

1 **APPLIED TECHNOLOGY COLLEGE GOVERNANCE**

2 **AMENDMENTS**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Don L. Ipson**

6 Senate Sponsor: Stephen H. Urquhart

7

LONG TITLE

8 **General Description:**

9 This bill modifies the membership of applied technology college governing boards.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ modifies the membership of:

- 13 • the Utah College of Applied Technology Board of Trustees; and
- 14 • the campus board of directors of certain college campuses of the Utah College

15 of Applied Technology; and

- 16 • make technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **53B-2a-103**, as last amended by Laws of Utah 2013, Chapters 374 and 465

24 **53B-2a-108**, as last amended by Laws of Utah 2013, Chapter 10

25

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



28 Section 1. Section **53B-2a-103** is amended to read:

29 **53B-2a-103. Utah College of Applied Technology Board of Trustees --**

30 **Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees --**

31 **Compensation.**

32 (1) There is created the Utah College of Applied Technology Board of Trustees,
33 composed of the following members:

34 (a) one member of the State Board of Education appointed by the chair of the State
35 Board of Education, to serve as a nonvoting member;

36 (b) one member of the State Board of Regents appointed by the chair of the State
37 Board of Regents, to serve as a nonvoting member;

38 (c) one member representing business and industry employers from the campus board
39 of directors of each applied technology college campus appointed by a majority vote of the
40 business and industry employer members of the campus board;

41 (d) one member representing business and industry employers from the Snow College
42 Economic Development and Workforce Preparation Advisory Committee appointed by a
43 majority of the business and industry employer members of the advisory committee;

44 (e) one member representing business and industry employers from the Utah State
45 University Eastern career and technical education advisory committee appointed by a majority
46 of the business and industry employer members of the advisory committee;

47 (f) one member representing business and industry employers from the Salt Lake
48 Community College School of Applied Technology Board of Directors appointed by a majority
49 of the business and industry employer members of the board of directors;

50 (g) one business or industry employer representative appointed by the governor with
51 the consent of the Senate from nominations submitted by the speaker of the House of
52 Representatives and president of the Senate;

53 (h) one representative of union craft, trade, or apprenticeship programs that prepare
54 workers for employment in career and technical education fields, appointed by the governor
55 with the consent of the Senate;

56 (i) one representative of non-union craft, trade, or apprenticeship programs that prepare
57 workers for employment in career and technical education fields, appointed by the governor
58 with the consent of the Senate; and

59 ~~[(j) the commissioner of higher education; and]~~
60 ~~[(k)]~~ (j) the executive director of the Governor's Office of Economic Development or
61 the executive director's designee.

62 (2) (a) In making appointments to the board of trustees, the governor shall consider:

63 (i) individuals from the state at large with due consideration for geographical
64 representation;

65 (ii) individuals recognized for their knowledge and expertise; and

66 (iii) individuals who represent current and emerging business and industry sectors of
67 the state.

68 (b) Appointments to the board shall be made on a nonpartisan basis.

69 (3) (a) Except as provided under Subsection (3)(b), members of the board of trustees
70 shall be appointed commencing on July 1 of each odd-numbered year to a four-year term.

71 (b) Initial terms of the board members beginning on July 1, 2009 shall be staggered
72 with two-year and four-year terms so that approximately one-half of the members' terms will
73 expire in any odd-numbered year.

74 (c) An appointed member holds office until a successor is appointed and qualified.

75 (4) When a vacancy occurs in the membership for any reason, the replacement shall be
76 appointed for the unexpired term.

77 (5) (a) Each member shall take the official oath of office prior to assuming the office.

78 (b) The oath shall be filed with the Division of Archives and Records Services.

79 (6) The board of trustees shall elect a chair and vice chair, who serve for two years and
80 until their successors are elected and qualified.

81 (7) (a) The board of trustees may enact bylaws for its own government, including
82 provision for regular meetings.

83 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

84 (ii) If established, the committee shall have full authority of the board of trustees to act
85 upon routine matters during the interim between board of trustees meetings.

86 (iii) The committee may act on nonroutine matters only under extraordinary and
87 emergency circumstances.

88 (iv) The committee shall report its activities to the board of trustees at its next regular
89 meeting following the action.

90 (8) A quorum shall be required to conduct business which shall consist of a majority of
91 voting board of trustee members.

92 (9) The board of trustees may establish advisory committees.

93 (10) A member may not receive compensation or benefits for the member's service, but
94 may receive per diem and travel expenses in accordance with:

95 (a) Section 63A-3-106;

96 (b) Section 63A-3-107; and

97 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
98 63A-3-107.

99 Section 2. Section 53B-2a-108 is amended to read:

100 **53B-2a-108. Campus boards of directors -- Membership -- Appointments.**

101 A campus shall have a campus board of directors appointed as follows:

102 (1) the Bridgerland Applied Technology College Campus Board of Directors shall be
103 composed of the following 12 members:

104 (a) one elected local school board member appointed by the board of education for the
105 Box Elder School District;

106 (b) one elected local school board member appointed by the board of education for the
107 Cache School District;

108 (c) one elected local school board member appointed by the board of education for the
109 Logan School District;

110 (d) one elected local school board member appointed by the board of education for the
111 Rich School District;

112 (e) one member of the Utah State University board of trustees; and

113 (f) seven representatives of business or industry employers within the region appointed
114 jointly by the members appointed under Subsections (1)(a) through (e);

115 (2) the Ogden-Weber Applied Technology College Campus Board of Directors shall be
116 composed of the following 10 members:

117 (a) one elected local school board member appointed by the board of education for the
118 Ogden City School District;

119 (b) one elected local school board member appointed by the board of education for the
120 Weber School District;

121 ~~[(e) one elected local school board member jointly appointed by the boards of~~
122 ~~education for the Ogden City School District and the Weber School District;]~~

123 ~~[(d)]~~ (c) one member of the Weber State University board of trustees; and

124 ~~[(e) six]~~ (d) seven representatives of business or industry employers within the region
125 appointed jointly by the members appointed under Subsections (2)(a) through ~~[(d)]~~ (c);

126 (3) the Davis Applied Technology College Campus Board of Directors shall be
127 composed of the following 10 members:

128 (a) one elected local school board member appointed by the board of education for the
129 Davis School District;

130 (b) one elected local school board member appointed by the board of education for the
131 Morgan School District;

132 ~~[(e) one elected local school board member jointly appointed by the boards of~~
133 ~~education for the Davis School District and the Morgan School District;]~~

134 ~~[(d)]~~ (c) one member of the Weber State University board of trustees; and

135 ~~[(e) six]~~ (d) seven representatives of business or industry employers within the region
136 appointed jointly by the members appointed under Subsections (3)(a) through ~~[(d)]~~ (c);

137 (4) the Tooele Applied Technology College Campus Board of Directors shall be
138 composed of the following 12 members:

139 (a) ~~[three]~~ one elected local school board ~~[members]~~ member appointed by the board of
140 education for the Tooele County School District;

141 ~~[(b) one member of the Salt Lake Community College board of trustees;]~~

142 ~~[(e)]~~ (b) one member of the Utah State University board of trustees; and

143 ~~[(d) seven]~~ (c) 10 representatives of business or industry employers within the region
144 appointed jointly by the members appointed under Subsections (4)(a) ~~[through (c)]~~ and (b);

145 (5) the Mountainland Applied Technology College Campus Board of Directors shall be
146 composed of the following 18 members:

147 (a) one elected local school board member appointed by the board of education for the
148 Alpine School District;

149 (b) one elected local school board member appointed by the board of education for the
150 Nebo School District;

151 (c) one elected local school board member appointed by the board of education for the

- 152 Provo School District;
- 153 (d) one elected local school board member appointed by the board of education for the
- 154 South Summit School District;
- 155 (e) one elected local school board member appointed by the board of education for the
- 156 North Summit School District;
- 157 (f) one elected local school board member appointed by the board of education for the
- 158 Wasatch School District;
- 159 (g) one elected local school board member appointed by the board of education for the
- 160 Park City School District;
- 161 (h) one member of the Utah Valley University board of trustees; and
- 162 (i) 10 representatives of business or industry employers within the region appointed
- 163 jointly by the members appointed under Subsections (5)(a) through (h);
- 164 (6) the Uintah Basin Applied Technology College Campus Board of Directors shall be
- 165 composed of the following 10 members:
- 166 (a) one elected local school board member appointed by the board of education for the
- 167 Daggett School District;
- 168 (b) one elected local school board member appointed by the board of education for the
- 169 Duchesne School District;
- 170 (c) one elected local school board member appointed by the board of education for the
- 171 Uintah School District;
- 172 (d) one member of the Utah State University board of trustees; and
- 173 (e) six representatives of business or industry employers within the region appointed
- 174 jointly by the members appointed under Subsections (6)(a) through (d);
- 175 (7) the Southwest Applied Technology College Campus Board of Directors shall be
- 176 composed of the following 12 members:
- 177 (a) one elected local school board member appointed by the board of education for the
- 178 Beaver School District;
- 179 (b) one elected local school board member appointed by the board of education for the
- 180 Garfield School District;
- 181 (c) one elected local school board member appointed by the board of education for the
- 182 Iron School District;

183 (d) one elected local school board member appointed by the board of education for the
184 Kane School District;

185 (e) one member of the Southern Utah University board of trustees; and

186 (f) seven representatives of business or industry employers within the region appointed
187 jointly by the members appointed under Subsections (7)(a) through (e);

188 (8) the Dixie Applied Technology College Campus Board of Directors shall be
189 composed of the following 10 members:

190 (a) [~~three~~] one elected local school board [~~members~~] member appointed by the board of
191 education for the Washington School District;

192 (b) one member of the Dixie State University board of trustees; and

193 (c) [~~six~~] eight representatives of business or industry employers within the region
194 appointed jointly by the members appointed under Subsections (8)(a) [~~through~~] and (b); and

195 (9) the representatives of business or industry employers shall be:

196 (a) appointed jointly by the designated members from a list of names provided by local
197 organizations or associations whose members employ workers with career and technical
198 education;

199 (b) individuals recognized for their knowledge and expertise;

200 (c) individuals who represent current and emerging business and industry sectors of the
201 state; and

202 (d) appointed on a nonpartisan basis.

Legislative Review Note
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Office of Legislative Research and General Counsel