
**UTAH COLLEGE OF APPLIED TECHNOLOGY
BOARD OF TRUSTEES MEETING AGENDA**

January 12, 2011 – 12:30 p.m. to 3:00 p.m.
Mountainland Applied Technology College
Thanksgiving Point
2301 West Ashton Blvd
Lehi, UT 84043

I. Introduction

- A. Call to Order – Chair Bingham.....
- B. Oath of Office for Ron Larsen – Barbara Miner, Notary Public.....
- C. Approval of Agenda – Chair Bingham.....
- D. Approval of 30 September 2010 Minutes – Chair Bingham.....A
- E. Executive Committee Report – Chair Bingham.....B

II. Action Items

- A. Existing Policy Revisions – 201 (Membership Hour), 204 (Tuition and Fees), 300 (Tuition Refund), 400 (Criminal Background Checks), – Pres. Brems/Darrell White.....C
- B. New Policy Approvals – 515 (Staff Employment Policy), 520 (Personnel Files), 525 (Evaluation, Corrective Action and Termination of Staff Personnel), 530 (Staff Employee Separations) – Pres. Brems/Darrell White.....D
- C. FY 2011 Administration Budget Modification – VP Brinkerhoff.....E
- D. UCAT 218 Agreement Referendum (Social Security) – Pres. Brems/VP Brinkerhoff.....F
- E. Strategic Planning – Pres. Brems.....G

III. Information Items

- A. FY 2010 COE Reports (Completion, Placement, Licensure) – VP Haines.....H
- B. Pre-Legislature Information – Pres. Brems.....I
- C. Enrollment Trends – VP Haines.....J
- D. FY 2010 Custom Fit Report – Pres. Brems.....K
- E. Business Expansion and Retention Program – Trustee McCandless.....L

IV. Closed Session

Board may elect to go into closed session, which will not be open to the public, pursuant to Utah Code Section 52-4-204-206.

IV. Adjourn

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: I.B

TOPIC: Oath of Office for New Trustee

BACKGROUND

Upon appointment by the Dixie Applied Technology College Campus Board of Directors, the Utah College of Applied Technology welcomes Mr. Ron Larsen as the DXATC Representative on the Board of Trustees. Mr. Larsen will be administered the oath of office by Ms. Barbara Miner, Notary Public.

FISCAL IMPACT

None

RECOMMENDATIONS

None

Attachments: Bio-Hand carried

UTAH COLLEGE OF APPLIED TECHNOLOGY
BOARD OF TRUSTEES MEETING
30 September 2010, 10:00 a.m.
4501 S. 2700 W. Bldg #3 Taylorsville, UT 84114

MINUTES

(Awaiting formal approval-subject to change)

Board of Trustees Present

Michael Madsen, Vice Chair – BATC
Mark Dennis – UBATC
Douglas Holmes – OWATC
Mark Gubler – DXATC
Don Roberts – SWATC
William Prows – DATC
David Crandall – State Board of Education
William Sederburg – Commissioner
of Higher Education, (arrived late)
Stanley Parrish –SLCC, (arrived late)
Katharine Garff – State Board of Regents
Jim Olsen – Business-Industry Governor’s
Appointee
Dale Cox – Union Apprenticeship
Brad Tanner – Non-Union Apprenticeship
Joyce Hogan – TATC (substitute)
Jim Evans – MATC

Excused

Tom Bingham, Chair – Tooele
Mike McCandless – CEU- USU
Carl Albrecht – Snow
Spencer Eccles – Governor’s Office of Economic
Development

Others Present

Spencer Pratt – Legislative Analyst
Miles Nelson – USU-CEU
Ron Larsen – DXATC
Kelle Stephens – DXATC
Dana Slaughter – OWATC, via videoconference
Paul Skeen – Hansen, Barnett & Maxwell, P.C.
Jed Jones – Hansen, Barnett & Maxwell, P.C.

UCAT Administration

Robert Brems – President
Jared Haines – VP, Instruction and Student Services
Tyler Brinkerhoff – VP, Administrative Services
Mindi Woolever – Executive Assistant
Doug Richards- Assistant Attorney General

UCAT Campus Presidents & Delegates

Richard Maughan – BATC
Mike Bouwhuis - DATC
Rich VanAusdal - DXATC
Collette Mercier - OWATC
Paul Hacking - UBATC
Clay Christensen – MATC
Scott Snelson – TATC
Dana Miller - SWATC

Media Present

None

MINUTES OF MEETING

UTAH COLLEGE OF APPLIED TECHNOLOGY BOARD OF TRUSTEES 30 September 2010

Call to Order

Vice Chair Michael Madsen called the meeting to order at 10:02 a.m.

Introductions

Vice Chair Michael Madsen excused Tom Bingham, Mike McCandless, Carl Albrecht and Spencer Eccles. He welcomed Joyce Hogan who was representing Tooele Applied Technology College. Vice Chair Madsen asked President Brems to introduce VP Tyler Brinkerhoff and Executive Assistant Mindi Woolever. President Brems also reported there will be a change in representation from Dixie. Trustee Mark Gubler will be replaced by Ron Larsen who will be sworn into office at the 13 January meeting.

Approval of the Agenda

Motion to approve the agenda

Motion: Doug Holmes; Second: Mark Dennis; Voting: Unanimous

Approval of Minutes from 15 June 2010 Board Meeting (Tab A)

Motion to approve the 15 June minutes

Motion: Mark Gubler; Second: Dale Cox; Voting: Unanimous

Report from the Executive Committee

The Executive Committee met on 29 September 2010 to consider capital facilities proposals from six campuses. The Executive Committee recommended prioritization for full Board consideration as shown in Action item A.

ACTION ITEMS

A. FY 2012 Capital Facilities Prioritization (Tab C)

Following a discussion regarding UCAT capital facilities needs, the Board of Trustees approved the following capital facilities recommendations of the Executive Committee:

FY 2012 Capital Facilities Requests:

1. Southwest Applied Technology College, Allied Health and Technology Building
2. Tooele Applied Technology College, TATC Main Campus
3. Dixie Applied Technology College, Dinosaur Crossing Land Purchase and Campus Programming
4. Mountainland Applied Technology College, MATC Central Utah County Campus
5. Bridgerland Applied Technology College, Health Science and Technology Building
6. Davis Applied Technology College, Medical Building Expansion

Land Banking Requests:

1. Bridgerland Applied Technology College, Logan Campus Expansion

2. Davis Applied Technology College, Morgan Education/ Economic Development Center

Participation of Davis Applied Technology College with the Division of Facilities and Construction Management in a request to acquire shared space at the Freeport Center in Davis County.

Securing of required approvals by UCAT Administration for the development of a permanent Utah College of Applied Technology Board of Trustees facility at Thanksgiving Point.

Motions:

Prioritization of projects, Motion: Jim Evans, Second: Don Roberts; Voting: Unanimous

Approval of land banking requests, Motion: Doug Holmes, Second: Dale Cox; Voting: Unanimous

DATC/DFCM project, Motion: Bill Prows, Second: Doug Holmes; Voting: Unanimous

UCAT Board of Trustees facility, Motion: Jim Evans, Second: Jim Olsen; Voting: Unanimous

B. Initial Policy Approvals 515, 520, 525 and 530 (Tab D)

The Board reviewed Policies 515(Staff Employment), 520(Personnel Files), 525(Evaluation, Corrective Action, and Termination of Staff Personnel), and 530(Staff Employee Separations). It was indicated that the policies apply only to UCAT Office of the President personnel.

Trustees observed the following for Policy 520:

520.2.2: consider providing for designee of Vice President

520.3.3.1: review by staff and consider alternative language for appropriateness of removing confidential items from files

520.3.4.: suggest removing provisions for oral requests

After discussion, President Brems asked that the Board provide initial approval of the policies. A motion was made to approve each policy and be revisited at the January meeting prior to final approval.

Motion for initial approval of Policy 515, to be reviewed by legal counsel prior to final approval.

Motion: Jim Evans, Second: Don Roberts; Voting: Unanimous

Motion for initial approval of Policy 520, with staff to consider issues raised in meeting prior to final approval.

Motion: Dale Cox, Second: Mark Gubler; Voting: Unanimous

Policy 525, Motion: Jim Olsen, Second: Mark Dennis; Voting: Unanimous

Policy 530, Motion: Mark Gubler, Second: Don Roberts; Voting: Unanimous

C. Final Policy Approvals (Tab E)

The Board revisited policies 202(Custom Fit Training) and 204(Tuition and Fees). After discussion and suggestion of minor changes, President Brems asked that the Board provide final approval of the policies.

Motions were made for final approval of each policy, with the following amendments

Policy 202.4, line 6-7: "...Utah State University ~~and~~ - College of Eastern Utah..."

Policy 204.4.1.3, line 5 amended as follows "...definition of a ~~disabled student~~ student with a disability under UCA 53A-15-301."

Policy 202 with amendment, Motion: Mark Dennis, Second: Don Roberts; Voting: Unanimous
Policy 204 with amendment, Motion: Doug Holmes, Second: Dale Cox; Voting: Unanimous

D. FY 2010 Enrollment Report (Tab F)

Vice President Haines reviewed the UCAT FY 2010 Enrollment Report which includes student membership hours and headcounts at all campuses during the period of 1 July 2009 through 30 June 2010. President Brems reported that all campus presidents had certified their enrollment information and had presented that information to their campus boards of directors for approval. After discussion, Vice President Haines requested the Board approve the UCAT FY 2010 Enrollment Report.

Motion: Doug Holmes, Second: Mark Gubler; Voting: Unanimous

E. OWATC- Clearwire Cell Tower Contract (Tab G)

OWATC President Collette Mercier reviewed a proposed Clear Wireless, LLC/OWATC contract to locate a cell tower on a portion of the OWATC campus. After discussion, the Board approved the contract.

Motion: Jim Evans, Second: William Prows; Voting: Unanimous

F. FY 2012 Budget Requests (Tab H)

Vice President Brinkerhoff presented a proposed UCAT FY 2012 Budget Request. The proposal includes an approximate 4.8% increase over FY 2011, plus any state-approved compensation increase. The proposal also includes FY 2012 one-time and FY 2011 supplemental requests. After discussion, the Board approved the budget request.

Motion: Dale Cox, Second: Doug Holmes; Voting: Unanimous

G. FY 2010 Custom Fit Report (Tab I)

President Brems introduced UCAT Custom Fit Committee Co-Chairs Kelle Stephens and Dana Slaughter (who joined via videoconference). President Brems and the Co-Chairs reviewed the FY 2010 Custom Fit Report which indicated that the program provided training to 16,968 trainees and 1,282 companies. After discussion, the Board approved the FY 2010 Custom Fit Report.

Motion: Don Roberts, Second: Doug Holmes; Voting: Unanimous

H. FY 2010 UCAT Annual Report (Tab J)

Vice President Haines reviewed a proposed outline of the UCAT 2010 Annual Report. He indicated that the Annual Report was required by statute and has become an important almanac of UCAT achievements and information. After discussion, the Board voted that a draft of the final report be reviewed by the Executive Committee prior to finalization and submission to the Legislature.

Motion: Doug Holmes, Second: Jim Evans; Voting: Unanimous

I. Board of Trustees Calendar (Tab K)

President Brems reviewed a proposed UCAT Board of Trustees 2011 Calendar. After discussion, the Board approved the following dates for 2011 meetings.

Thursday, 13 January, 2011
Thursday, 21 April, 2011
Thursday, 16 June, 2011
Thursday, 22 September, 2011

Motion: Doug Holmes, Second: Don Roberts; Voting: Unanimous

J. Audit Committee Report (Tab L)

UCAT Audit Committee Chair Don Roberts explained the process used to select an internal auditing firm and introduced Mr. Paul Skeen and Mr. Jed Jones from the firm of Hansen, Barnett & Maxwell, P.C. Mr. Jones briefly addressed the Board and answered questions regarding a proposed UCAT/ Hansen, Barnett & Maxwell, P.C. contract to provide internal auditing services for FY 2010. After discussion, and advice from Assistant Attorney General Doug Richards, the Board directed UCAT Administration to proceed in engaging the services of Hansen, Barnett & Maxwell, P.C.

Motion: Bill Prows, Second: Don Roberts; Voting: Unanimous

INFORMATION / DISCUSSION ITEMS

A. Social Security 218 Agreement(s) (Tab M)

President Brems and Assistant Attorney General Douglas Richards reviewed possible solutions for developing a section 218 Agreement with the State of Utah and the Social Security Administration for UCAT employees. A draft modification to UCAT policy 102, Delegations of Authority was discussed as a possible solution.

Assistant Attorney General Douglas Richards advised the Board of Trustees that his office was presently working on an opinion or advice letter as to whether a UCAT Section 218 Agreement would be required or if authority could be delegated by the Board of Trustees to each campus Board of Directors to implement their own Section 218 Agreement.

B. Program Approvals (Tab N)

Vice President Haines reported on the UCAT President's approval of the following programs:

1. Davis Applied Technology College – Esthetician
2. Davis Applied Technology College – Master Esthetician
3. Mountainland Applied Technology College – Welding

C. K-16 Alliance Workforce Committee (Tab O)

Vice President Haines reported the Utah K-16 Alliance formed a Workforce Committee as part of its efforts to address challenges for education in Utah. He indicated that the committee has been meeting for the past year to identify what education needs to be doing to address the needs of Utah's workforce. He reviewed a summary outlining the objective, membership and the activities of the committee.

D. Utah's 2020 Plan for Higher Education (Tab P)

Commissioner Sederburg gave a presentation to inform the Trustees about the 2020 Plan to discuss how the Utah System of Higher Education and the Utah College of Applied Technology and Utah's private institutions of higher education can work together to meet this goal.

UCAT Board of Trustees Meeting
30 September 2010
Page 6
(Awaiting formal approval)

Commissioner Sederburg provided updates made to the “HigherEd Utah 2020” plan since the version that was included in the board book.

ADJOURN

Meeting adjourned at 3:16 p.m.

The next Board of Trustees meeting was confirmed for 13 January, 2011 at UCAT Office of the President.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: II.A

TOPIC: Existing Policy Revisions --

Policy 201 – Membership Hour Reporting

Policy 204 – Tuition and Fees

Policy 300 – Refunds of Tuition and Fees (*for deletion*)

Policy 400 – Criminal Background Checks

BACKGROUND

Policy 201 – Membership Hour Reporting: The current Membership Hour Reporting policy (approved June 2009) requires membership hours for lock-step classes to be reported for the full course on the date of enrollment, because they are considered “defined-length schedules” in which the instructional resources for the full course are committed when the student enrolls. To improve consistency and comparability with regular open-exit schedule classes, a revision of paragraph 201.6.2 is proposed that would provide for hours occurring on a verifiable schedule to be reported as they accrue, rather than at the beginning of the class.

Policy 204 – Tuition and Fees: UCAT Administration has been working with officials at the Utah State Office of Education to improve communication between UCAT campuses and local school districts, charter schools and private schools regarding fees charged to secondary students accessing UCAT programs. The proposed revisions to Policy 204 provide specific guidelines and a timeline for how and when campuses communicate their approved fees. The policy revision also provides increased detail regarding how campuses address students determined to be fee waiver eligible by the school districts or charter schools. As a matter of housekeeping, the revision also incorporates the entire text of Policy 300 (Refunds of Tuition and Fees) into paragraph #204.8.

Policy 300 – Refunds of Tuition and Fees (*for deletion*): With the incorporation of this policy into Policy 204 (Tuition and Fees), it will not be necessary to carry it as a separate policy.

Policy 400 – Criminal Background Checks: UCAT Administration has also been working with officials at the Utah State Office of Education to update how the Office of the UCAT President and campuses accomplish criminal background checks on employees and applicants for employment for personnel who serve in any capacity which involves significant, unsupervised contact with secondary students. The revisions to this policy are significant, increasing the scope of the background checks to include a nationwide Federal Bureau of Investigation (FBI) check and adding a recurring check for continuing employees at least once every six years. In addition, new reporting requirements have been added for employees who are arrested for certain offenses.

FISCAL IMPACT

Policy 201 – No apparent fiscal impact

Policy 204 – No apparent fiscal impact

Policy 300 (deletion) – No fiscal impact

Policy 400 – Fiscal impact would be approximately \$40-60 per criminal background check. An option is provided in 400.5.9 to allow the Office of the UCAT President and campuses to require applicant and employee responsibility for payment of the cost of a criminal background check.

RECOMMENDATIONS

UCAT Administration recommends that the Board of Trustees thoroughly review and approve the proposed revisions to Policies 201,204, and 400, and the deletion of Policy 300.

Attachments: Policy 201 – Membership Hour
Policy 204 – Tuition and Fees
Policy 300 – Refunds of Tuition and Fees
Policy 400 – Criminal Background Checks



POLICIES

Subject:	Membership Hour Reporting
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201.1 Purpose

The Utah College of Applied Technology Membership Hour Reporting Policy specifies criteria, definitions, and explanations as to how membership hours will be measured, classified, reported, and audited for each UCAT campus. Membership hours are a performance indicator measuring campus instructional resource commitment.

201.2 Approval

UCAT Board of Trustees Approval: June 15, 2005; Revisions June 11, 2008; September 3, 2008; Replaced June 18, 2009; Revisions January 12, 2011

201.3 References

UCA 53B-2a-102(2)(f) President – Appointment – Duties
UCAT Policy 200 (Program/Course Approval and Reporting)
UCAT Policy 204 (Definition of Secondary Student for Tuition Purposes)

201.4 Definitions

- 4.1 **Membership Hour:** A measure of instructional resources committed by a UCAT campus to an enrolled student. One membership hour equates to sixty minutes of scheduled instruction.
- 4.2 **Scheduling Method:**
 - 4.2.1 **Open-Exit Schedule:** A schedule in which students are provided verified periods of time to receive instruction without a fixed course or program completion time.
 - 4.2.2 **Defined-Length Schedule:** A schedule, identified in advance by the campus for a specific course offering, with a course length approved as provided in UCAT Policy 200.6.9 (Program/Course Approval and Reporting) which is offered in one of the following two formats:
 - (a) Students complete competencies on a schedule toward a predetermined completion date with a fixed number of hours (as with a lock-step course), or
 - (b) The campus provides the student with access to any portion of the course's instructional resources at times during which access is not verified (as with an online or blended course).
- 4.3 **Exit Date:** The date on which a student's access to a schedule is officially discontinued as provided in campus policy, including completion, expiration of enrollment time, schedule change, withdrawal, etc. For a student who is not documented as having attended any class for ten consecutive full days of scheduled classes, and who has not otherwise exited from the schedule, the exit date from the scheduled class shall be the date of the tenth consecutive full day of absence from all scheduled classes.



POLICIES

Subject:	Membership Hour Reporting
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201.5 Budget-Related Membership Hours

Membership hours documented as meeting all of the following criteria shall be reported to the UCAT President and Board of Trustees as budget-related. Other membership hours not meeting these criteria shall be reported as self-support.

- 5.1 **Enrolled Student:** The hours were accrued by a person documented as having been formally scheduled into a course or program in accordance with campus policy.
- 5.2 **Approved Course/Program:** The activity was part of a course/program which was approved in accordance with UCAT Policy 200 (Program/Course Approval and Reporting).
- 5.3 **Not Community Interest:** The course/program was not a community interest course as defined in 200.6.3.
- 5.4 **In-State:** The course/program offering originated within the State of Utah.
- 5.5 **Geographic Region:** The course/program was not offered outside the geographic area served by the campus without a cooperative agreement with the Utah public postsecondary institution assigned to the region in which it was offered, as provided in UCA 53B-2a-106(3)(c), unless it met the criteria prescribed in UCA 53B-2a-106(6).
- 5.6 **Provided by the Campus:** The campus must make an appreciable resource contribution to the course/program (time, effort, money, employees, facilities, expertise, or other resources). This criterion is subjective in nature and shall take into consideration payment of instructional costs, location of instruction, ownership of instructional facilities, employment arrangements of instructors, availability of instruction to the general public, and other relevant factors. The materiality of each factor shall be considered in determining whether instruction was provided by the campus. Materiality shall be based on qualitative aspects, relativity, and professional judgment.

201.6 Measurement of Membership Hours

Membership hours shall be accrued in accordance with the instructional resources committed by the campus according to the applicable scheduling method.

- 6.1 **Open-Exit Schedule:** For an open-exit schedule as defined in 201.4.2.1, membership hours shall begin on the enrolled student's scheduled start date, and shall accrue up to and including the exit date as defined in 201.4.3.
- 6.2 **Defined-Length Schedule:** ~~For a defined-length schedule as defined in 201.4.2.2, membership hours shall be posted and reported in the amount of the course length approved for the full course on the date the student enrolled as specified in 201.5.1. For a student who does not remain enrolled beyond the withdrawal deadline, zero hours are posted regardless of hours spent or competencies completed. This method of membership hour measurement applies only to individual courses, and shall not be applied to programs.~~ For a defined-length schedule as defined in 201.4.2.2, membership



POLICIES

Subject:	Membership Hour Reporting
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hours shall be reported in the amount of the course length approved for the full course according to the scheduling format.

- a) For a defined-length schedule with scheduled instruction as defined in 201.4.2.2(a), membership hours shall begin on the enrolled student's scheduled start date, and shall be posted and reported as they accrue up to and including the scheduled course end date, regardless of the student's exit date.
- b) For a defined-length schedule in which access to instructional resources is not verified as defined in 201.4.2.2(b), membership hours shall be posted and reported for the full course on the date the student enrolled as specified in 201.5.1.
- c) For a student who does not remain enrolled beyond the course withdrawal deadline approved and published by the campus, zero hours are posted regardless of hours spent or competencies completed.
- d) This method of membership hour measurement applies only to individual courses, and shall not be applied to programs.

201.7 Classification of Membership Hours

Reported membership hours shall be classified by student type as follows.

- 7.1 **Secondary Student:** For hours accrued by students who qualified under the definition provided in UCAT Policy 204, "Definition of Secondary Student for Tuition Purposes", during the time the hours were accrued.
- 7.2 **Postsecondary Student:** For hours accrued by students not meeting the definition provided in UCAT Policy 204 during the time the hours were accrued.



POLICIES

Subject:	Tuition and Fees
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204.1 Purpose

To establish policies for setting tuition and fees to be charged to students attending UCAT campuses.

204.2 Approval

UCAT Board of Trustees: June 2, 2004; Revisions June 11, 2008; Replaced September 30, 2010; Revisions January 12, 2011

204.3 References

- UCA 53B-2a-106 College Campuses--Duties
- UCA 53B-2A-112 Utah College of Applied Technology Board of Trustees—Powers and Duties
- UCA 53A-15-301 Education Programs for Students with Disabilities
- Utah Administrative Code R277-419-4 Pupil Accounting/Membership
- Utah Administrative Code R277-705-1.H Secondary School Completion and Diplomas

204.4 Definitions:

- 4.1 Secondary student:** For tuition purposes, a secondary student is a student who is currently enrolled in grades 7-12 in a Utah public or private school, or who is eligible to enroll in such a school as documented under the following criteria in accordance with R277-419-4.
 - 4.1.1** Regardless of age, the student shall not have previously earned a basic high school diploma, high school certificate of completion, adult education secondary diploma, or high school equivalency diploma (GED).
 - 4.1.2** Except as provided in 204.4.1.3, the student shall be no more than 17 years old on or before September 1 of the fiscal year in which they are enrolled at the campus.
 - 4.1.3** A student who does not meet the age requirement specified in 204.4.1.2 shall be considered a secondary student if: (a) the student is documented as a retained senior (as specified in R277-419-1K) or as having been enrolled in less than grade 12 during the previous year, and is no more than 19 years old on or before September 1 of the fiscal year; or (b) the student meets the definition of a student with a disability under UCA 53A-15-301.
 - 4.1.4** Application of this policy shall be limited to determination of student tuition assessment, and shall not be construed to imply admission of a student at a grade level inconsistent with ability to benefit, as determined by campus admission policy.
- 4.2 Postsecondary student:** For the purposes of this policy a postsecondary student shall be defined as any student who does not meet the criteria of a secondary student in 4.1 above.



POLICIES

Subject:	Tuition and Fees
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204.5 Secondary Tuition:

- 5.1 As prescribed in UCA 53B-2a-106, no tuition is assessed to a secondary student documented according to 204.4.1 who is formally scheduled in an approved course or program.
- 5.2 A secondary student shall not be charged tuition at a UCAT campus, regardless of the day or time of the program, through the date that he/she no longer qualifies as a secondary student. Effective on that date, the student shall be considered a postsecondary student and will be charged the regular tuition rate. For a student whose secondary status changes while enrolled in a defined-length course (as defined in 201.4.2.2), tuition shall be prorated and assessed to cover the remaining days of the course during which the student is a postsecondary student.
- 5.3 A referral of a student by a public or private high school shall constitute sufficient documentation of secondary student status for tuition purposes. In the absence of a high school referral, a campus shall require evidence that the student qualifies under 204.4.1. Campuses shall not require but will encourage and facilitate referral of secondary students through public school districts.

204.6 Postsecondary Tuition:

- 6.1 **Postsecondary tuition:** Low cost tuition, as prescribed in UCA 53B-2a-106-(1)-(b)-(i), and as approved by the UCAT Board of Trustees shall be assessed to postsecondary students formally scheduled in a course or program.
- 6.2 **Tuition Hearings:** Each UCAT campus shall hold a meeting to receive public input and response on any proposed tuition increases. These meetings shall follow the requirements of UCA 53B-7-101.5.
- 6.3 **Fiscal Year Effective Date:** Tuition rates shall be effective for all coursework beginning July 1 of the fiscal year for which the rates are approved. Tuition for a defined-length course (as defined in 201.4.2.2) which is 150 hours or less shall be calculated and assessed for the complete course at the approved rate for the fiscal year in which the course begins, regardless of whether the final portion of the course occurs in the following year for which a different tuition rate is approved.
- 6.4 **Differential Tuition:** Based on extraordinary circumstances, a campus board of directors may request that the UCAT Board of Trustees approve a differential tuition rate for a specific course or program. Approved differential tuition rates shall expire on June 30 of each year. A new request and approval of the Board of Trustees is required to continue differential tuition rates past June 30 of each year.

204.7 Fees:



POLICIES

Subject:	Tuition and Fees
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7.1 **Approval and Assessment of Fees:** Fees, as approved by the campus board of directors, may be assessed to secondary and postsecondary students formally enrolled in an approved course or program.

7.2 **Notification to Secondary Education Providers:** ~~Campus presidents and boards of directors shall provide annual written notification to school districts, charter schools and other secondary education providers within the geographic area served by their campus regarding fees assessed to secondary students by the campus.~~

By March 31 of each year, or a later date if agreed to by the district superintendent or charter school or private school chief executive officer and the UCAT campus president, each UCAT campus shall provide written notification of the approved secondary student fee schedule to all secondary education providers in the geographic area served by the campus and to the UCAT President. The notification shall be provided in the following manner:

7.2.1 The Campus president shall provide written notification of the approved fee schedule and list of required text and workbooks to each school district superintendent, to the chief administrative officers of charter schools, and to all other secondary education providers in the geographic area served by the campus and to the UCAT President.

7.2.2 Each local school district representative on the Campus Board of Directors shall provide written notification of the approved fee schedule and list of required text and workbooks to the board of education president for the district he/she represents.

7.2.3 If any new programs are added by the campus after March 31 of each year, for which a fee and/or text and workbooks have been approved, notification of the approved fee and required text and workbooks shall be provided in the manner described in 7.2.1 and 7.2.2 above.

~~7.3 **Fee Reporting:** Campus presidents shall annually report fee schedules to the Office of the UCAT President following approval by the campus board of directors.~~

7.3 **Fee Waivers:**

7.3.1 If a secondary student is fee waiver eligible, as determined by the local school district or charter school, the UCAT campus shall waive the fees for that student.

7.3.2 Reimbursement for fee waiver eligible students' fees may be negotiated between individual UCAT campuses and local districts and charter schools.

204.8 **Refunds:**

All UCAT campuses shall have a tuition and fees refund policy which meets, at a minimum, Council on Occupational Education requirements.



Subject:	Refunds of Tuition and Fees
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~~300.1 Approval~~

~~UCAT Board of Trustees: June 18, 2009~~

~~300.2 — All UCAT campuses shall have tuition and fees refund policy which meets, at a minimum, COE requirements.~~

~~(Propose for deletion of policy 300, to be incorporated into 204.8-Tuition and Fees January 12, 2011)~~



Subject:	Criminal Background Checks
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400.1 Purpose

To provide for criminal background checks on employees and applicants for employment.

400.2 Approval

UCAT Board of Trustees: January 9, 2008; September 30, 2010; Revisions January 12, 2011

400.3 References

- 3.1. Utah Code 53A-3-410 (Criminal background checks on school personnel -- Notice -- Payment of cost -- Request for review)
- 3.2. Utah Code 53B-1-110 (Higher Education Criminal Background Checks)

400.4. Definitions

- ~~4.1 **Adjunct Faculty**— part time teachers, visiting lecturers, graduate assistants and other professional staff members of businesses, industries, and other agencies and organizations who are appointed by a college campus on a part time basis to carry out instructional, research or public service functions.~~
- 4.1 **Applicant** - the final applicant offered employment, transfer or promotion, contingent on acceptable results of a criminal background check and other reviews required for the position by the college campus such as financial/credit checks, degree transcripts or license documentation, or student loan status.
- 4.2 **Background Check** ~~— a combined Bureau of Crime Identification (BCI) search of records which includes a nationwide Federal Bureau of Investigation (FBI) check, a commercial or governmental process of searching public records to determine no less than whether an individual has been convicted of criminal conduct anywhere in the United States of America within no less than the last seven years. A college campus may choose to specify a longer time period, search in one or more foreign countries, or seek additional information such as arrests or other evidence of character issues as part of a Background Check.~~
- 4.4 **Diminished Capacity Adult**— a person who lacks decision-making capacity which requires, to greater or lesser degree: (1) possession of a set of values and goals; (2) the ability to communicate and to understand information; and (3) the ability to reason and to deliberate about one's choices.



Subject:	Criminal Background Checks
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~~4.3 Employee - a faculty member, classified or professional employee of a Utah College of Applied Technology college campus who receives compensation for work or services from funds controlled by the college campus, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. any individual who receives compensation for work or services from funds controlled by the Office of the UCAT President or a UCAT campus, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. Volunteers, independent contractors and others identified in 400.5.3 are not considered employees.~~

~~4.6 College Campus - a campus listed in Section 53B-2a-105.~~

~~4.7 Minor - a person younger than 21 years of age.~~

~~4.8 Reasonable Cause - where the known facts and circumstances are sufficient to warrant a person of reasonable prudence in the belief that the employee poses an unreasonable risk to persons or property and/or a history or report of a crime will be found.~~

~~4.9 Security Sensitive Positions - positions designated by the college campus as security sensitive whose duties require, provide for, or encompass the potential to incur human, financial or property loss or other harm to the college campus and its constituents. A security sensitive position should include at least one of the following elements:~~

~~9.1 Access to children, including child care in a child care center, or to diminished capacity adults;~~

~~9.2 Relationships with students where exceptional trust and responsibility are involved, such as counselors and health care providers;~~

~~9.3 Responsibility for providing direct medical care, treatment, or counseling and/or access to pharmaceuticals, toxins, hazardous or controlled substances;~~

~~9.4 Direct access to laboratory materials and other property that have the potential of being diverted from their proper use either for financial gain or for harmful, dangerous or illegal purposes;~~

~~9.5 Decision making authority for committing college campus funds or financial resources through contracts and commitments and/or direct access to or responsibility for handling cash, checks, credit/debit cards or cash equivalents, institutional property, disbursements or receipts;~~

~~9.6 Access to building master control and key systems;~~



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~~9.7 — Access to confidential information or sensitive personal information such as employment, health, donor, financial and other records, including data that could facilitate identity theft;~~

~~9.8 — Access to and responsibility for the maintenance, upgrading, and repair of the college campus computer networks and/or information technology systems; and~~

~~9.9 — Responsibility for police, security, guard forces, or other significant health or safety issues.~~

~~9.10 — Besides campus wide designations of security sensitive positions, individual departments may be subject to additional restrictions, requirements, laws or regulations.~~

~~4.10 — Significant Contact — an employee position involves significant contact with minor persons if there is a reasonable expectation that in the course of the normal, routine responsibilities of the position, the employee and a minor would interact on a one-on-one basis. For example, teachers with office hour consultations, mentors, counselors, test center employees, and advisors could all reasonably expect to interact one-on-one with students as a normal, routine part of their work and hence would have “significant contact” with one or more minor persons during the course of their employment.~~

400.5 Guidelines Policy

5.1 Required Background Checks for Applicants - ~~An applicant for any employee position at a college campus that involves significant contact with minors or is considered to be security sensitive by the college campus president or his/her designee, must submit to a criminal background check as a condition of employment. The college campus president or his/her designee may exempt applicants for adjunct faculty, temporary, or part time positions, from this requirement. The college campus president or his/her designee may require such exempted employees to self disclose any criminal background and to sign an agreement to conform to college campus rules on sexual harassment and information, financial, health, and physical security. An applicant for any position at the Office of the UCAT President or a UCAT campus must submit to a criminal background check as a condition of employment.~~

~~5.2 — Optional Background Checks for Applicants — The college campus president or his/her designee may allow or require applicants for positions other than those described in 5.1, including adjunct faculty, temporary or part time positions, to submit to a criminal background check as a condition of employment.~~

~~5.2 Background Checks for Existing Employees — Background checks must be conducted for all existing employees of the Office of the UCAT President and all UCAT campuses.~~

~~5.3 Background Checks for Volunteers and Independent Contractors— All volunteers, contracted trainers, private trainers including customized training instructors at the Office of the UCAT President or a UCAT campus who serve in any capacity which involves significant, unsupervised contact with secondary students, must submit to a criminal~~



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~~background check. An existing employee must submit to a criminal background check, where the college campus president or his/her designee finds that reasonable cause exists.~~

5.4 **Written Release of Information** - ~~For applicants for employment, the college campus shall obtain a written and signed release of information for a criminal history background check. For existing employees, the college campus shall request a written and signed release of information for a criminal history background check. All applicants for employment and employees of the Office of the UCAT President and all UCAT campuses shall be required to sign a release form to permit the background check.~~

5.5 **Notice a Background Check has been Requested** - If the existing employee does not provide a written and signed release as requested pursuant to 5.4, the employee shall receive written notice that the background check has been requested.

5.6 **Fingerprint Background Check** - ~~The college campus may require each applicant or employee subject to a criminal background check under this section to be fingerprinted and consent to a fingerprint background check by the Utah Bureau of Criminal Identification, the Federal Bureau of Investigation or another government or commercial entity. The Office of the UCAT President and all UCAT campuses may require each applicant or employee subject to a criminal background check under this section to be fingerprinted and consent to a fingerprint background check by the Utah Bureau of Criminal Identification, the Federal Bureau of Investigation or another government or commercial entity.~~

~~5.6.1 College campuses may request the Utah Bureau of Criminal Identification to conduct criminal background checks of prospective employees and, where reasonable cause exists, existing employees pursuant to Regent policy.~~

~~5.6.2 At the request of a college campus, the Utah Bureau of Criminal Identification is directed by 53B-1-110 to release the individual's full record of criminal convictions to the authorized college campus administrator requesting the information and is also directed to seek additional information from regional or national criminal data files in responding to inquiries under 53B-1-110.~~

~~5.6.3 53B-1-110 provides that information received by the Utah Bureau of Criminal Identification from entities other than agencies or political subdivisions of the state may not be released to a private entity unless the release is permissible under applicable laws or regulations of the entity providing the information.~~

~~5.6.4 Except as provided in 5.8, the college campus shall pay the actual cost of fingerprint background checks incurred by the Utah Bureau of Criminal~~



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~~Identification, and the moneys collected shall be credited to the Utah Bureau of Criminal Identification to offset its expenses in conducting the checks.~~

5.7 ~~Consumer reporting Agency Criminal History Background Check~~—The college campus president or his/her designee may determine to use a consumer reporting agency to conduct a criminal history background check instead of the fingerprint background check process provided in 5.6. Frequency – Employees shall, as a condition of continued employment, submit to a background check a minimum of once every six (6) years.

5.8 Reasonable Cause – Where reasonable cause exists, the UCAT President or the campus president may require an existing employee to submit to a background check. The cost of a “for cause” background check shall be paid by the Office of the UCAT President or the campus as applicable.

5.7.1 ~~— At a minimum, the consumer reporting agency must conduct an investigation to verify the applicant or employee's social security number, obtain information regarding past employment, and search the individual's criminal background nationwide in the individual's counties of residence for the last seven years.~~

5.9 ~~Payment of Costs - The college campus president or his/her designee may require an applicant to pay the costs of a criminal background check as a condition of employment. Applicants and employees may be responsible for payment of the cost of a background check.~~

5.10 ~~Risk Assessment - Based on the convictions disclosed by the criminal background check, the college campus will~~ the UCAT President or campus president or their designee will assess the overall risk to persons and property and determine what, if any, action is required. Any action taken will be at the sole and absolute discretion of the UCAT President or campus president as applicable. That risk assessment will include: (1) the number of crimes committed, (2) the severity of those crimes, (3) the length of time since they were committed, (4) the likelihood of recidivism, (5) the security sensitivity of the position sought by the applicant or held by the existing employee, and (6) other factors that may be relevant. ~~The college campus may determine that an individual with a criminal history should be considered eligible to obtain or retain the position, or that additional documentation should be required.~~

5.11 ~~Opportunity to Respond – If a person is denied employment or subjected to any adverse employment action because of information obtained in the background check, the person shall receive written notice of the reasons for the action and shall be provided opportunity to respond under applicable policy provisions. Before an applicant is denied employment or an employee is subjected to an adverse employment action based on information obtained in the criminal background report, the applicant or employee shall receive a copy of the report, written notice of the reasons for denial or the adverse action,~~



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~~a written description of his/her rights under the Fair Credit Reporting Act, and shall have an opportunity to respond to the reasons and any information received as a result of the criminal background check. If an applicant disagrees with the accuracy of any information in the report and notifies the human resources office of the college campus within three (3) business days of his/her receipt of the report, the college campus shall provide a reasonable opportunity to address the information contained in the report.~~

5.12 **Financial/Credit Check** - If an applicant is applying for, or an employee holds, a security sensitive position with access to sensitive personal information or financial responsibilities over the funds of the college campus or others, the UCAT President or college campus president or his/her designee may require an additional financial/credit check to be performed.

5.13 **Degree Transcripts or License Documentation** - If the position requires a degree or license, the college campus may obtain a copy of the applicant's degree transcripts or license documentation.

5.14 **Student Loan Status** - If an applicant or employee has a student loan, the college campus may check on the loan status. The college campus may deny employment or take adverse employment action if the applicant or employee has a delinquent or defaulted student loan.

~~5.14 **Limitations on the Use of Information** - The information contained in the criminal history background check will be available only to those persons involved in making employment decisions or performing the background investigation, and the information will be used only for the purpose of making an employment or promotion decision.~~

~~5.15 **Background Checks Implemented as of Policy Approval Date**
Criminal background checks for new employees will begin no later than July 1, 2008.~~

5.15 **Reports of Arrest and Court Action- Personal Reporting of Arrest**

5.15.1 An employee who is arrested for the following alleged offenses shall report the arrest as soon as possible or within 48 hours to the employee's immediate supervisor:

- a) Any matters involving arrests for alleged sex offenses;
- b) Any matters involving arrests for alleged drug-related offenses;
- c) Any matters involving arrests for alleged alcohol-related offenses;
- d) Any matters involving arrest for alleged offenses against the person under Title 76, Chapter 5, Offenses Against the Person.



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5.15.2 An employee shall report, to their immediate supervisor, convictions, including pleas in abeyance and diversion agreements within 48 hours or as soon as possible upon receipt of notice of conviction, plea in abeyance or diversion agreement.

5.15.3 The immediate supervisor shall report offense information received from the employee as soon as reasonably possible to the Vice President of Administrative Services.

5.15.4 The employee shall report for work following the arrest and notice to the supervisor unless directed not to report for work by the supervisor.

5.16 Review, Investigation and Suspension

5.16.1 The UCAT President or campus president or their designee as applicable in cooperation with the employee's immediate supervisor, shall review arrest information and:

- a) Assess the employment status of the employee
- b) Determine appropriate employment action
- c) In cases which involve alleged sex offenses or other charges which may endanger students, the employee shall be suspended during the period of investigation.
- d) An employee who is terminated or receives an adverse employment action as a result of information concerning arrest or court action shall be given appropriate due process based on UCAT or campus policy.

5.17 Limitations on the Use of Information – The information contained in the criminal history background check will be available only to those persons involved in making employment decisions or performing the background investigation, and the information will be used only for the purpose of making an employment or promotion decision.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: II.B

TOPIC: Policy 515 – Staff Employment Policy

Policy 520 – Personnel Files

Policy 525 – Evaluation, Corrective Action and Termination of Staff Personnel

Policy 530 – Staff Employee Separations

BACKGROUND

Policies 515,520,525 and 530 were reviewed by the Board on September 30, 2010. UCAT Administration has researched several Trustees' questions, made some minor modifications, and is now recommending approval of the policies.

FISCAL IMPACT

None

RECOMMENDATIONS

UCAT Administration recommends that the Board of Trustees approve Policies 515,520,525 and 530.

Attachments: Policy 515 – Staff Employment Policy

Policy 520 – Personnel Files

Utah Code 63G-2-309

Policy 525 – Evaluation, Corrective Action and Termination of Staff Personnel

Policy 530 – Staff Employee Separations



POLICIES

Subject:	Staff Employment
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515.1 Purpose: To outline policies for employing personnel in the Office of the UCAT President.

515.2 Approval

UCAT Board of Trustees: September 30, 2010; Revisions January 12, 2011

515.3 Definitions

3.1. Salaried Personnel: persons employed part time or full time in positions expected to last for an indefinite period of time and other specific groups of persons designated by the UCAT President as holding salaried positions.

3.2. Probationary Personnel: employees who have not completed the required probationary period as defined in Policy 511.

3.3. Temporary Personnel: persons employed in part time or full time positions which do not meet the criteria identified above.

3.3.1 This category includes "time limited" positions which are based upon temporary resources such as grants, one time funds, etc, and are available for a pre-determined time period.

3.4. Hourly positions: persons employed in non-salaried positions which work based on a pre-determined number of hours per week. Compensation of hourly employees is based on an hourly rate and not an annual salary.

515.4 Policy

4.1. Equal Employment Opportunity: The Office of the UCAT President is fully committed to policies of equal opportunity and nondiscrimination. Accordingly, the Office pursues a vigorous program of affirmative action in all its classifications of employment in order to prevent any form of discrimination, harassment, or prejudicial treatment on the basis of race, color, religion, national origin, sex, childbirth, pregnancy, pregnancy related conditions, age or status as a person with disabilities, disabled veteran, or otherwise as provided by law.

4.2. Administrative Responsibilities: It is the responsibility of all administrative officers of the Office of the UCAT President to make decisions on staff employment matters in accordance with the policies of the Office of the UCAT President as approved by the UCAT Board of Trustees.

4.3. Salaried Personnel: Vacancies in salaried personnel positions must be posted for a minimum of seven calendar days. This time begins the day the position is posted on the UCAT web site. The posting time is designed to give equal opportunity to all candidates.

4.3.1. A list of all qualified applicants will be prepared by the UCAT President or designee and presented to the UCAT officer responsible for hiring.



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4.3.2. Reference checks will be made by the UCAT officer responsible for hiring or a designee.

4.3.3. Non-selected applicants will be notified by the UCAT President or UCAT officer responsible for hiring unless the President directs otherwise.

4.4. Advertising of Positions: The Office of the UCAT President will advertise job information by posting a listing on the UCAT web site, in various locations at the office, in the community, electronic media and in other appropriate locations. Additional advertising may be done at the discretion of the UCAT President.

4.5. Exceptions to Posting of Job Opportunities: The following are exceptions to the requirement to post job opportunities:

4.5.1. Intra-Office Transfer/Promotion: Candidates for the filling of vacancies may be limited to current salaried employees of the Office of the UCAT President if notice of the vacancy has been posted internally in a reasonably visible and timely manner. If a suitable qualified replacement is found within the office, the position need not be advertised or posted outside the office.

4.5.2. Hourly to Salaried: Posting is not required when a position is changed from hourly to salaried within the office, and (1) the position for which the hourly employee was originally hired was listed and filled through approved procedures, and (2) the new salaried position is logically relevant to that of the original assignment.

4.5.3. Waiver: In exceptional situations, the UCAT President may, by written memorandum, waive the posting requirement.

4.6. Promotions and Transfers: It is the policy of the Office of the UCAT President to promote from within whenever feasible, and for this purpose preference will be given qualified Office of the UCAT President employees when filling vacancies.

4.7. Recruitment Actions: All recruiting actions must be in conformity with applicable the Office of the UCAT President policies, including equal employment opportunity policy.

4.8. Background Checks: ~~Selected applicants will receive a full criminal background check prior to final approval for employment.~~
Selected applicants are subject to and will receive a full criminal background check prior to any offer of, or approval for employment.



POLICIES

Subject:	Personnel Files
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520.1 Purpose: To define the term "personnel file;" and establish procedures for the inspection, copying, and challenges to the contents of such files maintained by the Office of the UCAT President.

520.2 Approval

UCAT Board of Trustees: September 30, 2010; Revisions January 12, 2011

520.3 Definitions

2.1. "Personnel File": The current official file or files maintained by the Office of the UCAT President relating to an employee of the Office which contains documents and data recorded in the usual course of official business relating specifically to the individual's employment qualifications, working assignments, promotions, compensation, job performance, personnel evaluations, and disciplinary proceedings. The "personnel file" shall include but is not limited to the records of completed retention, promotion, compensation, review proceedings and any letters or memoranda of evaluation, commendation or criticism relating to an employee which were not solicited or written under a request or promise of confidentiality.

~~**2.2. "Designated Vice President":** A UCAT Vice President designated by the UCAT President with responsibility to maintain official personnel records for the Office of the UCAT President.~~

520.4 Policy

4.1. Disclosure: The Office of the UCAT President recognizes the right of each employee to examine, obtain a copy of, and to challenge the accuracy of factual data in documents contained in that employee's personnel file, except for information and materials therein that are classified as "controlled" or "protected" under the Government Records Access and Management Act, Utah Code §63G-2 or the disclosure of which is forbidden pursuant to state or federal law.

4.1.1. Secret files or systems containing information about personnel included within the scope of this policy shall not be maintained by the Office of the UCAT President. Upon request by an office employee, or by an authorized officer of the Office of the UCAT President pursuant to such a request from an employee, it shall be the duty of all Office of the UCAT President personnel with knowledge of the facts to disclose the existence and maintenance of all files or systems containing personnel information relating to that employee, whether or not such information is subject to inspection or copying by the employee.

4.1.2. This policy applies only to "personnel files" as defined herein, and does not affect any right conferred by law upon an individual to inspect, copy, or challenge the contents of other records and files of the office that relate to that individual. (See Government Records Access and Management Act, Utah Code §63G-2)

4.1.3. No person has a right under this policy to inspect, copy, or challenge the contents of the personnel file relating to any other individual, except to the extent that such person may be authorized to do so pursuant to the Government Records Access and Management Act, Utah Code §63G- 2.



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4.2. File Maintenance: The personnel files of employees shall be maintained by the ~~designated or UCAT Vice President of Administrative Services or~~ other designee under the supervision of the UCAT President.

4.3. Inspection and Copying: Upon request to the UCAT President, an employee of the Office of the UCAT President shall be afforded a reasonable opportunity to inspect and/or obtain a copy of his or her personnel file, or such part thereof as is described in the request, subject to the following limitations:

4.3.1. Letters or memoranda of recommendation, ~~evaluation, or criticism~~ which were solicited or submitted under a request or promise of confidentiality shall be temporarily removed from the individual's personnel file before it is inspected by the individual to whom such letters or memoranda refer.

4.3.2. Information in an employee's personnel file which relates to persons other than the subject employee shall be temporarily removed from the file, before it is inspected by the employee, if the information (1) is classified as "private," "controlled" or "protected" information within the meaning of the Government Records Access and Management Act, Utah Code §63G-2; (2) consists of personally identifiable information relating to the salary or compensation of a person other than the employee who is the subject of the personnel file; or (3) is prohibited from disclosure by or pursuant to applicable state or federal law.

4.4. Request to Inspect: A request to inspect ~~may be oral or written~~ must be made in writing and shall describe generally the records or data in the personnel file which the individual wishes to examine. The person seeking inspection shall, upon request, produce appropriate documents or other evidence of identity.

4.4.1. The ~~designated UCAT vice president~~ UCAT Vice President of Administrative Services or designee shall take appropriate steps to comply with the request with reasonable promptness.

4.4.2. The inspection shall take place in the presence of the ~~vice president~~ UCAT Vice President of Administrative Services or a designee. No changes or alterations may be made to any documents in the file, and no documents may be removed from the file.

4.4.3. A notation recording the request and the inspection shall be inserted in the file by the ~~designated UCAT vice president~~ UCAT Vice President of Administrative Services or designee immediately after the inspection has been concluded.

4.5. Copies of File Documents: A request for copies of the personnel file, or any part thereof, ~~may be oral or written~~ must be made in writing and shall describe the records or data in the personnel file which the individual requests to have copied. The written request or a notation of the oral request shall be placed in the personnel file.

4.5.1. As deemed necessary, the cost of copying shall be calculated by the ~~designated UCAT vice president~~ UCAT Vice President of Administrative Services pursuant to a current schedule of charges as established by the UCAT President.



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4.5.2. Upon receiving evidence of payment of the cost of copying, the ~~designated vice president UCAT Vice President of Administrative Services~~ shall arrange to prepare copies in accordance with the request and make them available to the requesting individual with reasonable promptness.

4.6. Challenge to Contents: An employee of the Office of the UCAT President may at any time challenge any factual statement or entry of factual data in his or her personnel file upon the ground that it is inaccurate, misleading, inappropriate, or otherwise in violation of individual rights.

4.6.1. Any such challenge shall be submitted in writing to the ~~designated UCAT vice president, UCAT Vice President of Administrative Services~~ or UCAT President who shall promptly review the facts and supporting data and seek to resolve the challenge by informal means. If informal resolution is not possible, the UCAT President may authorize the designated vice president to make necessary changes in, deletions from, or additions to the personnel file to assure that the file includes only factually accurate, truthful, and relevant information. The employee shall be advised in writing of all such modifications approved by the President or designee.

4.6.2. An employee who believes that the challenge has not been disposed of in a satisfactory manner may request a formal consideration of the challenge by an ad hoc advisory committee of three disinterested persons appointed for the purpose by the UCAT President. After such investigation and consideration of the matter as the committee deems to be appropriate in light of the circumstances, including a reasonable opportunity for the employee to argue the merits of the challenge orally and to present supporting evidence, the committee shall submit its report, including any recommendations it deems proper, to the UCAT President.

4.6.3. The UCAT President, after reviewing the committee's report, shall make a final written determination of the challenge. The original challenge and the President's written determination thereof, whether before or after review by an ad hoc committee, shall be included in and maintained as part of the employee's personnel file. The UCAT President's written determination shall be final.

Utah Code

Title 63G General Government

Chapter 2 Government Records Access and Management Act

Section 309 Confidentiality claims.

63G-2-309. Confidentiality claims.

(1) (a) (i) Any person who provides to a governmental entity a record that the person believes should be protected under Subsection **63G-2-305**(1) or (2) or both Subsections **63G-2-305**(1) and (2) shall provide with the record:

- (A) a written claim of business confidentiality; and
- (B) a concise statement of reasons supporting the claim of business confidentiality.

(ii) Any of the following who provides to an institution within the state system of higher education defined in Section **53B-1-102** a record that the person or governmental entity believes should be protected under Subsection **63G-2-305**(40)(a)(ii) or (vi) or both Subsections **63G-2-305**(40)(a)(ii) and (vi) shall provide the institution within the state system of higher education a written claim of business confidentiality in accordance with Section **53B-16-304**:

- (A) a person;
- (B) a federal governmental entity;
- (C) a state governmental entity; or
- (D) a local governmental entity.

(b) A person or governmental entity who complies with this Subsection (1) shall be notified by the governmental entity to whom the request for a record is made if:

(i) a record claimed to be protected under one of the following is classified public:

- (A) Subsection **63G-2-305**(1);
- (B) Subsection **63G-2-305**(2);
- (C) Subsection **63G-2-305**(40)(a)(ii);
- (D) Subsection **63G-2-305**(40)(a)(vi); or

(E) a combination of the provisions described in Subsections (1)(b)(i)(A) through (D); or

(ii) the governmental entity to whom the request for a record is made determines that the record claimed to be protected under a provision listed in Subsection (1)(b)(i) should be released after balancing interests under Subsection **63G-2-201**(5)(b) or **63G-2-401**(6).

(2) Except as provided by court order, the governmental entity to whom the request for a record is made may not disclose a record claimed to be protected under a

provision listed in Subsection (1)(b)(i) but which the governmental entity or records committee determines should be disclosed until the period in which to bring an appeal expires or the end of the appeals process, including judicial appeal. This Subsection (2) does not apply where the claimant, after notice, has waived the claim by not appealing or intervening before the records committee.

(3) Disclosure or acquisition of information under this chapter does not constitute misappropriation under Subsection **13-24-2(2)**.



POLICIES

Subject:	Evaluation, Corrective Action, and Termination of Staff Personnel
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525.1 Purpose

To provide for regular, ongoing and effective evaluation of staff personnel of the Office of the UCAT President and ensure that the evaluation and corrective action processes are administered in a fair and consistent manner.

525.2 Approval

UCAT Board of Trustees: September 30, 2010; Revisions January 12, 2011

525.3 References

- 2.1. Policy 501, Equal Opportunity and Nondiscrimination
- 2.2. Policy 502, Sexual Harassment and Consensual Relationships
- 2.3. Policy 507, Personal Conduct
- 2.4. Policy 508, Drug-Free Workplace
- 2.5. Policy 511 Employment Practices
- 2.6. Policy 515 Staff Employment
- 2.7 Policy 530 Staff Employee Separations

525.4 Scope

- 4.1. **Salaried Personnel:** This policy applies to all salaried personnel of the Office of the UCAT President who have satisfactorily completed their probationary period. (See Policies 511 & 515)
- 4.2. **Temporary Hourly and Probationary Staff:** Temporary, hourly and probationary staff employees are not included within the scope of the policy as they are designated "at will" employees and, as such, may be terminated by UCAT without advance notice and without staff employee grievance rights.
- 4.3. **Necessary Conditions:** Before any corrective action is taken, the employee's immediate supervisor will assure one of the following conditions has been met:
 - 4.3.1. the employee was made aware of the expectations of the job as outlined in the job description and as communicated in the hiring, orientation and performance evaluation processes, or
 - 4.3.2. the behavior, in the reasonable opinion of the immediate supervisor, is such that no reasonable person should expect to receive prior warning.

525.5 Policy

- 5.1 **Performance Evaluation:** All salaried personnel of the Office of the UCAT President shall receive a performance evaluation at least annually by an immediate supervisor using forms and processes approved by the UCAT President.
 - 5.1.1 Results of the evaluation shall be reviewed with the employee within a reasonable time period following the evaluation.
 - 5.1.2 An employee whose job performance is inadequate or in need of improvement shall be provided with an explanation clearly identifying:
 - (a). deficiencies
 - (b). recommended course of corrective action to improve performance



POLICIES

Subject:	Evaluation, Corrective Action, and Termination of Staff Personnel
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5.2. Consideration of Actual and Potential Impact and Consequences of Behavior: In determining the level of corrective action which may be taken, consideration will be given to both the actual or potential impact and to the consequences of the behavior. The factors which will be considered within the decision making process will include:

- 5.2.1. Physical/Safety Issues
- 5.2.2. Service Impact
- 5.2.3. Financial Implications
- 5.2.4. Resultant Disruption Level
- 5.2.5. Violation of UCAT policies, procedures, or standards
- 5.2.6. Violation of Law

5.3. Level of Corrective Action: The level of corrective action will be the result of an evaluation of each current incident based on the following factors:

- 5.3.1. the six factors listed above (actual and potential impact)
- 5.3.2. past history
- 5.3.3 previous corrective actions taken. (The current incident need not be of the same type as previous incidents.

5.4. Possible Corrective Actions: Possible corrective actions in order of seriousness include, but are not limited to, Written Warning, Final Written Warning, Suspension without Pay, Demotion and Termination. In determining the level of corrective action which may be taken, consideration will be given to both the actual or potential impact and to the consequences of the behavior.

- 5.4.1. Supervisors, in consultation with others as deemed appropriate, will determine the corrective action to be taken.

5.5. Corrective Action without Warning: Written warning, the least serious level of corrective action, may be applied without any prior warning. In some instances, depending on the nature and severity of the issue, more serious corrective action, such as suspension or termination, may also be applied without prior warnings having been issued to the employee.

5.6. Review and Approval: Prior to imposing a corrective action of, Final Written Warning, Suspension Without Pay, Demotion or Termination, supervisors must consult with the UCAT President for review and approval of the action.

5.7. Written Action and the Grievance Process: The employee will be advised, in writing, of the corrective action being taken and the relevant grievance process.

5.8. Serious Violations: The following are considered "serious violations" within the meaning of this policy and will result in corrective actions at higher levels of seriousness as defined in 5.4 above:

- 5.8.1. Theft
- 5.8.2. Violence or threat of violence
- 5.8.3. Falsification of UCAT documents or misrepresentation to take advantage of UCAT benefits or policies



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- 5.8.4. A conviction of, or a plea of guilty or no contest to any crime that is detrimental to or impacts the UCAT community
- 5.8.5. Use of UCAT computer systems to access pornography, gambling or other unlawful activities
- 5.8.6. Intentional privacy violation (GRAMA or HIPAA)
- 5.8.7. A "For Cause" finding of discrimination or harassment
- 5.8.8. Serious misconduct, including but not limited to violations that pose a serious risk of harm to people or resources
- 5.8.9. Failure to correct, within a reasonable time period, any performance or behavior which has been identified as inappropriate or inadequate

DRAFT



POLICIES

Subject:	Staff Employee Separations
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530.1 Purpose

To outline Office of the UCAT President policy with respect to staff employee separations that are non-disciplinary.

530.2 Approval

UCAT Board of Trustees: September 30, 2010; Revisions January 12, 2011

530.3 Definition

3.1. Staff employment Separations: Staff employment separations occur when an employee is no longer an employee of the Office of the UCAT President, due to resignation, job abandonment, retirement, or an employee's unavailability.

530.4 Policy

4.1. Resignation: An employee may terminate his/her employment with the Office of the UCAT President by submitting an oral or written resignation to his/her supervisor.

4.1.1. An employee in an "exempt" (Fair Labor Standards Act) position who resigns his/her position should provide four (4) weeks advance notice; and

4.1.2. An employee in a "non-exempt" (Fair Labor Standards Act) position who resigns his/her position should provide two (2) weeks advance notice.

4.2. Finalizing or withdrawing a resignation

4.2.1. Supervisors should acknowledge the receipt and acceptance of both oral and written resignations in writing. Written acceptance of a resignation is to be delivered personally to the employee, sent by email, or sent by U.S. mail to his/her last known address. Written acceptance of a resignation is effective upon delivery if delivered personally, upon sending if emailed, and upon mailing if sent by U.S. mail.

4.2.2. Unless and until the supervisor delivers, sends or mails written acceptance of a resignation, the employee may withdraw his/her resignation within twenty-four (24) hours (by the same time on the next business day) after s/he has submitted it. Withdrawal of a resignation must be in writing and must be delivered to the supervisor within this twenty-four (24) hour period. Within this twenty-four (24) hour period, no resignation can be withdrawn after the delivery, sending, or mailing of a written acceptance, without the approval of the UCAT President.

4.3. Retirement: Retirement is a form of resignation. An employee may retire when s/he is eligible and applies for receipt of benefit payments or annuities under an applicable benefit program.

4.4. Job Abandonment: An employee abandons his/her position, and his/her employment with the Office of the UCAT President will be discontinued, by failing to come to work for three (3) consecutive scheduled workdays and failing to follow proper notification procedure.

4.4.1. On or after the first day missed without notice, the work unit will endeavor to contact the employee to determine why the employee has failed to report to work.



POLICIES

Subject:	Staff Employee Separations
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4.4.2. If an employee returns after 1 or 2 days without notice, s/he will be subject to corrective action in accordance with Policy 525.

4.4.3. If an employee fails to report to work for three (3) consecutive days, without notice s/he may be subject to separation from employment, even if s/he returns to work on the fourth day.

4.4.5. Separations under this provision of this policy must not occur until the work unit consults with and has the approval of the Human Resource Officer.

4.4.6. The supervisor shall provide written notice to the employee of the separation. Written notice is to be delivered personally to the employee or mailed to his/her last known address.

4.5. Separation Due to Unavailability: An employee may be separated from employment on the basis of unavailability when the employee is unable to return to his/her position after all approved, earned leave has been exhausted and there is no reasonable alternative available that would allow the employee to return to his/her position and perform the functions of his/her job. Reasonable alternatives may include, but not be limited to, a reasonable accommodation requested in accordance with the Americans with Disabilities Act.

4.5.1. Prior to implementing a separation due to unavailability the work unit shall provide the employee written notice of the following:

4.5.1.1. the pending separation;

4.5.1.2. the reason for the action (i.e., the employee is unable to return to work);

4.5.1.3. the proposed effective date of the separation; and

4.5.1.4. the opportunity for the employee to propose reasonable alternatives that would allow the employee to return to work. The employee must submit his/her proposed reasonable alternatives in writing within five (5) working days to the supervisor.

4.5.2. At the conclusion of the five (5) day response period, and after taking into consideration any proposed alternative or other information the employee may have offered, the supervisor must consult with and obtain the approval of the UCAT President before separation can occur.

4.5.3. The supervisor shall provide written notice to the employee of the separation. Written notice is to be either delivered personally to the employee or mailed to his/her last known address.

4.6. Separation Logistics: The supervisor is responsible to ensure that all UCAT property is returned (keys, ID cards, credit cards, equipment, etc.), all debts are resolved, and all computer/data access discontinued.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: II.C

TOPIC: Administration Budget Modification

BACKGROUND

On April 29, 2010, the Trustees approved the FY 2011 budget for the UCAT Office of the President. Since that time, UCAT Administration has seen a need to modify certain line items due to changes in estimates and more precise figures being obtained from vendors.

FISCAL IMPACT

None

RECOMMENDATIONS

UCAT Administration recommends that the Board of Trustees approve the budget modification as detailed in the attached spreadsheet.

Attachments: Spreadsheet showing approved and modified versions of the budget

FY 2010-11 UCAT ADMINISTRATION OPERATING BUDGET

<u>REVENUES</u>	Approved	Requested Adjustment
Administration Line Item	1,554,000	1,554,000
Admin Share of Equipment Line Item	9,600	9,600
Admin Share of Custom Fit Line Item	<u>3,800</u>	<u>3,800</u>
TOTAL	<u><u>1,567,400</u></u>	<u><u>1,567,400</u></u>
<u>EXPENSES</u>		
Salaries and Wages (7.75 FTE)	641,900	646,900
Employee Benefits at 42%	270,000	271,000
Darrell White Health Insurance	15,000	10,600
Building Occupancy Costs	75,000	75,000
Professional Development Conference	15,000	15,000
Internal Auditing and Data Management	50,000	50,000
System Initiatives	50,000	50,000
Custom Fit Inservice	3,800	3,800
Equipment Purchases	10,000	10,000
Employee Travel	15,000	13,400
General Current Expense	21,700	21,700
Jobs Now Transfers to Campuses	<u>400,000</u>	<u>400,000</u>
TOTAL	<u><u>1,567,400</u></u>	<u><u>1,567,400</u></u>

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2010

ITEM: II.D

TOPIC: UCAT 218 Agreement Referendum (Social Security)

BACKGROUND

Public entities offering retirement programs to their employees are required to be covered under an agreement with the Social Security Administration (SSA) pursuant to Section 218 of the Social Security Act to participate in the Social Security program. While the State of Utah has a 218 agreement with SSA, it has been determined that UCAT is not covered by this agreement and therefore needs to conduct a system-wide referendum to determine whether UCAT and its campuses will necessitate a modification to the State's 218 agreement to provide Social Security coverage for UCAT employees. Eligible voters are UCAT and UCAT Campus employees covered by a qualifying employer provided retirement program

An opinion letter was requested from the Office of the State Attorney General to determine whether UCAT could vote on a campus by campus basis. Assistant Attorney General, Douglas Richards conducted extensive research, and he and his office concluded that the separate, legal entity created in 2001 and modified by subsequent legislation is the Utah College of Applied Technology and as such should conduct a system-wide referendum together rather than separately by campus. UCAT Administration is working closely with Rick Beckstead, CPA with the State Division of Finance who is also designated as the State Social Security Administrator to conduct the research and pending vote. The votes are either yes or no as to whether UCAT enters into the agreement. If the "yes" votes prevail, nothing changes procedurally, and UCAT continues to participate in Social Security. If the "no" votes prevail, UCAT will effectively opt out of the system and will have to determine appropriate disposition of funds previously contributed to Social Security.

The following conditions must be met to constitute a legal vote:

- 1 - Eligible employees are given not less than 90 days notice of the referendum
- 2 - An opportunity to vote is given and limited to eligible employees
- 3 - The referendum is held by secret ballot
- 4 - The referendum is supervised by the Governor (or his/her designee) - In our case, Mr. Beckstead
- 5 - A majority of the retirement system's eligible employees vote for coverage

FISCAL IMPACT

None anticipated

RECOMMENDATIONS

UCAT Administration requests Board of Trustees approval to proceed with the 90 day notice, the referendum and determining procedures for disbursing funds previously designated for Social Security in the event the vote is not in favor of coverage under Section 218.

STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL



MARK L. SHURTLEFF
ATTORNEY GENERAL

JOHN E. SWALLOW
Chief Deputy

Protecting Utah • Protecting You
October 26, 2010

KIRK TORGENSEN
Chief Deputy

John C. Reidhead, CPA
Director, Utah Division of Finance
2110 State Office Building
Salt Lake City, Utah 84114

Dear Mr. Reidhead:

This letter of advice is in response to your letter to Attorney General Mark Shurtleff dated June 3, 2010, wherein you asked "what constitutes the legal entity for the Utah College of Applied Technology(UCAT)? Specifically the question involves the eight regional "campuses" within the UCAT system and whether each "campus" is its own legal entity.

In 2001, the Utah legislature passed HB1003 which created UCAT and listed it as an institution of higher education. (See Utah Code Ann. § 53B-1-102 (j)). The legislature granted to UCAT specific rights and authorities as enumerated in Utah Code Ann. § 53-B (Utah System of Higher Education/Board of Regents). UCAT was listed by name with the other nine colleges and universities in Utah, and was governed by the State Board of Regents. At that time, it became a new and separate legal entity.

In 2009, the Utah legislature (HB15) enacted Utah Code Ann. § 53B-2a-101 et seq., which among other things, changed the way UCAT is governed. In Utah Code Ann. § 53B-2a-101 (2), the definition of a UCAT college campus was given as "college campus means a college campus of the Utah College of Applied Technology". Furthermore, in Utah Code Ann. § 53B-2a-105, the composition of UCAT campuses was listed. It states "the Utah College of Applied Technology is composed of the following college campuses". Thereafter the eight "campuses" are listed along with their geographical areas. It is similar to other colleges and universities in this state that have "satellite" campuses.

It is my opinion that the Utah legislature intended that UCAT be another institution of higher education in Utah and that it have regional "campuses" throughout the state to ensure the availability of citizens to receive career and technical education. I believe the legislature in 2001 created UCAT as a new and separate legal entity.

I hope this answers your question. Please contact me if you have any additional concerns or questions.

Sincerely,

DOUGLAS C. RICHARDS
Assistant Attorney General
Education Division

DCR/bk

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: II.E

TOPIC: Strategic Planning

BACKGROUND

Utah Code 53B-2a-102 requires the President of the Utah College of Applied Technology, in conjunction with the Board of Trustees, campus presidents and campus boards of directors, to prepare a comprehensive strategic plan for delivering career and technical education through the Utah College of Applied Technology campuses.

It is proposed that a UCAT Strategic Plan Committee be established to develop a new strategic plan for review by the Board of Trustees at the April and June 2011 meetings and approval at the June or September 2011 meetings.

It is further proposed that the Committee include the following:

Representing the UCAT Board of Trustees: Michael Madsen, Ron Larsen, Dale Cox

Representing Campus Presidents: Mike Bouwhuis, Paul Hacking, Dana Miller

Representing Campus Boards of Directors: Three campus directors -TBD

Representing UCAT Office of the President: Rob Brems, Jared Haines, Tyler Brinkerhoff, Mindi Woolever

FISCAL IMPACT

Some travel and hospitality expenses (use of videoconferencing will minimize these expenses)
Printing costs for final plan

RECOMMENDATIONS

It is recommended that the UCAT Board of Trustees approve the committee structure for developing a new strategic plan and the appointment of committee members.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: III.A

TOPIC: 2010 COE Reports (Completion, Placement, and Licensure)

BACKGROUND

The Council on Occupational Education (COE), which provides institutional accreditation for the eight UCAT applied technology campuses, requires each campus to provide an annual report in December of each year indicating compliance with accreditation guidelines and performance on certain indicators during the fiscal year. The COE report places particular emphasis on completion, placement, and licensure rates for post-secondary students in certificate programs.

The campuses have submitted their 2010 COE annual reports. A summary of the 2010 reported completion, placement and licensure data is attached, as well as a historical summary of results since 2007, for review and discussion by the Board.

FISCAL IMPACT

none

RECOMMENDATIONS

Information/discussion only.

Attachments: 2010 COE Annual Report – UCAT Summary (Postsecondary)
COE Annual Reports – UCAT Campuses: Annual Comparisons (Postsecondary 2007-2010)
Completion, Placement, and Licensure Rates (Graph)

2010 COE ANNUAL REPORT - UCAT SUMMARY (Postsecondary)

Row #	Enrollment				Completion			Placement				Licensure																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26			
Campus	Beginning Enrollment	New Enrollees	Cumulative Enrollment (Sum of Rows 1 and 2)	Students Still Enrolled	Non-Graduate Completers	Graduate Completers	Total Completers (Sum of Rows 5 and 6)	Non-Graduate Completers Emp. In Pos. Related To Field of Instruction	Graduate Completers Emp. In Pos. Related To Field of Instruction	Total Completers Emp. In Pos. Rel. To Field of Inst. (Sum Rows 8 & 9)	Graduate Completers Employed In Pos. Unrelated to Field of Inst.	Graduate Completers Waiting To Take Licensure Exam	Graduate Completers Who Took Licensure Exam	Graduate Completers Who Passed Licensure Exam	Graduate Completers Unavailable For Employment	Graduate Completers Who Refused Employment	Graduate Completers Seeking Employment/Status Unknown	Withdrawals	Sum of Rows 12, 15, and 16	Difference - Row 6 minus Row 19	Difference - Row 7 minus Row 19	Graduation Rate (%)	Total Completion Rate (%)	Graduate Placement Rate (%)	Total Placement Rate (%)	Licensure Exam Pass Rate (%)			
BATC Total	693	1295	1988	640	60	840	900	60	503	563	31	131	366	356	17	24	134	448	172	668	728	62.31	66.77	75.30	77.34	97.27			
DATC Total	1345	3006	4351	1509	506	1217	1723	506	769	1275	23	13	368	366	1	0	411	1119	14	1203	1709	42.82	60.63	63.92	74.61	99.46			
DXATC Total	105	265	370	142	21	158	179	21	104	125	7	0	27	25	1	0	46	49	1	157	178	69.30	78.51	66.24	70.22	92.59			
MATC Total	365	984	1349	402	5	847	852	5	607	612	62	77	347	343	24	8	69	95	109	738	743	89.44	89.97	82.25	82.37	98.85			
OWATC Total	1369	2139	3508	1487	387	840	1227	387	500	887	84	41	207	196	16	14	185	795	71	769	1156	41.56	60.71	65.02	76.73	94.69			
TATC Total	40	277	317	81	7	165	172	7	134	141	6	2	18	17	3	1	19	64	6	159	166	69.92	72.88	84.28	84.94	94.44			
SWATC Total	42	288	330	50	17	165	182	17	81	98	7	40	109	109	1	0	36	98	41	124	141	58.93	65.00	65.32	69.50	100.00			
UBATC Total	90	685	775	153	134	267	401	134	185	319	10	28	180	178	25	0	19	221	53	214	348	42.93	64.47	86.45	91.67	98.89			
TOTAL	4049	8939	12988	4464	1137	4499	5636	1137	2883	4020	230	332	1622	1590	88	47	919	2889	467	4032	5169	52.78	66.12	71.50	77.77	98.03			

COE 2010 Requirements - Public Institutions/Postsecondary (Based on data gathered from 2009 COE Annual Reports nationwide)

Average National COE Institutional Percentages	75.92	83.17	94.81
- Minus Standard Deviation	15.17	13.34	10.42
= Equals Acceptable Minimum	60.76	69.84	84.40
UCAT Above Average =	-9.80	-5.40	3.22
UCAT Above Minimum =	5.36	7.93	13.63

COE ANNUAL REPORTS - UCAT CAMPUSES

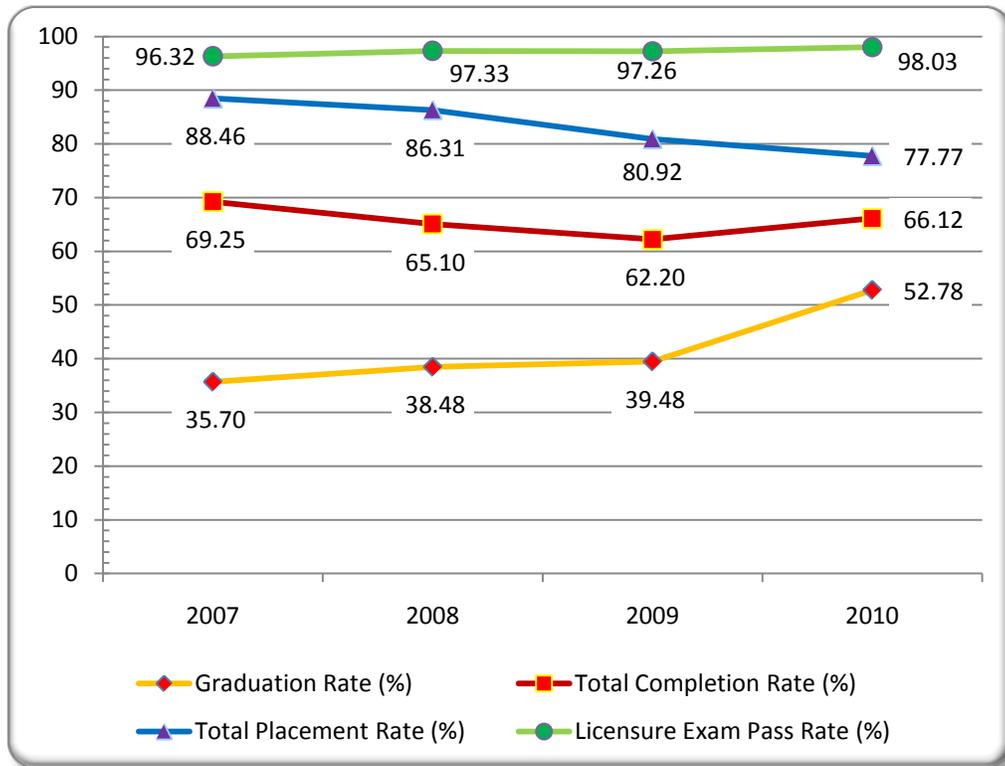
Annual Comparisons (Postsecondary 2007-2010)

	Row #		2007	2008	2009	2010
Enrollment	1	Beginning Enrollment	2,712	3,236	3,248	4,049
	2	New Enrollees	10,101	9,893	9,341	8,939
	3	Cumulative Enrollment (Sum of Rows 1 and 2)	12,813	13,129	12,589	12,988
	4	Students Still Enrolled	3,468	3,594	4,088	4,464
Completion	5	Non-Graduate Completers	3,135	2,538	1,932	1,137
	6	Graduate Completers	3,336	3,669	3,356	4,499
	7	Total Completers (Sum of Rows 5 and 6)	6,471	6,207	5,288	5,636
Placement	8	Non-Graduate Completers Emp. In Pos. Related To Field of Instruction	3,135	2,538	1,932	1,137
	9	Graduate Completers Emp. In Pos. Related to Field of Instruction	2,383	2,588	2,054	2,883
	10	Total Completers Emp. In Pos. Rel. To Field of Inst. (Sum Rows 8 & 9)	5,518	5,126	3,986	4,020
	11	Graduate Completers Employed In Pos. Unrelated to Field of Inst.	241	93	93	230
Licensure	12	Graduate Completers Waiting To Take Licensure Exam	175	179	278	332
	13	Graduate Completers Who Took Licensure Exam	952	1,162	1,094	1,622
	14	Graduate Completers Who Passed Licensure Exam	917	1,131	1,064	1,590
	15	Graduate Completers Unavailable For Employment	39	55	49	88
	16	Graduate Completers Who Refused Employment	19	34	35	47
	17	Graduate Completers Seeking Employment/Status Unknown	519	720	846	919
	18	Withdrawals	2,874	3,323	3,217	2,889
	19	Sum of Rows 12, 15, and 16	233	268	362	467
	20	Difference - Row 6 minus Row 19	3,103	3,401	2,994	4,032
	21	Difference - Row 7 minus Row 19	6,238	5,939	4,926	5,169
	22	Graduation Rate (%)	35.70	38.48	39.48	52.78
	23	Total Completion Rate (%)	69.25	65.10	62.20	66.12
	24	Graduate Placement Rate (%)	76.80	76.10	68.60	71.50
	25	Total Placement Rate (%)	88.46	86.31	80.92	77.77
	26	Licensure Exam Pass Rate (%)	96.32	97.33	97.26	98.03

COE ANNUAL REPORTS - UCAT CAMPUSES

Annual Comparisons (Postsecondary 2007-2010)

Completion, Placement, and Licensure Rates



UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: III.B

TOPIC: Pre-Legislature Information

BACKGROUND

Information regarding the upcoming General Session of the Utah State Legislature is indicating an across the board reduction of 7% will be considered and agencies will be asked to consider as high as 10% cuts from programs and budgets.

Two pre-session meetings of the Higher Education Appropriations Committee have been scheduled for January 11th and 19th where more specific information will be provided.

An update will be provided at the January 12th Trustees meeting.

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: III.C

TOPIC: Enrollment Trends

BACKGROUND

The amount of training provided by UCAT campuses to enrolled students has increased by 1.5 million membership hours in the four years since 2006 – roughly equivalent to the size of one of the largest campuses, and more than the size of the four smallest campuses combined. Campus resources have been strained during a period of budget cuts to accommodate the increased enrollment demand. Because the UCAT Board of Trustees has requested additional ongoing and one-time funds for FY 2012, the Board will review and consider reports of historical trends and current growth projections to provide up-to-date information which may be utilized in supporting this request during the upcoming year.

FISCAL IMPACT

none

RECOMMENDATIONS

Information/discussion only.

Attachments: UCAT Membership Hour History 2006-2010
UCAT Student Headcount History 2006-2010
(hand-carried)- UCAT Year-to-Date Campus Enrollment Report - December 31, 2010

UTAH COLLEGE OF APPLIED TECHNOLOGY

MEMBERSHIP HOUR HISTORY

2006 - 2010



		FY 06	FY 07	FY 08	FY 09	FY 10	FY 09 to FY 10 Growth	
BATC	Secondary	297,415	306,072	328,019	308,027	295,861	(12,166)	-3.95%
	Post Secondary	711,941	671,034	687,035	836,051	955,912	119,861	14.34%
	TOTAL	1,009,356	977,106	1,015,054	1,144,078	1,251,773	107,695	9.41%
DATC	Secondary	328,768	328,789	282,010	274,572	322,329	47,757	17.39%
	Post Secondary	813,776	797,062	805,080	995,020	1,302,707	307,687	30.92%
	TOTAL	1,142,544	1,125,851	1,087,090	1,269,592	1,625,036	355,444	28.00%
DXATC	Secondary	95,024	94,708	97,501	88,137	66,844	(21,293)	-24.16%
	Post Secondary	85,535	99,592	108,692	159,895	212,623	52,728	32.98%
	TOTAL	180,559	194,300	206,193	248,032	279,467	31,435	12.67%
MATC	Secondary	413,192	433,843	468,550	477,456	347,806	(129,650)	-27.15%
	Post Secondary	190,448	255,850	317,517	358,635	441,467	82,832	23.10%
	TOTAL	603,640	689,693	786,067	836,091	789,273	(46,818)	-5.60%
OWATC	Secondary	323,162	326,664	304,724	329,901	253,378	(76,523)	-23.20%
	Post Secondary	869,314	831,461	877,975	1,094,682	1,214,410	119,728	10.94%
	TOTAL	1,192,476	1,158,125	1,182,700	1,424,583	1,467,788	43,205	3.03%
SWATC	Secondary	129,896	146,743	121,527	127,689	89,293	(38,396)	-30.07%
	Post Secondary	120,184	122,301	209,877	168,228	184,081	15,853	9.42%
	TOTAL	250,080	269,044	331,404	295,917	273,374	(22,543)	-7.62%
TATC ¹	Secondary	n/a	n/a	n/a	5,667	10,759	5,092	89.85%
	Post Secondary	n/a	n/a	n/a	20,613	77,241	56,628	274.72%
	TOTAL	n/a	n/a	n/a	26,280	88,000	61,720	234.86%
UBATC	Secondary	264,623	280,002	260,227	279,152	291,573	12,421	4.45%
	Post Secondary	254,180	247,717	250,090	265,142	354,354	89,212	33.65%
	TOTAL	518,803	527,719	510,317	544,294	645,927	101,633	18.67%
UCAT ¹ TOTALS	Secondary	1,852,080	1,916,821	1,862,558	1,890,601	1,677,843	(212,758)	-11.25%
	Post Secondary	3,045,378	3,025,017	3,256,266	3,898,266	4,742,795	844,529	21.66%
	TOTAL	4,897,458	4,941,838	5,118,824	5,788,867	6,420,638	631,771	10.91%

Notes: 1. TATC was established July 1, 2009. FY 09 totals reflect SLTATC students with Tooele County zip codes.

UTAH COLLEGE OF APPLIED TECHNOLOGY

STUDENT HEADCOUNT HISTORY

2006 - 2010



		FY 05	FY 07	FY 08	FY 09	FY 10	FY 09 to FY 10 Growth	
BATC	Secondary	1,949	1,950	2,114	1,976	1,988	12	0.61%
	Post Secondary	5,617	5,019	4,998	5,746	5,537	(209)	-3.64%
	TOTAL	7,566	6,969	7,112	7,722	7,525	(197)	-2.55%
DATC	Secondary	1,987	1,929	1,958	1,703	1,990	287	16.85%
	Post Secondary	3,845	4,089	5,204	5,774	6,647	873	15.12%
	TOTAL	5,832	6,018	7,162	7,477	8,637	1,160	15.51%
DXATC	Secondary	523	591	655	786	473	(313)	-39.82%
	Post Secondary	1,069	1,526	2,557	4,275	5,368	1,093	25.57%
	TOTAL	1,592	2,117	3,212	5,061	5,841	780	15.41%
MATC	Secondary	1,889	1,813	1,867	1,868	1,326	(542)	-29.01%
	Post Secondary	4,964	3,371	4,413	3,984	4,127	143	3.59%
	TOTAL	6,853	5,184	6,280	5,852	5,453	(399)	-6.82%
OWATC	Secondary	2,171	2,289	2,252	2,178	1,514	(664)	-30.49%
	Post Secondary	5,632	6,307	6,772	6,112	4,455	(1,657)	-27.11%
	TOTAL	7,803	8,596	9,024	8,290	5,969	(2,321)	-28.00%
SWATC	Secondary	993	1,171	1,079	967	763	(204)	-21.10%
	Post Secondary	813	684	1,389	962	1,796	834	86.69%
	TOTAL	1,806	1,855	2,468	1,929	2,559	630	32.66%
TATC ¹	Secondary	n/a	n/a	n/a	58	59	1	1.72%
	Post Secondary	n/a	n/a	n/a	137	335	198	144.53%
	TOTAL	n/a	n/a	n/a	195	394	199	102.05%
UBATC	Secondary	1,472	1,654	1,488	1,591	1,604	13	0.82%
	Post Secondary	2,215	3,316	3,574	4,127	4,542	415	10.06%
	TOTAL	3,687	4,970	5,062	5,718	6,146	428	7.49%
UCAT TOTALS	Secondary	10,984	11,397	11,413	11,127	9,717	(1,410)	-12.67%
	Post Secondary	24,155	24,312	28,907	31,117	32,807	1,690	5.43%
	TOTAL	35,139	35,709	40,320	42,244	42,524	280	0.66%

Notes: 1. TATC was established July 1, 2009. FY 09 totals reflect SLTATC students with Tooele County zip codes.



Utah College of Applied Technology

Year-to-Date Campus Enrollment Report

December 30, 2010

*(Includes all campus instructional activity except assessment and "Below-the-Line" CIP codes.)

		MEMBERSHIP HOURS (YTD)				STUDENT HEADCOUNT (YTD-Distinct)			
		Prev Year	Current Yr	Growth		Prev Year	Current Yr	Growth	
BATC	Adult	420,199	395,083	-25,116	-5.98%	3,299	3,038	-261	-7.91%
	High School	135,497	110,131	-25,366	-18.72%	1,435	1,216	-219	-15.26%
	Campus Tot.	555,696	505,214	-50,482	-9.08%	4,734	4,254	-480	-10.14%
DATC	Adult	605,084	678,436	73,352	12.12%	4,030	4,090	60	1.49%
	High School	151,971	120,237	-31,734	-20.88%	1,413	1,182	-231	-16.35%
	Campus Tot.	757,055	798,673	41,618	5.50%	5,443	5,272	-171	-3.14%
DXATC	Adult	85,445	94,906	9,461	11.07%	2,358	1,995	-363	-15.39%
	High School	29,018	22,784	-6,234	-21.48%	359	383	24	6.69%
	Campus Tot.	114,463	117,690	3,227	2.82%	2,717	2,378	-339	-12.48%
MATC	Adult	206,463	240,984	34,521	16.72%	2,127	2,151	24	1.13%
	High School	170,243	155,492	-14,751	-8.66%	893	833	-60	-6.72%
	Campus Tot.	376,706	396,476	19,770	5.25%	3,020	2,984	-36	-1.19%
OWATC	Adult	574,044	493,985	-80,059	-13.95%	3,172	2,854	-318	-10.03%
	High School	108,984	95,830	-13,154	-12.07%	1,106	904	-202	-18.26%
	Campus Tot.	683,028	589,815	-93,213	-13.65%	4,278	3,758	-520	-12.16%
SWATC	Adult	71,105	81,032	9,927	13.96%	564	548	-16	-2.84%
	High School	37,327	45,603	8,276	22.17%	509	602	93	18.27%
	Campus Tot.	108,432	126,635	18,203	16.79%	1,073	1,150	77	7.18%
TATC	Adult	36,107	31,710	-4,397	-12.18%	212	210	-2	-0.94%
	High School	4,777	710	-4,067	-85.14%	49	6	-43	-87.76%
	Campus Tot.	40,884	32,420	-8,464	-20.70%	261	216	-45	-17.24%
UBATC	Adult	142,090	178,037	35,947	25.30%	1,819	2,687	868	47.72%
	High School	125,963	118,015	-7,948	-6.31%	1,337	1,254	-83	-6.21%
	Campus Tot.	268,053	296,052	27,999	10.45%	3,156	3,941	785	24.87%
UCAT TOTALS	Adult	2,140,537	2,194,173	53,636	2.51%	17,581	17,573	-8	-0.05%
	High School	763,780	668,802	-94,978	-12.44%	7,101	6,380	-721	-10.15%
	UCAT Total	2,904,317	2,862,975	-41,342	-1.42%	24,682	23,953	-729	-2.95%

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: III.D

TOPIC: FY 2010 Custom Fit Report

BACKGROUND

The Custom Fit program is an important integral part of UCAT's operations across the state and in regions not served by UCAT campuses. Last year the Custom Fit program served 16,968 trainees and 1,282 companies enabling them to receive customized training that meets their immediate and specific needs. Because the UCAT Board of Trustees has requested additional ongoing and one-time funds for FY 2012, a mid-year report has been requested from the eight UCAT campuses, Snow College and USU-CEU to provide up-to-date information which may be utilized in supporting this request during the upcoming general legislative session.

FISCAL IMPACT

None

RECOMMENDATIONS

Attachments: Hand carried

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

12 January 2011

ITEM: III.E

TOPIC: "B.E.A.R." Business Expansion and Retention Program

BACKGROUND

The BEAR Project is a business expansion and retention program created by Carbon and Emery Counties to match resources with service providers including the Governor's Office of Economic Development (GOED), colleges and universities, small business development centers (SBDCs) and local economic development. The program has been in existence for over 5 years and has been recognized nationally for its success. The program is growing and now serves more than 2/3 of the state. A new BEAR initiative, ONET Coding, provides a new level of information that has not available in the past. It allows educational entities, including UCAT campuses, to know specific job orders that will be needed, and the associated training needs -up to 12 months ahead of that need. The BEAR project has a process that can allow educational entities to become BEAR partners in many regions of the state to obtain this information.

UCAT Trustee Mike McCandless has offered to present an overview of the BEAR project and answer questions regarding how UCAT and regions using BEAR can better partner to address upcoming local and regional employment needs through Custom Fit and other UCAT programs.

FISCAL IMPACT

Potential regional or statewide fee for access to BEAR information

RECOMMENDATIONS

Information Only

Attachments: Hand carried to the meeting by Trustee McCandless