

1 **CAREER AND TECHNICAL EDUCATION**

2 **AMENDMENTS**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ron Bigelow**

6 Senate Sponsor: Margaret Dayton

7

8 **LONG TITLE**

9 **Committee Note:**

10 The Higher Education and Applied Technology Governance Committee recommended
11 this bill.

12 **General Description:**

13 This bill modifies provisions relating to career and technical education, including
14 governance structures.

15 **Highlighted Provisions:**

16 This bill:

- 17 ▶ modifies terminology, definitions, and other provisions relating to career and
18 technical education;
- 19 ▶ modifies the governance structure for post-secondary career and technical
20 education;
- 21 ▶ modifies the nonvoting membership of the State Board of Education;
- 22 ▶ modifies the membership of the State Board of Regents;
- 23 ▶ modifies the membership, appointment procedures, and duties of the Utah College
24 of Applied Technology's Board of Trustees;
- 25 ▶ restructures the Salt Lake/Tooele Campus of the Utah College of Applied
26 Technology as follows:
- 27 • establishes a School of Applied Technology at Salt Lake Community College;



- 28 • transfers the Salt Lake portion of the Salt Lake/Tooele Applied Technology
- 29 College to Salt Lake Community College's School of Applied Technology; and
- 30 • retains the Tooele portion of the campus as the Tooele Campus of the Utah
- 31 College of Applied Technology;
- 32 ▶ creates a career and technical education board of directors at Salt Lake Community
- 33 College and specifies its membership and duties;
- 34 ▶ modifies career and technical education reporting provisions;
- 35 ▶ prohibits the State Board of Regents from conducting a feasibility study or
- 36 performing another act relating to merging Utah College of Applied Technology
- 37 institutions with another institution of higher education;
- 38 ▶ prohibits UCAT personnel from conducting a feasibility study or performing
- 39 another act related to offering a degree or awarding credit;
- 40 ▶ requires legislative appropriations for career and technical education programs at
- 41 Salt Lake Community College, Snow College, and the College of Eastern Utah to
- 42 be made as separate line items; and
- 43 ▶ makes technical corrections.

44 Monies Appropriated in this Bill:

45 None

46 Other Special Clauses:

47 This bill takes effect on July 1, 2009.

48 Utah Code Sections Affected:

49 AMENDS:

- 50 **53A-1-101**, as last amended by Laws of Utah 2001, First Special Session, Chapter 5
- 51 **53A-15-202**, as last amended by Laws of Utah 2007, Chapter 259
- 52 **53B-1-101.5**, as enacted by Laws of Utah 2001, First Special Session, Chapter 5
- 53 **53B-1-103**, as last amended by Laws of Utah 2003, Chapter 289
- 54 **53B-1-104**, as last amended by Laws of Utah 2006, Chapter 285
- 55 **53B-2a-101**, as last amended by Laws of Utah 2007, Chapter 259
- 56 **53B-2a-102**, as last amended by Laws of Utah 2007, Chapter 259
- 57 **53B-2a-103**, as last amended by Laws of Utah 2007, Chapter 259
- 58 **53B-2a-104**, as last amended by Laws of Utah 2007, Chapter 259

- 59 **53B-2a-105**, as last amended by Laws of Utah 2007, Chapter 259
- 60 **53B-2a-106**, as last amended by Laws of Utah 2007, Chapter 259
- 61 **53B-2a-107**, as last amended by Laws of Utah 2005, Chapter 227
- 62 **53B-2a-108**, as last amended by Laws of Utah 2007, Chapters 259 and 356
- 63 **53B-2a-109**, as last amended by Laws of Utah 2003, Chapter 289
- 64 **53B-2a-110**, as last amended by Laws of Utah 2003, Chapters 233 and 289
- 65 **53B-2a-111**, as last amended by Laws of Utah 2003, Chapter 289
- 66 **53B-2a-112**, as last amended by Laws of Utah 2003, Chapter 289
- 67 **53B-2a-113**, as last amended by Laws of Utah 2005, Chapter 227
- 68 **53B-6-101**, as last amended by Laws of Utah 2001, First Special Session, Chapter 5
- 69 **53B-16-102**, as last amended by Laws of Utah 2001, First Special Session, Chapter 5
- 70 **53B-16-205**, as last amended by Laws of Utah 2003, Chapters 233 and 289
- 71 **53B-16-206**, as enacted by Laws of Utah 2003, Chapter 233
- 72 **53B-16-207**, as enacted by Laws of Utah 2007, Chapter 259
- 73 **53B-16-208**, as enacted by Laws of Utah 2007, Chapter 259

74 ENACTS:

- 75 **53B-16-209**, Utah Code Annotated 1953
- 76 **53B-16-210**, Utah Code Annotated 1953

77 REPEALS:

- 78 **53B-16-204**, as enacted by Laws of Utah 1992, Chapter 71

79 **Uncodified Material Affected:**

80 ENACTS UNCODIFIED MATERIAL



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

83 Section 1. Section **53A-1-101** is amended to read:

84 **53A-1-101. State Board of Education -- Members.**

85 (1) Members of the State Board of Education shall be nominated and elected as
86 provided in Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.

87 (2) (a) In addition to the members designated under Subsection (1), [~~two members of~~
88 ~~the State Board of Regents, appointed by the chair of the State Board of Regents,~~] the
89 following members shall serve as nonvoting members of the State Board of Education[-];

90 (i) two members of the State Board of Regents, appointed by the chair of the State
91 Board of Regents; and

92 (ii) one member of the Utah College of Applied Technology Board of Trustees,
93 appointed by the chair of the board of trustees.

94 (b) A nonvoting member shall continue to serve as a member without a set term until
95 the member is replaced by the chair of the State Board of Regents or the chair of the Utah
96 College of Applied Technology Board of Trustees, as applicable.

97 Section 2. Section **53A-15-202** is amended to read:

98 **53A-15-202. Powers of the board.**

99 The State Board of Education:

100 (1) shall establish minimum standards for [~~applied technology~~] career and technical
101 education programs in the public education system;

102 (2) may apply for, receive, administer, and distribute funds made available through
103 programs of federal and state governments to promote and aid [~~applied technology~~] career and
104 technical education;

105 (3) shall cooperate with federal and state governments to administer programs which
106 promote and maintain [~~applied technology~~] career and technical education;

107 (4) shall cooperate with the Utah College of Applied Technology, Salt Lake
108 Community College's School of Applied Technology, Snow College, and the College of
109 Eastern Utah to ensure that students in the public education system have access to [~~applied~~
110 ~~technology~~] career and technical education at Utah College of Applied Technology campuses,
111 Salt Lake Community College's School of Applied Technology, Snow College, and the College
112 of Eastern Utah;

113 (5) shall require that before a minor student may participate in clinical experiences as
114 part of a health care occupation program at a high school or other institution to which the
115 student has been referred, the student's parent or legal guardian has:

116 (a) been first given written notice through appropriate disclosure when registering and
117 prior to participation that the program contains a clinical experience segment in which the
118 student will observe and perform specific health care procedures that may include personal
119 care, patient bathing, and bathroom assistance; and

120 (b) provided specific written consent for the student's participation in the program and

121 clinical experience; and

122 (6) shall, after consulting with ~~[local]~~ school districts, charter schools, the Utah
 123 College of Applied Technology, Salt Lake Community College's School of Applied
 124 Technology, Snow College, and the College of Eastern Utah, prepare and submit an annual
 125 report to the governor and to the Legislature's Education Interim Committee by October 31 of
 126 each year detailing:

127 (a) how the ~~[applied technology]~~ career and technical education needs of secondary
 128 students are being met; and

129 (b) what access secondary students have to programs offered:

130 (i) at applied technology colleges; and

131 (ii) within the regions served by Salt Lake Community College's School of Applied
 132 Technology, Snow College, and the College of Eastern Utah.

133 Section 3. Section **53B-1-101.5** is amended to read:

134 **53B-1-101.5. Definitions.**

135 As used in this title:

136 (1) "Board" means the State Board of Regents established in Section 53B-1-103.

137 (2) "Career and technical education" means organized educational programs offering
 138 sequences of courses or skill sets directly related to preparing individuals for paid or unpaid
 139 employment in current or emerging occupations that generally do not require a baccalaureate or
 140 advanced degree.

141 ~~[(2)]~~ (3) "Commissioner" means the commissioner of higher education appointed in
 142 accordance with Section 53B-1-105.

143 Section 4. Section **53B-1-103** is amended to read:

144 **53B-1-103. Establishment of State Board of Regents -- Powers and authority.**

145 (1) There is established a State Board of Regents.

146 (2) (a) ~~[The]~~ Except as provided in Subsection (2)(b), the board is vested with the
 147 control, management, and supervision of the institutions of higher education designated in
 148 Section 53B-1-102 in a manner consistent with the policy and purpose of this title and the
 149 specific powers and responsibilities granted to it.

150 (b) The board ~~[is vested with the following]~~ may only exercise powers relating to the
 151 Utah College of Applied Technology and its college campuses~~[-]~~ that are specifically provided

152 in this title.

153 ~~[(i) approving each competency-based associate of applied technology degree before~~
154 ~~allowing a college campus to offer the degree;]~~

155 ~~[(ii) making rules governing the transfer of applied technology education degrees~~
156 ~~awarded by the Utah College of Applied Technology to other higher education institutions;]~~

157 ~~[(iii) appointing the president for the Utah College of Applied Technology in~~
158 ~~accordance with Section 53B-2a-102 and board policy; and]~~

159 ~~[(iv) facilitating and coordinating the operation of the Utah College of Applied~~
160 ~~Technology within the system of higher education;]~~

161 (c) The board shall coordinate and support articulation agreements between the Utah
162 College of Applied Technology and other institutions of higher education.

163 (d) The board shall prepare and submit an annual report detailing its progress and
164 recommendations on career and technical education issues to the governor and to the
165 Legislature's Education Interim Committee by October 31 of each year, which shall include
166 information detailing:

167 (i) how the career and technical education needs of secondary students are being met
168 by institutions of higher education other than the Utah College of Applied Technology,
169 including what access secondary students have to programs offered by Salt Lake Community
170 College's School of Applied Technology, Snow College, and the College of Eastern Utah;

171 (ii) how the emphasis on high demand, high wage, and high skill jobs in business and
172 industry is being provided;

173 (iii) performance outcomes, including:

174 (A) entered employment;

175 (B) job retention; and

176 (C) earnings; and

177 (iv) student tuition and fees.

178 ~~[(e)]~~ (e) Except for the Utah College of Applied Technology, the board may modify the
179 name of an institution under its control and management, as designated in Section 53B-1-102,
180 to reflect the role and general course of study of the institution.

181 (f) The board may not conduct a feasibility study or perform another act relating to
182 merging any of the following institutions with another institution of higher education:

- 183 (i) the Bridgerland Applied Technology College Campus;
 184 (ii) the Ogden-Weber Applied Technology College Campus;
 185 (iii) the Davis Applied Technology College Campus;
 186 (iv) the Tooele Applied Technology College Campus;
 187 (v) the Mountainland Applied Technology College Campus;
 188 (vi) the Uintah Basin Applied Technology College Campus;
 189 (vii) the Southwest Applied Technology College Campus; and
 190 (viii) the Dixie Applied Technology College Campus.

191 ~~[(3) The board is the State Postsecondary Review Entity for Utah for purposes of Title~~
 192 ~~IV, Part II, of the federal Higher Education Act of 1965, as amended by the Higher Education~~
 193 ~~Act Amendments of 1992.]~~

194 ~~[(4)] (3)~~ This section does not affect the power and authority vested in the State Board
 195 of Education to apply for, accept, and manage federal appropriations for the establishment and
 196 maintenance of [~~applied technology~~] career and technical education.

197 Section 5. Section **53B-1-104** is amended to read:

198 **53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath --**
 199 **Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.**

200 (1) (a) The board shall consist of [~~18~~] 19 residents of the state.

201 (b) (i) Fifteen members shall be appointed by the governor with the consent of the
 202 Senate.

203 (ii) (A) One additional member shall be appointed by the governor from nominations
 204 of the student body presidents council.

205 (B) The council shall nominate three qualified, matriculated students enrolled in the
 206 state institutions of higher education.

207 (C) Student body presidents are not eligible for nomination.

208 (iii) All appointments to the board shall be made on a nonpartisan basis.

209 (iv) In making appointments to the board, the governor shall select:

210 (A) individuals from the state at large with due consideration for geographical
 211 representation; and

212 (B) at least three individuals with personal experience in [~~applied technology~~] career
 213 and technical education, which could include service on a campus board of directors.

214 (c) (i) In addition to the members designated under Subsection (1)(b), two members of
215 the State Board of Education, appointed by the chair of the State Board of Education, shall
216 serve as nonvoting members of the board.

217 (ii) A nonvoting State Board of Education member shall continue to serve as a member
218 without a set term until the member is replaced by the chair of the State Board of Education.

219 (d) (i) In addition to the members designated under Subsection (1)(b), one member of
220 the Utah College of Applied Technology Board of Trustees, appointed by the chair of the Utah
221 College of Applied Technology Board of Trustees, shall serve as a nonvoting member of the
222 board.

223 (ii) A nonvoting Utah College of Applied Technology Board of Trustees member shall
224 continue to serve as a member without a set term until the member is replaced by the chair of
225 the Utah College of Applied Technology Board of Trustees.

226 (2) (a) Five members of the board, other than the student member [~~and~~], the State
227 Board of Education members, and the Utah College of Applied Technology Board of Trustees
228 member, shall be appointed during each odd-numbered year to six-year staggered terms which
229 commence on July 1 of the year of appointment.

230 (b) (i) The student member shall be appointed for a one-year term and may be
231 reappointed for one additional term.

232 (ii) The student member has full voting rights and may vote on selection of a board
233 chair or vice chair, but not serve in either office.

234 (c) Board members shall hold office until their successors have been appointed and
235 qualified.

236 (3) (a) Each member of the board shall take the official oath of office before entering
237 upon the duties of office.

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

239 (4) The board shall elect a chair and vice chair from its members who shall serve terms
240 of two years and until their successors are chosen and qualified.

241 (5) (a) The board shall appoint a secretary from the staff of its chief executive to serve
242 at its discretion.

243 (b) The secretary shall be a full-time employee who receives a salary set by the board.

244 (c) The secretary shall record and maintain a record of all board meetings and perform

245 other duties as the board directs.

246 (6) The board shall appoint a treasurer who serves at the discretion of the board.

247 (7) (a) The board may establish advisory committees.

248 (b) The powers and authority of the board are nondelegable, except as specifically
249 provided for in this title.

250 (c) All matters requiring board determination shall be addressed in a properly convened
251 meeting of the board or its executive committee.

252 (8) The board shall enact bylaws for its own government not inconsistent with the
253 constitution or the laws of this state.

254 (9) (a) The board shall meet regularly upon its own determination.

255 (b) The board may also meet, in full or executive session, at the request of its chair, its
256 executive officer, or five members of the board.

257 (10) A quorum of the voting members of the board is required to conduct its business
258 and consists of nine members.

259 (11) (a) A vacancy in the board occurring before the expiration of a voting member's
260 full term shall be immediately filled by appointment by the governor with the consent of the
261 Senate.

262 (b) The appointee serves for the remainder of the unexpired term.

263 (12) (a) Each member of the board shall receive a per diem as provided by law as
264 compensation for services for attending meetings of the board.

265 (b) Each member shall also be paid actual expenses incurred for attending meetings of
266 the board or its committees or for attending to any business of the institutions under the
267 direction of the board or authority of the board or its committees.

268 Section 6. Section **53B-2a-101** is amended to read:

269 **53B-2a-101. Definitions.**

270 As used in this chapter:

271 ~~[(2)]~~ (1) "Board of trustees" means the Utah College of Applied Technology Board of
272 Trustees.

273 ~~[(1)]~~ "Applied technology education" means organized educational programs offering
274 sequences of courses or skill sets directly related to preparing individuals for paid or unpaid
275 employment in current or emerging occupations that do not require a baccalaureate or advanced

276 ~~degree.]~~

277 ~~[(3)]~~ (2) "College campus" means a college campus of the Utah College of Applied
278 Technology.

279 ~~[(4)]~~ (3) "Competency-based" means mastery of subject matter or skill level, as
280 demonstrated through business and industry approved standards and assessments, achieved
281 through participation in a hands-on learning environment, and which is tied to observable,
282 measurable performance objectives.

283 ~~[(5)]~~ "High wage jobs" means jobs with an annual salary at or above the median salary
284 in the service region of the college campus.]

285 ~~[(6)]~~ (4) "Open-entry, open-exit" means:

286 (a) a method of instructional delivery that allows for flexible scheduling in response to
287 individual student needs or requirements and demonstrated competency when knowledge and
288 skills have been mastered; ~~and]~~

289 (b) students have the flexibility to begin or end study at any time, progress through
290 course material at their own pace, and demonstrate competency when knowledge and skills
291 have been mastered~~[-If]; and~~

292 (c) if competency is demonstrated in a program of study, a credential, certificate, or
293 diploma~~[-or degree]~~ may be awarded.

294 Section 7. Section **53B-2a-102** is amended to read:

295 **53B-2a-102. President -- Appointment -- Duties.**

296 (1) (a) The board of trustees shall appoint a president for the Utah College of Applied
297 Technology.

298 (b) The president of the Utah College of Applied Technology does not need to have a
299 doctorate degree, but shall have extensive experience in ~~[applied technology]~~ career and
300 technical education.

301 (c) The president shall serve at the ~~[board's]~~ board of trustees' discretion.

302 (d) The names of the final candidates for president of the Utah College of Applied
303 Technology shall be publicly disclosed.

304 ~~[(e) The chair and vice chair of the Utah College of Applied Technology Board of~~
305 ~~Trustees shall be members of the search committee for the president.]~~

306 (2) The president shall:

307 (a) direct the Utah College of Applied Technology and coordinate the activities of each
308 of its college campuses;

309 ~~[(b) in cooperation with the board of trustees and with the approval of the board,~~
310 ~~develop a competency-based associate of applied technology degree;]~~

311 ~~[(c) ensure that, pursuant to State Board of Regents' rules, an applied technology~~
312 ~~education degree is primarily a terminal degree, but is transferable to a bachelor's degree in~~
313 ~~applied technology at other higher education institutions under specific articulation~~
314 ~~agreements;]~~

315 ~~[(d)]~~ (b) in consultation with the board of trustees, campus presidents, and campus
316 boards of directors, prepare a comprehensive strategic plan for delivering ~~[applied technology]~~
317 career and technical education through the Utah College of Applied Technology college
318 campuses;

319 ~~[(e)]~~ (c) after consulting with ~~[local]~~ school districts, charter schools, and other higher
320 education institutions in the regions, ensure that the curricula of the Utah College of Applied
321 Technology meet the needs of the state, the regions, ~~and~~ the ~~[local]~~ school districts, and
322 charter schools;

323 ~~[(f)]~~ (d) in consultation with the board of trustees, campus presidents, and campus
324 boards of directors, and after consulting with ~~[local]~~ school districts, charter schools, and other
325 higher education institutions in the region, develop strategies for providing ~~[applied~~
326 ~~technology]~~ career and technical education in rural areas, specifically considering the distances
327 between rural ~~[applied technology]~~ career and technical education providers;

328 ~~[(g)]~~ (e) establish minimum standards for ~~[applied technology]~~ career and technical
329 education programs of the Utah College of Applied Technology college campuses;

330 ~~[(h)]~~ (f) in conjunction with the board of trustees, do the following:

331 (i) develop and implement a system of common definitions, standards, and criteria for
332 tracking and measuring the effectiveness of ~~[applied technology]~~ career and technical
333 education;

334 (ii) maintain a central administration office for coordination, prioritization, support,
335 and reporting of college functions dealing with:

336 (A) budgets and audits;

337 (B) facilities, including capital, capital development, and leases;

338 (C) management information systems;

339 (D) campus and college master planning efforts;

340 (E) strategic planning;

341 (F) articulation with institutions of higher education and public education;

342 ~~[(F)]~~ (G) legislative, State System of Public Education, State System of Higher

343 Education, and Board of Regents contact;

344 ~~[(G)]~~ (H) general data collection; and

345 ~~[(H)]~~ (I) programs, certificates, and curriculum; and

346 (iii) develop and implement a plan to inform citizens about the availability, cost, and

347 advantages of ~~[applied technology]~~ career and technical education;

348 ~~[(i)]~~ (g) after consulting with the State Board of Education [and local], school districts,

349 and charter schools, ensure that secondary students in the public education system have access

350 to [applied technology] career and technical education through the Utah College of Applied

351 Technology college campuses; ~~[and]~~

352 ~~[(j)] provide expertise and monitor applied technology education within the regions~~

353 ~~served by Snow College and the College of Eastern Utah in accordance with Sections~~

354 ~~53B-16-205 and 53B-16-207.]~~

355 (h) in conjunction with the board of trustees, establish benchmarks, provide oversight,

356 evaluate program performance, and obtain independent audits to ensure that college campuses

357 follow the non-credit career and technical education mission described in this part; and

358 (i) with the approval of the board of trustees, appoint campus presidents in accordance

359 with Section 53B-2a-107 and set their compensation annually.

360 Section 8. Section **53B-2a-103** is amended to read:

361 **53B-2a-103. Utah College of Applied Technology Board of Trustees --**

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

363 **Compensation.**

364 (1) There is created the Utah College of Applied Technology Board of Trustees,

365 composed of the following members:

366 (a) ~~[two members]~~ one member of the State Board of Education appointed by the

367 ~~[governor with the consent of the Senate]~~ chair of the State Board of Education, to serve as a

368 nonvoting member;

369 (b) ~~[two members]~~ one member of the State Board of Regents appointed by the
370 ~~[governor with the consent of the Senate]~~ chair of the State Board of Regents, to serve as a
371 nonvoting member;

372 (c) one member representing business and industry employers from the ~~[regional]~~
373 campus board of directors of each ~~[regional]~~ applied technology college campus appointed by a
374 majority vote of the business and industry employer members of the ~~[regional]~~ campus board;

375 (d) one member representing business and industry employers from the Snow College
376 ~~[applied technology]~~ career and technical education advisory committee appointed by a
377 majority of the business and industry members of the advisory committee;

378 (e) one member representing business and industry employers from the College of
379 Eastern Utah ~~[applied technology]~~ career and technical education advisory committee
380 appointed by a majority of the business and industry employer members of the advisory
381 committee; ~~[and]~~

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

385 ~~[(f)]~~ (g) one business or industry employer representative appointed by the governor
386 with the consent of the Senate from nominations submitted by the speaker of the House of
387 Representatives and president of the Senate[-];

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

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

394 (j) the executive director of the Department of Workforce Services or the executive
395 director's designee; and

396 (k) the executive director of the Governor's Office of Economic Development or the
397 executive director's designee.

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

399 (i) individuals from the state at large with due consideration for geographical

400 representation:

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

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

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

405 ~~[(2)]~~ (3) (a) ~~[The]~~ Except as provided under Subsection (3)(b), members of the board of
406 trustees shall be appointed commencing on [September 1 of the year of appointment to:] July 1
407 of each odd-numbered year to a four-year term.

408 ~~[(i) two-year terms for the members described in Subsections (1)(a) and (b); and]~~

409 ~~[(ii) four-year terms for the members described in Subsections (1)(c) through (f).]~~

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

413 ~~[(b)]~~ (c) An appointed member holds office until a successor is appointed and
414 qualified.

415 (3) When a vacancy occurs in the membership for any reason, the replacement shall be
416 appointed for the unexpired term.

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

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

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

421 (6) (a) The board of trustees may enact bylaws for its own government, including
422 provision for regular meetings.

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

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

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

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

430 ~~[(c) Copies of the board of trustees' bylaws shall be filed with the Board of Regents.]~~

431 (7) A quorum shall be required to conduct business which shall consist of a majority of
432 voting board of trustee members.

433 (8) The board of trustees may establish advisory committees.

434 (9) (a) (i) Members who are not government employees shall receive no compensation
435 or benefits for their services, but may receive per diem and expenses incurred in the
436 performance of the member's official duties at the rates established by the Division of Finance
437 under Sections 63A-3-106 and 63A-3-107.

438 (ii) Members may decline to receive per diem and expenses for their service.

439 (b) (i) State government officer and employee members who do not receive salary, per
440 diem, or expenses from their agency for their service may receive per diem and expenses
441 incurred in the performance of their official duties from the board of trustees at the rates
442 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

443 (ii) State government officer and employee members may decline to receive per diem
444 and expenses for their service.

445 (c) (i) Higher education members who do not receive salary, per diem, or expenses
446 from the entity that they represent for their service may receive per diem and expenses incurred
447 in the performance of their official duties from the board of trustees at the rates established by
448 the Division of Finance under Sections 63A-3-106 and 63A-3-107.

449 (ii) Higher education members may decline to receive per diem and expenses for their
450 service.

451 Section 9. Section **53B-2a-104** is amended to read:

452 **53B-2a-104. Utah College of Applied Technology Board of Trustees -- Powers**
453 **and duties.**

454 (1) The Utah College of Applied Technology Board of Trustees is vested with the
455 control, management, and supervision of the Utah College of Applied Technology college
456 campuses in a manner consistent with the policy and purpose of this title and the specific
457 powers and responsibilities granted to it.

458 (2) The Utah College of Applied Technology Board of Trustees shall:

459 [(1) in cooperation with the president of the Utah College of Applied Technology, and
460 with the approval of the State Board of Regents, develop competency-based associate of
461 applied technology degrees to be offered by the Utah College of Applied Technology;]

462 ~~[(2) approve the courses and requirements for the associate of applied technology~~
463 ~~degrees;]~~

464 ~~[(3) ensure that, pursuant to State Board of Regents' rules, an applied technology~~
465 ~~education degree is primarily a terminal degree, but is transferable to a bachelor's degree in~~
466 ~~applied technology at other higher education institutions under specific articulation~~
467 ~~agreements;]~~

468 ~~[(4)]~~ (a) ensure that the Utah College of Applied Technology college campuses comply
469 with the requirements in Section 53B-2a-106;

470 ~~[(4)]~~ (b) appoint the president for the Utah College of Applied Technology in accordance
471 with Section 53B-2a-102;

472 ~~[(5)]~~ (c) advise the president of the Utah College of Applied Technology and the State
473 Board of Regents on issues related to ~~[applied technology]~~ career and technical education,
474 including articulation with institutions of higher education and public education;

475 ~~[(6)]~~ (d) receive budget requests from each college campus, compile and prioritize the
476 requests, and submit the request to:

477 ~~[(a)]~~ (i) the Legislature; and

478 ~~[(b)]~~ (ii) the Governor's Office of Planning and Budget;

479 ~~[(7)]~~ (e) receive funding requests pertaining to capital facilities and land purchases
480 from each college campus, ensure that the requests comply with Section 53B-2a-112, prioritize
481 the requests, and submit the prioritized requests to the State Building Board;

482 ~~[(7)]~~ (f) in conjunction with the Utah College of Applied Technology president, establish
483 benchmarks, provide oversight, evaluate program performance, and obtain independent audits
484 to ensure that campuses follow the non-credit career and technical education mission described
485 in this part;

486 ~~[(7)]~~ (g) approve programs for the Utah College of Applied Technology;

487 ~~[(7)]~~ (h) approve the tuition rates for the Utah College of Applied Technology;

488 ~~[(8)]~~ (i) prepare and submit an annual report detailing its progress and
489 recommendations on ~~[applied technology]~~ career and technical education issues to the governor
490 and to the Legislature's Education Interim Committee by October 31 of each year, which shall
491 include information detailing:

492 ~~[(a)]~~ (i) how the ~~[applied technology]~~ career and technical education needs of

493 secondary students are being met, including what access secondary students have to programs
 494 offered at college campuses; [and]

495 ~~[(b)]~~ (ii) how the emphasis on high demand, high wage, and high skill jobs in business
 496 and industry described in Subsection 53B-2a-106(1)(c)(ii) is being provided; [and]

497 (iii) performance outcomes, including:

498 (A) entered employment;

499 (B) job retention; and

500 (C) earnings; and

501 ~~[(c) what access secondary students have to programs offered:]~~

502 ~~[(i) at college campuses; and]~~

503 ~~[(ii) within the regions served by Snow College, and the College of Eastern Utah;]~~

504 ~~[(9) receive, by September 30 of each year, an annual report from Snow College and~~
 505 ~~the College of Eastern Utah on the status of and maintenance of the effort for applied~~
 506 ~~technology education in the regions served by Snow College and the College of Eastern Utah,~~
 507 ~~including access to open-entry, open-exit competency-based applied technology education~~
 508 ~~programs at the tuition rate approved by the Utah College of Applied Technology for adults~~
 509 ~~and at no tuition cost to secondary students; and]~~

510 ~~[(10) perform other duties and responsibilities prescribed under the policies of the State~~
 511 ~~Board of Regents;]~~

512 (iv) student tuition and fees; and

513 (j) collaborate with the State Board of Regents, the State Board of Education, the State
 514 System of Public Education, the State System of Higher Education, the Department of
 515 Workforce Services, and the Governor's Office of Economic Development on the delivery of
 516 career and technical education.

517 (3) The Utah College of Applied Technology Board of Trustees, the president of the
 518 Utah College of Applied Technology, and the Utah College of Applied Technology's college
 519 campuses, presidents, and boards of directors may not conduct a feasibility study or perform
 520 another act relating to offering a degree or awarding credit.

521 Section 10. Section **53B-2a-105** is amended to read:

522 **53B-2a-105. Utah College of Applied Technology -- Composition.**

523 The Utah College of Applied Technology is composed of the following college

524 campuses:

525 (1) the Bridgerland Applied Technology College Campus which serves the geographic
526 area encompassing:

- 527 (a) the Box Elder School District;
- 528 (b) the Cache School District;
- 529 (c) the Logan School District; and
- 530 (d) the Rich School District;

531 (2) the Ogden-Weber Applied Technology College Campus which serves the
532 geographic area encompassing:

- 533 (a) the Ogden City School District; and
- 534 (b) the Weber School District;

535 (3) the Davis Applied Technology College Campus which serves the geographic area
536 encompassing:

- 537 (a) the Davis School District; and
- 538 (b) the Morgan School District;

539 (4) the ~~[Salt Lake/Tooele]~~ Tooele Applied Technology College Campus which serves
540 the geographic area encompassing[?] the Tooele County School District;

- 541 ~~[(a) the Salt Lake City School District;]~~
- 542 ~~[(b) the Granite School District;]~~
- 543 ~~[(c) the Jordan School District;]~~
- 544 ~~[(d) the Murray School District; and]~~
- 545 ~~[(e) the Tooele School District;]~~

546 (5) the Mountainland Applied Technology College Campus which serves the
547 geographic area encompassing:

- 548 (a) the Alpine School District;
- 549 (b) the Nebo School District;
- 550 (c) the Provo School District;
- 551 (d) the South Summit School District;
- 552 (e) the North Summit School District;
- 553 (f) the Wasatch School District; and
- 554 (g) the Park City School District;

555 (6) the Uintah Basin Applied Technology College Campus which serves the
556 geographic area encompassing:

- 557 (a) the Daggett School District;
558 (b) the Duchesne School District; and
559 (c) the Uintah School District;

560 (7) the Southwest Applied Technology College Campus which serves the geographic
561 area encompassing:

- 562 (a) the Beaver School District;
563 (b) the Garfield School District;
564 (c) the Iron School District; and
565 (d) the Kane School District; and

566 (8) the Dixie Applied Technology College Campus which serves the geographic area
567 encompassing the Washington School District.

568 Section 11. Section **53B-2a-106** is amended to read:

569 **53B-2a-106. College campuses -- Duties.**

570 (1) Each Utah College of Applied Technology college campus shall, within the
571 geographic area served by the college campus:

572 (a) offer a non-credit post-secondary and [~~extra-secondary applied technology~~]
573 secondary career and technical education curriculum;

574 (b) offer that curriculum at:

575 (i) [~~market~~] low cost to adult students, as approved by the board of trustees [~~and the~~
576 ~~State Board of Regents~~]; and

577 (ii) no tuition to secondary students [~~within the campus' jurisdiction~~];

578 (c) provide [~~applied technology~~] career and technical education that will result in:

579 (i) appropriate licensing, certification, or other evidence of completion of training; and

580 (ii) qualification for specific employment, with an emphasis on high demand, high
581 wage, and high skill jobs in business and industry;

582 [~~(d) offer associate of applied technology degrees that have:~~]

583 [~~(i) instruction provided in an open-entry, open-exit environment, except as required by~~
584 ~~external entities; and~~]

585 [~~(ii) been reviewed by the board of trustees and approved by the State Board of~~]

586 ~~Regents in accordance with Section 53B-1-103;~~

587 ~~[(e)]~~ (d) develop cooperative agreements with ~~[local]~~ school districts, charter schools,
588 other higher education institutions, businesses, industries, and community and private agencies
589 to maximize the availability of instructional facilities within the geographic area served by the
590 college campus; and

591 ~~[(f)]~~ (e) after consulting with ~~[local]~~ school districts and charter schools within the
592 geographic area served by the college campus:

593 (i) ensure that secondary students in the public education system have access to

594 ~~[applied technology]~~ career and technical education at each college campus; and

595 (ii) prepare and submit an annual report to the Utah College of Applied Technology
596 detailing:

597 (A) how the ~~[applied technology]~~ career and technical education needs of secondary
598 students within the region are being met;

599 (B) what access secondary students within the region have to programs offered at
600 college campuses; ~~[and]~~

601 (C) how the emphasis on high demand, high wage, high skill jobs in business and
602 industry described in Subsection (1)(c)(ii) is being provided[-]; and

603 (D) student tuition and fees.

604 (2) A college campus may offer:

605 (a) a competency-based high school diploma approved by the State Board of Education
606 in accordance with Section 53A-1-402[-];

607 (b) non-credit, basic instruction in areas such as reading, language arts, and
608 mathematics that are necessary for student success in a chosen career and technical education
609 or job-related program; and

610 (c) non-credit courses of interest when similar offerings to the community are limited
611 and courses are financially self-supporting.

612 (3) A college campus may not:

613 (a) offer courses other than ~~[applied technology education and preparatory instruction~~
614 ~~in areas such as reading and mathematics that are necessary for student success in a chosen~~
615 ~~applied technology education or job-related program]~~ non-credit career and technical education
616 or the non-credit, basic instruction described in Subsections (2)(b) and (c);

617 (b) offer a degree [~~other than an associate of applied technology degree approved by~~
618 ~~the State Board of Regents in accordance with Section 53B-1-103~~];

619 (c) offer career and technical education or basic instruction outside the geographic area
620 served by the college campus without a cooperative agreement between an affected institution;

621 [~~(c)~~] (d) provide tenure or academic rank for its instructors; and

622 [~~(d)~~] (e) participate in intercollegiate athletics.

623 (4) [~~(a)~~] The mission of a college campus is limited to [~~applied technology~~] non-credit
624 career and technical education and may not expand to include credit-based academic programs
625 typically offered by community colleges or other institutions of higher education.

626 [~~(b) A college campus may not offer a noncredit academic program that is offered as a~~
627 ~~noncredit program by another higher education institution that is located in the same service~~
628 ~~region unless the program has received approval through the regional planning process required~~
629 ~~by the State Board of Regents.;~~]

630 [~~(c) If a program is approved to be offered at more than one institution of higher~~
631 ~~education through the regional planning process required by the State Board of Regents, the~~
632 ~~institutions within that region shall agree to a uniform tuition for that program and submit the~~
633 ~~proposed tuition level to the State Board of Regents for approval.;~~]

634 (5) [~~Each~~] A campus shall be recognized as a college campus of the Utah College of
635 Applied Technology, and regional affiliation shall be retained and recognized through local
636 designations such as "Bridgerland Applied Technology College: A Utah College of Applied
637 Technology Campus."

638 Section 12. Section **53B-2a-107** is amended to read:

639 **53B-2a-107. Campus presidents -- Appointments -- Duties.**

640 (1) (a) The president of the Utah College of Applied Technology shall, after
641 consultation with a campus board of directors and with the approval of the board of trustees,
642 appoint a campus president for a college campus[~~from a list of at least three names submitted~~
643 ~~to the president by the campus board of directors to~~].

644 (b) A campus president shall serve as the chief administrative officer of the college
645 campus.

646 [~~(b)~~] (c) A campus president does not need to have a doctorate degree, but shall have
647 extensive experience in [~~applied technology~~] career and technical education.

648 ~~[(e)]~~ (d) A campus president is subject to regular review and evaluation administered
 649 by the Utah College of Applied Technology president, in cooperation with the campus board of
 650 directors, through a process approved by the board of trustees.

651 ~~[(d)]~~ (e) A campus president serves at the discretion of the Utah College of Applied
 652 Technology president, in cooperation with the campus board of directors and the board of
 653 trustees.

654 (2) Each campus president of a college campus shall:

655 (a) serve as the executive officer of the campus board of directors;

656 (b) administer the day-to-day operations of the college campus ~~[under the direction of];~~

657 (c) consult with the campus board of directors; and

658 ~~[(e)]~~ (d) administer human resource policies and employee compensation plans in
 659 accordance with the requirements of the Utah College of Applied Technology Board of
 660 Trustees.

661 Section 13. Section **53B-2a-108** is amended to read:

662 **53B-2a-108. Campus boards of directors -- Membership -- Appointments.**

663 ~~[Each]~~ A campus shall have a campus board of directors appointed as follows:

664 (1) the Bridgerland Applied Technology College Campus Board of Directors shall be
 665 composed of the following ~~[13]~~ 12 members:

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

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

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

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

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

675 ~~[(f) one member of the State Board of Regents designated by the chair of the State~~
 676 ~~Board of Regents to serve a one-year term; and]~~

677 ~~[(g) seven]~~ (f) seven representatives of business or industry employers within the
 678 region appointed jointly by the members appointed under Subsections (1)(a) through ~~[(f)]~~ (e);

679 (2) the Ogden-Weber Applied Technology College Campus Board of Directors shall be
680 composed of the following [~~11~~] ten members:

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

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

685 (c) one elected local school board member jointly appointed by the boards of education
686 for the Ogden City School District and the Weber School District;

687 (d) one member of the Weber State University board of trustees; and

688 [~~(e) one member of the State Board of Regents designated by the chair of the State~~
689 ~~Board of Regents to serve a one-year term; and]~~

690 [~~(f) six~~] (e) six representatives of business or industry employers within the region
691 appointed jointly by the members appointed under Subsections (2)(a) through [~~(e)~~] (d);

692 (3) the Davis Applied Technology College Campus Board of Directors shall be
693 composed of the following [~~11~~] ten members:

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

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

698 (c) one elected local school board member jointly appointed by the boards of education
699 for the Davis School District and the Morgan School District;

700 (d) one member of the Weber State University board of trustees;

701 [~~(e) one member of the State Board of Regents designated by the chair of the State~~
702 ~~Board of Regents to serve a one-year term; and]~~

703 [~~(f) six~~] (e) six representatives of business or industry employers within the region
704 appointed jointly by the members appointed under Subsections (3)(a) through [~~(e)~~] (d); and

705 (4) the [~~Salt Lake/Tooele~~] Tooele Applied Technology College Campus Board of
706 Directors shall be composed of the following [~~15~~] 12 members:

707 [~~(a) one elected local school board member appointed by the board of education for the~~
708 ~~Salt Lake City School District;]~~

709 [~~(b) one elected local school board member appointed by the board of education for the~~

710 ~~Granite School District;~~
711 ~~[(e) one elected local school board member appointed by the board of education for the~~
712 ~~Jordan School District;~~
713 ~~[(d) one elected local school board member appointed by the board of education for the~~
714 ~~Murray School District;~~
715 ~~[(e) one] (a) three elected local school board [~~member~~] members appointed by the~~
716 ~~board of education for the Tooele County School District;~~
717 ~~[(f)] (b) one member of the Salt Lake Community College board of trustees;~~
718 ~~[(g) one member of the State Board of Regents designated by the chair of the State~~
719 ~~Board of Regents to serve a one-year term; and]~~
720 ~~(c) one member of the Utah State University board of trustees; and~~
721 ~~[(h) eight] (d) seven representatives of business or industry employers within the~~
722 ~~region appointed jointly by the members appointed under Subsections (4)(a) through [(g)] (c);~~
723 ~~(5) the Mountainland Applied Technology College Campus Board of Directors shall be~~
724 ~~composed of the following [~~19~~] 18 members:~~
725 ~~(a) one elected local school board member appointed by the board of education for the~~
726 ~~Alpine School District;~~
727 ~~(b) one elected local school board member appointed by the board of education for the~~
728 ~~Nebo School District;~~
729 ~~(c) one elected local school board member appointed by the board of education for the~~
730 ~~Provo School District;~~
731 ~~(d) one elected local school board member appointed by the board of education for the~~
732 ~~South Summit School District;~~
733 ~~(e) one elected local school board member appointed by the board of education for the~~
734 ~~North Summit School District;~~
735 ~~(f) one elected local school board member appointed by the board of education for the~~
736 ~~Wasatch School District;~~
737 ~~(g) one elected local school board member appointed by the board of education for the~~
738 ~~Park City School District;~~
739 ~~(h) one member of the Utah Valley University board of trustees;~~
740 ~~[(i) one member of the State Board of Regents designated by the chair of the State~~

741 ~~Board of Regents to serve a one-year term; and]~~
742 ~~[(j) ten]~~ (i) ten representatives of business or industry employers within the region
743 appointed jointly by the members appointed under Subsections (5)(a) through ~~[(h)]~~ (h); and
744 (6) the Uintah Basin Applied Technology College Campus Board of Directors shall be
745 composed of the following ~~[11]~~ ten members:
746 (a) one elected local school board member appointed by the board of education for the
747 Daggett School District;
748 (b) one elected local school board member appointed by the board of education for the
749 Duchesne School District;
750 (c) one elected local school board member appointed by the board of education for the
751 Uintah School District;
752 (d) one member of the Utah State University board of trustees; and
753 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
754 ~~Board of Regents to serve a one-year term; and]~~
755 ~~[(f) six]~~ (e) six representatives of business or industry employers within the region
756 appointed jointly by the members appointed under Subsections (6)(a) through ~~[(e)]~~ (d);
757 (7) the Southwest Applied Technology College Campus Board of Directors shall be
758 composed of the following ~~[13]~~ 12 members:
759 (a) one elected local school board member appointed by the board of education for the
760 Beaver School District;
761 (b) one elected local school board member appointed by the board of education for the
762 Garfield School District;
763 (c) one elected local school board member appointed by the board of education for the
764 Iron School District;
765 (d) one elected local school board member appointed by the board of education for the
766 Kane School District;
767 (e) one member of the Southern Utah University board of trustees; and
768 ~~[(f) one member of the State Board of Regents designated by the chair of the State~~
769 ~~Board of Regents to serve a one-year term; and]~~
770 ~~[(g) seven]~~ (f) seven representatives of business or industry employers within the
771 region appointed jointly by the members appointed under Subsections (7)(a) through ~~[(f)]~~ (e);

772 (8) the Dixie Applied Technology College Campus Board of Directors shall be
773 composed of the following [~~11~~] ten members:

774 (a) three elected local school board members appointed by the board of education for
775 the Washington School District;

776 (b) one member of the Dixie State College of Utah board of trustees; and

777 [~~(c) one member of the State Board of Regents designated by the chair of the State~~
778 ~~Board of Regents to serve a one-year term; and]~~

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

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

782 (a) appointed jointly by the designated members from a list of names provided by local
783 organizations or associations whose members employ workers with [~~applied technology~~] career
784 and technical education[-];

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

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

788 (d) appointed on a nonpartisan basis.

789 Section 14. Section **53B-2a-109** is amended to read:

790 **53B-2a-109. Campus boards of directors -- Terms -- Quorum -- Chair--**
791 **Compensation.**

792 (1) (a) At the first meeting of a campus board of directors after [~~September 1, 2001~~]
793 July 1, 2009:

794 (i) the representatives from the local school boards shall divide up their positions so
795 that approximately half of them serve for two-year terms and half serve for four-year terms;
796 and

797 (ii) the representatives from business and industry employers shall divide up their
798 positions so that approximately half of them serve for two-year terms and half serve for
799 four-year terms.

800 (b) Except as provided in Subsection (1)(a) [~~and except for State Board of Regents~~
801 ~~members who serve a one-year term~~], individuals appointed to a campus board of directors
802 shall serve four-year terms.

803 (2) The original appointing authority shall fill any vacancies that occur on the campus
804 board of directors.

805 (3) A majority of the campus board of directors is a quorum.

806 (4) ~~The~~ A campus board of directors shall elect a chair from its membership.

807 (5) (a) (i) Members who are not government employees shall receive no compensation
808 or benefits for their services, but may receive per diem and expenses incurred in the
809 performance of the member's official duties from the campus board of directors at the rates
810 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

811 (ii) Members may decline to receive per diem and expenses for their service.

812 (b) (i) Higher education members who do not receive salary, per diem, or expenses
813 from the entity that they represent for their service may receive per diem and expenses incurred
814 in the performance of their official duties from the campus board of directors at the rates
815 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

816 (ii) Higher education members may decline to receive per diem and expenses for their
817 service.

818 (c) (i) Members appointed by local school boards who do not receive salary, per diem,
819 or expenses from the entity that they represent for their service may receive per diem and
820 expenses incurred in the performance of their official duties from the campus board of directors
821 at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

822 (ii) Local school board members may decline to receive per diem and expenses for
823 their service.

824 (6) (a) ~~Each~~ A campus board of directors may enact bylaws for its own government,
825 including provision for regular meetings, that are in accordance with the policies of the Utah
826 College of Applied Technology.

827 (b) (i) The campus board of directors may provide for an executive committee in its
828 bylaws.

829 (ii) If established, the committee shall have the full authority of the campus board of
830 directors to act upon routine matters during the interim between ~~regional~~ board meetings.

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

833 (iv) The committee shall report its activities to the campus board of directors at its next

834 regular meeting following the action.

835 (7) A ~~[regional]~~ campus board of directors may establish advisory committees.

836 Section 15. Section **53B-2a-110** is amended to read:

837 **53B-2a-110. Campus board of directors -- Powers and duties.**

838 (1) ~~[Each]~~ A campus board of directors shall:

839 (a) ~~[prepare and submit]~~ assist the campus president in preparing a budget request for
840 its annual operations to the Utah College of Applied Technology Board of Trustees;

841 (b) after consulting with the Utah College of Applied Technology, other higher
842 education institutions, ~~[and local]~~ school districts, and charter schools within its region, prepare
843 a comprehensive strategic plan for delivering ~~[applied technology]~~ career and technical
844 education within its region;

845 (c) consult with business, industry, the Department of Workforce Services, the
846 Governor's Office of Economic Development, and the Governor's Office of Planning and
847 Budget on an ongoing basis to determine what workers and skills are needed for employment
848 in Utah businesses and industries;

849 (d) develop programs based upon the information gathered in accordance with
850 Subsection (1)(c), including expedited program approval and termination procedures to meet
851 market needs;

852 (e) adopt an annual budget and fund balances;

853 (f) develop policies for the operation of ~~[applied technology]~~ career and technical
854 education facilities under its jurisdiction;

855 (g) establish human resources and compensation policies for all employees in
856 accordance with policies of the Utah College of Applied Technology Board of Trustees;

857 (h) approve credentials for employees and assign employees to duties in accordance
858 with the Utah College of Applied Technology Board of Trustees policies and accreditation
859 guidelines;

860 (i) conduct annual program evaluations;

861 (j) appoint program advisory committees and other advisory groups to provide counsel,
862 support, and recommendations for updating and improving the effectiveness of training
863 programs and services;

864 (k) approve regulations, both regular and emergency, to be issued and executed by the

865 campus president;

866 (1) coordinate with local school boards ~~[and]~~, school districts, and charter schools to
867 ~~[protect]~~ meet the ~~[applied technology]~~ career and technical education needs of secondary
868 students; and

869 (m) develop policies and procedures for the admission, classification, instruction, and
870 examination of students in accordance with the policies and accreditation guidelines of the
871 Utah College of Applied Technology~~;~~ and the State Board of Education~~[, and the State Board~~
872 ~~of Regents]~~.

873 (2) Subsection (1)(g) does not apply to a campus president.

874 ~~[(2)]~~ (3) A campus board of directors may not exercise any jurisdiction over ~~[applied~~
875 ~~technology]~~ career and technical education provided by a ~~[local]~~ school district or charter
876 school or provided by a higher education institution independently of a college campus.

877 ~~[(3)]~~ (4) If a program advisory committee or other advisory group submits a printed
878 recommendation to the campus board of directors, the campus board of directors shall
879 acknowledge the recommendation with a printed response that explains the campus board of
880 directors' action regarding the recommendation and the reasons for the action.

881 Section 16. Section **53B-2a-111** is amended to read:

882 **53B-2a-111. Board of Trustees -- Consultation with State Board of Regents.**

883 ~~[(1)]~~ (1) The ~~[board]~~ Utah College of Applied Technology Board of Trustees shall consult
884 with the ~~[Utah College of Applied Technology Board of Trustees or the president of the Utah~~
885 ~~College of Applied Technology or both before acting on matters pertaining to the Utah College~~
886 ~~of Applied Technology]~~ State Board of Regents to coordinate the delivery of career and
887 technical education.

888 ~~[(2) The board shall consult with a campus board of directors or the campus president~~
889 ~~or both before acting on matters pertaining to a college campus.]~~

890 ~~[(3) The board may:]~~

891 ~~[(a) call meetings with the Utah College of Applied Technology Board of Trustees or~~
892 ~~one or more of the campus boards of directors; and]~~

893 ~~[(b) appoint committees to perform duties assigned by the board that include:]~~

894 ~~[(i) (A) members of the Utah College of Applied Technology Board of Trustees; or]~~

895 ~~[(B) administrators of the Utah College of Applied Technology; or]~~

896 ~~[(ii) (A) members of one or more of the campus boards of directors; or]~~
 897 ~~[(B) administrators, faculty staff members, or students of one or more of the college~~
 898 ~~campuses.]~~

899 Section 17. Section **53B-2a-112** is amended to read:

900 **53B-2a-112. College campuses -- Relationships with other public and higher**
 901 **education institutions -- Agreements -- Priorities -- New capital facilities.**

902 (1) As used in this section, "higher education institution" means, for each college
 903 campus, the higher education institution designated in Section 53B-2a-108~~[, except for the~~
 904 ~~State Board of Regents, to have]~~ that has a representative on its campus board of directors.

905 (2) A college campus shall avoid any unnecessary duplication of ~~[applied technology]~~
 906 career and technical education instructional facilities, programs, administration, and staff
 907 between the college campus and other public and higher education institutions.

908 (3) A college campus may enter into agreements:

- 909 (a) with other higher education institutions to cultivate cooperative relationships;
- 910 (b) with other public and higher education institutions to enhance ~~[applied technology]~~
 911 career and technical education within its region; or

- 912 (c) to comply with Subsection (2).

913 (4) Before a college campus develops its own new instructional facilities, it shall give
 914 priority to:

- 915 (a) maintaining its own existing instructional facilities for both secondary and adult
 916 students;

- 917 (b) coordinating with the president of a higher education institution and entering into
 918 any necessary agreements to provide ~~[applied technology]~~ career and technical education to
 919 both secondary and adult students that:

- 920 (i) maintain and support existing higher education ~~[applied technology]~~ career and
 921 technical education programs; and

- 922 (ii) maximize the use of existing higher education facilities; and

- 923 (c) developing cooperative agreements with ~~[local]~~ school districts, charter schools,
 924 other higher education institutions, businesses, industries, and community and private agencies
 925 to maximize the availability of ~~[applied technology]~~ career and technical education
 926 instructional facilities for both secondary and adult students.

927 (5) (a) Before submitting a funding request pertaining to new capital facilities and land
928 purchases to the Utah College of Applied Technology, a college campus shall:

929 (i) ensure that all available instructional facilities are maximized in accordance with
930 Subsections (4)(a) through (c); and

931 (ii) coordinate the request with the president of a higher education institution, if
932 applicable.

933 (b) The State Building Board shall make a finding that the requirements of this section
934 are met before it may consider a funding request of the Utah College of Applied Technology
935 pertaining to new capital facilities and land purchases.

936 (c) A college campus may not construct, approve the construction of, plan for the
937 design or construction of, or consent to the construction of [~~an applied technology~~] a career and
938 technical education facility without approval of the Legislature.

939 (6) Before acquiring new fiscal and administrative support structures, a college campus
940 shall:

941 (a) review the use of existing public or higher education administrative and accounting
942 systems, financial record systems, and student and financial aid systems for the delivery of
943 [~~applied technology~~] career and technical education in the region;

944 (b) determine whether it is feasible to use those existing systems; and

945 (c) with the approval of the campus board of directors and the board of trustees, use
946 those existing systems.

947 [~~(7) (a) The higher education institution for the region shall have the first opportunity~~
948 ~~to offer the general education courses that are required for an associate of applied technology~~
949 ~~degree offered by the Utah College of Applied Technology, at the college campus site.]~~

950 [~~(b) The content of the general education courses described in Subsection (7)(a) shall~~
951 ~~be defined by the higher education institution for the region in a manner consistent with the~~
952 ~~needs of the Utah College of Applied Technology.]~~

953 [~~(c) If the higher education institution for the region is unable to offer the courses~~
954 ~~described in Subsection (7)(a), other institutions of higher education may offer those courses.]~~

955 [~~(d) The college campuses shall be responsible to provide technical skills training and~~
956 ~~basic skills as required by business and industry towards an associate of applied technology~~
957 ~~degree.]~~

958 Section 18. Section **53B-2a-113** is amended to read:

959 **53B-2a-113. College campuses -- Leasing authority -- Lease-purchase agreements**
960 **-- Report.**

961 (1) In accordance with Subsection 53B-2a-112(2), a college campus may enter into a
962 lease with other higher education institutions, [public] school districts, charter schools, state
963 agencies, or business and industry for a term of:

964 (a) one year or less with the approval of the campus board of directors; and

965 (b) more than one year with the approval of the board of trustees and:

966 (i) the approval of funding for the lease by the Legislature prior to a college campus
967 entering into the lease; or

968 (ii) the lease agreement includes language that allows termination of the lease without
969 penalty.

970 (2) (a) In accordance with Subsection 53B-2a-112(2), a college campus may enter into
971 a lease-purchase agreement if:

972 (i) there is a long-term benefit to the state;

973 (ii) the project is included in both the campus and Utah College of Applied Technology
974 master plans;

975 (iii) the lease-purchase agreement includes language that allows termination of the
976 lease;

977 (iv) the lease-purchase agreement is approved by the campus board of directors and the
978 board of trustees; and

979 (v) the lease-purchase agreement is:

980 (A) reviewed by the Division of Facilities Construction and Management;

981 (B) reviewed by the State Building Board; and

982 (C) approved by the Legislature.

983 (b) An approval under Subsection (2)(a) shall include a recognition of:

984 (i) all parties, dates, and elements of the agreement;

985 (ii) the equity or collateral component that creates the benefit; and

986 (iii) the options dealing with the sale and division of equity.

987 (3) (a) Each college campus shall provide an annual lease report to the board of
988 trustees that details each of its leases, annual costs, location, square footage, and

989 recommendations for lease continuation.

990 (b) The president of the Utah College of Applied Technology shall compile and
991 distribute an annual combined lease report for all college campuses to the Division of Facilities
992 Construction Management and to others upon request.

993 (4) The Utah College of Applied Technology shall use the annual combined lease
994 report in determining planning, utilization, and budget requests.

995 Section 19. Section **53B-6-101** is amended to read:

996 **53B-6-101. Additional responsibilities of the board -- Studies and evaluations --**
997 **Master plan for higher education -- Productivity -- Institutional student assessment --**
998 **Biennial accountability report to the Legislature.**

999 (1) The board shall conduct continuing studies and evaluations of the facilities,
1000 grounds, buildings, and equipment at the higher education institutions under its jurisdiction and
1001 use space utilization and other studies conducted by the State Building Board.

1002 (2) The board shall establish and maintain an up-to-date master plan which shall
1003 include:

1004 (a) providing for statewide planning of public higher education in terms of aims,
1005 purposes, and objectives of the system as a whole;

1006 (b) establishing and defining the role and programs of each institution within the
1007 system;

1008 (c) establishing criteria for and determination of the future needs and requirements for
1009 new programs and new institutions and the elimination, curtailment, or consolidation of
1010 existing programs and facilities;

1011 (d) providing for the initiation and financing of projects as considered necessary to
1012 meet and satisfy the projected patterns of growth and maintenance;

1013 (e) establishing criteria for and determination of the operating and capital budgetary
1014 needs of each institution and the system as a whole;

1015 (f) recommending the methods and sources of future financial support of the higher
1016 education system;

1017 (g) establishing procedures for the development of maximum utilization of existing
1018 facilities as suggested by space utilization studies conducted by the State Building Board; and

1019 (h) securing an adequate and coordinated program for the community colleges and

1020 [~~applied technology/technical~~] career and technical education programs in the institutions and
1021 departments in the state system of higher education.

1022 (3) (a) The board may do all things necessary for the effective implementation of the
1023 statewide master plan as adopted and revised by the board from time to time.

1024 (b) The State Board of Education and the Utah College of Applied Technology shall
1025 provide [~~applied technology~~] career and technical education staff assistance to the State Board
1026 of Regents in support of master planning activities related to [~~applied technology~~] career and
1027 technical education in higher education.

1028 (4) (a) The board shall adopt rules and initiate programs to promote and increase
1029 productivity in the state system of higher education.

1030 (b) The board shall require each college and university in the system to establish
1031 multiple measures of institutional and student assessment in order to improve student
1032 instruction, academic programs, and learning opportunities.

1033 (c) The board shall submit a biennial accountability report to the Legislature, which
1034 shall include such factors as:

1035 (i) space utilization, faculty productivity, and other similar measures of the
1036 management of institutional resources at each institution; and

1037 (ii) student assessment at entry to each institution, at critical midway points, and at
1038 exit.

1039 (d) The board shall establish a systemwide committee to address assessment and
1040 accountability issues and propose essential elements to be included in the biennial report.

1041 Section 20. Section **53B-16-102** is amended to read:

1042 **53B-16-102. Changes in curriculum -- Substantial alterations in institutional**
1043 **operations -- Periodic review of programs -- Career and technical education curriculum**
1044 **changes.**

1045 (1) Under procedures and policies approved by the board and developed in consultation
1046 with each institution of higher education, each institution may make such changes in its
1047 curriculum as necessary to better effectuate the institutional role previously approved by the
1048 board.

1049 (2) Notice of a change in the curriculum shall in all cases be promptly submitted to the
1050 board.

1051 (3) The board shall establish procedures and policies for considering institutional
1052 proposals for substantial alterations in the scope of existing institutional operations.

1053 (4) Alterations shall not be made without prior approval of the state board.

1054 (5) For purposes of this section, "substantial alteration" means the establishment of a
1055 branch, extension center, college, professional school, division, institute, department, or a new
1056 program in instruction, research, or public services or a new degree, diploma, or certificate.

1057 (6) The board shall conduct periodic reviews of all programs of instruction, research,
1058 and public service at each institution, including those funded by gifts, grants, and contracts, and
1059 may require the modification or termination of any program.

1060 (7) Prior to requiring modification or termination of a program, the board shall give the
1061 institution adequate opportunity for a hearing before the board.

1062 (8) In making decisions related to [~~applied technology~~] career and technical education
1063 curriculum changes, the board shall request a review of the proposed changes by the State
1064 Board of Education and the Utah College of Applied Technology to ensure an orderly and
1065 systematic [~~applied technology~~] career and technical education curriculum that eliminates
1066 overlap and duplication of course work with the high schools and the Utah College of Applied
1067 Technology.

1068 Section 21. Section **53B-16-205** is amended to read:

1069 **53B-16-205. Establishment of Snow College Richfield campus -- Supervision and**
1070 **administration -- Transition -- Institutional mission.**

1071 (1) There is established a branch campus of Snow College in Richfield, Utah, hereafter
1072 referred to as the Snow College Richfield campus.

1073 (2) Snow College shall administer the branch campus under the general control and
1074 supervision of the State Board of Regents as an integrated part of Snow College's mission,
1075 programs, and curriculum.

1076 (3) Snow College shall:

1077 (a) maintain a strong curriculum in [~~applied technology~~] career and technical education
1078 courses at the Snow College Richfield campus and within the region served by Snow College
1079 which can be transferred to other institutions within the higher education system, together with
1080 lower division courses and courses required for associate degrees in science, arts, applied
1081 science, and [~~applied technology~~] career and technical education;

1082 (b) work with [~~local~~] school districts and charter schools in developing an aggressive
1083 concurrent enrollment program in cooperation with Snow College Richfield campus; and

1084 (c) provide, through the Snow College Richfield Campus, for open-entry, open-exit
1085 competency-based [~~applied technology~~] career and technical education programs, at [~~the~~] a low
1086 cost tuition rate [~~approved by the Utah College of Applied Technology~~] for adults and at no
1087 tuition cost to secondary students, that emphasize short-term job training or retraining for
1088 immediate placement in the job market and serve the geographic area encompassing:

- 1089 (i) the Juab School District;
- 1090 (ii) the Millard School District;
- 1091 (iii) the Tintic School District;
- 1092 (iv) the North Sanpete School District;
- 1093 (v) the South Sanpete School District;
- 1094 (vi) the Wayne School District;
- 1095 (vii) the Piute School District; and
- 1096 (viii) the Sevier School District.

1097 (4) Snow College may not exercise any jurisdiction over [~~applied technology~~] career
1098 and technical education provided by a [~~local~~] school district or charter school independently of
1099 Snow College.

1100 (5) Snow College shall report to the [~~Utah College of Applied Technology by~~
1101 ~~September 30 of each year~~] State Board of Regents annually on:

1102 (a) the status of and maintenance of the effort for [~~applied technology~~] career and
1103 technical education in the region served by Snow College, including access to open-entry,
1104 open-exit competency-based [~~applied technology~~] career and technical education programs [~~at~~
1105 ~~the tuition rate approved by the Utah College of Applied Technology for adults and at no~~
1106 ~~tuition cost to secondary students.]; and~~

1107 (b) student tuition and fees.

1108 (6) Legislative appropriations to Snow College's career and technical education shall
1109 be made as line items that are separate from other appropriations for Snow College.

1110 Section 22. Section **53B-16-206** is amended to read:

1111 **53B-16-206. Snow College -- Career and technical education advisory committee**
1112 **-- Membership -- Duties.**

1113 (1) The Snow College Richfield campus shall have [~~an applied technology~~] a career
1114 and technical education advisory committee composed of the following 19 members:

1115 (a) one elected local school board member appointed by the board of education for the
1116 Juab School District;

1117 (b) one elected local school board member appointed by the board of education for the
1118 Millard School District;

1119 (c) one elected local school board member appointed by the board of education for the
1120 Tintic School District;

1121 (d) one elected local school board member appointed by the board of education for the
1122 North Sanpete School District;

1123 (e) one elected local school board member appointed by the board of education for the
1124 South Sanpete School District;

1125 (f) one elected local school board member appointed by the board of education for the
1126 Wayne School District;

1127 (g) one elected local school board member appointed by the board of education for the
1128 Piute School District;

1129 (h) one elected local school board member appointed by the board of education for the
1130 Sevier School District;

1131 (i) one member of the Snow College board of trustees appointed by the president of
1132 Snow College; and

1133 (j) ten representatives of business or industry employers within the region appointed by
1134 the president of Snow College from nominations of the members appointed under Subsections
1135 (1)(a) through (i).

1136 (2) The [~~applied technology~~] career and technical education advisory committee shall:

1137 (a) after consulting with Snow College and local school districts within its region,
1138 prepare a comprehensive strategic plan for delivering [~~applied technology~~] career and technical
1139 education within its region;

1140 (b) make recommendations regarding what skills are needed for employment in Utah
1141 businesses and industries;

1142 (c) recommend programs based upon the information gathered in accordance with
1143 Subsection (2)(b);

- 1144 (d) review annual program evaluations;
- 1145 (e) provide counsel, support, and recommendations for updating and improving the
- 1146 effectiveness of [~~applied technology~~] career and technical education programs and services,
- 1147 including expedited program approval and termination of procedures, consistent with Board of
- 1148 Regents' policy;
- 1149 (f) monitor program advisory committees and other advisory groups to provide
- 1150 counsel, support, and recommendations for updating and improving the effectiveness of
- 1151 training programs and services; and
- 1152 (g) coordinate with local school boards [~~and~~], school districts, and charter schools to
- 1153 [~~protect and enhance~~] meet the [~~applied technology~~] career and technical education needs of
- 1154 secondary students.

1155 Section 23. Section **53B-16-207** is amended to read:

1156 **53B-16-207. College of Eastern Utah -- Career and technical education --**
1157 **Supervision and administration -- Transition -- Institutional mission.**

- 1158 (1) The College of Eastern Utah shall:
- 1159 (a) maintain a strong curriculum in [~~applied technology~~] career and technical education
- 1160 courses at its campus and within the region it serves which can be transferred to other
- 1161 institutions within the higher education system, together with lower division courses and
- 1162 courses required for associate degrees in science, arts, applied science, and [~~applied~~
- 1163 technology] career and technical education;
- 1164 (b) work with [~~local~~] school districts and charter schools in developing an aggressive
- 1165 concurrent enrollment program; and
- 1166 (c) provide for open-entry, open-exit competency-based [~~applied technology~~] career
- 1167 and technical education programs, at [~~the~~] a low cost tuition rate [~~approved by the Utah~~
- 1168 ~~College of Applied Technology~~] for adults and at no tuition cost to secondary students, that
- 1169 emphasize short-term job training or retraining for immediate placement in the job market and
- 1170 serve the geographic area encompassing:
 - 1171 (i) the Carbon School District;
 - 1172 (ii) the Emery School District;
 - 1173 (iii) the Grand School District; and
 - 1174 (iv) the San Juan School District.

1175 (2) The College of Eastern Utah may not exercise any jurisdiction over [~~applied~~
 1176 ~~technology~~] career and technical education provided by a [~~local~~] school district or charter
 1177 school independently of the College of Eastern Utah.

1178 (3) The College of Eastern Utah shall report to the [~~Utah College of Applied~~
 1179 ~~Technology by September 30 of each year~~] State Board of Regents annually on:

1180 (a) the status of and maintenance of the effort for [~~applied technology~~] career and
 1181 technical education in the region served by the College of Eastern Utah, including access to
 1182 open-entry, open-exit competency-based [~~applied technology~~] career and technical education
 1183 programs [~~at the tuition rate approved by the Utah College of Applied Technology for adults~~
 1184 ~~and at no tuition cost to secondary students.]; and~~

1185 (b) student tuition and fees.

1186 (4) Legislative appropriations to the College of Eastern Utah's career and technical
 1187 education shall be made as line items that are separate from other appropriations for the
 1188 College of Eastern Utah.

1189 Section 24. Section **53B-16-208** is amended to read:

1190 **53B-16-208. The College of Eastern Utah -- Career and technical education**
 1191 **advisory committee -- Membership -- Duties.**

1192 (1) The College of Eastern Utah shall have [~~an applied technology~~] a career and
 1193 technical education advisory committee composed of the following 11 members:

1194 (a) one elected local school board member appointed by the board of education for the
 1195 Carbon School District;

1196 (b) one elected local school board member appointed by the board of education for the
 1197 Emery School District;

1198 (c) one elected local school board member appointed by the board of education for the
 1199 Grand School District;

1200 (d) one elected local school board member appointed by the board of education for the
 1201 San Juan School District;

1202 (e) one member of the College of Eastern Utah board of trustees appointed by the
 1203 president of the College of Eastern Utah; and

1204 (f) six representatives of business or industry within the region appointed by the
 1205 president of the College of Eastern Utah from members of the program advisory committees

1206 overseeing career and technical education in the region.

1207 (2) The [~~applied technology~~] career and technical education advisory committee shall:

1208 (a) after consulting with the College of Eastern Utah [~~and~~], school districts, and charter
1209 schools within its region, prepare a comprehensive strategic plan for delivering [~~applied~~
1210 ~~technology~~] career and technical education within its region;

1211 (b) make recommendations regarding what skills are needed for employment in Utah
1212 businesses and industries;

1213 (c) recommend programs based upon the information gathered in accordance with
1214 Subsection (2)(b);

1215 (d) review annual program evaluations;

1216 (e) provide counsel, support, and recommendations for updating and improving the
1217 effectiveness of [~~applied technology~~] career and technical education programs and services,
1218 including expedited program approval and termination of procedures, consistent with Board of
1219 Regents' policy;

1220 (f) monitor program advisory committees and other advisory groups to provide
1221 counsel, support, and recommendations for updating and improving the effectiveness of
1222 training programs and services; and

1223 (g) coordinate with local school boards [~~and~~], districts, and charter schools to [~~protect~~
1224 ~~and enhance~~] meet the [~~applied technology~~] career and technical education needs of secondary
1225 students.

1226 Section 25. Section **53B-16-209** is enacted to read:

1227 **53B-16-209. Salt Lake Community College -- School of Applied Technology --**
1228 **Career and technical education -- Supervision and administration -- Institutional mission.**

1229 (1) (a) There is hereby established a School of Applied Technology at Salt Lake
1230 Community College.

1231 (b) Beginning on July 1, 2009, the Salt Lake Skills Center and the Salt Lake County
1232 portion of the Salt Lake/Tooele Applied Technology College shall be established as Salt Lake
1233 Community College's School of Applied Technology.

1234 (2) Salt Lake Community College's School of Applied Technology is a continuation of
1235 the Salt Lake Skills Center and the Salt Lake County portion of the Salt Lake/Tooele Applied
1236 Technology College and shall:

1237 (a) possess all rights, title, privileges, powers, immunities, franchises, endowments,
1238 property, and claims of the Salt Lake Skills Center and the Salt Lake County portion of the Salt
1239 Lake/Tooele Applied Technology College; and

1240 (b) fulfill and perform all obligations of the Salt Lake Skills Center and the Salt Lake
1241 County portion of the Salt Lake/Tooele Applied Technology College.

1242 (3) Salt Lake Community College shall administer the School of Applied Technology
1243 with the School of Applied Technology's Board of Directors as provided in Section
1244 53B-16-210.

1245 (4) Salt Lake Community College's School of Applied Technology shall:

1246 (a) provide non-credit career and technical education for both secondary and adult
1247 students, with an emphasis primarily on open-entry, open-exit programs;

1248 (b) ensure that economically disadvantaged, educationally disadvantaged, or other
1249 at-risk students have access to non-credit career and technical education;

1250 (c) maintain a strong curriculum in non-credit career and technical education courses
1251 which can be articulated with credit career and technical education courses within the
1252 institution and within the state system of higher education;

1253 (d) offer non-credit, basic instruction in areas such as reading, language arts, and
1254 mathematics that are necessary for student success in a chosen career and technical education
1255 or job-related program;

1256 (e) offer the curriculum at:

1257 (i) low cost to adult students, consistent with legislative appropriations to the School of
1258 Applied Technology; and

1259 (ii) no tuition cost to secondary students;

1260 (f) provide non-credit career and technical education that will result in:

1261 (i) appropriate licensing, certification, or other evidence of completion of training; and
1262 (ii) qualification for specific employment, with an emphasis on high demand, high
1263 wage, and high skill jobs in business and industry;

1264 (g) develop cooperative agreements within the geographic area served by the School of
1265 Applied Technology with school districts, charter schools, and other higher education
1266 institutions, businesses, industries, and community and private agencies to maximize the
1267 availability of instructional facilities; and

1268 (h) after consulting with school districts and charter schools within the geographic area
1269 served:

1270 (i) ensure that secondary students in the public education system have access to
1271 non-credit career and technical education at each School of Applied Technology location; and

1272 (ii) prepare and submit an annual report to the State Board of Regents detailing:

1273 (A) how the non-credit career and technical education needs of secondary students
1274 within the region are being met;

1275 (B) what access secondary students within the region have to programs offered at
1276 School of Applied Technology locations;

1277 (C) how the emphasis on high demand, high wage, and high skill jobs in business and
1278 industry is being provided; and

1279 (D) student tuition and fees.

1280 (5) Salt Lake Community College or its School of Applied Technology may not
1281 exercise any jurisdiction over career and technical education provided by a school district or
1282 charter school independently of Salt Lake Community College or its School of Applied
1283 Technology.

1284 (6) Legislative appropriations to Salt Lake Community College's School of Applied
1285 Technology shall be made as a line item that separates it from other appropriations for Salt
1286 Lake Community College.

1287 Section 26. Section **53B-16-210** is enacted to read:

1288 **53B-16-210. Salt Lake Community College -- School of Applied Technology**
1289 **Board of Directors -- Membership -- Duties.**

1290 (1) Salt Lake Community College's School of Applied Technology shall have a board
1291 of directors composed of the following 14 members:

1292 (a) one elected local school board member appointed by the board of education for the
1293 Salt Lake City School District;

1294 (b) one elected local school board member appointed by the board of education for the
1295 Granite School District;

1296 (c) one elected local school board member appointed by the board of education for the
1297 Canyons School District;

1298 (d) one elected local school board member appointed by the board of education for the

1299 Jordan School District;

1300 (e) one elected local school board member appointed by the board of education for the

1301 Murray School District;

1302 (f) one member of the Salt Lake Community College board of trustees, appointed by

1303 the chair of the board of trustees;

1304 (g) one representative of groups who advocate for or provide services to populations of

1305 disadvantaged students, appointed by the president of Salt Lake Community College, in

1306 consultation with the School of Applied Technology's Board of Directors; and

1307 (h) seven representatives of business or industry employers within the region,

1308 appointed by the president of Salt Lake Community College, in consultation with the School of

1309 Applied Technology's Board of Directors, from names provided by business and industry

1310 associations representing sectors that employ workers with career and technical education.

1311 (2) The School of Applied Technology's Board of Directors shall:

1312 (a) consult on an ongoing basis with:

1313 (i) Salt Lake Community College;

1314 (ii) school districts and charter schools within its region;

1315 (iii) business and industry;

1316 (iv) craft, trade, and apprenticeship programs;

1317 (v) the Department of Workforce Services;

1318 (vi) the Governor's Office of Economic Development; and

1319 (vii) the Governor's Office of Planning and Budget;

1320 (b) prepare a comprehensive strategic plan for delivering career and technical

1321 education within Salt Lake County;

1322 (c) make recommendations regarding what skills are needed for employment in

1323 businesses and industries;

1324 (d) recommend the development of programs based upon the information gathered in

1325 accordance with Subsection (2)(a), including expedited program approval and termination

1326 procedures to meet market needs;

1327 (e) conduct annual program evaluations;

1328 (f) jointly appoint School of Applied Technology program advisory committees and

1329 other School of Applied Technology program advisory groups with the dean of the School of

1330 Applied Technology to provide counsel, support, and recommendations for updating and
1331 improving the effectiveness of non-credit career and technical education programs and
1332 services;

1333 (g) coordinate with local school boards, school districts, and charter schools to protect
1334 and enhance the non-credit career and technical education needs of secondary students;

1335 (h) adopt an annual budget and fund balances for the School of Applied Technology;

1336 (i) develop policies and procedures for the operation of the School of Applied
1337 Technology facilities under its jurisdiction;

1338 (j) recommend credentials for employees and the assignment of employees to duties in
1339 accordance with:

1340 (i) State Board of Regents and Salt Lake Community College policies;

1341 (ii) the Council on Occupational Education accreditation guidelines; and

1342 (iii) the Northwest Commission on Colleges and Universities accreditation guidelines;

1343 (k) develop policies and procedures for the admission, classification, instruction, and
1344 examination of students in accordance with the policies and accreditation guidelines of the
1345 Council on Occupational Education, the Northwest Commission on Colleges and Universities,
1346 the State Board of Regents, Salt Lake Community College Board of Trustees, and the State
1347 Board of Education; and

1348 (l) communicate regularly with the president of Salt Lake Community College
1349 regarding career and technical education issues.

1350 (3) If a program advisory committee or other advisory group submits a written
1351 recommendation to the School of Applied Technology's Board of Directors, the board of
1352 directors shall acknowledge the recommendation with a printed response that explains the
1353 board of directors' action regarding the recommendation and the reasons for the action.

1354 (4) (a) If the School of Applied Technology Board of Directors has specific
1355 recommendations to the Salt Lake Community College president, the recommendations shall
1356 be in a written form.

1357 (b) Recommendations described under Subsection (4)(a) may include:

1358 (i) additions, deletions, or expansions of non-credit career and technical education
1359 programs at Salt Lake Community College;

1360 (ii) updates and improvements in the effectiveness of School of Applied Technology

1361 non-credit career and technical education programs and services, including expedited program
1362 approval and termination of procedures, consistent with Board of Regents' policy;

1363 (iii) responsibilities described under Subsection (2); and

1364 (iv) other recommendations relating to the non-credit career and technical education
1365 mission of Salt Lake Community College.

1366 (c) If the president of Salt Lake Community College rejects a specific recommendation
1367 of the board of directors, the president shall:

1368 (i) notify the board of directors in writing within ten working days of the rejection and
1369 the reasons for the rejection; and

1370 (ii) provide the board of directors an opportunity to modify its specific
1371 recommendation and resubmit it to the president.

1372 (5) The president of Salt Lake Community College and the chair of the School of
1373 Applied Technology's Board of Directors shall annually meet with the Utah College of Applied
1374 Technology Board of Trustees to provide:

1375 (a) the information described in Subsection 53B-16-209(4)(g); and

1376 (b) a report on the implementation of specific recommendations described in
1377 Subsection (4).

1378 (6) Salt Lake Community College School of Applied Technology shall provide staff
1379 support for the School of Applied Technology's Board of Directors.

1380 **Section 27. Repealer.**

1381 This bill repeals:

1382 **Section 53B-16-204, Salt Lake Skills Center -- Role and mission -- Supervision and**
1383 **administration.**

1384 **Section 28. Transition duties -- Salt Lake Community College -- Utah College of**
1385 **Applied Technology.**

1386 (1) This section provides transition duties as the Salt Lake Skills Center and part of the
1387 Salt Lake/Tooele Applied Technology College Campus are transferred to Salt Lake
1388 Community College's School of Applied Technology.

1389 (2) Salt Lake Community College and the Utah College of Applied Technology shall
1390 jointly:

1391 (a) preserve employment positions at Salt Lake Community College's School of

1392 Applied Technology or the Tooele Applied Technology College;

1393 (b) provide opportunities for an employee to continue employment in a position that is
1394 similar to the employee's previous position, maintaining current salary and benefits; and

1395 (c) transfer employees to other positions on a voluntary basis, with retraining as
1396 necessary.

1397 (3) Salt Lake Community College shall:

1398 (a) preserve the existing Salt Lake/Tooele Applied Technology College main campus,
1399 Rose Park campus and West Valley Training Center locations during the transition period; and

1400 (b) conduct a study or review the continuance of all Salt Lake Tooele Applied
1401 Technology College and Salt Lake Community College Skills Center locations.

1402 (4) The Salt Lake Community College president and the School of Applied
1403 Technology's Board of Directors shall collaborate on the development of policies and
1404 procedures for the operation of Salt Lake Community College's School of Applied Technology,
1405 including human resources and compensation policies for all employees consistent with current
1406 Salt Lake Community College human resources and compensation policies.

1407 (5) Salt Lake Community College shall collaborate with affected entities to preserve
1408 and transfer, as approved by the Legislature, the existing Salt Lake/Tooele Applied Technology
1409 College and Salt Lake Skills Center budget.

1410 (6) As part of the Salt Lake/Tooele Applied Technology College Campus is transferred
1411 to Salt Lake Community College's School of Applied Technology and a separate Tooele
1412 Applied Technology College Campus is established, the Utah College of Applied Technology
1413 shall:

1414 (a) make recommendations concerning the Tooele Applied Technology College
1415 Campus operating base budget, including requests concerning new appropriations and
1416 preserving and transferring current appropriations; and

1417 (b) make other recommendations relating to the non-credit career and technical
1418 education mission of Salt Lake Community College School of Applied Technology and the
1419 Tooele Applied Technology College Campus.

1420 (7) (a) For a student who is enrolled in an associate of applied technology degree
1421 program approved by the Board of Regents in accordance with Section 53B-1-103 prior to July
1422 1, 2009:

1423 (i) the Utah College of Applied Technology and its campuses shall:
1424 (A) provide technical skills coursework necessary to complete the associate of applied
1425 technology degree; and
1426 (B) award an associate of applied technology degree to a student who completes all
1427 necessary requirements;
1428 (ii) the higher education institution for the region of a Utah College of Applied
1429 Technology campus offering an associate of applied technology degree shall continue to offer
1430 the general education courses that are required for degree completion at the differential tuition
1431 rate approved by the Board of Regents; and
1432 (iii) an annual differential tuition rate increase approved by the Board of Regents for
1433 general education courses required to complete an associate of applied technology degree may
1434 not exceed a general first tier tuition rate increase.
1435 (b) A student described in Subsection (7)(a) shall complete an associate of applied
1436 technology degree program prior to July 1, 2012.
1437 Section 29. **Effective date.**
1438 This bill takes effect on July 1, 2009.

Legislative Review Note
as of 10-22-08 10:54 AM

Office of Legislative Research and General Counsel

H.B. 15 - Career and Technical Education Amendments

Fiscal Note

2009 General Session
State of Utah

State Impact

The restructuring of the Salt Lake/Tooele campus of the Utah College of Applied Technology will result in a stand-alone UCAT campus in Tooele to serve students there and the School of Applied Technology at Salt Lake Community College to serve the students in Salt Lake County. The current tax fund appropriation to SLTATC is \$3,297,200. With an anticipated 15% base reduction in FY 2010, the balance to be divided between SLCC and the Tooele ATC is \$2,802,600. Based on the current distribution of students and the anticipated fixed, start-up costs associated with establishing the new TATC, a split in the funding of 60%/40% is assumed with SLCC's portion being \$1,682,900 and TATC's being \$1,119,700.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
General Fund	\$0	(\$629,200)	(\$629,200)	\$0	\$0	\$0
General Fund	\$0	\$629,200	\$629,200	\$0	\$0	\$0
Uniform School Fund	\$0	(\$402,800)	(\$402,800)	\$0	\$0	\$0
Uniform School Fund	\$0	\$402,800	\$402,800	\$0	\$0	\$0
Education Fund	\$0	(\$649,600)	(\$649,600)	\$0	\$0	\$0
Education Fund	\$0	\$649,600	\$649,600	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Students and employees of the SLTATC will choose between SLCC and TATC, which could impact their cost of education or compensation.