

UEN Board Meeting

September 21, 2012 9:00 a.m.
Dolores Doré Eccles Broadcast Center and IVC

Utah Education Network Board Meeting

Agenda

September 21, 2012 9:00 a.m.

Welcome and Introductions

<i>Park Record</i> Editorial Article – Discussion	1
Attachment – Editorial from the <i>Park Record</i>	3

Approval of Minutes

Utah Education Network Board Meeting Minutes – Action (Denise)	5
--	---

1. Challenges/Opportunities Relative to Question 1:

Whom do/should we serve and what do they need to do? No agenda items at this time.

2. Challenges/Opportunities Relative to Question 2:

What services do/should we provide so they can do what they need to do?

2a <i>Instructure</i> Data Issue – Discussion	7
2b UEN FY2013 Initiatives – Action	9
Attachment – UEN FY2013 Initiatives	11
2c Detailed Services List with Cost Accounting – Action	13
Attachment – DRAFT Detailed Services List with Cost Accounting.....	15

3. Challenges/Opportunities Relative to Question 3:

How do/should we know we are doing a great job? No agenda items at this time.

4. Challenges/Opportunities Relative to Question 4:

How do/should we provide the service? No agenda items at this time.

5. Challenges/Opportunities Relative to Question 5:

How do/should we organize?

5a Bylaws Committee Report – Action	17
Attachment – Draft UEN Bylaws	19
5b Advisory Council Report – Action	27
Attachment – Advisory Council Membership Roster.....	29
5c Board Member Terms – Discussion	31
Attachment – Board Member Terms.....	33

6. Other

6a Communication Plan – Discussion 35
Attachment – Communication Plan 37
6b UEN Diversity Guidelines – Action..... 39
Attachment – DRAFT UEN Diversity Guidelines 41
6c Prioritize FY2014 UEN Legislative Budget Request – Action..... 43

Upcoming Meetings

UEN Board Meeting – October 26, 2012, 9:00 a.m.

***Park Record* Editorial Article – Discusson**

Description

The following editorial article about Dr. Ray Timothy, UEN's newly-hired Executive Director, appeared in the *Park Record* online edition. The article describes his patient and expert leadership as Park City School District Superintendent from June 2007 though September 2012. Dr. Timothy will assume his new leadership role at UEN starting on October 1, 2012.

Recommendation

This is an information item. No further action is required of the Board members at this time.

Attachment – Editorial from the *Park Record*

PARK RECORD..com

[Home](#) [News](#) [Entertainment](#) [Sports](#) [Business](#) [Submit content](#) [Obituaries](#) [Opinion](#)

The Park Record Editorial, September 12-14, 2012

Timothy steered district through turbulence with steady hand
Posted: 09/11/2012 05:08:38 PM MDT

When Park City School District Superintendent Ray Timothy took the reins of the Park City School District in June of 2007, it is unlikely he anticipated riding into the nation's worst recession since the 1930s. It would have been more reasonable to assume that he was looking forward to helping a prosperous, enlightened district in its efforts to stand out as one of the best in the country.

The district's focus, however, was sharply redirected in the wake of the economic downturn in September 2008. After years of watching tax revenues (including a voter-supported voted leeway to support local schools) grow, tax revenues sank and, with them, state funding was also sharply curtailed.

Fortunately for constituents of the Park City School District, their new superintendent had experience at almost every level in the school system from elementary school teacher to deputy superintendent of the Utah State Office of Education. And he used that experience to carefully guide Park City's students, teachers and taxpayers through an extremely difficult financial crisis.

Timothy recently announced that he is leaving his post next month. He is moving on to accept a position as the executive director of the Utah Education Network, which provides online services and technology training to schools around the state. He will be especially difficult to replace because, in addition to his administrative skills, Timothy brought a calm, professional demeanor to a district that has seen its share of contentious politics.

Most recently, Timothy's patience and expertise has been put to the test in the district's lengthy teacher salary negotiations, which are still ongoing. As in districts all over the country, tough choices must be made in order to balance shrinking budgets with rising expenses (like health benefits) and teachers' union entitlements. In Park City, Timothy can be credited with keeping all of the stakeholders at the table over the course of several rounds of these kinds of brutal negotiations.

School district issues, even at their most mundane, carry additional emotional freight because they impact our children. It takes a very special leader to chart a clear-eyed path through the economic challenges and political distractions while adhering to the community's high standards. Timothy has done exactly that and the school board which will undergo a transition after November's election will be hard pressed to find a person with same level of experience and integrity.

Utah Education Network Board Meeting Minutes

Dolores Doré Eccles Broadcast Center and IVC

August 30, 2012 12:15 p.m.

PRESENT: Clark Baron, Eric Denna, Brenda Hales, Christine Kearl, Gary Koeven, Dana Miller, Donna Jones Morris, Glen Taylor, Robert Wagner, Barry Walker, Ray Walker and Judy Yeates-Protem Secretary. UEN staff in attendance, Laura Hunter, Lisa Kuhn, Rich Finlinson, Christy Dunn.

Welcome and Introductions

Eric welcomed everyone to the August UEN Board Meeting.

Approval of Minutes from Previous Meeting

Minutes from the August 17, 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.**

Tab 1a – Challenges/Opportunities Relative to Question 1:

No agenda items at this time.

Tab 2a – Challenges/Opportunities Relative to Question 2:

No agenda items at this time.

Tab 3a – Challenges/Opportunities Relative to Question 3:

No agenda items at this time.

Tab 4a – Challenges/Opportunities Relative to Question 4:

No agenda items at this time.

Tab 5a – Challenges/Opportunities Relative to Question 5:

FY 2014 UEN Legislative Budget Request – Action (Lisa)

1. Elementary K-6 Circuit Funding Phase 2 of 3
2. Ongoing Capital Budget Replacement
3. Learning Content Management System Infrastructure (Kaltura/Equella)

Lisa Kuhn presented to the Board Members the FY2014 Legislative Request and the FY2013 Supplemental Request including supporting methodology for UEN Capital Equipment Request. A complete detailed handout can be found behind Tab 5a. **A motion was made and seconded to approve the FY2014 Legislative Request and the FY2013 Supplemental Request as submitted per the handout. THE MOTION CARRIED.**

A motion was made and seconded for this next portion of the business meeting to be a closed meeting. All those in favor: Clark Baron, Eric Denna, Brenda Hales, Christine Kearn, Gary Koeven, Dana Miller, Donna Jones Morris, Glen Taylor, Robert Wagner, Barry Walker, Ray Walker. **THE MOTION CARRIED.**

A motion was made and seconded to adjourn the closed meeting. All those in favor: Clark Baron, Eric Denna, Brenda Hales, Christine Kearn, Gary Koeven, Dana Miller, Donna Jones Morris, Glen Taylor, Robert Wagner, Barry Walker, Ray Walker. **THE MOTION CARRIED.**

Other Business

Brenda shared with the UEN Leadership Team and the Board Members that a decision had been reached regarding the candidate for the position of UEN Executive Director. Ray Timothy was selected amongst the three candidates and the Board will begin the job offer and negotiation process. On behalf of the UEN Board Members, Brenda thanked the three candidates for their interest and participation. Thank you's were also extended to the Board Members, UEN staff and the selection committee for all of their hard work. **A motion was made and seconded to officially offer the position to Ray Timothy and to move into the negotiation process. The members present voted unanimously. THE MOTION CARRIED.**

Our next meeting will be held on September 21, 2012 at 9:00 a.m., at the Dolores Doré Eccles Broadcast Center.

A motion was made and seconded to adjourn the August 30th Meeting. The members present voted unanimously. THE MOTION CARRIED.

Respectfully submitted,
Judy Yeates, Protem Secretary

What services do/should we provide
so they can do what they need to do?

***Instructure* Data Issue – Discussion**

Description

This is a discussion item to follow up on any outstanding questions Board members may have regarding the data access error within the Canvas Learning Management system that occurred September 12.

The following media release was issued by UEN on September 14, 2012. Because UEN had valuable support from Canvas administrators and public information officers from higher and public education, this was addressed as a unified statewide consortium.

Brief Data Access Error within Canvas Learning Management System

SEPTEMBER 14, 2012 – This week during a maintenance update of the statewide Canvas learning management system, hosted by Utah-based software company *Instructure*, teacher-level permissions were inadvertently granted to select students, allowing them access to assignment scores in specific courses.

The unauthorized access occurred during two windows for a total of 105 minutes: Tuesday morning between 12:30-1:45 a.m. and again from 11:00-11:30 a.m. An immediate fix was applied after the second incident.

All colleges and universities within the Utah System of Higher Education were affected. Canvas software logs specifically identify all activity on the system during the relevant time periods. A review of the data shows that of the 174,000 students in the Utah System of Higher Education, 278 students were given teacher-level access during the periods in question and therefore were able to view grades and 39 changes were made. When discovered, all modified data was reverted back to the original grades.

“Instructure is committed to the data integrity of our schools and took immediate action to resolve this issue,” said Mitch Macfarlane, *Instructure’s* Vice President of Client Services and Products. *“While Instructure recognizes the significance of this permission error, both the timeliness of the response and the ability to restore data to its original state was made possible due to the existing architecture of Canvas. We have added safeguards in the maintenance process and bolstered automated permissions testing.”*

Ogden-Weber Tech College also experienced the incident. In addition, the Granite, Park City, and Canyons school districts along with Electronic High School were affected with one student in each district accessing the data. Universities and districts affected have compiled data logs of specific student activity and have contacted instructors who will determine an appropriate course of action in conjunction with school leadership.

“Ensuring the confidentiality of our student data is essential and we are actively engaged with Instructure to ensure that this kind of incident will not happen again,” said UEN acting executive director Eric Denna, who is also the higher education co-chair of the UEN board.

Recommendation

This is an information item. No further action is required of the Board members at this time.

2b

CHALLENGES/OPPORTUNITIES RELATIVE TO QUESTION 2:

What services do/should we provide
so they can do what they need to do?

UEN FY2013 Initiatives – Action

Description

A list of FY2013 initiatives that will be completed in Network Services, Application Services, Support Services, and Operational Services is presented for Board review and approval.

The initiatives list represents projects that will be addressed during the remainder of the 2012 calendar year, and does not include ongoing operations or maintenance items. Board members are asked to determine how frequently they would like to be updated on the progress of these activities (monthly, quarterly, etc.). To increase transparency with UEN stakeholders, the approved list will also be posted online.

Recommendation

It is recommended that the UEN Board review and approve the list of initiatives.

Attachment – UEN FY2013 Initiatives

The UEN FY2013 Initiatives can be found online at
http://www.uen.org/ueninfo/downloads/2013_Initiatives.pdf

The document will also be available at the UEN Board Meeting.

What services do/should we provide
so they can do what they need to do?

Detailed Services List with Cost Accounting – Action

Description

Additional work has been done on the detailed UEN services list with cost accounting. The list is designed to provide greater detail and accountability for our strategic planning Question 2:

What services do/should we provide so they can do what they need to do?

Recommendation

Board members are invited to review and provide feedback on this draft.

Attachment – DRAFT Detailed Services List with Cost Accounting

The DRAFT Detailed Services List with Cost Accounting can be found online at
http://www.uen.org/ueninfo/downloads/services_list_draft_2012.pdf

The document will also be available at the UEN Board Meeting.

UEN Bylaws Committee Report – Action

Description

The UEN Bylaws subcommittee has been working to revise and update the bylaws including feedback from the Board and subcommittee. Legal counsel has reviewed and provides their recommendations.

Gary Koeven chairs the subcommittee and will share an update with the Board.

Recommendation

It is recommended that the UEN Board discuss and approve the attached Bylaws.

Attachment – Draft UEN Bylaws

Consortium Bylaws (DRAFT September 19, 2012)

1. Name and Authorization

- 1.1. The name of the consortium is Utah Education Network (the “Consortium”). See Utah Code Annotated Title 53B, chapter 17, sections 101, 102, 103, and 104 (hereinafter referred to as the “Educational Telecommunications Legislation”).

2. Purpose

- 2.1. The purpose of the Consortium is to coordinate and support Utah’s educational technology infrastructure as described in the Educational Telecommunications Legislation.

3. Principal Office and Administrative Management

- 3.1. The principal office of the Consortium shall be the Dolores Doré Eccles Broadcast Center at 101 Wasatch Drive, University of Utah, Salt Lake City, Utah 84112.
- 3.2. The University of Utah is providing administrative management for the Consortium pursuant to the Educational Telecommunications Legislation. Operations of the Consortium shall follow practices of the University of Utah, whose fiscal year begins July 1 and ends June 30.

4. Consortium Governing Board

- 4.1. The governing board of the Consortium (the “Board”) shall be composed as specified in the Educational Telecommunications Legislation.
- 4.2. Board members shall serve four-year terms except as specified otherwise in the Educational Telecommunications Legislation.
- 4.3. Board members may be reappointed for additional terms at the discretion of the appointing entity.
- 4.4. 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) with regard to an appropriate individual to complete the term.

5. Officers

- 5.1. The officers of the Board shall consist of two Co-Chairs, one representing higher education and one representing public education, both to be elected by the Board.
- 5.2. Co-Chairs shall set the agenda for Board meetings, preside at all Board meetings, appoint committee members, and perform other duties as associated with the office.
- 5.3. Co-Chairs will share these duties equally as determined by them.

6. Executive Director

- 6.1. The Board shall appoint an executive director (“Executive Director”) as specified in the Educational Telecommunications Legislation.
- 6.2. The Board shall determine the salary for the Executive Director.
- 6.3. The Board shall conduct an annual performance evaluation of the Executive Director.
- 6.4. The Executive Director shall be an at-will employee as described in the employment offer letter to the Executive Director.

7. Meetings

- 7.1. Regular meetings will be held at a schedule and location to be agreed upon by the Board.
- 7.2. Special meetings may be held at any time when called for by the Co-Chairs or a majority of Board members.

- 7.3. Meetings shall be held in compliance with applicable open meeting laws.
- 7.4. Meetings shall be conducted using *Robert's Rules of Order Newly Revised (RONR)* where consistent with other applicable laws and these bylaws.

8. Quorum and Voting

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

9. Standards of Conduct

- 9.1. The Board shall comply with all applicable federal and state laws and regulations, including, without limitation, the Utah Public Officers' and Employees' Ethics Act.
- 9.2. 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.
- 9.3. Board members are entitled to protections of Utah law including applicable provisions of the Governmental Immunity Act of Utah.

10. Replacement of Board Members

- 10.1. If the Board determines that a Board member 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 establish an advisory council to assist the Consortium as described in the Educational Telecommunications Legislation.
- 11.2. The Board may appoint standing and ad hoc committees as needed.

12. Financial Responsibilities

- 12.1. The Board will maintain understanding of and guide Consortium finances.
- 12.2. The Board will review, prioritize, and approve the Consortium's legislative budget request prior to submission to the Governor's Office of Planning and Budget and the Office of the State Legislative Fiscal Analyst.
- 12.3. The Board will review and approve annual Consortium budgets.
- 12.4. The Board authorizes the Executive Director to make emergency expenditures to maintain operations as necessary without prior Board approval.
- 12.5. Consistent with Section 3 above, financial operations of the Consortium shall follow practices of the University of Utah, whose fiscal year begins July 1 and ends June 30.

13. Amendment of Bylaws

- 13.1. These bylaws may be amended or repealed by a two-third vote of the Board members at any meeting provided 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 (i) the Memorandum of Understanding signed May 18, 2012 clarifying the Consortium's administrative relationship with the University of Utah, as may be amended in writing by mutual agreement of the Consortium and the University of Utah, or (ii) the Educational Telecommunications Legislation.

14. Inspection of Bylaws

- 14.1. 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 Board and the Executive Director, which shall be open to public inspection at all reasonable times during office hours.

Revision History

Adopted: August 16, 1996

Amended: November 2001

February 21, 2003

February 20, 2004

April 2007

October 23, 2009

_____, 2012

UEN Consortium Bylaws (DRAFT September ~~10,19,~~ 2012)

1. Name and Authorization

- 1.1. The name of the ~~organization shall be consortium is~~ Utah Education Network (~~UEN~~) ~~as authorized in Utah Law; the~~ “Consortium”). See Utah Code Annotated Title 53B, chapter 17, sections 101, 102, 103, and 104; (hereinafter referred to as ~~“Utah Law;”~~ the “Educational Telecommunications Legislation”).

2. Purpose

- 2.1. The purpose of the Consortium is to coordinate and support Utah’s educational technology infrastructure as described in the Educational Telecommunications Legislation.

3. ~~2-~~Principal Office and Administrative Management

- 3.1. ~~2-1-~~The principal office of the Consortium shall be the Dolores Doré Eccles Broadcast Center at 101 Wasatch Drive, University of Utah, Salt Lake City, Utah-84112.
- 3.2. The University of Utah is providing administrative management for the Consortium pursuant to the Educational Telecommunications Legislation. Operations of the Consortium shall follow practices of the University of Utah, whose fiscal year begins July 1 and ends June 30.

4. ~~3-~~UEN Consortium Governing Board

- 4.1. ~~3-1-~~The Governing Board governing board of the Consortium (the “Board”) shall be composed as specified in Utah Law the Educational Telecommunications Legislation.
- 4.2. ~~3-2-~~Board members shall serve four-year terms except as specified in Utah Law otherwise in the Educational Telecommunications Legislation.
- 4.3. ~~3-3-~~Board members may be reappointed for additional terms at the discretion of the appointing entity.
- 4.4. ~~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 with regard to an appropriate individual to complete the term.

5. ~~4-~~Officers

- 5.1. ~~4-1-~~The officers of the Board shall consist of two Co-Chairs, one representing higher education and one representing public education, both to be elected by the board Board.
- 5.2. ~~4-2-~~Co-Chairs shall set the agenda for Board meetings, preside at all Board meetings, appoint committee members, and perform other duties as associated with the office.
- 5.3. ~~4-3-~~Co-Chairs will share these duties equally as determined by them.

6. ~~5-~~Chief Executive Director

- 6.1. ~~5-1-~~The Board shall appoint an executive director (“Executive Director”) as specified in Utah Law the Educational Telecommunications Legislation.
- 6.2. ~~5-2-~~The Board shall determine the salary for the Executive Director.
- 6.3. ~~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.
- 6.3. ~~5-4-~~The Board shall conduct an annual performance evaluation of the Executive Director.
- 6.4. ~~5-5-~~The Executive Director shall be an at-will employee as described in the employment offer letter to the Executive Director.

7. ~~6-~~Meetings

- 7.1. ~~6-1-~~Regular meetings will be held at a schedule and location to be agreed upon by the Board.
- 7.2. ~~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.~~
- 7.3. Meetings shall be held in compliance with applicable open meeting laws.
- 7.4. ~~6.6.~~ Meetings shall be conducted using *Robert's Rules of Order Newly Revised* (RONR) where consistent with other applicable laws and these bylaws.

8. ~~7.~~ Quorum and Voting

- 8.1. ~~7.1.~~ A majority of ~~board~~Board members constitutes a quorum.
- 8.2. ~~7.2.~~ In absence of a quorum, no formal action shall be taken except to adjourn the meeting to a subsequent date.
- 8.3. ~~7.3.~~ Passage of a motion requires a simple majority (i.e., one more than half the members present).

~~8. Conflicts of Interest~~

9. Standards of Conduct

- 9.1. The Board shall comply with all applicable federal and state laws and regulations, including, without limitation, the Utah Public Officers' and Employees' Ethics Act.
- 9.2. ~~8.1.~~ Any member of the ~~board~~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.
- 9.3. Board members are entitled to protections of Utah law including applicable provisions of the Governmental Immunity Act of Utah.

10. ~~9.~~ RemovalReplacement of Board Members and Officers

- 10.1. ~~9.1.~~ 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. ~~10.~~ Committees

- 11.1. ~~10.1.~~ The Board shall ~~appoint an Advisory Council~~ establish an advisory council to assist the Consortium as described in Utah Law the Educational Telecommunications Legislation.
- 11.2. ~~10.2.~~ The Board may appoint standing and ad hoc committees as needed.

~~11. Standards of Conduct and Code of Ethics~~

- ~~11.1. 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.~~
- ~~11.2. 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.~~

12. Financial Responsibilities

- 12.1. The Board will maintain understanding of and guide ~~UEN~~Consortium finances.
- 12.2. The Board will review, prioritize, and approve ~~UEN~~the Consortium's legislative budget request prior to submission to the Governor's Office of Planning and Budget and the Office of the State Legislative Fiscal Analyst.
- 12.3. The Board will review and approve annual Consortium budgets ~~for UEN~~.
- 12.4. The Board authorizes ~~UEN~~the Executive Director to make emergency expenditures to maintain operations as necessary without prior Board approval.
- 12.5. ~~Financial governance~~Consistent with Section 3 above, financial operations of the Consortium shall follow ~~administrative~~ practices of the University of Utah, whose fiscal year begins July 1 and ends June 30.

13. Amendment of Bylaws

- 13.1. These bylaws may be amended or repealed by a two-third vote of the Board members at any meeting provided a copy of the proposed amendment(s) are provided to each Board member at least one month prior to said meeting, and the ~~Bylaws~~bylaws do not alter ~~Utah Law or~~(i) the Memorandum of Understanding signed May 18, 2012 clarifying UENthe Consortium's administrative relationship with the University of Utah, as may be amended in writing by mutual agreement of the Consortium and the University of Utah, or (ii) the Educational Telecommunications Legislation.

14. Inspection of Bylaws

- 14.1. 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.

~~15. Indemnification of Members~~

- ~~15.1. 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.~~

~~16. References~~

- ~~16.1. 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

Document comparison by Workshare Compare on Wednesday, September 19, 2012 4:33:03 PM

Input:	
Document 1 ID	file://G:\Alice 2012 March 19 & after\UEN\Consortium by-laws\UEN 2012 Bylaws draft Sept10.docx
Description	UEN 2012 Bylaws draft Sept10
Document 2 ID	file://G:\Alice 2012 March 19 & after\UEN\Consortium by-laws\UEN 2012 Bylaws draft Sept 19 pm.docx
Description	UEN 2012 Bylaws draft Sept 19 pm
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	55
Deletions	78
Moved from	3
Moved to	3
Style change	0
Format changed	0
Total changes	139

Advisory Council Report – Action

Description

Ray Walker has been actively working to fill the slate of advisory committee representatives and will provide an update for the Board.

In many cases, the advisory council would likely function similar to the former Public Education Advisory Committee (chaired by Rick Gaisford); Higher Education Advisory Committee (chaired by Cyd Grua); and the subcommittees of the former UEN Steering Committee. Board members are asked to discuss how they would like to see the Advisory Council function, as suggested in the following discussion questions:

1. What is the length of the terms for advisory council members? – two years?
2. How to stagger terms? – odd and even fiscal years?
3. Replacement of council members that may need to resign? – Board or appointing entity?
4. What kind of communication should be set up? – UEN staff liaisons, level of Board involvement, communication between Board, council, and staff?
5. How frequently should they meet? – perhaps quarterly?
6. What is the role of the advisory council in meetings, retreats, other planning activities?
7. What is the process for setting the council agenda and reporting their activities to the Board? – perhaps a draft agenda is circulated with items coming from the council itself, UEN staff, the Board, and other constituent groups?
8. How is the council chaired? Appointed from both higher ed and public ed? Co-chairs or alternating each year?

Recommendation

It is recommended that Board members review and approve the advisory council membership, and provide guidance to UEN staff on implementation of the advisory council processes.

Attachment – Advisory Council Membership Roster

The document will be available at the UEN Board Meeting.

Board Member Terms – Discussion

Description

Denise Elwood has prepared a table outlining term lengths for Board members. This information was provided by the original appointing entity (Board of Education, Commissioner of Higher Education, Governor, etc.).

Recommendation

This is an information item. No further action is required of the Board members at this time.

Attachment – Board Member Terms

BOARD MEMBER	APPOINTED BY	REPRESENTS	YEAR	YEAR	YEAR	YEAR
Clark Baron	State Board of Education	Public Education				
Brenda Hales	State Board of Education	Public Education				
Glen Taylor	State Board of Education	Public Education				
Barry Walker	State Board of Education	Public Education				
Eric Denna	Commissioner Higher Education	Higher Education	2012	2013	2014	2015
Gary Koeven	Commissioner Higher Education	Higher Education	2012	2013		
Robert Wagner	Commissioner Higher Education	Higher Education	2012	2013	2014	2015
Ray Walker	Commissioner Higher Education	Higher Education	2012	2013		
Donna Jones Morris	Governor	State Library				
Christine Kearl	Governor	Office of the Governor				
Dana Miller	President of UCAT	UCAT				

Communication Plan – Discussion

Description

The 45-day general session of the Utah Legislature will convene on Capitol Hill January 28, 2013. UEN's approach with lawmakers will build upon the successful approach we used last year.

To obtain our annual funding request our plan is to build and maintain relationships with legislators and in the process convey information about UEN's accomplishments and initiatives. We will also seek to respond effectively and transparently to any questions or concerns. An outline for the research, planning, implementation and evaluation of this approach is attached.

Recommendation

This is an information item. No further action is required of the Board members at this time.

Attachment – Communication Plan

UEN LEGISLATIVE COMMUNICATION PLAN – DRAFT 9/21//2012

1. Research

- a. “One of nation’s best networks”– *Kelly McDonald report, Feb 2012*
- b. “Not a single negative comment”– *Eric Denna, Mar 2012*
- c. “Maintain and improve bandwidth while providing teacher resources”– *online survey of 143 users, May 2012*
- d. “UEN is great but don’t let ‘nice-to-have’ things jeopardize your essential connectivity and training. Beware of mission creep.” – *Ray Timothy’s informal research, August 2012*

2. Planning

- a. Problem: Lack of “tone lock” on who we serve, what we provide and how we measure success (Questions 1,2,3)
- b. Publics – Lawmakers, education leaders, UEN employees
- c. Objectives – short term
 - i. Introduce new leadership (Ray Timothy and UEN board)
 - ii. Thank, listen, respond transparently
 - iii. Secure the requested appropriation
- d. Objectives – longer term – year round approach – crisis plan
- e. Strategy – build and maintain relationships with mission-critical publics through multiple interpersonal strategies:
 - i. 1-on-1, face-to-face, informal interaction
 - ii. Small group interaction
 - iii. Larger group presentations

3. Implementation

- a. Messaging
 - i. UEN networks for education and is a premier provider.
 - ii. UEN’s new leadership is focused on state education goals.
 - iii. UEN’s funding request helps us support those goals.
- b. Tactics
 - i. Updated 1-page background and budget documents for lawmakers
 - ii. Updated UEN brochure with map, services, budgets
 - iii. Updated UEN video
 - iv. New UEN website and QR code with above update
- c. Activities
 - i. UEN all-staff meeting on October 8
 - ii. Legislative tours of UEN – November
 - iii. BTOP Completion Celebration and New Year Preview – December
 - iv. Legislative hearings – January through March

4. Evaluation

- a. Research – How well did we pinpoint SWOT?
- b. Planning – What did we learn in the process?
- c. Implementation – How effectively did we accomplish our objectives?
- d. Longer Term Implications – How well are we poised to move forward?

UEN Diversity Guidelines – Action

Description

UEN must adopt new guidelines designed to fulfill our commitment to diversity and meet new CPB guidelines. A draft was presented to the Board during the August meeting. It has subsequently been reviewed by legal counsel with the Office of Equal Opportunity and Affirmative Action at the University of Utah, resulting in minor edits to clarify terms. The attached final draft is presented for Board approval.

The Corporation for Public Broadcasting has, through a group of station leaders and its Board of Directors, implemented new requirements for diversity policy to be adopted by stations. UEN Board members are asked to review the new requirements and policy language attached. Essentially, this is the same as our current practices except:

1. This formalizes the policy
2. This adds a requirement for annual diversity training of staff, Board members and Advisory Council members (CPB offers other options for compliance, but some don't apply and this seemed the least cumbersome and most useful).

Excerpts from the CPB guidelines were presented in the August UEN Board meeting.

Recommendation

The policy must be formally adopted by the Board before September 30, 2012.

Attachment – DRAFT UEN Diversity Guidelines

UEN Diversity Guidelines (final draft, for Board approval)

1. Purpose

- 1.1. The purpose of the Utah Education Network Diversity Guidelines is to establish commitment to diversity in our programs and services, workforce, management, governing board and advisory council and to implement guidelines and initiatives to achieve that goal in accordance with University of Utah (hereinafter University) Policy, as well as State and Federal antidiscrimination law.
- 1.2. UEN is committed to employment, management, and services that reflect and support the diversity of Utah as part of our broader goal to enrich the educational experiences and successes of all members of our state. UEN operates under the University guidelines and mission statement which reads in part: “We zealously preserve academic freedom, promote diversity and equal opportunity, and respect individual beliefs.”
- 1.3. As a public broadcaster, UEN also meets applicable FCC diversity guidelines.
- 1.4. As an equal opportunity and affirmative action employer, the University prepares and maintains an Affirmative Action Plan, which includes efforts taken by the University to recruit, hire, and retain a diverse and qualified workforce. The University's Affirmative Action Plan is available for inspection by the public, by contacting: The Office of Equal Opportunity and Affirmative Action, 201 South Presidents Circle, Room 135, Salt Lake City, UT 84112. TEL/TDD: 801-581-8365.

2. Guidelines

2.1. Employees

- a. UEN is committed to having a staff and management structure that reflects the diversity of its community. Further, UEN educates managers and staff on how to work effectively in a diverse environment, prevent discrimination, and promote inclusiveness.
- b. UEN adheres to all University Policies and Procedures regarding Equal Opportunity and Nondiscrimination in order to prevent any form of discrimination, harassment, or prejudicial treatment because of race/ethnicity, color, religion, national origin, sex, sexual orientation, gender identity/expression, age, disability, or protected veteran status.
- c. Managers are encouraged to interview a well-qualified and diverse candidate pool for open positions.
- d. Augmenting UEN's diversity efforts, the University of Utah maintains a website that provides hiring managers with tools and resources for the identification and recruitment of well qualified applicants for staff positions, who have experience in working with and reaching out to a diverse population.
- e. UEN participates in a wide variety of job fairs, in order ensure a more qualified and diverse applicant pool.
- f. UEN management and staff participate in an annual anti-discrimination/harassment and diversity training program.

2.2. Boards and Councils

- a. UEN’s broadcast license holder is the Utah Board of Regents. The selection strategy for members is to recruit individuals who have a wide variety of experiences, including reaching out to and working with a diverse population and who are able to foster an environment of inclusion. Similarly, the UEN Governing Board and Advisory Council strategy is to recruit a well-qualified and diverse cross section of members who are reflective of the broader community and the educational constituents served.
- b. UEN Governing Board and Advisory Council members participate in an annual diversity training program.

2.3. Services

- a. As a public institution, UEN staff, management, and Board members are committed to increased accessibility and accountability to all residents of the state by providing services that can enhance the organization's responsiveness to an increasingly diverse world of customers, improve relations with the surrounding community, increase the organization's ability to cope with change, and expand the creativity of the organization.

Adopted by the Board on _____, 2012

Prioritize FY2014 UEN Legislative Budget Request – Action

Description

ELEMENTARY K-6 CIRCUIT FUNDING PHASE 2 OF 3

\$250,000 ongoing

UEN requests \$250,000 of ongoing funds for FY2014. In FY2013, the Utah Legislature appropriated \$250,000 of on-going funds for elementary and charter school connectivity. UEN matched the state funds with \$200,000 which was achieved from operating efficiencies. School districts and UEN both participate in funding elementary Internet connections. However, depending on when schools upgraded their connections, UEN support for circuit charges is not equally applied. With the FY2013 state appropriation, the K-6 schools circuit funding gap is now approximately \$900,000. UEN will make an on-going funding request of \$250,000 this year and \$250,000 next year and will continue to strive and achieve operational efficiencies of \$200,000 in each of the next two years to provide equity for elementary circuit funding across all K-6 Utah schools.

ON-GOING CAPITAL BUDGET REPLACEMENT

\$1,600,000 ongoing

UEN requests \$1,600,000 ongoing for replacement of a variety of capital equipment including networking hardware, and Interactive Video Conference (IVC) equipment at schools and district offices that are reaching their estimated useful life (some as old as seven to ten years) as well as battery and electrical equipment, and internal UEN data center and system server and storage hardware.

LEARNING CONTENT MANAGEMENT SYSTEM INFRASTRUCTURE (KALTURA/EQUELLA)

One-time \$1,026,000 for Licensing; \$453,000 ongoing for maintenance

This request provides critical software that supports the Learning Management System to provide multimedia elements for courses and instructional use. New state initiatives such as the Technology Intensive Concurrent Enrollment (TICE) courses, adaptive online assessment, and the use of electronic textbooks in K-12 require this media infrastructure. Kaltura encodes and streams video using new protocols that work for desktop and mobile devices. Equella provides cataloging and presentation of multimedia elements through the Canvas course system, Pioneer Library, and the teacher portal my.UEN. This supports all of K-12 and higher education and represents considerable cost-savings as compared to the institutional prices for these critical systems if purchased separately by each institution.

UEN ONE-TIME CAPITAL REPLACEMENT MICROWAVE SYSTEM AND IVC OPERATIONS

\$3,400,000 one-time

UEN requests **\$3,400,000** of one-time dollars for replacement of a variety of capital equipment of which 50% is IVC equipment. The capital replacement budget includes replacement of network hardware, and IVC equipment at schools and district offices that have exceeded their estimated useful life. All equipment being requested is 6 years or older with over 50% IVC equipment.

Historical IVC One-Time Funding

- FY2005 \$ 240,000
- FY2006 \$ 800,000
- FY2007 \$1,000,000
- FY2008 \$ 865,000

Recommendation

It is recommended that the Board approve this FY2014 UEN Legislative Budget request.