

**OGDEN-WEBER APPLIED TECHNOLOGY COLLEGE
BOARD OF DIRECTORS MEETING**

February 23, 2017
Harold W Ritchey Board Room
4:00 p.m.

MINUTES

MEMBERS PRESENT

Troy Bullard	Business/Industry
Steve Moore, Chair	Business/Industry
Jerry Ropelato	Business/Industry
Kevin Sullivan	WSU Institutional Council
Richard Taylor	Business/Industry
Matt Wardle	Business/Industry
Joyce Wilson, Vice Chair	Ogden School Board

MEMBERS EXCUSED

Frank Ruiz	Business/Industry
William Shafer	Business/Industry

EX-OFFICIO MEMBERS

Collette Mercier	Ogden-Weber Applied Technology College
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GUESTS

Chad Burchell	Ogden-Weber Applied Technology College
Tyler Call	Ogden-Weber Applied Technology College
Cherie Crezee	Ogden-Weber Applied Technology College
Monica Schwenk	Ogden-Weber Applied Technology College
Jim Taggart	Ogden-Weber Applied Technology College
 Tina Smith	 Recording Secretary

The Board of Directors of the Ogden-Weber Applied Technology College met on Thursday, February 23, 2017, at 4:00 p.m. in the C. Brent Wallis Student Services Building, Harold W Ritchey Board Room. The meeting was conducted by Steve Moore, chair. The agenda proceeded as follows:

Mr. Moore introduced the guests in the audience: Monica Schwenk, development director; and Cherie Crezee, nursing assistant instructor and Faculty Leadership representative.

Mr. Moore indicated that Frank Ruiz had asked to be excused from the meeting.

Ms. Wilson reviewed the food items prepared by the students in the Culinary Arts program.

Mr. Moore noted that President Mercier had submitted her letter of intent to retire from the college. President Mercier stated that exciting things are happening under the leadership of Commissioner Dave Woolstenhulme, including bringing the presidents together in the spirit of collaboration, and she felt it was an appropriate time to retire. She indicated that it has been an honor and privilege to serve the college.

1. APPROVAL OF THE MINUTES OF THE MEETING HELD JANUARY 26, 2017

A motion to approve the minutes of the meeting held January 26, 2017, was made by Troy Bullard, seconded by Kevin Sullivan, and carried unanimously.

2. APPROVAL OF POLICIES

Certificate Changes: Mr. Taggart explained that this is a new policy. The Utah College of Applied Technology (UCAT) and the Council on Occupational Education (COE) both have policies for creating new certificates. All new certificates or certificates that are increased/reduced by 25 percent must be approved by the local board. Per UCAT policy, any course changes that don't require board approval must be approved by the chief instructional officer (vice president for instructional services at the college). The college has made it a practice that all certificate changes must be endorsed by the employer advisory team. The college has an internal process for certificate changes but felt that it needed to be formalized as the college prepares for COE reaffirmation.

The Center for Teaching and Learning manages all certificates. The college works closely with instructors and employers to ensure that the training provided is responsive to employer needs and to ensure that the changes are necessary. The Procedure section in the policy lists the steps to be followed, and the policy includes a form for requesting changes. It was noted that the formalized process will not hamper the college's ability to respond to employers.

Employee-Owned Property: This is a current policy that came up in the Policy Team's three-year review rotation. Changes include revising the Policy statement to make it more concise and updating the Procedure section. Employees must clearly mark their larger personal items with their names and are responsible for any damage caused by their property. The college is recommending the discontinuation of the "Personal Property Disclaimer" form; not needed.

Job Posting: This is a current policy that is being revised to clarify the process for hiring internal candidates. The Policy statement was revised to clearly state that the college will publicly advertise job openings; however, management reserves the right to hire from within without posting. Several changes were made to the Procedure section, including adding language that states that a position does not need to be opened if non-significant changes are made to the position.

Mr. Taylor asked about the length of time a position will be listed. Internal job announcements shall be posted for a minimum of three working days (page 20 of the board book, section 2.2.4 of policy). Mr. Taggart indicated that, in general, most jobs are listed for a minimum of five days, with the announcement stating that they are open until filled. In the past, internal job openings were not posted. For purposes of transparency, the policy is being changed to state that job openings—including internal vacancies—shall be publicly posted. For internal jobs, the postings shall explicitly state that only internal candidates shall be considered for the positions.

Referencing page 19 of the board booklet, section 1.2.4, Mr. Moore noted that the language states that administration reserves the right to advance an individual without posting, yet section 2.1 states that the college shall publicly advertise job openings. He felt the sections were in conflict. Mr. Taggart indicated that if administration has identified a single internal candidate, it can move the employee into the position without it being posted. This is a rare occurrence, and it's usually an employee who is uniquely qualified for the job. If there are multiple qualified internal candidates, the position would be posted. It was noted that administration has significant discussions about these types of situations before making a decision to waive the posting.

A question was raised as to whether the employee would be promoted within the same department or to another department. Mr. Taggart explained that the college's practice has been to promote from within the same department. Mr. Moore suggested rewriting the sentence to read, "Administration reserves the right to advance an individual from within the same department where the position is open without posting notice." The college will make this change to the policy.

Leave of Absence Without Pay: This is a current policy that came up in the Policy Team's three-year review rotation. Changes include revising the Policy statement to make it more concise and adding military leave as an additional reason for requesting leave without pay. The Procedure section was revised to include language regarding paying for benefits while on leave.

Overtime: This is a current policy that is being revised to reflect changes in the overtime process. Changes include revising the Policy Statement to make it more concise, adding a definition, and updating procedures to reflect current practice. It was noted that overtime should be authorized prior to it being worked. Employees will still be paid if they work overtime without approval; however, they are subject to disciplinary action.

Mr. Moore noted that that "Overtime Approval Form" is being eliminated and asked how overtime approval is documented. Mr. Taggart explained that the college's payroll system is now paperless, so the form is no longer needed. Time cards are processed online, including overtime payments. After a brief discussion, it was suggested that

wording be added to the Procedure section, number 1, sentence 2, noting that the authorization to work overtime shall be noted in the payroll system. The college will make this change to the policy.

A motion to approve the Certificate Changes, Employee-Owned Property, Job Posting (with changes noted above), Leave of Absence Without Pay, and Overtime (with changes noted above) policies was made by Troy Bullard, seconded by Jerry Ropelato, and carried unanimously.

3. APPROVAL OF OGDEN CITY NORTH STREET PROPOSAL

At the November 2016 board meeting, Mr. Call presented Ogden City's proposal to purchase 1,310 square feet of college property on North Street for the purpose of installing a deceleration lane near Monroe Blvd. The price per square foot is standard, and the Division of Facilities Construction and Management (DFCM) felt it was reasonable.

At that time, Mr. Call had reported that the city was willing to install a sidewalk on the south side of North Street as part of its proposal. However, the city has since indicated that it will not install a sidewalk as it doesn't have the funds. The city felt that the turning lane would be beneficial to the college and was willing to install it. Otherwise, if the college requires a turning lane in the future, it would have to pay for the installation itself. As a result, the college supported having the city install the lane.

Mr. Call noted that the city indicated it would cost approximately \$56,000 to install sidewalks. The college acquired an independent bid, coming in at approximately \$36,000. However, installation of the sidewalk has been put on hold.

Mr. Call recommended accepting the city's offer to: 1) purchase 1,310 square feet (\$3.25 per unit) for a total of \$4,250 for installation of a deceleration lane; and 2) purchase an easement of 183 square feet (\$3.25 per unit) for a total of \$298 for installation of a traffic signal on North Street and Monroe Blvd. The city can install a traffic light without the easement but would prefer it for better placement of the light.

Mr. Wardle asked about the number of college students who would use the sidewalk. Mr. Call noted that a sidewalk would be used primarily by local junior high/high school students. They currently have to cross over to the north side of North Street to access a sidewalk. Mr. Wardle commented that the city should advocate for a sidewalk on the south side due to the student traffic, and President Mercier related that they feel the sidewalk on the north side of the street is sufficient. Ms. Wilson had suggested splitting the cost of the sidewalk, but the city declined.

Mr. Taggart stated that there is a lot of traffic turning left onto North Street. If the deceleration lane helps reduce traffic, it would be beneficial to install it.

A motion to accept Ogden City's proposal to purchase 1,310 square feet for a total of \$4,250 to install a deceleration lane and 183 square feet for a total of \$198 to install a traffic signal on North Street and Monroe Blvd., was made by Matt Wardle, seconded by Joyce Wilson, and carried unanimously.

4. APPROVAL OF UCAT BOARD REPRESENTATIVE

At the last board meeting, Mr. Moore had reported that there will be changes in UCAT statute (if passed) that impact membership on the UCAT Board. Ogden-Weber has been asked to submit the names of two individuals--only one will be selected to serve on the UCAT Board--to the Governor for consideration. It was recommended that Mr. Moore's and Mr. Wardle's names be submitted to the Governor.

Mr. Moore has been serving as Ogden-Weber's rep on the UCAT Board and would be willing to do so for another term. He noted that whoever the Governor selects will have to resign from Ogden-Weber's board since statute does not allow members to serve on both boards concurrently.

A motion to submit the names of Steve Moore and Matt Wardle to the Governor as potential UCAT board members was made by Troy Bullard, seconded by Kevin Sullivan, and carried unanimously.

President Mercier related that the college will send a letter to the Governor with the names in priority order (Mr. Moore first; Mr. Wardle second). She did not know how long the approval process would take. Once the Governor approves the nomination, the individual is confirmed by the Senate Confirmation Committee. The term of office is effective July 1, 2017.

Mr. Wardle asked if the statute specifically states that the Governor has to select an individual from each region. President Mercier explained that statute requires one representative to be provided by each technical college. In addition, the Governor will appoint two nominees from other at-large areas, e.g., manufacturing, IT, health, union and non-union apprenticeships. Nominations can be submitted by anyone across the state, e.g., boards, industry organizations. Members were asked to provide President Mercier with the names of individuals from other at-large regions for consideration.

5. LEGISLATIVE UPDATE

President Mercier reported on the following:

- Members were provided with a copy of the "Higher Education FY18 Funding Items" document (see Attachment A). The Higher Education Appropriations Committee (HEAC) prioritizes the funding and makes recommendations to the Executive Appropriations Committee (EAC).

As part of a budgeting exercise, the EAC asked all state agencies to provide information on how they would reallocate two percent of their budget within their own organizations to address their needs—in effect, a two percent budget decrease.

President Mercier reviewed the funding items:

- First priority is to restore the two percent EAC reduction - \$19,174,000.

- Compensation: 75% / 25% split - \$4,908,400. This is a requirement for higher education--75 percent of salary increases for faculty and staff comes from state funds and 25 percent comes from tuition increases. There was some discussion about whether this stipulation should apply to UCAT. With UCAT's low tuition, the tuition increase would have to be significant in order to generate enough revenue to cover the 25 percent. As a result, the HEAC indicated that the requirement only applies to the Utah System of Higher Education (USHE) and not UCAT. Compensation for higher ed will equal the increase provided to state employees.
- Student growth - \$3,985,400.
- Strategic Workforce Investment (primarily for UCAT) - \$2,000,000.
- USHE Market Demand - \$10,000,000.
- UCAT Market Demand Programs – \$4,000,000. The amount was originally \$2 million compared with the \$10 million recommended for USHE. Senator Howard Stephenson questioned the disparity between the two amounts since UCAT's mission is workforce development. As a result, the amount was increased to \$4 million.
- Regents' Scholarships - \$8,000,000.
- Performance Based Funding (SB117) – bill hasn't passed House and Senate.
- SWATC Workplace Foundations – \$165,000. Funding for training for individuals with severe disabilities. Have had great success with the program; recommended for ongoing funding.
- Police Officers' Scholarship Fund – \$200,000. Continuation of funding.
- Library Consortium – \$1,300,000. For traditional higher ed.
- Athletic Performance – \$3,000,000. For traditional higher ed.
- UCAT Campus Overhead – \$1,000,000. President Mercier indicated that the title is a misnomer—the funds will be used for student support that is not directly related to training, e.g., counseling, enrollment, financial aid.
- UCAT Equipment – \$1,500,000. Ongoing funding.
- UCAT Equipment - \$5,000,000. One-time funding.

The list developed by the HEAC will be submitted to the EAC. Mr. Wardle asked about the approval process, and President Mercier explained that the EAC will determine the amount of money available and allocate funds to each committee. The subcommittees then decide whether to go proportionately down the list or fund down to a certain level.

- Members were provided with information on facilities prioritization (see Attachment B). Referencing number 14, President Mercier noted that Uintah Basin's Welding Technology Building was included on the list at #4. The Infrastructure and General Government Appropriations Subcommittee (IGG) recommended funding to the #4 level.
- Members were provided with a copy of the "2017 Session Appropriations of Interest" list (see Attachment C). Outlines what was requested in the Davis and Ogden regions and what was recommended for funding. Will provide the board with a final version after the session ends.
- Members were provided with a document comparing SB0238S01 (Senator Ann Millner's bill) to SB0238 (see Attachment D). Changes the name of UCAT to the Utah System of Technical Colleges; makes the technical colleges bodies corporate; changes the title "applied technology college" to "technical college"; enables UCAT to operate as an administrative office rather than operating as a single entity; and removes non-voting members from USHE and UCAT boards.
- Members were provided with a copy of Senator Millner's "Higher Education Performance Funding" bill (see Attachment E). The bill was developed to provide additional funding for USHE and UCAT. Funding would be based off revenue generated by the state as a result of new programs developed by the institutions. Similar to the tourism model—if the state generates money through tourism, a portion of those funds are allocated back to the tourism office. Senator Millner's bill targets specific industries, and a portion of the increased revenues would be given to USHE and UCAT. The bill has passed out of the Senate and will go to the House Committee and then the full House. Will monitor.

6. INFORMATION/DISCUSSION

Financials: It was noted that the incorrect financials were included in the board booklet; will email the updated budget data to the board. The budget is on schedule, though tuition revenues are tracking behind due to decreases in adult enrollment. Have over \$7 million PTIF balance.

Mr. Bullard noted that accounts receivable are \$400,000 to the good. Mr. Call explained that the variance is due, in large part, to collection of the college Foundation's receivables. Not a concern; timing issue. Also due to the timing of when Perkins and Title IV monies are received from the government.

Outcome Report: Mr. Taggart noted that FY17 certificate counts are down, but the college had planned on the decrease because it discontinued short upgrade certificates. UCAT plans to have all tech colleges discontinue the short upgrade certificates, and the college took a proactive stance. Commissioner Woolstenhulme has been working with the HEAC, presidents, and vice president to ensure that consistent data is being generated. FY17 will be the baseline for certificates. Adult enrollments are flat, and the students are taking fewer hours since they are working. The other colleges are showing decreases as well. Mr. Burchell will be tracking the number of secondary students who convert to adults.

Mr. Sullivan asked if additional Composites faculty were included in the college's budget request. President Mercier stated that this was the college's number one budget priority.

Regional SkillsUSA Competition: Over 192 students from the Ogden and Weber School Districts, the college, and Weber State participated in the competition held on January 31. The college captured 57 medals, and the winners are eligible to compete in the Utah SkillsUSA Leadership and Skills Conference scheduled for March 23-24, 2017, at Salt Lake Community College.

7. UCAT BOARD REPORT

The UCAT Board has not held a formal meeting since the Ogden-Weber board met in January. Scheduled to meet on March 23.

8. PRESIDENT'S REPORT

Mr. Taggart presented highlights/photos of the following activities:

- Elementary, junior high, and high school students involved in the aerospace pathway in the Ogden School District participated in "Aerospace Day" at the Legislature. The Lt. Governor specifically highlighted the Northern Utah Aerospace Pathway (NUAP) between the college and the district at the event. Previous pathways have been established between Granite School District/Salt Lake Community College and Davis School District/Davis Tech College, but the NUAP is unique in that a majority of a Composites program is located in a high school, and the students can complete almost two-thirds of a certificate there.
- Presented pictures of SkillsUSA Competition student projects. Cameron Anderson, Ben Lomond High school student, won the Welding sculpture contest and was also recognized as a "Foundation Outstanding Student." He attends high school, works 40 hours per week through work release, and attends classes at the college at night. He has completed Production Welding, has almost completed Metal Fabrication, and will complete Advanced Welding by the time he graduates.
- Had 450 students on campus last week. Half participated in a health event and half participated in a program showcase for other programs.
- The college is the educational partner for the Sheet Metal Union program. The students built a tin man to showcase their various skills; housed in the Manufacturing Tech Building.
- Board members were provided with a drink coaster and a credit card multi-tool (includes college logo). Faculty members are required to meet with employers twice a month—one visit is with an employer they know, and one visit is with an employer they don't know—and they provide the employers with these promo items as a way to build partnerships. Helps programs remain employer-driven.

- President Mercier pointed out the upcoming activities listed on the board agenda. Scotty Nowlin has been selected to be recognized as an honorary member of the National Technical Honor Society. His presentation to the Building Board and the Infrastructure and General Government Appropriations Subcommittee regarding the composites training needs of Hill AFB was instrumental in helping the college obtain funding for the BDO remodeling project.

9. EXECUTIVE SESSION

Mr. Moore indicated that several board members' terms will expire in June and a closed meeting is needed to discuss potential members.

A motion to move to a closed session to discuss the character, professional competence, or physical or mental health of an individual(s) was made by Kevin Sullivan, and seconded by Troy.

Each board member present was polled individually to vote on the motion:

Troy Bullard: Yes
Steve Moore: Yes
Jerry Ropelato: Yes
Kevin Sullivan: Yes
Richard Taylor: Yes
Matt Wardle: Yes
Joyce Wilson: Yes

The board moved to closed session at 5:40 p.m. and returned to regular session at 6:12 p.m.

A motion to have Board Leadership and President Mercier prioritize the list of potential board members was made by Matt Wardle, seconded by Kevin Sullivan, and carried unanimously.

10. NEXT MEETING

The Board of Directors is scheduled to meet on Thursday, March 23, 2017, at 4:00 p.m. in the C. Brent Wallis Student Services Building, Harold W Ritchey Board Room.

Meeting adjourned at 6:14 p.m.

ATTACHMENT A

Higher Education FY 2018 Funding Items

	<u>One-time</u>	<u>Ongoing</u>	<u>Cumm. Total</u>
1 Restoration of 2% Subcommittee reduction		19,174,000	19,174,000
2 75%/25%, 100% Compensation Exception 1% and 8% General Compensation = State Employees		4,908,400	24,082,400
3 Student Growth		3,985,400	28,067,800
4 Strategic Workforce Investment		2,000,000	30,067,800
5 USHE Market Demand Programs		10,000,000	40,067,800
6 UCAT Market Demand Programs		4,000,000	44,067,800
7 Regents' Scholarship		8,000,000	52,067,800
8 Performance Based Funding (SB 117)			52,067,800
9 SWATC Workplace Foundations		165,000	52,232,800
10 Police Officers' Scholarship Fund		200,000	52,432,800
11 Library Consortium		1,300,000	53,732,800
12 Athletic Performance		3,000,000	56,732,800
13 UCAT Campus Overhead		1,000,000	57,732,800
14 Huntsman Cancer Institute - Replace Tobacco Funding		2,000,000	59,732,800
15 UCAT Equipment		1,500,000	61,232,800
16 Huntsman Cancer Institute		1,120,000	62,352,800
17 Utah Campus Compact		30,000	62,382,800
18 Nursing Consortium		2,625,000	65,007,800
1 Family Medicine Residency Expansion	1,500,000		1,500,000
2 Neighbors Helping Neighbors	21,500		1,521,500
3 Nursing Consortium	750,000		2,271,500
4 UCAT Equipment	5,000,000		7,271,500
	7,271,500	65,007,800	

ATTACHMENT B

13. Approved the FY 2018 General Fund ongoing appropriations prioritizations as shown below.

Priority	Description	Amount
1	DPCM Capital Improvements FY 2018 CRV 1.1% Increase	1,244,500
2	DAS – State Building Energy Efficiency Program Funding	460,000
3	DAS – Internal Audit Functions for Small Agencies	200,000
4	CNG/Alternative Fuel Depot District	2,500,000

14. Approved the FY 2018 Education Fund one-time appropriations prioritizations as shown below.

Priority	Description	Amount
1	WSU – Social Science Building Renovation	29,940,000
2	DSU – Human Performance Center	12,500,000
3	UU – The Medical Education & Discovery (MED) / Rehabilitation Hospital (MED Complex)	10,000,000
4	UBATC – Welding Technology Building	4,475,100
5	USDB – USDB Springville School	10,500,000
6	Snow College – Snow College Land Banking	555,000

- 14.a. In connection with the FY 2018 Education Fund one-time appropriations prioritization list above, authorized the chairs of the Infrastructure and General Government (IGG) Appropriations Subcommittee to address a memorandum to the chairs of the Executive Appropriations Committee (EAC) outlining the following funding options for higher education, public education, and other state buildings. This is the order that the subcommittee recommends funding for this year. 1) Appropriate from Education Fund one-time and General Fund one-time; 2) do not authorize any new buildings this year; 3) use ongoing General Fund and Education Fund revenues; 4) issue General Obligation bonds (the IGG Subcommittee does not recommend bonding, but is only providing options for EAC to consider).
- 14.b. In connection with priority #3 above, approved the intent language below.
 - The legislature intends that the \$20,000,000 ongoing Education Fund appropriation to capital development be committed in Fiscal Year 2019 and Fiscal Year 2020 to the University of Utah Project titled Medical Education and Discovery.

15. Approved to recommend that the Legislature fund agencies for all impacts associated with rates that will be charged by internal service funds in FY 2018 and the Division of Risk Management rates for FY 2017.

Non-state Funded Capital Development

16. Approved the FY 2018 non-state funded capital development requests for state agencies and higher education institutions as shown below.

Description	Amount
DABC – Riverton-Herriman Market Area Liquor Store	5,451,800
DABC – Farmington Market Area Liquor Store	5,451,800
DSU – Legend Solar Stadium	8,607,400
UU – Guest House Expansion	8,250,000

ATTACHMENT C

Davis & Ogden-Weber Chambers of Commerce

February 17, 2017

2017 Session Appropriations of Interest

	Request	Subcommittee Recommendation
One-time Requests		
Business, Economic Development, & Labor		
#1 Tourism Marketing Performance	\$3,000,000	\$2,500,000
#2 Utah Advanced Materials & Manufacturing Initiative	\$1,000,000	\$1,000,000
#5 Hill Air Force Base Air Show 2018	\$200,000	\$150,000
#7 Boys State-Girls State		\$50,000
#10 CenterPoint Theater Capital Projects		\$175,000
#11 United Way of Ogden	\$300,000	\$50,000
#25 Ogden Pioneer Stadium		\$750,000
#45 Ogden Pioneer Days Foundation		\$1,200,000
Executive Appropriations		
#1 Replica Vietnam Wall in Layton City		\$100,000
Infrastructure & General Government		
#1 WSU Social Science/Lindquist Hall Renovation	\$29,940,000	\$29,940,000
#2 Conservation Easements in Weber & Utah Counties		\$2,000,000
DATC Allied Health Building	\$31,242,700	-
24th Street(Ogden)/I-15 Interchange	\$80M-\$100M	
Rebuild I-15 in Davis/Weber counties		
I-84 Mountain Green Exit to Trapper's Loop EIS	\$3,000,000	
West Davis Corridor	\$600,000,000	
12th Street Capacity & Infrastructure Improvments	\$10,000,000	
Natural Resources, Agriculture, & Environmental Quality		
Antelope Island		
Public Education		
#2 Enrollment Growth		\$3,995,000
#8 Weber School District - Roy Cone Program		\$191,000
Social Services		
#5 United Way 2-1-1 Information and Referral System	See Ongoing	\$400,000
One-time Reallocations		
Business, Economic Development, & Labor		
Tourism Marketing Performance (Reallocation)		\$500,000
Executive Offices & Criminal Justice		
Jail Reimbursement to Counties		\$1,725,000
Weber School District - Roy Cone Program		\$191,000
Weber School District - Roy Cone Program		(\$95,500)

2017 Session Appropriations of Interest

	Request	Subcommittee Recommendation
Ongoing Requests		
Business, Economic Development, & Labor		
#1 Engineering Initiative	\$5,000,000	\$1,470,400
Higher Education		
#4 Strategic Workforce Investment	\$2,000,000	\$2,000,000
#5 WSU Market Demand Programs	\$1,920,000	\$986,400
#6 UCAT Market Demand Programs	\$16,000,000	\$4,000,000
#8 Performance Funding (SB 117)	\$16,500,000	--
Public Education		
#1 Enrollment Growth	\$64,012,600	\$64,012,600
#2 WPU Value Increase (Ogden-Weber CC, 4%) Teacher Quality/Teacher Shortage	\$120,000,000	\$90,000,000
Social Services		
#29 Domestic Violence Local Shelters (Lethality Assessment)	\$937,000	\$939,000
#31 United Way 2-1-1 Information and Referral System	\$650,000	\$250,000
Ongoing Reallocations		
Business, Economic Development, & Labor		
Engineering Initiative Reallocation	See Requests	\$529,600
Hill Aerospace Museum/Aerospace Heritage Foundation	\$150,000	\$75,000
Targeted Industries Procurement/Supply Chain Expansion	\$250,000	\$100,000
Unmanned Aerial Systems Testing & Training Center		\$125,000

ATTACHMENT D

2/22/17

SB0238S01 compared with SB0238

~~deleted text~~ shows text that was in SB0238 but was deleted in SB0238S01.

Inserted text shows text that was not in SB0238 but was inserted into SB0238S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Ann Millner proposes the following substitute bill:

HIGHER EDUCATION GOVERNANCE REVISIONS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to higher education governance.

Highlighted Provisions:

This bill:

- ▶ renames the Utah College of Applied Technology the Utah System of Technical Colleges;
- ▶ changes the name of each member college of the Utah System of Technical Colleges from an applied technology college to a technical college;
- ▶ amends the institutions that comprise the state system of higher education by:
 - removing the Utah College of Applied Technology;
 - adding the Utah System of Technical Colleges Board of Trustees; and
 - adding each technical college;

SB0238S01 compared with SB0238

- removes the nonvoting members from the State Board of Regents;
- amends the powers and authority of the State Board of Regents;
- amends the membership of the State Board of Regents;
- requires coordination between state entities involved in education;
- amends a list of institutions of higher education that are bodies corporate to:
 - remove the Utah College of Applied Technology; and
 - add each technical college;
- amends the process for the State Board of Regents to appoint a president of an institution of higher education;
- amends requirements of the commissioner of technical education;
- removes the nonvoting members from the Utah System of Technical Colleges Board of Trustees;
- prohibits an individual from serving simultaneously on the Utah System of Technical Colleges Board of Trustees and a technical college board of directors;
- provides that the Utah System of Technical Colleges is a continuation of the Utah College of Applied Technology and that each technical college is a continuation of an applied technology college;
- describes the primary institutional roles for institutions of higher education;
- modifies provisions related to the approval of new programs of instruction;
- repeals the Salt Lake Community College School of Applied Technology Board of Directors;
- amends definitions related to the Utah System of Technical Colleges in Title 63G, Chapter 6a, Utah Procurement Code; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides coordination clauses.

This bill provides revisor instructions.

Utah Code Sections Affected:

ATTACHMENT E

2/23/2017

Utah Legislature SB0117S01

Senator Ann Millner proposes the following substitute bill:

HIGHER EDUCATION PERFORMANCE FUNDING

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Brad R. Wilson

LONG TITLE

General Description:

This bill amends and enacts provisions related to performance funding for higher education institutions and applied technology colleges.

Highlighted Provisions:

This bill:

- defines terms;
- amends the powers and duties of the Utah College of Applied Technology Board of Trustees to include responsibilities related to a model to determine performance;
- creates a restricted account;
- requires that, up to a limit, certain individual income tax revenue be deposited in the restricted account;
- restricts the use of money in the restricted account to performance funding for higher education institutions and applied technology colleges;
- requires the Department of Workforce Services to estimate the amount of growth, over a baseline amount, in individual income tax revenue generated by targeted jobs;
- directs the Legislature to determine appropriations from the restricted account for higher education institutions and applied technology colleges based on performance;

- requires the State Board of Regents and the Utah College of Applied Technology Board of Trustees to:
 - develop models for measuring the performance of higher education institutions and applied technology colleges; and
 - report annually to the Higher Education Appropriations Subcommittee on the performance of higher education institutions and applied technology colleges;
- and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

[53B-2a-104](#), as last amended by Laws of Utah 2016, Chapter 236

[53B-7-101](#), as last amended by Laws of Utah 2015, Chapter 361

[63I-2-253](#), as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and

318

ENACTS:

[53B-7-701](#), Utah Code Annotated 1953

46 [53B-7-702](#), Utah Code Annotated 1953
 47 [53B-7-703](#), Utah Code Annotated 1953
 48 [53B-7-704](#), Utah Code Annotated 1953
 49 [53B-7-705](#), Utah Code Annotated 1953
 50 [53B-7-706](#), Utah Code Annotated 1953
 51 [53B-7-707](#), Utah Code Annotated 1953
 52

53 *Be it enacted by the Legislature of the state of Utah:*

54 Section 1. Section [53B-2a-104](#) is amended to read:

55 **[53B-2a-104. Utah College of Applied Technology Board of Trustees – Powers](#)**
 56 **[and duties.](#)**

57 (1) The Utah College of Applied Technology Board of Trustees is vested with the
 58 control, management, and supervision of applied technology colleges within the Utah College
 59 of Applied Technology in a manner consistent with the policy and purpose of this title and the
 60 specific powers and responsibilities granted to the board of trustees.

61 (2) The board of trustees shall:

62 (a) ensure that an applied technology college complies with the requirements in Section
 63 [53B-2a-106](#);

64 (b) appoint the commissioner of technical education in accordance with Section
 65 [53B-2a-102](#);

66 (c) advise the commissioner of technical education and the State Board of Regents on
 67 issues related to career and technical education, including articulation with institutions of
 68 higher education and public education;

69 (d) ensure that a secondary student in the public education system has access to career
 70 and technical education through an applied technology college in the secondary student's
 71 service region;

72 (e) in consultation with the State Board of Education, the State Board of Regents, and
 73 applied technology college presidents, develop strategies for providing career and technical
 74 education in rural areas, considering distances between rural career and technical education
 75 providers;

76 (f) receive budget requests from each applied technology college, compile and
 77 prioritize the requests, and submit the request to:

78 (i) the Legislature; and

79 (ii) the Governor's Office of Management and Budget;

80 (g) receive funding requests pertaining to capital facilities and land purchases from
 81 each applied technology college, ensure that the requests comply with Section [53B-2a-112](#),
 82 prioritize the requests, and submit the prioritized requests to the State Building Board;

83 (h) ~~comply with Chapter 7, Part 7, Performance Funding;~~

84 ~~[(h)]~~ (i) in conjunction with the commissioner of technical education, establish
 85 benchmarks, provide oversight, evaluate program performance, and obtain independent audits
 86 to ensure that an applied technology college follows the non-credit career and technical
 87 education mission described in this part;

88 ~~[(k)]~~ (j) approve programs for the Utah College of Applied Technology;

89 ~~[(k)]~~ (k) approve the tuition rates for applied technology colleges within the Utah
 90 College of Applied Technology;

91 ~~[(k)]~~ (l) prepare and submit an annual report detailing the board of trustees' progress
 92 and recommendations on career and technical education issues to the governor and to the
 93 Legislature's Education Interim Committee by October 31 of each year, which shall include
 94 information detailing:

95 (i) how the career and technical education needs of secondary students are being met,
 96 including what access secondary students have to programs offered at applied technology
 97 colleges;

98 (ii) how the emphasis on high demand, high wage, and high skill jobs in business and
 99 industry described in Section [53B-2a-106](#) is being provided;

100 (iii) performance outcomes, including:

101 ~~[(A)]~~ entered employment;

102 ~~[(B)]~~ job retention; and

103 ~~[(A)]~~ performance on the metrics described in Section [53B-7-707](#); and

104 ~~[(G)]~~ (B) earnings; and

105 (iv) student tuition and fees; and

106 ~~[(h)]~~ (m) collaborate with the State Board of Regents, the State Board of Education, the



Fiscal Note
S.B. 117 1st Sub. (Green)
 2017 General Session
 Higher Education Performance Funding
 by Millner, A. (Millner, Ann.)



General, Education, and Uniform School Funds

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(16,500,100)	\$0	\$(16,500,100)

State Government

UCA 36-12-13(2)(b)

Enactment of this legislation will divert 20 percent of the estimated revenue growth from targeted jobs to a new restricted account within the Education Fund. Based on current job data, this is estimated at \$16,500,000 ongoing, beginning in FY 2018, and will increase or decrease as the income based on the targeted jobs increases or decreases.

Revenues	FY 2017	FY 2018	FY 2019
Education Fund	\$0	\$(16,500,000)	\$(16,500,000)
New Account Created By Legislation	\$0	\$16,500,000	\$16,500,000
Total Revenues	\$0	\$0	\$0

Enactment of this legislation will provide an estimated \$16,500,000 from the new restricted account in the Education Fund created in the bill, beginning in FY 2018, for those higher education institutions and colleges that demonstrate improved performance, based on the criteria outlined in the legislation. Enactment of this legislation could cost the Department of Workforce Services \$3,800 every other year for data collection and analysis. Annualized costs are from the following sources: General Fund - \$100, Federal Funds - \$1,700, and Revenue Transfers - \$100.

Expenditures	FY 2017	FY 2018	FY 2019
General Fund	\$0	\$100	\$100
Federal Funds	\$0	\$1,700	\$1,700
Transfers	\$0	\$100	\$100
New Account Created By Legislation	\$0	\$16,500,000	\$16,500,000
Total Expenditures	\$0	\$16,501,900	\$16,501,900

Net All Funds	\$0	\$(16,501,900)	\$(16,501,900)
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Local Government

UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct, measurable costs for local governments.

Individuals & Businesses

UCA 36-12-13(2)(d)

Enactment of this legislation likely will not result in direct, measurable expenditures by Utah residents or businesses.

Performance Note

JR4-2-404

No performance note required for this bill

Notes on Notes

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.

S.B. 117 1st Sub. (Green)