

UEN Board Meeting

June 15, 2012 9:00 a.m.

Dolores Doré Eccles Broadcast Center and IVC



UTAH EDUCATION NETWORK
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Utah Education Network Board Meeting

Agenda

June 15, 2012

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4. **Planning** – STRATEGIC PLANNING AND COMMUNICATION
 - a. **Listening Post Report – Discussion** (Rich)..... 15
 - b. **FY2013 UEN Strategic Plan (Draft) – Discussion** (Laura)..... 17

5. **Network Services** (no agenda items at this time)

6. **Application Services** (no agenda items at this time)

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8. **Other**

Upcoming Meetings

UEN Board Meeting – July 20, 2012, 9:00 a.m.

Utah Education Network Board Meeting Minutes

Dolores Doré Eccles Broadcast Center and IVC
May 18, 2012

PRESENT: Eric Denna, Brenda Hales, Christine Kearl, Gary Koeven, Dana Miller, Donna Jones Morris, Glen Taylor, Ray Walker, Robert Wagner, Denise Elwood – Secretary. UEN and U of U Staff in attendance: Steve Corbató, Laura Hunter, Lisa Kuhn, Jim Stewart, Rich Finlinson. Guest attendee: Scott Konopasek.

EXCUSED: Clark Baron, Barry Walker

Welcome and Introductions

Brenda welcomed everyone to the UEN Board Meeting.

Approval of Minutes from Previous Meeting

Minutes from the April 16, 2012 meeting were previously emailed to the Board Members plus a hard copy was provided at this meeting. **A motion was made and seconded to approve the minutes as submitted. The members present voted unanimously. THE MOTION CARRIED.**

Governance

BOARD BUSINESS

1. **Electronic Meetings** – Laura Hunter reported to the Board that there is a copy of this agreement in the materials that were passed out. We will have one of the co-chairs sign this agreement. **A motion was made and seconded to approve the rules governing the use of electronic meetings and have one of the co-chairs sign the agreement. The members present voted unanimously. THE MOTION CARRIED.**
2. **MOU Clarifying Administrative Management** – The final draft of the MOU can be found in the board material packet. This document has been approved by the legal department at the University of Utah and David Jones representing the AG's office. **A motion was made and seconded to approve the MOU and for the co-chairs to sign the agreement. Those in favor were:** Christine Kearl, Donna Jones Morris, Glen Taylor, Gary Koeven, Ray Walker, Eric Denna, Brenda Hales, Robert Wagner. **Abstain:** Dana Miller. **THE MOTION CARRIED.**
3. **Bylaws – Identify Bylaws Committee (co-chairs)** – Laura shared a draft of the UEN Bylaws. Laura reviewed the current bylaws and identified the areas needing clarification. It was decided that a Bylaws Committee would be established. The new committee will be made up of the following volunteer members: Gary Koeven, Donna Jones Morris and Glen Taylor. It was also recommended that Laura be an advisor to this committee. The committee plans to have a next draft at the June meeting.

ADVISORY COUNCIL BUSINESS

1. **Report on Council membership** – Ray Walker also gave the board an update on the UEN Advisory Council. Ray walked through the spreadsheet that they created which includes the type of organization they would like on the advisory committee and it is matched up with the school that would volunteer the person for this committee. It was determined that this committee should also include a few non-voting, advisory only positions. It was suggested that they have representation from CenturyLink, WFN and URTA. The advisory committee will meet before the next meeting so the final names can be submitted for approval.

Financial

OPERATIONAL BUDGETS

1. **Public Ed recommendations on elementary connectivity criteria** (Brenda, Barry, Clark, Glen). Ray Walker reported to the board that this committee met on May 1, 2012 to discuss and determine priorities for the \$450,000 annual ongoing network circuit funds. A summary of the recommendations is included in the attachment. The Head Start Schools were inadvertently left off of the criteria spreadsheet. Brenda and Lisa will work together to add the information to the spreadsheet prior to the next Board Meeting. This item was deferred to the June meeting.
2. **FY2013 Draft Budget** – Lisa Kuhn reported to the board the breakdown on the UEN FY2013 draft budget. There was discussion of the one percent salary increase for all employees that has been reflected into the Operational budget. The FY2013 budget will be presented again at the June meeting for final approval.

CAPITAL BUDGETS

1. **Update on 100 Gig BTOP Expansion** – Lisa Kuhn shared with the board that BTOP did approve the expansion. UEN was very excited to hear this news.

Planning

STRATEGIC PLANNING AND COMMUNICATION

1. **Five Planning Questions – UEN Staff Responses to the “Do” Questions.** Eric reported to the board that the UEN staff has reached an agreement on the answers to the five questions and they are ready to move forward with the “should” questions. A proposal has also been made regarding the three core services and that the names be changed as follows:

Networking Services → Network Services
Application Hosting → Application Services
Application Support → Support Services

A motion was made and seconded to approve the core services name change. The members present voted unanimously. THE MOTION CARRIED.

2. **Detail on Application Hosting** – Laura shared with the board the spreadsheet that was created to identify and define Application Services Detail. To see the complete breakout on these services, please refer to page 55.
3. **Plan for *Listening Post* and online activities to gather stakeholder input** – Rich shared with the board the UEN *Listening Post* Plan. The question was “How can we tap the expertise and good will of our large group of stakeholders without holding our annual face-to-face, daylong retreat?” Rich provided detailed information on the various methods to be used to gather the data. The complete detailed list can be found on page 65.

NETWORK SERVICES

1. **Clarification of policy on connectivity for newly constructed schools** – Brenda and Laura discussed which organization approved this policy. They hope to have a copy of the guidelines/policy at the next meeting in June.

APPLICATION SERVICES – No items

SUPPORT SERVICES – No items

OTHER – No items

A motion was made and seconded to adjourn the meeting. The members present voted unanimously. THE MOTION CARRIED.

Other

Rich noted that Utah E-Rate recipients must be compliant with new CIPA (Children’s Internet Protection Act) requirements by July 1, 2012 or risk losing E-Rate discounts. He asked that a “CIPA Requirements” item be added to the agenda of the June 15, 2012 UEN Board Meeting.

The next meeting will be June 15, 2012 at 9:00 a.m. at the Dolores Doré Eccles Broadcast Center.

Bylaws Committee Report - Discussion

Description

The UEN Bylaws subcommittee has been working to revise and update the bylaws. Gary Koeven chairs the subcommittee and will share an update with the Board.

Recommendation

It is recommended that the UEN Board discuss the attached Bylaws. The Bylaws will next go for a legal review and be presented for final approval in the July or August UEN Board meeting.

Attachment – UEN Bylaws Draft (June 6, 2012)

1. NAME AND AUTHORIZATION

- 1.1. The name of the organization shall be Utah Education Network (UEN) as authorized in Utah Law, Title 53B, chapter 17, sections 101, 102, 103, and 104; hereinafter referred to as "Utah Law."

2. PRINCIPAL OFFICE

- 2.1. The principal office shall be the Dolores Doré Eccles Broadcast Center at 101 Wasatch Drive, The University of Utah, Salt Lake City, Utah.

3. UEN GOVERNING BOARD

- 3.1. The Governing Board shall be composed as specified in Utah Law.
- 3.2. Board members shall serve four-year terms as specified in Utah Law.
- 3.3. Board members may be reappointed for additional terms at the discretion of the appointing entity.
- 3.4. If a Board member is unable to complete his or her term, the Board Co-Chairs will consult with the appointing entity (e.g., Board of Education, Governor, Commissioner) to designate a replacement to complete the term.

4. OFFICERS

- 4.1. The officers of the Board shall consist of two Co-Chairs representing higher education and public education to be elected by the board.
- 4.2. Co-Chairs will shall preside at all Board meetings, appoint committee members, and perform other duties as associated with the office.
- 4.3. Co-Chairs will share these duties equally as determined by them.

5. CHIEF EXECUTIVE

- 5.1. The Board shall appoint an Executive Director as specified in Utah Law.
- 5.2. The Board shall determine the salary for the Executive Director.
- 5.3. The Board shall be assisted in carrying out its operations by UEN Staff, as assigned by the Executive Director, including a Board Secretary to produce minutes and records.

- 5.4. The Board shall conduct an annual performance evaluation of the Executive Director.
- 5.5. The Executive Director shall be an at-will employee.

6. MEETINGS

- 6.1. Regular meetings will be held at a schedule and location to be agreed upon by the Board.
- 6.2. Special meetings may be held at any time when called for by the Co-Chairs or a majority of Board members.
- 6.3. Agendas shall be provided in advance.
- 6.4. Meetings shall be simulcast and available online.
- 6.5. Meetings conducted by telephone, telecommunications, or computer conference (or a combination thereof) are likewise official meetings of the Board and the same policies and procedures apply.
- 6.6. Meetings shall be conducted using *Robert's Rules of Order Newly Revised* (RONR) where consistent with other applicable laws and these bylaws.

7. QUORUM AND VOTING

- 7.1. A majority of board members constitutes a quorum.
- 7.2. In absence of a quorum, no formal action shall be taken except to adjourn the meeting to a subsequent date.
- 7.3. Passage of a motion requires a simple majority (i.e., one more than half the members present).

8. VOTING BY PROXY

- 8.1. Board members may designate a temporary proxy to attend and vote in their absence or may assign proxy voting to one of the Co-Chairs with prior notification per meeting to the Board Secretary.
- 8.2. Board members anticipating the need for longer-term proxies should consult with the Co-Chairs and jointly determine their proxy voting and representation.

9. CONFLICTS OF INTEREST

9.1. Any member of the board who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Board, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will offer to the Board to voluntarily excuse him/herself and will vacate his/her seat and refrain from discussion and voting on said item.

10. REMOVAL OF BOARD MEMBERS AND OFFICERS

10.1. If the Board determines that a Board member or Officer is no longer fulfilling the obligations of the position, and notice has been given as determined by the Board, then the Co-Chairs may request of the appointing entity that a replacement be designated to fulfill the remainder of that member’s term of office.

11. COMMITTEES

11.1. The Board shall appoint an Advisory Council as described in Utah Law.
11.2. The Board may appoint standing and ad hoc committees as needed.

12. STANDARDS OF CONDUCT AND CODE OF ETHICS

12.1. The Board shall not carry on any activities inconsistent with the laws of the State of Utah, United States, and the policies of the University of Utah.
12.2. Board members are entitled to protections of Utah Law including the Governmental Immunity Act which provides “...no employee may be held personally liable for acts or omissions occurring during the performance of the employee’s duties, within the scope of employment, or under color of authority, unless it is established that the employee acted or failed to act due to fraud or malice.” (§ 63-30-4(4) and the Utah Public Officers’ and Employees’ Ethics Act.

13. FINANCIAL RESPONSIBILITIES

13.1. The Board will maintain understanding of and guide UEN finances.
13.2. Financial governance shall follow administrative practices of the University of Utah.

14. AMENDMENT OF BYLAWS

14.1. These bylaws may be amended or repealed by a two-third vote of the Board members at any meeting, provided a quorum is present, a copy of the proposed amendment(s) are provided to each Board member at least one month prior to said meeting, and the Bylaws do not alter Utah Law or the Memorandum of Understanding signed May 18, 2012 clarifying UEN’s administrative relationship with the University of Utah.

15. INSPECTION OF BYLAWS

15.1. The Board shall keep in its principal office the original or a copy of these bylaws, as amended or otherwise altered to date, certified by the Co-Chairs of the UEN Board and the Executive Director of UEN, which shall be open to public inspection at all reasonable times during office hours.

16. INDEMNIFICATION OF MEMBERS

16.1. All officers and members, while in the performance of their duties, are recognized as acting under the authority of the State of Utah and, subject to any limitations provided by law, shall be indemnified by the State of Utah against claims arising within the scope of the Public Officers and Employee’s Indemnification Act.

17. REFERENCES

17.1. Utah Education Network is authorized in Laws of Utah, Title 53B, chapter 17, sections 101, 102, 103, and 104, and the bylaws are consistent with provisions of state law.

Revision History

Adopted: August 16, 1996
Amended: November 2001
February 21, 2003
February 20, 2004
April 2007
October 23, 2009
_____, 2012

Advisory Council Report - Action

Description

Members of the subcommittee working to form the UEN Advisory Council will provide an update on their work.

Recommendation

Subcommittee members will recommend next steps for the UEN Board.

Public Ed Funding Recommendations (with Head Starts) - Action

Description

Materials detailing public ed funding recommendations will be distributed to the UEN Board at their June 15th meeting.

Recommendation

Board members are asked to review and then approve the recommendations for public ed funding.

FY2013 Budget Information - Action

Description

A draft budget organized by service areas, along with priorities for one-time funding will be distributed to the Board at the meeting.

Recommendation

It is requested that Board members take action by reviewing and then approving the FY2013 Budget.

Listening Post Report - Discussion

Description

As reported in the May meeting, UEN conducted a month-long “Listening Post” to gather stakeholder input leading into strategic planning for the new fiscal year.

Recommendation

Rich Finlinson will provide a report on the *Listening Post* activities. No further action is required of the Board at this time.

FY2013 UEN Strategic Plan (Draft) - Discussion

Description

Several planning activities have been occurring to help inform the FY2013 Strategic Plan:

- Summary of the Five “Do” Questions presented in the May meeting
- Deeper analysis of Application Services presented in the May meeting
- Internal discussions about the “Should” version of the questions
- Service-specific meetings with constituent groups (Canvas Admins, Pioneer Committee, etc.)
- Listening Post and various meetings to engage UEN stakeholders
- Full-day staff planning retreat on May 30 resulting in “to do” and “to stop” summary
- Various methods of staff input at meetings, online, etc.
- Draft of FY2013 Initiatives

Additional work on strategic planning is slated for the coming months and includes:

- Final report for FY2012 initiatives
- Active discussion with the Board and others on FY2013 Initiatives list
- Answers to the “should” version of the five questions with staff and community
- Final approval of the FY2013 Initiatives (July or August)
- Planning for FY2014 Legislative priorities

Recommendation

A draft of the FY2013 UEN Strategic Plan will be shared at the Board meeting for discussion. A final version will be presented as an action item in the July Board meeting.

E-Rate Support CIPA Compliance - Discussion/Action

Description

In order to comply with new requirements for federal E-Rate, UEN has drafted the following policy and designated NetSafe Utah as the service to meet new requirements. If adopted, UEN's CIPA policy will govern all UEN Network E-Rate consortium members.

Recommendation

It is recommended that the UEN Board formally adopt the policy as outlined to maintain CIPA compliance for Utah schools, districts, and libraries.

Attachment – UEN’s Child Internet Protection Act (CIPA) Internet Safety Policy

Effective July 1, 2012

The following Internet Safety Policy is adopted by the Utah Education Network (UEN) to address basic policy compliance requirements of the Children’s Internet Protection Act (CIPA), which includes the recently enacted Protecting Children in the 21st Century Act elements, required for E-Rate funding. Schools and libraries adopting new or revised Internet policies may wish to expand or modify this policy language to meet broader policy objectives and local needs.

UEN’s CIPA Internet Safety Policy requires public K-12 school and public library E-Rate consortium members to fully comply with FCC CIPA compliance measures as outlined in order to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children’s Internet Protection Act.

Access to Inappropriate Material

To the extent practical, technology protection measures (or “Internet filters”) are available and in place, and shall be used to block or filter Internet, or other forms of electronic communications, or access to inappropriate information.

Specifically, as required by CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision and monitoring, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

CIPA compliance requires documentation of the technology protection measure (e.g. bills from a service provider or filter logs) for at least five years after the last date of E-Rate funded service.

Inappropriate Network Usage

To the extent practical, steps shall be taken by Schools, Districts, and Libraries, to promote the safety and security of the users of the schools’ or libraries’ online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called “hacking,” and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Supervision and Monitoring

It shall be the responsibility of all School, District, or Library consortium members’ staff to supervise and monitor appropriate usage of online computer network and access to the Internet in accordance with CIPA policy guidelines.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of School, District or Library designated representatives.

Education: For K-12 Schools and Districts only: UEN has made available through NetSafe, a UEN service, age-appropriate online training videos for students who use the School's or District's Internet facilities. The training provided is designed to comply with the E-Rate educational requirements of CIPA and to promote a commitment to:

- a) Student safety with regard to:
 - i. safety on the Internet;
 - ii. appropriate behavior while on online, interacting with other individuals on social networking websites, and in chat rooms; and
 - iii. cyberbullying awareness and response.

Following receipt of this training, Schools or Districts will acknowledge with documentation or other proof that CIPA compliant Internet Safety training was provided. In addition, students are required to follow the provisions of the District's or School's Technology or Internet Acceptable Use Policies (AUP) or Responsible Use Policies (RUP).