

## MINUTES

May 21, 2001

Minutes of the meeting of the State Board for Applied Technology Education held May 21, 2001, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:15 a.m. Chairman Kim R. Burningham presided. Members present were:

Chairman, Kim R. Burningham

Vice Chairman, Janet A. Cannon

Member R. Michael Anderson

Member Bette O. Arial

Member Linnea S. Barney

Member Jill G. Kennedy

Member Judy Larson

Member A. Earl McCain

Member Denis R. Morrill

Member David L. Moss

Member Joyce W. Richards

Member Marilyn Shields

Member Teresa L. Theurer

Members Laurel Brown and Greg W. Haws were excused.

Also present were:

Executive Officer Steven O. Laing

Deputy Superintendent Gary L. Carlston

Associate Superintendent Robert O. Brems

Associate Superintendent Patrick Ogden

Interim-Associate Superintendent Bonnie Morgan

Executive Director, USOR, Blaine Petersen

Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

Members of the Press:

Havalah Gholdston, Provo Daily Herald

Twila VanLeer, Deseret News

John Taylor, Jordan School District

Bo Hall, Superintendent, Wasatch Front South Applied Technology Center

Gary Wixom, Utah System of Higher Education

Royanne Boyer, Director, Mountainlands Applied Technology Center

Miles Nelson, Director, South East Applied Technology Center Service Region

Richard Maxfield, Citizen

Connie Steffen, Office of Legislative Research and General Counsel

Dee Larsen, Office of Legislative Research and General Counsel

Loraine T. Pace, House of Representatives

Debbie Headden, Legislative Fiscal Analysts Office

Michael Kjar, Legislative Fiscal Analysts Office

Kolene Granger, Superintendent, Washington School District

Mike Bouwhuis, Superintendent, Davis Applied Technology Center

Richard Jones, Superintendent, Uintah Basin Applied Technology Center

Carlene Walker, State Senate

Brent Judd, Director, South West Applied Technology Center Service Region

Brent Wallis, Superintendent, Ogden-Weber Applied Technology Center

Richard Maughan, Superintendent, Bridgerland Applied Technology Center

MaryLou Seamons, Davis School District

Darline Robles, Superintendent Salt Lake City School District

Karen Derrick, Salt Lake City School Board/Wasatch Front South Applied Technology Center

Colleen Taylor, Utah PTA

Linda Plouzek, Utah PTA

Stephen Ronnenkamp, Superintendent, Granite School District

Richard Tranter, Superintendent, Murray School District

Robert Jensen, Box Elder School District

Morris Haggerty, Attorney General's Office

Con Rowley, Governor's Office

Utah State Office of Education staff:

LesLee Ardelean, Applied Technology Education Services

Duke Mossman, Applied Technology Education Services

Shannon Bittler, Applied Technology Education Services

Russell Klein, Agency Services

Melvin Robinson, Applied Technology Education Services

Judy Maxfield, Applied Technology Education Services

Marv Johnson, Applied Technology Education Services

Dave Steele, Planning & Project Services

Hal L. Sanderson, Planning & Project Services

Scott Snelson, Applied Technology Education Services

Mary Shumway, Applied Technology Education Services

Dave Milliken, Applied Technology Education Services

Shawna South, Applied Technology Education Services

Murray Meszaros, Applied Technology Education Services

Buddy Deimler, Applied Technology Education Services

Renee Hyer, Applied Technology Education Services

Nadine Bunnell, Applied Technology Education Services

Dave Mower, Applied Technology Education Services

Board Members repeated the Pledge of Allegiance.

Board Member David L. Moss offered the reverence.

Twila B. Affleck recorded the minutes.

### Applied Technology Education Governance

Chairman Kim R. Burningham explained that the purpose of the meeting would be to focus and discuss applied technology education issues. He commented that for many years people have talked about the governance of applied technology education, and he indicated that there has always been strong support for it.

Chairman Burningham noted that the past year there has been a legislative task force that has met and they made recommendations the Legislature. They examined those recommendations, the Governor responded, and different directions have been taken by different people. He felt that some good things have come out of that examination and we have learned many things.

Chairman Burningham further noted that the Board has committed to a variety of principles that it has adhered to in the past. The principles emphasize the Board's stewardship and responsibility for the needs of secondary students to make sure that opportunities in applied technology are available to them.

Chairman Burningham reported that another piece of draft legislation has just been made available for examination. It is a reflection of all the conversations and debate that has taken place over the past few months. He outlined the focus of the meeting being examination of the new draft of legislation and so directions that might be taken within the State Board for Applied Technology Education and then discussion by the Board.

Chairman Burningham further reported that the Governor will come to make his appeal on the issues he feels strongly about at 10:30 a.m. Later in the month the Governor has meetings scheduled throughout Northern Utah at various ATCs and with local boards on this issue.

Superintendent Laing reviewed a history relative to the governance issues relative to applied technology education. He noted that about 17 months ago, at the time John Watson was Chairman of the Board, we decided that the issues had become disconnected enough that it was important that we make an effort to try to bring some consistency to the governance of applied technology education. Chairman Watson, the Chairman of the Board of Regents and the Commissioner of Higher Education and he met with the Speaker of the House and the President of the Senate. They reviewed some of the issues, requested that the six meet together along with someone from the Governor's office to begin taking about this. It was anticipated that perhaps after the legislative session this meeting would occur.

Dr. Laing indicated that as the session proceeded a bill was introduced and adopted to form a task force to address the concerns of applied technology education. The task force met all last year and concluded in November, and from then we have seen these different iterations of legislation addressing governance of applied technology. He noted that as

these different iterations proceeded the Board was continually asked for their position on one or the other. During the last session the Board adopted a set of principles. Following the session, and without resolution of this issue, the Board in April adopted a position paper in opposition to a change in governance.

Dr. Laing reported that there continues to be efforts made to produce a piece of legislation that could resolve this issue. Superintendent Laing reviewed the working draft of the legislation. (For complete details of the Draft Legislation see General Exhibit No. 8586.) Dr. Laing also presented a paper dealing with the Board's Principles and how the legislation may or may not address the points therein. (For complete details see General Exhibit No. 8587.)

Discussion ensued relative to the section of the draft legislation dealing with the appointment of the president for the Utah College of Applied Technology. Member Denis Morrill suggested a third option that the Utah College of Applied Technology Board of Trustees appoint the president.

Following a review of the Powers and Duties of the Utah College of Applied Technology Board of Trustees, Board members expressed concern with the power and duties and that it appears this is the third board no one really wanted.

Member Denis Morrill voiced concern that the proposed legislation does nothing different that what we could do now if there was collaboration. He felt that the issue that got us here was the Wasatch Front South ATC and the Salt Lake Community College and this legislation assures this problem will continue.

Vice Chairman Janet Cannon commented that the whole problem is the situation along the Wasatch Front. We were successful in getting the Wasatch Front ATC because that area serves almost 500,000 students who have not been well served because of the situation with Salt Lake Community College. She felt that in looking at new ways of addressing governance does not solve the problem of serving the children along the Wasatch Front. This problem will continue to fester, and the concern remains that those students along the Wasatch Front deserve applied technology education.

Associate Superintendent Robert O. Brems reviewed the history of applied technology education governance proposals, what has been learned and then reviewed the following proposals from the Applied Technology Center Superintendents and the Applied Technology Center Service Regions. (For complete details, see General Exhibit No. 8588.)

The proposal included:

1. Leaving the ATCs under governance of State Board of Education.

- Establish ATC services in ALL regions. No ATCSR designations.
- SBE/SBATE will develop an ATC funding unit and capital facilities plan to be approved by the Legislature.
- SBE/SBATE development, accreditation and implementation of ATC-based associate of applied technology (AAT) degrees.

Richard Maughan, Superintendent, Bridgerland Applied Technology Center reviewed the following issues relative to leaving the ATCs under the governance of the State Board of Education. He expressed appreciation to the Board for the position that had taken with regard to the governance issue. He commented that they feel at the present time that there is far too much experimental discussion taking place relative to applied technology education and ATCs. If it isn't broke don't fix it - it is not broken. The ATCs want to stay where they are and stay in the role of ATCs and ATCSRs under the direction of the State Board of Education. He noted that the existing statute contains necessary language to implement enhancements recommended by the past year of study.

Mr. Maughan indicated that the ATCs believe it is to the advantage of the state to establish ATC services in ALL regions. They further felt that there should be increased cooperation between the State Board of Education and the State Board of Regents, and there should be invited "cross pollenization" not legislated. Further that the State Board for Applied Technology Education give time and hearing as a separate board for applied technology education.

Mr. Maughan further suggested that the Board consider a separate executive officer, CEO or superintendent under the State Board for Applied Technology Education.

Brent Judd, Director of the Southwest ATC Service Region commented on the proposal for the establishment of ATC services in ALL regions of the state and that there not be a service region designation. He indicated that the service regions already function like the ATCs. The law is the same, and they are audited on the same system. He encouraged the Board to continue and create the statewide system.

Mike Bouwhuis, Superintendent Davis Applied Technology Center commented on the proposal for a needed ATC funding unit, and a plan for capital facilities, including state funded and other alternatives.

Brent Wallis, Superintendent Ogden-Weber Applied Technology Center commented on the proposal that the State Board for Applied Technology Education develop a process for accreditation and implementation of ATC-based associate of applied technology (AAT) degrees. He noted that the AAT degree would be employment oriented.

Mr. Wallis reported on the visit they made to Georgia where they have established a successful employment degree. They visited two colleges and the Council on Occupational Education Accreditation. They reviewed our proposed model with this council and they felt it would work. Mr. Wallis reviewed the proposed AAT degree model.

Associate Superintendent Rob Brems presented a comparison of a Generic High School Diploma and an AAT Degree schedule that a student could follow and obtain a high school diploma along with the AAT Degree.

Mr. Brems again reviewed the four proposals.

Governor Mike Leavitt addressed the Board with his thoughts about the proposed ATE legislation.

Governor Leavitt stated that he has continued to negotiate with legislative leaders and the sponsors of the legislation and they are down to one issue which he felt was resolvable among that group. There are obviously other constituencies and players that have to be satisfied.

Governor Leavitt indicated that he is looking at this issue not only as an education project but an economic development issue as well. He sees aligning our workforce with our education system as being a very important part of what we are talking about. How do we define economic success in the state? It is three things: (1) Are we creating enough jobs to employ our workforce? (2) We need to keep wages increasing against inflation, and (3) we need to have the benefit felt statewide.

Governor Leavitt continued that one of the pieces of the economic plan is education and the critical piece of that is making our education system more market relevant. One piece the Board is dealing with is reorienting our entire system to value and to measure competency, not just time. Other objectives are accelerating the speed and reaction time of our system, doubling the number of engineers and computer science graduates, and the one that is relevant today is giving more prominence to our applied technology education system.

Governor Leavitt pointed out five advantages to moving forward on the proposed legislation:

1. Equity - This proposal represents replacing a system of unequal opportunity to make applied technology education available to every citizen.
2. Efficiency - Making applied technology education a process rather than a place. This would establish a statewide model that can be scaled and sustainable. He felt that the system as it is currently situated where we are so dependent upon large in place facilities that going forward looking at the pressures we have on enrollment, that our capacity to sustain that model is suspect.
3. Enhanced Image - The idea of having a Utah College of Applied Technology will lift the image of applied technology education and make it attractive to more students and to parents, and make it a more marketable product.
4. Bridge Between Paths - It will provide a market where we can have a recognized way of being able to transfer the value that is created at applied technology centers into the system of traditional higher education in the limited number of situations where students choose that as an alternative.

5. Seamless System of Education - The Utah College of Applied Technology will help us resolve governance dilemmas that we have faced for the last 30 years.

Governor Leavitt stated that the main issue from the Board's perspective is how to protect secondary students? He listed the following ways he felt the proposed legislation would protect secondary students: (1) The money for secondary students remains with public education; (2) The idea of a slot allocation for UCAT being protected by statute; (3) UCAT budget goes directly to the legislature; (4) UCAT capital requests go directly to the State Building Board; (5) regional boards are made up of public school representatives and their customers; (6) the money for UCAT will flow directly from the legislature. In terms of enhancements it provides a competency based, open entry, open exit, applied technology based high school diploma. It would bridge to the other system of post secondary training and it would enhance the acceptance of the credential.

Governor Leavitt indicated that it seems this does not only protect but it enhances the opportunities for secondary students. He indicated that the Boards are controlled by public education and adds a person from higher education that will now be in a position to coordinate more closely.

Member Denis Morrill commented that in his review of the draft legislation some of the things mentioned by the Governor do not seem to be protected. He could not see how the way it is set up creates a more seamless system than the one we currently have. Governor Leavitt responded that he was referring to the idea of having a Board of Regents member serve on the regional boards, having members of the State Board serve on the Board of Regents and members of the Board of Regents serve on the State Board of Education. He felt this moved us closer to one system than it does to three.

Member Teresa Theurer commented that of the five enhancements identified by the Governor the only one that she felt could not be accomplished under the present system was an enhanced image. Governor Leavitt responded that the chance of getting articulation agreements and having them transferable under the system of higher education is virtually nil.

Superintendent Laing commented that the latest draft of legislation has at one point an optional appointment of the President of UCAT. Governor Leavitt responded that this was resolved in earlier discussions that the Regents would be appointing the President. He indicated that the reason for this is that is the power that holds the Regents together.

Vice Chairman Janet Cannon voiced a concern with the language in the proposed legislation that indicates that regional boards cannot construct or plan for any buildings. It further states that the regional boards cannot exercise jurisdiction over applied technology education provided by a local school district or provided by a higher education institution independently. Her concern is that whatever we do with this we need to solve the problem that has existed for a long time along the Wasatch Front. There are about 200,000 students who have been under served in applied technology education.

Governor Leavitt responded that the goal is to make applied technology education something that is not building centric. We will not have the capacity to build an applied technology center close enough to every high school that everyone is going to be happy. His vision of applied technology education is that it would become a place that would be available in the work places, in high schools, and anywhere that there is the capacity to do it, not just in centers. This does not mean we will not build them, but the process by which they would be built.

Vice Chairman Cannon asked the Governor how he envisions this helping to solve the problem of serving students along the Wasatch Front. Governor Leavitt responded that we give the Wasatch Front South a life of its own, and they then have the capacity to contract with Salt Lake Community College for facilities and faculty. Governor Leavitt commented that the applied technology centers are working great, but we are not scratching the surface in terms of the capacity and penetration to employers. We need to turn this into a major part of our economic equation as opposed to just a sliver of our educational offerings. Member Jill Kennedy commented that in view of the latest draft of legislation we are looking at the creation of third board. She felt this would complicate governance rather than simplifying it and it would increase competition for funding. Governor Leavitt indicated that this is the issue still. The draft was supposed to have the issue on the appointment of the president resolved and then have optional languages on the duties of the

board. The issue still remains, do you say that the UCAT board has all powers except the following or do you say the Board of Regents has all powers except the following or do you find a middle ground and say they have these specific powers in each category and the ones they don't have go to "a" or "b."

Member Bette Arial commented on a specific concern in the Southwest area which has been greatly underserved but we are in a crisis state with this proposal as well as others. She indicated she was not convinced that this proposal addresses the equity concerns of that area. She indicated that she was committed to providing the best and most equitable education for all rural students, but not at the expense of more populated and growing urban areas. She further indicated that in the draft all of the facility and personnel and ongoing funds stay with the center in Cedar City whereas with the creation of a new region it is standing there without the funding. She could see a lot of inherent problems in this that are not being addressed.

Governor Leavitt commented that funding is not equitable - no one argues that point. He indicated that under any circumstance to change that into a new system where you don't have buildings etc., it will emerge and evolve in a different way. He used Richfield as an example of having facilities, but no money. He is convinced that you need to give them viability and a market position from which they can negotiate with. He is anxious for them to have a bigger life than they have now.

Member Linnea Barney stated that she did not think you can protect against academic drift with a system under the Board of Regents unless you give the UCAT board a lot of responsibility and authority, and then you have third board. Secondly, is a concern for access. We know this not happening at Snow College South.

Governor Leavitt responded that we need to talk about where we have seen this "academic drift" occur. He mentioned Salt Lake Community College, Utah Valley Community College, Richfield, Dixie College going from two years to four years, Weber College going to University. Who caused this to happen? It was the communities and the legislature. He felt it was unfair to suggest that the Board of Regents is responsible for academic creep. It is local communities that aspire for their institutions. In most cases, those changes were needed. He felt that community colleges need to be a bigger part of our system. Governor Leavitt stated that we are responding to a market, there is a demand for applied technology education and things are changing a little bit because we are looking for a way to respond to it.

Governor Leavitt stated that he would like to see the Utah College of Applied Technology give applied technology a life of its own, and it will bring the system of higher education closer to the application of open entry, open exit, competency based than under the existing system.

Member Judy Larson commented that the Governor has talked about not scratching the surface, and not meeting the economic goals. She felt that we should put those goals into a system that is already successful.

Governor Leavitt responded that applied technology education is by definition, post secondary or extra secondary. He feels that a lot of high school students do it but it is different kind of training and different orientation than our traditional core curriculum, and it should be; there are students who can benefit from both. Fundamentally, it is, at its root, post secondary or extra secondary training.

Member Dave Moss commented that as Board Members have had opportunity to meet with members of the Board of Regents, the overwhelming message that most of us got is that they are looking to us for training and understanding of how the ATC system works. He further commented that if we have an existing system that works now, rather than losing the momentum in getting another system up to speed, to utilize the experience and training that we have now and add those resources so we can increase the economic impact that these can have.

Governor Leavitt commented that we need to increase it no matter what system it is in. He questioned where will it best be nurtured and accepted. There are two limitations that the public education system has: (1) we will not see a bridge between pathways. This is a priority and it has value because it moves us more toward one system. (2) Under any circumstance you look around and have a difficult time giving this the meaning and image and attractiveness than if you name it what it is -- post secondary or extra secondary.

Governor Leavitt stated that he is opposed to a third board because it splits resources and makes the governance

problems that much harder. He indicated that resources are going to be scarce, not just in the long-term, but in the short-term.

Member Mike Anderson commented that he has reviewed the proposal and read code on applied technology that applies to the board. We have resisted having a third board, but this appears that we are creating a third system which does basically the same. He felt that instead of three systems, we would be better off keeping the two systems, higher and public education and ask the Board of Education to modify its role, where needed, to comply with the goals and desires presented. We may be disbursing funds to a lot of areas rather than where they really ought to go - to the students. If we stay under the current system we would be more financially efficient. He felt that the Board could accomplish all of the things recommended by the Governor under the current system. He further stated that equity comes with time and not immediately, with money and effort on the part of people. He could see all of this coming through the efficient system already in place.

Governor Leavitt responded that it must not be working ideally because we got into this discussion because the Board and the Board of Regents coming to legislative leadership and the Governor to sort through this. He stated that it becomes a problem because ATE ends up as a stepchild or an orphan. Governor Leavitt explained the differences between UCAT and a Board of Trustees in comparison with the Board of Regents and college or university presidents. He indicated that if you have to choose it is not a perfect decision, but on balance it lines up better with the system of post secondary training than it does with the public education system.

Member Marilyn Shields questioned as this becomes more political, what are some of the comments coming out of each body? Are they concerned in different ways or are they unanimous in their feelings?

Governor Leavitt responded that he is not in a position to know. However, the one little group that has come together is in agreement except for the one issue he articulated. If we have one party taking a position or another, it will not pass. He stated that he did not know if a political coalition is there to make this happen.

Member Denis Morrill commented that the draft legislation talks a lot about cooperating and consulting. He thought there was nothing that indicated that anyone could say Salt Lake Community College and Wasatch Front South get it done.

Governor Leavitt responded that you never get exactly what you want so you end up with something less than what both sides want. He did not think this is as bold a step forward in progress as he would like to see made. He would like to see something bold that would delineate applied technology education as a grand important piece of our economic equation. This takes a step in that direction and begins to define the future in some ways.

Chairman Burningham thanked the Governor for his time, for the discussion and dialogue of this issue with the Board. He stated that no matter what the Board concludes it is clear that our concerns have been heard and we appreciate the fact that they have.

Governor Leavitt stated that the State Board of Education and the Board of Regents came to the Governor and legislative leadership requesting assistance. The Legislature had a task force and the process as it played out still could not agree. As he got into this, he got energized, and began to see a huge opportunity and needed to be a piece in an economic plan that presented the chance for us to move applied technology education to a new level. To raise it to a level of prominence that it would be attractive to more employers, students and parents. Because it would now have more value, it was more equitable and more sustainable. He can see weaknesses in what we have now, it is not equitable, it is highly building centric, and it is not as penetrating in terms of our total economic picture as it should be. There are a lot of people who don't go there that should, which comes from the image questions of having a post secondary degree. He concluded that there is a lot of potential and opportunity - historically to do something really good for the economy and the students. He hoped the Board would continue to give it its best consideration.

Chairman Burningham announced that the Board would now take public comments relative to the applied technology education issue.

Richard Maxfield, former chairman of the State Board of Education commented that he did not feel you could divide

the responsibility by age or high school status. The AT degree is absolutely essential if you are going to have vitality for preparing people for the workforce. This is more of a cultural issue in our society than it is an employability issue. Employers want skills, they would rather have a list of skills on a certificate than they would a diploma. You will not change higher education, it is the world's foremost democracy, and it will not be moved out of its place. He further commented that all of the proposals are missing a direct link with business and industry. Until you get that direct linkage, they will not be coming to you. He felt that all of the current proposals are political proposals and they need to be what business and industry needs. Mr. Maxfield further commented that tracking in high school will not work. He indicated that competency-based graduation will work in both public education and applied technology education. The research shows that if you change the model students can move through a third faster and get occupationally prepared during the high school years. He indicated that the current public education delivery model will not work. He further stated that the Board needed to find a way to remove the battle away from politics and to the business industry or to a credit and competency based model.

Richard Jones, Superintendent Uintah Basin ATC, commented that from the Uintah Basin ATCs perspective he supports everything put forth in the model proposed, and he looks forward to working with State Board of Education for years to come. He indicated that since their meeting in Georgia he has met with all the Uintah region legislators. It is critical for them to maintain what we have in our area. We can make it work for the future. He expressed his support to the Board in the decisions made today.

Miles Nelson, Director, Southeast ATCSR commented that the southeast area is the biggest geographic area trying to supply applied technology education in the state. He expressed appreciation for all of the support they have received to this point. He complimented the Board for their support in the concept of their becoming an ATC in the state. He indicated that they want to advance their programs to ATC status within the State Board of Education.

Representative Lorraine Pace expressed appreciation for sitting in meeting where someone agrees with her. She indicated that she has been unhappy with the legislation since the last night of the session. She commented that from the legislative standpoint there have been meetings going on this last week relative to this issue. She indicated that she has asked the Governor not to call a special session because she did not want to create a crisis that isn't there. We already have in place the mechanism to make things better. One of her biggest concerns is to take a broad brush to solve the problem when we really need to take small brushes in individual areas and work it out to serve the people of that area. She felt that the members of the State Board of Education are better listeners and it is important that we do listen to people. She felt that if we could find solutions in individual areas it would be the best way to go. She indicated she was encouraged by the suggestions made in the proposals today and we need to pay attention to them. She stated that it is important that the Board know that this Wednesday at the legislative interim committee meetings, applied technology is the number one issue on the education agenda. In addition to that the Governor has been invited by the Speaker to talk to the Republican caucus during lunch. She encouraged each Board member to get in touch with the legislators in their area to be sure they understand the applied technology issue.

Marv Johnson, Specialist in Applied Technology Education indicated that currently the State Board of Education has the authority to apply for, manage and distribute the federal funds for applied technology education both for secondary and post secondary. The federal statute requires one state agency to have that responsibility. He indicated that the new proposed legislation would limit the State Boards authority to apply only for funds for secondary programs. This may be complicated and he did not know how that might be resolved.

Karen Derrick, Salt Lake City School Board - She stated that there were several things the Governor said that were contrary to what we believe in this valley as part of the Wasatch Front South ATC Board and the fact that the system was not dependent on buildings. She indicated that there is a system in the valley where they haven't depended on buildings and it truly does not work. She felt you need to put high cost programs in one central area and bring students to it. The Salt Lake City Board of Education felt so strongly about this that they put all of their high schools on the same schedule so they can do that within their high schools, and then start to think about moving their students to some of those critical programs that cannot be duplicated in every high school. Secondly, there is a major philosophy difference in what the Governor indicated that ATE is post secondary or extra secondary. She does not believe it is an extra secondary program. It is part of secondary education. If people in public education believe that, you don't want to think of giving it away to someone else. She also thought it was interesting that the Governor talked about this being an

argument between public education and higher education. The Governor appoints the Board of Regents and she felt he could direct the Board of Regents in another direction. With regard to business, every ATC knows that position and tries to enhance that. That is one reason they believe it needs to be market driven and we have all of the communities involved. She knows that the AAT degree would enhance the image. She encouraged the Board to explore the ATE proposal.

### Executive Session

Motion was made by Member Bette O. Arial and seconded by Member Judy Larson for purposes of discussing personnel and litigation issues. The Board was polled and by unanimous consent of those present the Board moved into Executive Session during lunch at 12:05 p.m.

Motion was made by Member Denis R. Morrill and seconded by Vice-Chairman Janet A. Cannon to reconvene into open meeting. Motion carried unanimously.

The Board reconvened at 12:35 p.m.

Chairman Burningham announced the following Board Member appointments to the following committees:

Utah Science Center Authority - Member Mike Anderson.

Trust Lands Nominating Committee - Member Greg Haws.

ESL Task Force - Laurel Brown.

Chairman Burningham reminded Board Members of the Social at his home on May 31, 2001 at 5:30 p.m.

### Applied Technology Education Discussion

Member Jill Kennedy commented that she was concerned with the Governor's presentation because it seemed that we are not talking about a third board but a third system. She felt that to think that the applied technology system is separate from both higher and public education is a real mistake. She felt that the ate proposal made today is well thought out and she did not see any reason for the Board to change their position in supporting the original position taken and adding the proposal, including the AAT degree.

Member Arial commented that she feels strongly that the Board should respect and move ahead with the proposal because she believes we might have been a little remiss in some of our handling of ATC administration. She would like to have the opportunity to move aggressively forward in these areas. She further commented that she could see a great potential and opportunity for the State Board to come up, clean things up, and aggressively take hold of the ATCs. Further, to consider the Governor's five points as well. Motion was made by Member Bette O. Arial and seconded by Member A. Earl McCain that the Board accept the proposal made today.

Chairman Burningham distributed a copy of a "draft" motion which was prepared with detail, which he thought was the motion being made by Members Arial and McCain. (For complete details, see General Exhibit No. 8589.)

Superintendent Laing commented that as the Board discusses the motion, he clarified the degree to which the proposal was being discussed as to whether or not it included the expansion of the State Board for Applied Technology Education to include representation from the nine or ten regions, the two representatives from the State Board of Regents and the recommendation to have a separate CEO.

Clarification of motion as to whether it included everything in the proposal. Member Arial clarified that it was to accept the proposal, work it over and go with it as more of a general philosophical statement.

Member Mike Anderson clarified that the Board does not have authority to change ATCSR to ATC. He cautioned that the Board needed to be careful in not stepping across authority.

Chairman Burningham indicated that the organizational changes are not listed in the motion.

Member Dave Moss requested an articulation of how Proposal #4 might happen.

Associate Superintendent Rob Brems explained that the reason he is so optimistic on this issue is because of what they observed in their visit to Georgia where they had gone through a similar change. Their emphasis was on the AAT degree and the two institutions they visited, because of that addition, had grown by 30% -50% in one year. He felt there were a lot of possibilities with this but it will not be easy and we will need to keep working on it.

Member Bette O. Arial amended her original motion to adopt the draft statement prepared and distributed. Amendment was accepted by Member A. Earl McCain.

Member Mike Anderson commented that there were other issues addressed earlier with regard to the State Board for Applied Technology Education and the State Superintendent is the Executive Officer. He wanted to make sure that the proposal is consistent with the section of Applied Technology Education code currently in existence. He further commented that the Board has sometimes considered themselves both boards, but we do not have separate meetings or distinguish in our meetings when discussing issues that apply to the general board of education or to applied technology. He suggested that the Board in some manner address that issue. If we invite others to be apart of the board a designed time needs to be made so they can attend.

Member Denis Morrill commented that Points 2 and 3 of the motion will require legislation. He suggested that the Board do as much as it can without legislation right now and then try to get legislation.

Associate Superintendent Brems explained that in making the recommendations, it was their plan to present everything without the necessity for statutory change. He explained how the proposal could be dealt with without legislative changes.

Member Linnea Barney questioned whether it would it be to our advantage to have a bill written and submitted now so legislators can see what our proposal will be.

Member Joyce Richards commented that Karen Derrick made good point earlier that we are elected and answer to the people who elect us. The Board of Regents is appointed by the Governor.

Member Richards further commented that she felt that the proposal does not emphasize enough that we need to have secondary students graduate able to step into the workforce. She did not like the designation of the system as a college. She would like to find a better designation.

Member Bette Arial spoke in favor with Member Barney's suggestion that legislation be drafted to let the interim committee know we would like to do that.

Vice Chairman Janet Cannon indicated that the proposal resolves the third board issue. Also, it protects the funding for secondary students. She commented that it seems that we will be living with a system that is going to become even more stressed for dollars, and this protects funding for secondary education students.

Vice Chairman Cannon commented that the Governor indicated he would like to see the Wasatch Front South ATC have a life of its own, as we all would. She questioned how will this proposal answer the need for service in the Wasatch Front South area?

Associate Superintendent Brems responded that the most important thing that region can do is to remain true to their statements that they made during the legislature that they were going to work on the contribution of some surplus public education facilities to give them a location. Further, the legislature also has to follow through with their commitment that if that happens they will help with refurbishment and the monies for ongoing maintenance and operation for the facility. He indicated that the legislature has given the Wasatch Front approximately \$750,000 in ongoing funds so programs could be setup. The question still remains, where do you do it? He suggested that a good faith effort on the part of all to do whatever we can to get a location at which they can offer programs.

Member Teresa Theurer suggested that the Board make sure they state clearly that the proposed legislation is unacceptable and unnecessary.

Member Joyce Richards questioned if they are talking about one group of buildings or several buildings through the districts for the Wasatch Front South ATC? Associate Superintendent Brems responded that there are four potential buildings being considered. A school in the Salt Lake City School District, a facility in the Granite School District, the Jordan School District has been involved in developing their own program and own buildings, however, there is opportunity for those buildings to carve out part of their space to operate programs that are funded with the ATC funding. Also, in Tooele, we have already partially done that. We have taken over part of the automotive program and two information technology programs. He noted that the Wasatch Front South ATC has moved their offices to the Sterling Freight Line facility on 5600 West and is operating some very excellent diesel mechanic programs through that industry.

Member Bette Arial voiced concern with the inequity in funding for the Southwest region. She would like to keep this issue on the table to be dealt with at some time.

Chairman Burningham commented that if the Board adopted the language as prepared, it says nothing about some of the organizational things identified in the presentation. Also, some things were said by an ATC Superintendent that went one step further. They are recommending that we become two distinct boards, which means an increased responsibility on the Board which will relate to a time commitment on the part of board members.

Member Mike Anderson commented that the proposal in the motion does several things. It proposes the most effective way of using dollars we have been entrusted with; it eliminates a third system and third board; and it takes the ATCs to the next level. Further it gives the Board the direction that says we are in charge of this ship and we are taking this course. The Proposal omits any kind of governance and board definition, and he felt this is something the Board will have to give direction to later. He stated that he supports the proposal because we are taking charge and doing what we should be doing at the ATCs.

Superintendent Laing commented that embarking on this path is saying we will do something we haven't done in the past. We need to gear up and be prepared to do that. It is going to be a substantial investment of time, but also the Board will have to develop partners, because the Board does not hold all the reigns. We need to develop collaborative links with legislators and others. We need to be careful and thoughtful about establishing precedence in saying we are going to fund facilities in one ATC region with donated buildings, because we know they are going to grow. There are a lot of significant implications for what we are anticipating, and we can't solve them alone, we will need a recognized partnership with legislators to make this happen.

Superintendent Laing further commented that as we take this step, it has to be clear that we understand the importance of partnership, that we don't hold all of the reigns, and we need to acknowledge the deference that has been given to the State Board by so many other players as they work through these various iterations. The Board needs to recognize that the primary principles espoused by the Board in February have been addressed multiple times. Further it is important to acknowledge the contributions that legislators from various points of view have come to in recognizing the issues that the Board holds important, because we will need to build on that partnership to move forward. We can't do it alone, and if we come off thinking that we can do it alone we are wrong, we need a strong alliance with legislative power.

Member Judy Larson suggested that in light of what Superintendent Laing has said that on Items 2 and 3 insert the words in concert with the legislature.

Associate Superintendent Brems indicated that the second proposal needs a fourth sub bullet that mentions eventual legislative involvement or statutory change may be required.

Motion was made by Member Judy Larson and seconded by Member Mike Anderson to amend the first motion to include a fourth bullet under the second proposal to read: **Legislation may be required.**

Amendment to the motion carried with Members Anderson, Arial, Barney, Cannon, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Kennedy absent.

Member Bette Arial suggested that part of the statement thank the legislature for their consideration of our concerns.

Motion was made by Member Bette O. Arial and seconded by Member Marilyn Shields to amend the original motion and change the language in the first paragraph, second sentence of the statement to read: **We recognize many people, particularly Legislators and the Governor, have worked to respond to our concerns for the students of this state and we appreciate the common acceptance of the basic principles of applied technology education.**

Member Denis Morrill questioned how this is going to resolve the problem between Salt Lake Community College and the Wasatch Front? What will be different after we do this than the way it has been done before?

Associate Superintendent Brems responded that those problems will make more progress. It will not be done overnight, but the legislation proposed does not do that either. This approach has more possibility of addressing those issues.

Amendment carried with Members Anderson, Arial, Barney, Cannon, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Kennedy absent.

Member Joyce Richards suggested that we needed something to state that students who graduate from high school can also receive the AAT degree and skills to go into the workforce.

Associate Superintendent Brems responded that in looking at the situation in other states, particularly Georgia, and also talking with the accrediting body, we see no reason that a significant number of students cannot only earn their high school diploma during grades 9-12, but also, if they do it correctly, earn an associate of applied technology degree. He indicated that we will need a lot of conversation with the school districts, counselors, etc. He commented that maybe another thing, to pursue with the Governor is the New Century Scholarship, which is another carrot that should be looked at to achieve what you are talking about.

It was suggested that the first sub bullet under Proposal #4 could be changed to read:

AAT development in other states has created an "employability degree" that maybe granted concurrently **with high school graduation** and with options for transferability into higher education.

Motion was made by Member Joyce W. Richards and seconded by Member Bette O. Arial to amend the original motion with the wording suggested above for the first sub bullet under Proposal 4. Motion carried with Members Anderson, Arial, Barney, Cannon, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Kennedy absent.

Motion was made by Vice Chairman Janet Cannon and seconded by Member David L. Moss to add a new sentence at the end of the first paragraph to read: **But because the new legislation would move governance of Utah's highly successful applied technology centers from under the Utah State Board of Education where the interests of secondary students are paramount, where institutional drift is nonexistent, where the mission of ATE has long been established and where a third board is not an issue, we remain opposed.** Motion carried with Members Anderson, Arial, Barney, Cannon, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Kennedy absent.

The original motion as amended carried with Members Anderson, Arial, Barney, Cannon, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Kennedy absent.

(For complete details of the Statement as amended and approved, see General Exhibit No. 8590.)

Chairman Burningham announced that the legislative education interim committee will be meeting Wednesday morning and we have made arrangements for us to have an opportunity to present at that meeting. Representative Pace indicated that she would contact Speaker Marty Stephens to see if they would consider putting the Board on the Republican Party caucus at noon. Chairman Burningham noted that he will be making an introductory comment to the Committee and then turn to Superintendent Laing for our presentation.

Chairman Burningham suggested that Board Members make contact with their legislators prior to the interim committee meetings. He distributed a list of the interim committee members and their phone numbers. Board Members were also given information as to the committee member in their district to contact.

Associate Superintendent Brems suggested that a letter from Chairman Burningham with a copy of the statement also be placed at the desks of the Interim Committee.

Member Denis Morrill requested a point of personal privilege. He commented that during his service on the Granite School District Board, their meetings were covered by Twila VanLeer of the *Deseret News*. She is now covering the State Board of Education meetings again after trying to retire. He stated that she is the most educated and competent education reporter there is.

Member Linnea Barney introduced Havalah Gholdston of the *Daily Herald* in Provo.

Richard Maxfield commented that the Board needed to address all of the issues raised by the Governor or they would lose this issue.

Motion to adjourn was made by Member Teresa Theurer.

Meeting adjourned at 1:50 p.m.