT

Mr. Overman reported the Audit Committee met with the auditors prior to the board meeting to review the audit report. The college received a clean opinion with a couple of recommendations for minor adjustments. The adjustments have been made.

A motion to approve the FY20 audit was made by Paul Widdison, seconded by Richard Taylor, and carried unanimously.

3. TRAINING: NEW ROLES AND RESPONSIBILITIES FOR UTAH BOARD OF HIGHER EDUCATION AND INSTITUTIONAL TRUSTEES

Commissioner Woolstenhulme reported the Utah Board of Higher Education approved the "Delegation of Responsibilities and Authority of USHE Governing and Administrative Officers" document (*page 12 of the college's board meeting booklet*) which outlines the statutory guidance, responsibilities, and authority of the boards of trustees and Utah Board of Higher Education (UBHE).

Mr. Landward, Utah System of Higher Education (USHE) legal counsel and deputy commissioner, provided training on the trustees' roles and responsibilities.

- Statutory Guidance: Guidance and support for the institution president.
 - *Responsibility: Appointment of a president.* Trustees chair serves as search committee co-chair. Trustees may conduct first phase of a search and submit finalists to the UBHE if authorized. The UBHE appoints the president. Process is similar to what has been used in the past.
 - *Responsibility: Evaluation of presidents.* The trustees chair and Resource and Review Team annually evaluate the president's performance and report findings and recommendations to the UBHE. After the first year of a new president's term, a comprehensive evaluation will be conducted by the Commissioner's Office. Will bring in outside consultants and work with a committee comprised of former trustees and UBHE members. Will interview employees, students, and community members. The UBHE will conduct a comprehensive evaluation every four years thereafter or as needed.
- Statutory Guidance: The institution's responsibility for contributing to progress toward achieving system-wide goals.
 - *Responsibility: Institutional master planning, strategic planning, and goals.* Trustees are responsible for working with the president to develop the institution's Strategic Plan and evaluating progress in meeting the plan goals. Strategies must help the system achieve statewide goals.
 - Trustees are responsible for working with the president to create a master plan and five-year capital plans.
- Statutory Guidance: Effective administration – in general, the UBHE will establish general parameters and reporting requirements and delegate day-to-day oversight to trustees and presidents.
 - *Trustees are responsible for approving institutional missions* that align with the institution's role as established in statute and by the UBHE.
 - *Trustees are responsible for approving institutional policies* for the effective administration of the institution.
 - *Trustees are responsible for recommending tuition and fee increases to the UBHE.* Must provide substantial documentation and justification when increasing tuition. The UBHE will determine whether the institution has done its due diligence and adopt increases if it has.
 - *Trustees are responsible for establishing budget and finance oversight,* including establishing and overseeing internal accounting and operating controls, monitoring use of discretionary funds, establishing institutional debt policy, and overseeing all auxiliary enterprises. The UBHE will only intervene if institutions are exceeding parameters.

- *Trustees may approve construction projects for new facilities less than \$500,000 and remodels/improvements of existing facilities less than \$3,500,000.*
- *Trustees are responsible for the institution's audit*, including establishing the audit committee, setting internal audit priorities, reviewing internal audits, and reporting audit findings at least annually to the BHE.

USHE has an internal audit office that is available to assist the institutions. USHE staff can conduct risk assessments/internal audits as needed as well as assist with budgetary and financial oversight and policy making. Members were encouraged to contact the USHE office before contracting for services.

- *Trustees (technical colleges) are responsible for approving programs* that meet UBHE criteria. Ensure programs contribute to a demonstrated workforce need.
- *Trustees are responsible for approving research and training grant funding.*
- *Trustees are responsible for community relations/advancement*, including facilitating communication between the institution and community; assisting in the planning, implementing, and executing of fund raising/development projects; and perpetuating and strengthening alumni and community identification with the institution's tradition and goals.
- *Trustees are responsible for approving recipients for honorary degrees or recognitions.*

Mr. Landward reviewed the role and authority of institutional presidents as delegated by statute.

- *The president is responsible for developing and implementing the institution's vision, mission, and goals* in conjunction with trustees. The trustees hold the president accountable.
- *The president is responsible to lead as a part of a larger alliance of institutions* whose presidents share a central mission to provide a world-class affordable education within the system of higher education. They support the system for the benefit of students.
- *The president is responsible for hiring and training faculty and staff.*
- *The president is responsible for developing and executing strategic planning, finance and budget, and student success.*

The USHE commissioner serves the same role as the presidents but at a statewide level.

President Taggart related that work on the merger began during the legislative session, and the legislature, presidents, and commissioner made a commitment to ensure it was

successful. When the technical colleges were under USHE prior to 2009, one of the stumbling blocks was approval of programs—clearly the role of the local boards. The merger is beneficial to the institutions because they will have access to more resources and data.

Mr. Wardle stated the “Delegation of Responsibilities and Authority” document provides clarification, and responsibilities are clearly noted. He asked if there are any items of special importance the trustees should be aware of. Commissioner Woolstenhulme related that most changes occurred at the degree-granting institutions. USHE will email a checklist of institutional actions, e.g., program approval.

Mr. Landward indicated the document and trustees’ duties are works in progress. As the trustees take on the duties as outlined, they may feel adjustments should be made. USHE staff can work with the trustees to revise the document as needed.

4. INTRODUCTION OF NEW DEVELOPMENT DIRECTOR: BRYNN MURDOCK

Ms. Schwenk introduced Brynn Murdock, development director. She has a Master’s of Business Administration and a Political Science and Professional Writing undergraduate degree. She was formerly employed as the policy and strategic communications specialist for the Utah House of Representatives. Her experience includes Policy and Special Projects for the Salt Lake Chamber, development for Utah State University’s Jon M. Huntsman School of Business, and experience with the Ogden School and Davis Education Foundations.

5. APPROVAL OF REVISIONS TO FY21 OPERATING BUDGET

The Legislature held a special session to address the state’s budget as a result of the recession. The college’s budget decreased 2.5 percent (\$438,000) which it covered by reducing Salaries, Benefits, General, and Travel budgets.

Ms. Edwards asked about the reductions in Salaries, e.g., not filling open positions. Mr. Call explained most of the reductions in Salaries and Benefits were realized when several employees took the early-out incentive. The college has not filled all vacancies but acted to fill mission-critical ones.

A motion to approve the revisions to the FY21 operating budget was made by Kori Ann Edwards, seconded by Mark Jenkins, and carried unanimously.

6. APPROVAL OF FY22 CAPITAL IMPROVEMENTS

The college is required to submit a list of prioritized capital improvement projects to the Division of Facilities and Construction Management (DFCM) each year. Past projects included Phase II of the steam infrastructure repair/replacement and Manufacturing Technology Building roof replacement.

The FY22 list was included in the board booklet (page 21) for review. Projects are based on DFCM’s audit of the college’s infrastructure. Anticipate the top two or three projects will be funded. However, they may not be approved in the order listed as DFCM sometimes funds projects lower on the list.

The college's top projects for FY22 include:

- Phase III – Steam infrastructure repairs/replacement. The college often has to phase projects in because there aren't enough funds for the full project.
- Phase II – Upgrade fire alarm systems.
- Phase II – Replace transformers on main campus.

Mr. Wardle asked about DFCM's involvement in the process. Mr. Call explained DFCM reviews the college's infrastructure annually and identified \$15 million worth of projects that need to be addressed.

Mr. Taylor asked if there is special consideration for subsequent phases or if functional compromises can be made. President Taggart stated DFCM will fund projects with life-safety issues first.

The projects are funded with state monies. The college does not cover the projects from its operating budget.

A motion to approve the FY22 capital improvement projects list was made by Paul Widdison, second by Richard Taylor, and carried unanimously.

Ms. Datta introduced herself as one of the new members of the Utah Board of Higher Education. She is the chief technology officer for Fatpipe.

7. APPROVAL OF 2021-2022 HOLIDAY SCHEDULE

The college is open year-round and has a 238-day school year. Employees are provided with 14 paid holidays. Employee training days are included in the schedule, and the college is closed to the public during those times.

A motion to approve the 2021-2022 holiday schedule was made by Kearston Cutrubus, seconded by Joyce Wilson, and carried unanimously.

8. APPROVAL OF POLICIES

Student Tuition, Fees, and Refunds: This is an existing policy that came up in the three-year review cycle. Tuition-related language was pulled from other policies and combined in this document. The Procedure section was updated to reflect current processes.

Admissions, Schedule Reactivation, and Withdrawal: This is an existing policy that is being revised due to changes being made to the Student Tuition, Fees, and Refunds policy. The Policy Team also moved withdrawal-related language from the Student Withdrawal policy to this document so all steps from enrollment to withdrawal are contained in one policy. Will sunset the Student Withdrawal policy once the Admissions policy is approved. The Procedure section was updated to reflect current processes.

Title IX Sexual Harassment, Sexual Violence, and Related Conduct Violations:

This is a new policy that is being implemented to comply with the U.S. Department of Education's Title IX Final Rule and addresses the process for handling allegations of sexual harassment and providing due process for alleged victims and alleged perpetrators.

Thanked Mr. Landward for helping develop the policy for the system. The document was based on a 2,000-page law which educational institutions had 100 days to implement. The policy had to be posted by August 14, 2020, and since the board does not meet in July, college administration approved the document pending board approval. The state is providing training on sexual harassment, due process, and investigations.

Mr. Wardle stated training is key. Ms. Schwenk said it would be helpful for the college to have a dedicated compliance officer to help with these situations. Fortunately, the college has had very few sexual harassment cases.

A motion to approve the Student Tuition, Fees, and Refunds policy, the Admissions, Schedule Reactivation, and Withdrawal policy, and the Title IX Sexual Harassment, Sexual Violence, and Related Conduct Violations policy was made by Richard Taylor, seconded by Kori Ann Edwards, and carried unanimously.

9. INFORMATION/DISCUSSION

Ms. Smith pointed out the 2021 board meeting schedule is included in the Information/Discussion section of the board booklet. She will send appointments to the board later in the year.

Members did not have any comments or questions about the Information/Discussion items.

10. PRESIDENT'S REPORT

President Taggart videotaped his President's Report and emailed it to the board yesterday. He highlighted a YouthBuild student who won a national AmeriCorps award for her efforts to help the homeless during the April closure; drive-through graduation is scheduled for October 8; and strong enrollments in June and July.

Referencing page 95 of the board booklet, Longevity Awards and "Presidential Award" Recipients, Mr. Taylor indicated the college has a large number of employees in the various longevity categories. He also pointed out President Taggart had been recognized for 25 years of service and congratulated him.

11. NEXT MEETING

The Board of Directors is scheduled to meet on Thursday, October 22, 2020, at 4:00 p.m., via Zoom.

Meeting adjourned at 5:38 p.m.