

**MINUTES OF THE
APPLIED TECHNOLOGY EDUCATION TASK FORCE**
Monday, November 13, 2000 - 1:00 p.m. - Room 129 State Capitol

Members Present:

Sen. Leonard M. Blackham, Chair
Rep. Martin R. Stephens, Chair
Sen. Ron Allen
Sen. John L. Valentine
Rep. Ron Bigelow
Rep. Judy Ann Buffmire
Rep. Craig W. Buttars
Rep. James R. Gowans
Rep. Bradley T. Johnson
Rep. Bill Wright

Staff Present:

Mr. John Q. Cannon, Research Analyst
Mr. John L. Fellows, Associate General Counsel
Ms. Alicia Gambles, Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to order - Speaker Stephens called the meeting to order at 1:05 p.m.

***MOTION:** Rep. Bigelow moved to approve the minutes of the October 30, 2000 meeting. The motion passed unanimously with Sen. Valentine and Rep. Wright absent for the vote.*

2. Task Force Discussion

Mr. John Fellows, Office of Legislative Research and General Counsel, discussed draft legislation “Applied Technology Education Governance” and the establishment of regions and the powers of applied technology education governing boards. Task Force discussion followed.

Speaker Stephens directed staff to make the term “Applied Technology Education Region” uniform throughout the bill.

***MOTION:** Rep. Buffmire moved to amend the draft legislation on page 7, line 153, deleting the word “nominate” and inserting the word “select” and, after the word “region”, to delete “; and” and insert a period and to delete lines 154 and 155. The motion passed unanimously.*

Mr. Fellows discussed the issue of mandatory powers and duties of regional boards. Task Force discussion followed.

***MOTION:** Sen. Blackham moved to insert the following language establishing additional duties of regional boards modifying the language as needed:*

(1) be the immediate local authority for each applied technology center or service region;

- (2) *develop policies for the operation of the ATC/ATCSR;*
- (3) *appoint and fix the salary of all employees, except the executive officer;*
- (4) *adopt and administer an annual budget and fund balances;*
- (5) *submit an annual appropriations request to the Board through the Joint Liaison Committee;*
- (6) *in the case of ATCSRs, also submit an annual appropriations request to the Utah State Board of Regents through the Joint Liaison Committee;*
- (7) *conduct annual program evaluations;*
- (8) *appoint program advisory committees and other advisory groups to provide counsel, support, and recommendations for updating and improving the effectiveness of training programs and services;*
- (9) *enact bylaws for self-government, including provisions for board organization and a schedule of regular meetings; and*
- (10) *approve regulations, both regular and emergency, to be issued and executed by the executive officer.*
- (11) *approve or reject center processes and arrangements including:*
 - (a) *facility, students, employee organizations, rules and regulation;*
 - (b) *instruction, examination, admission, and classification of students;*
 - (c) *necessary and proper exercise of authority not specifically denied the ATC/ATCSR by law or by rules of the Board or the Board of Regents.*

The motion passed with Sen. Valentine and Rep. Buffmire voting in opposition.

MOTION: *Sen. Blackham moved to include the following language currently found in R277-902-4 giving fee waiver and scholarship responsibility to the Joint Applied Technology Education Council (JATEC), modifying the language as needed:*

- A. *Each local ATC board shall develop a fee waiver and scholarship policy consistent with this rule.*
- B. *This local policy shall be submitted annually in June of each year to the Board for approval.*
- C. *Each local ATC board shall consider the following in setting and submitting its policy:*
 - (1) *Financial aid as a factor in recruiting and retaining students;*
 - (2) *Financial aid as a factor in center costs, revenue sources, and financial planning;*
 - (3) *Financial aid as a factor in course offerings to students;*
 - (4) *The rationale, purpose and requirements of student financial aid;*
 - (5) *Administrative costs, responsibilities, and resources in student financial aid programs; and*
 - (6) *Students' ability and willingness to comply with the ATC financial aid policy.*
- D. *The local ATC financial aid policy shall include procedures to ensure that:*
 - (1) *Students who are granted financial aid are not treated differently from other students or identified to persons who do not have both a right and a need to know;*
 - (2) *Financial aid is available to all students on a non-discriminatory basis in accordance with the written ATC policy and based on available funds;*
 - (3) *Students are informed of their rights and responsibilities regarding financial aid; and*

(4) Eligibility standards and requirements for financial aid are clearly defined, available to students and uniformly applied.

E. Each ATC board shall appoint a committee to set standards for financial aid. Such standards shall be approved annually by the local ATC board. F. Local ATC financial aid programs shall provide for:

(1) Operational procedures for application, selection and timely notification to students regarding financial aid;

(2) Adherence to standards in selection of students for financial aid;

(3) Broadest possible use of funds while providing adequate funding for each recipient of financial aid;

(4) Students to pay tuition, fees or both in installments over a pre-determined time period if the student meets criteria established by the ATC board; and

(5) Assistance to students to encourage better management of financial resources.

G. The local ATC Fee Waiver and Scholarship policy shall include a timely appeal process for students denied financial aid including the opportunity to appeal to the local board or a designee. The motion passed unanimously.

Mr. Fellows discussed establishing powers and duties for ATE region superintendents.

MOTION: *Sen. Valentine moved to include the following duties and responsibilities of superintendents currently found in R277-904-4, modifying the language as needed: (1) serve as the executive officer of the ATC/ATCSR board; (2) administer the day-to-day operation of the applied technology center or service region under the policies and rules of the ATC/ATCSR board and the Board; and (3) be accountable to the ATC/ATCSR board and the Board in meeting established goals. The motion passed unanimously.*

MOTION: *Rep. Gowans moved to give JATEC the authority to grant flexibility and waivers to applied technology education regions according to regional needs. The motion passed unanimously.*

MOTION: *Sen. Blackham moved to include all nine regions in Section 53D-2-201 and call all nine regions ATCs.*

SUBSTITUTE MOTION: *Sen. Valentine moved to delete lines 178 through 238 of the draft legislation. The motion passed unanimously.*

MOTION: *Sen. Valentine moved to clarify that the applied technology education regions are simply geographic regions and do not have jurisdiction over school districts. The motion passed unanimously.*

MOTION: *Rep. Buttars moved to add a provision that applied technology education regional boards coordinate with the providers of applied technology education within their region to provide the*

most effective service to the citizens in each region. The motion passed with Sen. Allen and Rep. Buffmire and Rep. Gowans voting in opposition.

MOTION: *Rep. Wright moved to add an additional power to the regional boards that, before seeking new applied technology education capital facilities, the regional board shall seek to use existing public education, higher education, or applied technology education facilities. The motion passed unanimously.*

Mr. Fellows discussed the issue of JATEC membership. Task Force discussion followed.

MOTION: *Sen. Blackham moved that JATEC include one member from each of the regional boards, two representatives from the State Board of Education, two representatives from the State Board of Regents, and two public representatives appointed by the governor and confirmed by the Senate.*

SUBSTITUTE MOTION: *Rep. Wright moved to add nine members, one from each of the regional boards; two representatives from the State Board of Education; one business representative appointed by the governor from two names nominated by the president of the Senate and confirmed by the Senate; and one business representative appointed by the governor from two names nominated by the speaker of the House and confirmed by the Senate. The motion passed with Reps. Bigelow and Rep. Buffmire voting in opposition.*

MOTION: *Rep. Buttars moved to approve the language of the draft bill defining the terms of service and staggering those terms for JATEC members. The motion passed unanimously.*

MOTION: *Sen. Valentine moved that JATEC select its own chair. The motion passed unanimously.*

MOTION: *Rep. Johnson moved to authorize JATEC to have up to two FTEs as its staff.*

SUBSTITUTE MOTION: *Rep. Buffmire moved to authorize 2 new FTEs for JATEC and require that there not be a reduction of FTEs in the State Office of Education or the State Board of Regents. The motion failed with Sen. Allen and Rep. Buffmire and Rep. Gowans voting in favor.*

The Task Force returned to the original motion of Rep. Johnson. The motion passed unanimously.

Mr. Fellows discussed the powers of the JATEC. Task Force discussion followed.

MOTION: *Rep. Buffmire moved to include on line 282 language that would help to ensure equity and fairness in the distribution of funds. The motion passed unanimously.*

Mr. Fellows discussed the additional powers and duties of the JATEC. Task Force discussion followed.

MOTION: *Sen. Valentine moved to approve the following additional powers and duties of the JATEC making modifications as needed:*

- *A requirement to prepare an applied technology education master plan.*
- *The power to arbitrate and resolve disputes between higher education and public education over such matters as:*
 - *credit/noncredit courses;*
 - *prevention of duplicate course offerings in ATCs and community colleges;*
 - *disputes over articulation agreements.*
- *A requirement that the committee ensure that some applied technology education providers allow open entry/open exit.*
- *The power to negotiate or encourage negotiation of articulation agreements.*
- *A general requirement that the committee ensure that curricula in the applied technology education system comprehensively meets the needs of the state and the region where it is offered.*
- *A requirement that the committee develop strategies for providing applied technology education in rural areas, specifically considering the distances involved between rural applied technology education providers. The motion passed unanimously.*

MOTION: *Sen. Valentine moved to adopt powers and duties currently granted to the Joint Liaison Committee in 53A-1-502, and directed staff to resolve any conflicts in favor of decisions already made by the Task Force. The motion passed unanimously.*

Mr. Fellows discussed the powers and duties granted to the State Board of Applied Technology Education by Statute and whether these powers and duties should be given to JATEC. Task Force discussion followed.

MOTION: *Sen. Valentine moved to add the following responsibilities to JATEC with any needed modification, and to clarify in Section 53A-15-202 that that section apply only to public education:*
Establish minimum standards for applied technology programs;
Appoint staff and establish their duties; and
Fix staff compensation and pay their expenses from funds appropriated for this purpose.
The motion passed unanimously.

Mr. Fellows discussed evaluation and accreditation of the JATEC. Task Force discussion followed.

MOTION: *Rep. Wright moved to transfer responsibilities currently found in R277-904-4 to JATEC making modifications as needed. These responsibilities include:*

- (1) develop a statewide system of applied technology including centers (ATCs) with state-supported facilities and service regions (ATCSRs) in regions where facilities are provided by school districts or higher education institutions or both;*
- (2) adopt policies and procedures for the management of applied technology centers;*

- (3) appoint ATC boards for the day-to-day operation of applied technology instruction in the ATCs;*
- (4) determine statewide ATC needs and submit annual recommendations and funding requests to the Legislature;*
- (5) in consultation with each ATC board, appoint and fix the salary of an executive officer (the ATC superintendent) for each ATC who will serve at the pleasure of the Board and the applied technology center board;*
- (6) coordinate with the Utah State Board of Regents through the Joint Liaison Committee to plan and operate ATCSRs in regions without ATCs to:*
 - (a) adopt policies and procedures for the management of applied technology centers service regions;*
 - (b) appoint ATCSR boards for the day-to-day operation of applied technology instruction in the service regions;*
 - (c) determine statewide ATCSR needs and submit annual recommendations and funding requests to the Legislature; and*
 - (d) in consultation with each ATCSR board, appoint and fix the salary of an executive officer (the ATCSR director) for each ATCSR who will serve at the pleasure of the Board and the Board of Regents and the applied technology center service region board.*

The motion passed unanimously with Rep. Buttars absent for the vote.

Mr. Fellows discussed rulemaking powers of the JATEC. Task Force discussion followed.

The Task Force directed staff to examine current rulemaking authority of the Joint Liaison Committee and to give JATEC similar rulemaking authority.

Mr. Fellows discussed lines 317-329 of the draft legislation. The Task Force directed staff to indicate that the time line for either board to veto decisions of JATEC be 30 days.

3. Adjourn

Task Force Business

The task force confirmed the next meeting to be held on Monday, November 20, 2000 at 3:30 p.m.

5. Adjourn

MOTION: Rep. Buttars moved to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 3:42 p.m.