COLLEGE BOARD OF TRUSTEES’ BYLAWS

Uintah Basin Technical College
1100 East Lagoon
Roosevelt, UT 84066

Approved
Date: June 24, 2020
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ARTICLE I

COLLEGE BOARD OF TRUSTEES’ MEMBERSHIP/COMPOSITION

1.1 TITLE
The title of the Board shall be the Uintah Basin Technical College Board of Trustees.

1.2 MEMBERSHIP
Uintah Basin Technical College Board of Trustees shall be composed of the following 11 members: (H.B. 300 Second Substitute 53B-2A-108)

  1.2.1 One elected member of the school board appointed by the Daggett County School Board.

  1.2.2 One elected member of the school board appointed by the Duchesne County School Board.

  1.2.3 One elected member of the school board appointed by the Uintah County School Board.

  1.2.4 A. One member of the Utah State University Board of Trustees appointed by Utah State University’s Board of Trustees, or

                 B. A Utah State University Board of Trustees nominee appointed by the governor with consent of the Senate

  1.2.5 Seven representatives appointed by the governor with the consent of the senate, who represent the interests of business, industry, or labor within UBTech service region.

ARTICLE II

COLLEGE BOARD OF TRUSTEES’ TERMS OF APPOINTMENT

2.1 APPOINTMENT TERMS

2.1.1 An individual appointed to the College Board of Trustees on or before May 7, 2018 may continue to serve on the board until the end of the individual’s current term.

2.1.2 Individuals appointed to the College Board of Trustees shall be appointed to a four-year term. The governor may appoint a member to a 2-year term to ensure that approximately half of the members appointed by the governor expire every other year.

2.1.3 Terms of members appointed by the governor shall expire 2 or 4 years from the
governor’s appointment date as indicated by the governor’s appointment. Terms of members appointed by school boards or Utah State University Board of Trustees, shall expire on December 31 of the active term.

2.1.4 A member of the College Board of Trustees may not hold office for more than two consecutive full terms.

2.1.5 The governor may remove a Board member appointed under section 1.2.4 B, or 1.2.5 for cause. The governor shall consult with the president of the Senate before removing a member appointed under section 1.2.4 B, or 1.2.5.

ARTICLE III

COLLEGE BOARD OF TRUSTEES’ MEMBER REPLACEMENTS OR RENEWALS

3.1 College Board of Trustees who are unable to continue their appointment to the College Board shall submit a letter of resignation to the Board Chair and College President. Upon the occurrence of a vacancy in the membership of the board, the original appointing authority shall appoint a replacement for the remainder of the term. An appointed member holds office until a successor is appointed in accordance with statute 53B-2a-108.

3.2 BOARD REPLACEMENTS
The Board Chair, in coordination with the College President, will request replacements as follows:

3.2.1 Utah State University
Request replacement representatives through correspondence with the chairman of Utah State University Board of Trustees.

3.2.2 Daggett School District
Request replacement representation for the remainder of the term through the district superintendent and board chair.

3.2.3 Duchesne School District
Request replacement representation for the remainder of the term through the district superintendent and board chair.

3.2.4 Uintah School District
Request replacement representation for the remainder of the term through the district superintendent and board chair.

3.3 BUSINESS AND INDUSTRY BOARD REPLACEMENTS
The Board Chair, in coordination with the College President, will seek replacements as follows:
3.3.1 The Board Chair and College President shall confer and determine which businesses and industries who employ workers with career and technical educational skills are underrepresented on the College Board of Directors.

3.3.2 The Board Chair and College President shall seek representation from businesses and industries identified as underrepresented on the College Board of Trustees.

3.3.3 The Board Chair and College President shall encourage individuals recognized for their knowledge and expertise in the business and industry sectors identified in 3.3.2 and/or individuals who represent current emerging business and industry sectors of the state to apply for the vacant board office through the governor’s office webpage located below. https://www.utah.gov/governor/boards/newboardinformation.html

ARTICLE IV

POWERS AND DUTIES OF COLLEGE BOARD OF TRUSTEES

4.1 The powers and duties of the College Board of Trustees are outlined under Utah Code 53B-2a-110. The College President shall serve as the chief executive officer of the College Board of Trustees. The College President shall administer the day-to-day operations of the College; consult with the College Board of Trustees; and administer human resource policies and employee compensation plans in accordance with the requirements of the Board of Trustees.

Should discrepancies arise between state statute and College Board bylaws, statute is recognized to supersede College Board bylaws. The Uintah Basin Technical College Board of Trustees shall assist the College President as stated in Utah State Code 53B-2a-110 and listed herein.

4.1.1 Preparing a budget request for the technical college's annual operations to the Board of Trustees.

4.1.2 Consulting with the Board of Trustees, other higher education institutions, school districts, and charter schools within the technical college's region, prepare a comprehensive strategic plan for delivering career and technical education within the region.

4.1.3 Consulting with business, industry, the Department of Workforce Services, the Governor's Office of Economic Development, and the Governor's Office of Management and Budget on an ongoing basis to determine what workers and skills are needed for employment in Utah businesses and industries.

4.1.4 Developing programs based upon the information gathered in accordance with Subsection 4.1.3, including expedited program approval and termination procedures to meet market needs.
4.1.5 Adopt an annual budget and fund balances.

4.1.6 Develop policies for the operation of career and technical education facilities under the Technical College Board of Trustees' jurisdiction.

4.1.7 Establish human resources and compensation policies for all employees in accordance with policies of the Board of Trustees.

4.1.8 Approve credentials for employees and assign employees to duties in accordance with Board of Trustees’ policies and accreditation guidelines.

4.1.9 Conduct annual program evaluations.

4.1.10 Appoint program advisory committees and other advisory groups to provide counsel, support, and recommendations for updating and improving the effectiveness of training programs and services.

4.1.11 Approve regulations, both regular and emergency, to be issued and executed by the Technical College President.

4.1.12 Coordinate with local school boards, school districts, and charter schools to meet the career and technical education needs of secondary students.

4.1.13 Develop policies and procedures for the admission, classification, instruction, and examination of students in accordance with the policies and accreditation guidelines of the Board of Trustees and the State Board of Education.

4.1.14 Approve a strategic plan for UBTech that is aligned with State attainment goals; workforce needs; and UBTech’s role, mission, and distinctiveness; and monitor UBTech’s progress toward achieving the strategic plan.

4.1.15 A policy described in Subsection 4.1.7 does not apply to compensation for the college president.

4.1.16 College Board of Trustees may not exercise jurisdiction over career and technical education provided by a school district or charter school or provided by a higher education institution independently of a technical college.

4.1.17 If a program advisory committee or other advisory group submits a printed recommendation to a technical college board of trustees, the technical college board of trustees shall acknowledge the recommendation with a printed response that explains the technical college board of trustees' action regarding the recommendation and the reasons for the action.

4.1.18 Subsection 4.1.7 does not apply to the Uintah Basin Technical College President.
ARTICLE V

BOARD OPERATION

5.1 QUORUM
A majority of the Uintah Basin Technical College Board of Trustees is a quorum. Trustees may participate in a meeting of the Board of Trustees by means of telephone, or other communication equipment by which all members participating in the meeting can hear each other. Participation by such means shall constitute presence in person for the purposes of determining a quorum and voting on agenda items.

5.2 VOTING
The Chair shall be a voting member of the board.

5.3 PARLIAMENTARY PROCEDURE
Except as noted in any special provision of the bylaws, the affairs of the board will be conducted in accordance with Robert’s Rules of Order led by the College Board of Trustees’ Chairman and in his/her absence, the Vice-Chairman.

5.4 POLICY APPROVAL
Policies will be adopted, only after they have been submitted to and approved by the College Board of Trustees’ Policy Subcommittee and presented to the College Board of Trustees for final approval (see Policy Development Policy).

5.5 REGULAR MEETINGS
The Board shall generally meet as outlined on the schedule prepared at the beginning of each fiscal year. Public notice will comply to the Open and Public Meetings Act (Utah State Code 52-4-202).

5.6 ELECTIONS
Elections for the College Board of Trustees’ Chairman and Vice-Chairman will be held every two years in the month of January.

5.6.1 If at any time the chairman or vice chairman is unable to serve, the Board will meet to elect a new chairman and/or vice chairman.

ARTICLE VI

EXECUTIVE COMMITTEE

6.1 A majority of the Uintah Basin Technical College Executive Committee is a
quorum. The Executive Committee of the College Board shall be made up of the College Trustees Chairman, the Vice-Chairman and the Chairman of the three Advisory Subcommittees.

6.2 The Executive Committee shall have the full authority of the Board of Trustees to act upon routine matters during the interim Board of Trustees’ meetings.

6.3 The Executive Committee may act on non-routine matters only under extraordinary and emergency circumstances.

6.4 The Executive committee shall report the Executive Committee’s activities to the full Board at the next regular meeting following any action taken.

ARTICLE VII

ADVISORY SUBCOMMITTEES

7.1 Each Board Member will be assigned by the Chairman and/or Vice-Chairman, in consultation with the College President, to one of three advisory subcommittees with actions from these committees being brought back to the full board for final approval.

7.1.1 Program Committee—the committee will meet and discuss programmatic and instructional development, COE Compliance, and impacts relating directly to students at the College.

7.1.2 Personnel and Policy Committee—the committee will meet and discuss College policy development and/or needed policy amendments.

7.1.3 Fiscal Affairs/Audit Committee—the committee will meet and discuss the budgetary and fiscal needs of the College.

7.1.4 The board chair may appoint a board member to serve on various committees, task forces or organizations as appropriate.

ARTICLE VIII

UTECH BOARD OF TRUSTEES’ APPOINTMENTS

8.1 REPRESENTATIVE TO THE UTAH SYSTEM OF TECHNICAL COLLEGES BOARD OF TRUSTEES (UTech)

Each member college of the Utah System of Technical Colleges has legislated representation under State Code 53B-2a-103. The UTech Board of Trustees shall be governed as set forth in Utah State Code 53B-2a-103.

An individual may not serve on the board of trustees and a technical college board of trustees simultaneously (Utah State Code 53B-2a-103).
8.2 APPOINTMENT OR REAPPOINTMENT OF THE COLLEGE’S REPRESENTATIVE MEMBER OF THE BOARD OF TRUSTEES
The governor shall appoint a member for the technical college represented by the member whose term expires:

8.2.1 Soliciting the technical college’s board of trustees to nominate at least two individuals for the position; and

8.2.2 Selecting from the nominees presented.

8.2.3 The governor may not reappoint the member who is being replaced if the member has served on the board of trustees for at least two consecutive full terms.

ARTICLE IX
AMENDMENTS TO BYLAWS

9.1 The board shall approve all amendments to these by-laws by a majority vote.

ARTICLE X
SEPARATION CLAUSE

10.1 VALIDATION
If any part of the bylaws and/or articles are found to be illegal or unenforceable, such shall not invalidate other provisions of the by-laws.

ARTICLE XI
COLLEGE BOARD OF TRUSTEES’ COMPENSATION

11.1 A member of the Board of Trustees may not receive compensation or benefits for the members service, but may receive per diem and travel expenses in accordance with Sections 63A-3-106 and 63A-3-107, and rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

11.1.1 Each member of the board shall receive a taxable $60 per diem for each official meeting attended that last up to four hours and a taxable $90 per diem for each official meeting that is longer than four hours.

11.1.2 Excluding a state legislator, a board member may receive per diem and travel expenses under section 63A-3-107 if the per diem and travel expenses are incurred by the board member
for attendance at an official meeting.

11.1.3 Board Members may decline to receive per diem and/or travel expenses for their services or donate them to the UBTech Scholarship Foundation.

11.2 A board member may not receive per diem or travel expenses if the board member is being paid by a governmental entity while performing the board member’s service on the board.

11.3 Governmental employee board members attending official meetings held at a time other than their normal working hours, who receive no compensation or leave (such as comp time) for the additional hours of the meetings may receive the taxable per diem.

11.4 Elected and appointed board members are part-time employees and are ineligible for Utah Retirement System benefits.

**ARTICLE XII**

**CLOSED SESSION**

12.1 The board may elect to enter a closed session in compliance with the Open and Public Meetings Act 52-4-204.