



**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on Labor and Election Process
Reform...**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

SB 531

WISCONSIN
TECHNICAL COLLEGE
SYSTEM

**Manual
for the Appointment of
Wisconsin's Technical College
System
District Board Members**

Revised 02/2006

This manual may also be found in its entirety at the following web site:
<http://www.wtcsystem.edu>

**Manual for the Appointment of
Wisconsin's Technical College System
District Board Members**

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Note to Reader: This manual is intended to help participants in the local board appointment process understand their role in the process and the requirements established by statute and administrative rule. If you have suggestions for improving its usefulness, please contact the WTCS Office. You can send your suggestions to Jim Halloran at: james.halloran@wtcsystem.edu or call him at (608)266-2991.

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Preface

Appointed boards govern the 16 Wisconsin Technical College System districts. Most boards have nine members, representing employers, employees, local elected officials and school district administrators. The boards are responsible for levying property taxes for the operation of the WTCS district, contracting for instructional services, providing for facilities and equipment and appointing a district president. Wisconsin citizens are strongly encouraged to get involved in both the public process for appointing district board members and as candidates for the boards themselves. This manual is a guide to that process, which is governed by the Wisconsin Statutes and Administrative Rule.

Introduction

This manual is designed to assist Technical College System (TCS) District Board Appointment Committees, TCS district staff, and the Wisconsin Technical College System Board in the appointment of TCS district board members. Additionally, it provides guidance to candidates for the local district boards and the public on the process and their opportunities for participation in it.

The manual is organized into three primary sections: a timetable that provides a calendar of required activities; a step-by-step guide for each stage of the process, including information on required documents; and appendices that include templates and forms, an application/affidavit packet for candidates, related statutes and administrative rule, and frequently asked questions.

The appointment process occurs on an annual basis for a portion of the membership of the local district boards. Outside that annual process, it also occurs when a local district board member does not complete his or her term. In addition to the general public that is always strongly encouraged to participate in the appointment process, there are four primary groups involved in the appointment process. Those are listed below along with a brief description of their responsibilities.

The Local Appointment Committee - The local appointment committee approves a *plan of representation*, reviews candidates' qualifications, interviews candidates, conducts the public hearing to receive comments on candidates and votes on the candidates.

The District Board Staff - The district board staff provides any necessary support to the local appointment committee, including posting public notices, developing the *plan of representation*, and filing required documentation with the WTCS Board.

The WTCS Board - The WTCS Board reviews the process used by each local appointment committee to ensure it complies with statutes and administrative rule and makes the final approval of the appointments of local candidates to the district board.

Candidates - Candidates for the district board are required to fulfill certain obligations in order to be considered, including attending public hearings, completing an application and providing references.

The appointment process takes approximately six months to complete. All approved appointees serve three-year terms, which begin on July 1. The following table indicates the cycle of board appointments between 2004 and 2009:

**Cycle of Board Appointments
2004 - 2009**

Year	Appointment	Appointment	Appointment
2004	Employer	Additional Member	Employee
2005	Additional Member	Additional Member	Elected Official
2006	Employer	Employee	School District Administrator
2007	Employer	Additional Member	Employee
2008	Additional Member	Additional Member	Elected Official
2009	Employer	Employee	School District Administrator

Timetable for the District Board Appointment Process

This timetable is designed to give the district board appointment committee and other participants in the appointment process a brief reference guide to the appointment process. A more detailed guide to the appointment process follows beginning on page 7.

District Board Appointments

The Wisconsin Technical College System Board initiates the appointment process in December of each year and completes the process, typically, in late May of the following year with the final approval of district board candidates. In the intervening months, the appointment committee, district staff and district board candidates must complete specific activities within certain timelines. The following timetable provides a guide on those activities.

Timetable for District Board Appointments

Who Takes the Action	Action to Be Completed	Timeline	Cross Reference
WTCS Board	Issues a letter to local WTCS districts, the Wisconsin School Boards Association and the Wisconsin Counties Association initiating the appointment process.	December 1-15	Guide, p. 7 Sample, p. 16
District Board Secretary	Sends a notice of pending vacancy to the appointment committee, the WTCS Board and each governing body with a member on the appointment committee.	On or before the first Monday in March, or within 30 days from a vacancy occurring from resignation.	Guide, p. 7 Sample, p. 17 and 18

Who Takes the Action	Action to Be Completed	Timeline	Cross Reference
Appointment Committee Chair	Schedules a time, date and place for a public meeting to review the plan of representation and candidates' application materials, a public hearing to interview candidates and receive public comment, and a meeting to make appointments of district board members. The chair shall send this notice to each: district board member; each governing body with a member on the appointment committee; members of the appointment committee; and the WTCS Board.	Must be scheduled within 60 days after receiving notice of pending vacancy.	Guide, p. 8 Sample, p. 19
Board Appointment Committee	Issues a legal notice publicly posting the announcement of intent to appoint district board members and soliciting candidates to apply.	After receiving notice of pending vacancy.	Guide, p. 8 Sample, p. 20 Sample letter, p. 21
District Offices	Mail application materials and other relevant information to candidates upon request.	Immediately upon request from potential candidates.	Sample, p. 36
Candidates for District Board Appointments	Complete and submit all application materials to the appointment committee.	Application materials are <u>due</u> 14 days after publication of announcement to appoint district board members.	Guide, p. 9 Packet, pp. 38-49.
Board Appointment Committee	Issues a legal notice with the meeting and public hearing dates, times, and locations and names of all applicants.	Notice must be issued no sooner than 14 days after public notice of intent to	Guide, p. 10 Sample, pp. 20 and 37 Checklist, p. 31

Who Takes the Action	Action to Be Completed	Timeline	Cross Reference
		<p>appoint and at least 14 days prior to first scheduled appointment committee meeting. Appointment committee may conduct more than one meeting/public hearing to accommodate candidate schedules.</p>	
<p>Board Appointment Committee</p>	<p>Meets to review the plan of representation and applications, interview applicants, receive public comment (public hearing) and make appointment decisions.</p>	<p>No sooner than 14 days after publication of legal notice about the meeting and public hearing dates, times and locations.</p>	<p>Guide, pp. 10-13</p> <p>Sample agenda, p. 23</p> <p>Plan of Representation/ Checklist pp. 24 and 25</p> <p>Checklist, Meeting and Public Hearing, pp. 32 and 33</p> <p>Checklist, Appointments, p. 34</p>

Who Takes the Action	Action to Be Completed	Timeline	Cross Reference
Chair of the Board Appointment Committee	Notifies the WTCS Board, all district board candidates (both those selected and those not), and the district board secretary of the individuals appointed to the board.	This must be completed within 5 working days after the appointment meeting/hearing where the committee votes on appointments.	Guide, p. 13 Samples, pp. 26 and 27
District Board Secretary	Forwards to the WTCS Board all materials documenting the appointment process, including plan of representation, meeting agendas and minutes, copies of legal notices, and completed application packets.	As soon as possible after board appointment committee action.	Guide, p. 13 Sample, pp. 28 - 29 Checklist, p. 30
WTCS Board	Reviews and acts on district board appointments.	As soon as possible after review of appointment actions.	Guide, p. 14
WTCS Board	Notifies appointment committee chair, district board chair, newly appointed board members and the State Ethics Board of new district board members.	Within two weeks of the WTCS Board meeting when action was taken on the district board appointments.	

Step-by-Step Guide to the District Board Appointment Process

By statute and administrative rule <http://www.wtcsystem.org/Policies/distbrd.htm> each group involved in the appointment process is required to complete specific steps and to issue or complete documents within specific timelines. The guide that follows takes the reader through each step of the process and provides specific detail on what must be accomplished. For your convenience, we have included samples of required documents, as appropriate. All templates are also available on-line at: <http://www.wtcsystem.edu>

I. ANNOUNCEMENT AND NOTIFICATION OF VACANCIES

- A. WTCS PRESIDENT: Sends letter initiating annual district board appointment process
- √ By December 15, the WTCS President sends letters to the Wisconsin Counties Association and the Wisconsin School Boards Association requesting a list of names of current members and officers of each of the counties and each of the school boards in the state, respectively.
 - √ By December 15, the WTCS President sends a letter initiating the annual district board appointment process to the:
 - appointment committee chair;
 - district board chair;
 - district board secretary;
 - district president; and
 - other interested parties
 - √ The letter (see Sample, page 16) will:
 - inform them of the initiation of the annual district board appointment process;
 - refer them to the district board appointment manual for information and guidance;
 - update them on changes to the manual; and
 - ask district presidents for names, addresses and telephone numbers of designated district liaison staff and district board appointment committee members.
- B. DISTRICT BOARD SECRETARY: Sends notice of pending vacancy
- √ On or before the first Monday in March for expired terms, or within 30 days of when a vacancy occurs by resignation, the district board secretary sends a Notice of Pending Vacancy to:
 - each member of the appointment committee;
 - each governing body having a member on the appointment committee; and

- the WTCS Board.
- √ The Notice of Pending Vacancy (see Sample, pp. 17 - 18) will:
- identify the board member categories to be filled; and
 - identify the incumbents whose terms are expiring.
- C. APPOINTMENT COMMITTEE CHAIR: Establishes dates, times and locations for two public meetings: 1) a meeting to discuss and approve a plan of representation and to review candidate applications; and 2) a public hearing and meeting to interview and hear comments on the candidates and make appointment decisions.
- √ The chair of the appointment committee, after receiving Notice of Pending Vacancy from the district board secretary, shall:
- Establish date(s), time(s), and place(s) for two public meetings:
 - a meeting to discuss the plan of representation and review candidates' applications, and
 - a subsequent combined meeting to receive public comments (public hearing) and meeting to make appointments.
 - Schedule the meetings within 60 days after receipt of Notice of Pending Vacancy or term expiration, or 60 days after a spring election (first Tuesday in April) if a vacancy occurs within 120 days preceding a spring election. The public hearing may be scheduled immediately following the first meeting, as long as all the activities required in each meeting are accomplished.
 - Send a written notice (see Sample, p. 19) of these meetings to:
 - each district board member;
 - each governing body having a member on the appointment committee;
 - each member of the appointment committee; and
 - the WTCS Board.
- D. BOARD APPOINTMENT COMMITTEE: Publishes legal notice of Announcement of Intent to Appoint District Board Members
- √ After receiving the Notice of Pending Vacancy from the district board secretary (February 3 – March 15), the district board appointment committee publishes an Announcement of Intent to Appoint District Board Members, soliciting candidates to apply.

- √ The Announcement of Intent to Appoint District Board Members (see Sample, p. 20) shall:
 - solicit the submission of names and qualifications of candidates;
 - include the criteria for selection of district board members; and
 - be published at last 14 days prior to the publication of the legal notice announcing the first public meeting of the appointment committee (please see section F on p. 10).

- √ All legal notices shall be class 1 notices under Chapter 985, Wis. Stats., except that they shall be 8-point type or larger (see Sample, p. 20).

- √ In addition to publication, notification (see sample, p. 21) shall be distributed to special interest groups such as:
 - labor organizations;
 - business organizations;
 - community groups;
 - women's organizations; and
 - minority organizations.

- E. APPLICANTS: Applicant/affidavit packet, references and required attendance at the board appointment committee public hearing/meeting.

- √ Applicants must submit a completed application/affidavit packet to the district board secretary for receipt within 14 days of publication of the Announcement of Intent to Appoint District Board Members (see section D on p. 8).

- √ The application/affidavit packet shown on pp. 38 - 49 of this Appointment Manual shall be provided to each district board member candidate. Districts may also find it helpful to provide orientation material about their college to each candidate.

- √ In addition to the completed application/affidavit materials, applicants must also submit at least two written references with their materials and must attend the public hearing of the district board appointment committee at which his or her appointment is discussed and be interviewed. The appointment committee may schedule more than one public hearing to accommodate all candidates.

- F. BOARD APPOINTMENT COMMITTEE: Publishes legal notice establishing date, time and place of the first meeting and public hearing. The legal notice must list applicants' names. If necessary, in order to accommodate all the candidates, the appointment committee may schedule more than one public hearing.
- √ No sooner than 14 days after publication of the Notice of Intent to Appoint District Board Members (see section D on p. 8), the board appointment committee publishes a legal notice that contains the names of individuals being considered for appointment, and the dates, times, and places where the meeting and public hearing(s) will occur.
 - √ This notice shall be published at least 14 days prior to the meeting to review and approve the plan of representation and review and discuss candidates' applications. The appointment committee may hold the public hearing immediately after the first meeting, but must ensure that the notice appropriately reflects that intent.
 - √ No person may be appointed unless his or her name appeared in at least one legal notice of meeting or public hearing/meeting and that individual attended the public hearing at which his or her candidacy is discussed.
 - √ A copy of the legal notice should be sent to:
 - each district board member;
 - each candidate;
 - each governing body having a member on the appointment committee;
 - each member of the appointment committee; and
 - the WTCS Board.
 - √ The appointment committee chair/district board secretary should also distribute all applicants' packets to the appointment committee members prior to the first meeting of the appointment committee. (See Sample on p. 22.)

II. APPOINTMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS

The appointment committee must schedule at least one meeting and one public hearing. The meetings may be consecutively scheduled on one date, as long as both meetings are properly noticed.

The primary activities at each of these meetings are described below. However, if the committee chooses to accommodate the candidate schedules for the public hearing, or wishes to separate the various activities that must be accomplished, the committee may schedule additional meetings. (See Sample on p. 23.)

(The appointment committee for a district encompassing a city of the 1st class size (currently affects Milwaukee Area Technical College only) shall contain four additional members appointed by the school board of the public school district in that 1st class city. The four additional members shall be representative of the distribution of women and minorities within this 1st class city.)

- A. DURING THE MEETINGS, the committee reviews and adopts a Plan of Representation, reviews the candidates' applications and holds interviews and receives public testimony on the candidates.
- √ The appointment committee shall formulate and adopt a Plan of Representation for the membership of the district board at the meeting (see Plan of Representation checklist on p. 24 - 25). The plan must be approved prior to the appointment of new district board members. The plan provides the basis for determining the composition of the district board. The plan shall be based on the most recent population data available and shall:
- give consideration to the general population distribution within the district;
 - give consideration to the distribution of women and minorities within the district; and
 - form the basis upon which the membership of the district board is determined.

(For Milwaukee Area Technical College only, the Plan of Representation must include a statement explaining how the plan gives equal consideration to the distribution of minorities within the 1st class city.)

- √ At the meeting, the appointment committee shall review names, qualifications, references, applications and affidavits of all candidates.
- The district board appointment committee establishes a mechanism for reviewing each candidate's application/affidavit for accuracy and consistency, and reviews the candidates'

qualifications and references.

- The appointment committee must review, given the Plan of Representation and the necessary composition of the district board, how the candidates meet the requirements of that plan.

√ Subsequent to the activities described above, the Appointment Committee must convene a public hearing to provide an opportunity for public comment about the candidates. The committee must interview the candidates. All candidates must attend the public hearing. Not attending the hearing is a basis for disqualifying candidates.

B. MEETING TO MAKE APPOINTMENTS TO THE BOARD.

√ Following the public hearing, the appointment committee shall convene a meeting to vote on the candidates.

C. VOTING AND OPEN MEETING REQUIREMENTS

The Appointment Committee must comply with the following requirements for voting and conducting the meetings:

√ A quorum must be present for the appointment committee to conduct business. A quorum is statutorily defined as county board chairs or school board presidents representing over 50% of the WTCS district's population. In no case may fewer than two county board chairs or two school district board presidents constitute a quorum.

√ Selection of the board members and approval of the Plan of Representation shall be by a majority vote of the quorum.

√ The method of voting for district board members may not be by secret ballot. Voting should be done by roll call vote.

√ All motions and roll call votes must be recorded.

√ District board appointment committees must meet in accordance with open meeting laws. Closed sessions may be held in accordance with Chapter 19, Subchapter V, s. 19.85 Wis. Stats.

For the appointment committee to go into closed session, the following criteria must be met:

- A roll call vote must be recorded. A majority vote of the quorum is required.
- The chief presiding officer must notify those present at the meeting of the nature of the business to be considered in the

closed session.

- The specific statutory exemption, which justifies the closed session, must be referenced in the minutes.
- The chief presiding officer's statement of purpose of the closed meeting must become part of the meeting record.
- The business taken up in the closed session is limited to the subject stated by the chief presiding officer as the reason for the closed session.

III. BOARD APPOINTMENT COMMITTEE NOTIFICATIONS: Transmittal of Board Appointment Materials

A. NOTIFICATION OF APPOINTMENTS

- √ Within 5 working days of the appointment of district board members, the appointment committee chair shall send written notice of the board appointments to:
 - members appointed to the district board (see sample on p. 26);
 - district board secretary;
 - and the WTCS Board (see sample on p. 27).
- √ Notification should also be sent to all applicants for district board membership thanking them for applying and encouraging continued interest in the technical college system.

B. MATERIALS THAT MUST BE SENT TO THE STATE BOARD

- √ In addition to the notification of appointments, appointment committees must send to the WTCS Board the following information and documentation (see sample on p. 28):
 - Copies of letters from appointment committee chair to all candidates appointed to membership on a district board.
 - Copies of letters sent to all applicants thanking them for applying.
 - An application/affidavit for each candidate for a position on the board, which includes written references.
 - Copy of legal notices announcing intent to appoint district board members and announcing the appointment committee's meetings and public hearing.
 - Affidavit from newspaper attesting to insertion of legal notice.
 - Copy of minutes of all appointment committee proceedings, including the meeting approving the Plan of Representation, and reviewing candidate qualifications; and the meeting to vote on the appointments to the district board, including minutes of the public hearing.
 - The Plan of Representation, which shall contain a map of the

district, and/or if the district is divided into subunits for appointment purposes, the boundaries of these subunits.

- A statement of how the appointments implement the plan by providing local district board membership that gives equal consideration to the general population distribution and the distribution of women and minorities within the district. Additionally, this statement shall specify actions taken to recruit women and minority candidates for the district board.
- In districts encompassing a city of the 1st class, a statement must be included that describes how the appointments give equal consideration to the distribution of minorities within cities of the 1st class. (Applies to Milwaukee Area Technical College only.)
- A statement explaining how the appointed employer and employee members represent various business and industries in the district.

IV. WTCS BOARD ACTION: WTCS Board Meeting

A. BOARD APPROVAL PROCESS

- √ WTCS Board will review annual district board appointments and recommend Board action at a late spring (May) meeting. Appointments to replace vacancies resulting from resignations will be reviewed at the next possible WTCS Board meeting.
- √ Notices of action by the WTCS Board will be sent within two weeks of the WTCS Board meeting to:
 - recommended district board members;
 - appointment committee members;
 - district board chair; and
 - State Ethics Board for approved appointments.
- √ For disapproved appointments, the notice of Board action shall request that the appointment committee hold its first meeting to reconsider all the appointment action within 30 days after receiving the notice. All appointment committee actions shall follow the defined statutory and administrative code requirements for the appointment process prior to being resubmitted to the WTCS Board.

B. CONDITIONS FOR DISTRICT BOARD APPOINTMENTS

- √ The WTCS Board has the authority to appoint district board members if one of the following occurs:
 - The appointment committee cannot reach agreement on the plan of representation or cannot reach agreement on

reconsidering district board membership within 30 days after its first meeting to reconsider appointments, or within 45 days following receipt of the WTCS Board's notice of disapproval;

- The appointment committee, after receiving notice of disapproval, makes appointments that are resubmitted for review and are again found to be in noncompliance with the plan of representation or statutory and administrative code requirements.

Letter from WTCS Board Initiating District Board Appointment Process

Letter is sent to:

- District board appointment committee chair;
- District board chair;
- District board secretary;
- District presidents, with carbon copy to district board appointment liaison;
- Other interested parties; i.e., labor/business organizations

Letter (dated letter to above-referenced list on letterhead) will:

- Initiate the annual district board appointment process;
- Obtain from presidents: names, addresses and telephone numbers of district board appointment liaison staff and district board appointment committee members;
- Update changes to the Manual for the Appointment of WTCS District Board Members;
- Refer to the current WTCS District Board Appointment Manual available on-line.

This letter is to inform you of the initiation of the annual Technical College District Board Appointment Process for 20___. These three-year appointments, when approved by the Wisconsin Technical College System Board, will run from July 1, 20__ through June 30, 20__.

(Indicate changes from previous year here.)

The first step in this process is that your district board secretary must notify appointment committee members, each governing body having a member on the appointment committee, and the WTCS Board of all vacancies. The process must begin no later than the first Monday of March. Please refer to the Manual for the Appointment of Wisconsin's Technical College District Board Members, available on-line at <http://www.wtcsystem.edu> to assist in the appointment process.

College presidents should advise James Halloran by January 20 of who in your district will serve as liaison for the appointment process. Also provide the names of your district board appointment committee and the governmental body they represent. Mr. Halloran can be reached at: james.halloran@wtcsystem.edu or by phone at (608)266-2991. You may also contact him if you have any questions regarding the appointment process.

Daniel Clancy
President

**Letter from District Board Secretary Announcing
Notice of Pending Vacancy**

To be sent by district board secretary prior to first Monday in March OR within 30 days of when vacancy occurs by resignation.

Letter is sent to:

- Each member of district board appointment committee;
- Each governing body having a member on the appointment committee; and
- Wisconsin Technical College System Board.

Letter (dated letter to above-referenced list on letterhead) will:

- Identify board member categories to be filled, length of term, and expiration date;
- Identify incumbents whose terms are expiring.

As Secretary of the _____ Technical College District Board, this letter informs you that the following vacancies will occur on the _____ District Board on July 1, 20__.

(Note: Include only those categories to be appointed at this time.)

- Additional member: 3-year term, expiring June 30, 20__
- Employer member: 3-year term, expiring June 30, 20__
- Employee member: 3-year term, expiring June 30, 20__
- School District Administrator: 3-year term, expiring June 30, 20__
- Elected Official: 3-year term, expiring June 30, 20__

These appointments are necessary because of the expiration of the following incumbents' terms:

- (Incumbent name), (category) member
- (Incumbent name), (category) member
- (Incumbent name), (category) member

_____, Chair of the _____ Technical College District Appointment Committee, has scheduled a meeting of the Appointment Committee on _____, 20__. You will be receiving further notification from the district board secretary about this meeting.

**continued -
Letter from District Board Secretary Announcing Notice of Pending
Vacancy**

We will provide reasonable and necessary clerical services, other support services, and information requested by the Appointment Committee.

District Board Secretary

cc: District President
District Board Chair
District Board Members

Letter from Appointment Committee Chair Establishing Date of Public Hearing and Meeting to Appoint District Board Members and Approve Plan of Representation

Date, time and place of meeting and public hearing must be no later than 60 days after receipt of notification of vacancy or term expiration, and in the case of a resignation, 60 days after a spring election (first Tuesday in April) if a vacancy occurs within 120 days preceding a spring election.

Letter (dated letter to above -referenced list on letterhead) is sent to:

- Each member of the appointment committee;
- Each governing body having a member on the appointment committee;
- Each district board member; and
- the WTCS Board.

As Chair of the _____ Technical College District Board Appointment Committee, it is my duty to inform you that the following appointment(s) will be made to the _____ District Board effective July 1, 20__.

(Note: Include only those categories to be appointed at this time.)

- Additional member: 3-year term, expiring June 30, 20__
- Employer member: 3-year term, expiring June 30, 20__
- Employee member: 3-year term, expiring June 30, 20__
- School District Administrator: 3-year term, expiring June 30, 20__
- Elected Official: 3-year term, expiring June 30, 20__

A meeting of the Appointment Committee has been scheduled for (date, time and place). A legal notice concerning this meeting will be published in the district's official newspaper at a later date.

Appointment committee members, please mark this date on your calendar. It is imperative that you be represented at this appointment committee meeting. You will be receiving additional information confirming this meeting date and time, along with the names and affidavits of all applicants.

Board Appointment Committee Chair

Notice of Intent to Appoint Technical College District Board Members

NOTICE OF INTENT TO APPOINT MID-STATE TECHNICAL COLLEGE DISTRICT BOARD MEMBERS

Notice is hereby given that the Board Appointment Committee of the Mid-State Technical College District Board will accept applications for the appointments of three persons to the Mid-State District Board.

Appointments will be made in accordance with the Appointment Committee's Plan of Representation, which specifies categories of membership as well as geographic areas of representation within the district. Following is a list of openings:

ONE EMPLOYER MEMBER
ONE EMPLOYEE MEMBER
ONE SCHOOL DISTRICT ADMINISTRATOR

All positions will commence July 1, 2003, and upon certification of the Wisconsin Technical College System Board. All positions carry three-year terms expiring June 30, 2006.

An **EMPLOYER MEMBER** is defined as someone with the authority to recommend any of the following: hire, transfer, suspend, discipline, lay-off, recall, adjust grievances, promote, discharge, assign, or reward. The exception is a person who acts in the capacity of an officer or agent of a labor organization, even though that person may have the power to hire, etc.

An **EMPLOYEE MEMBER** is defined as a person who is employed but does not meet any of the criteria in the Employer category. The only exception to this criteria is that a person who acts in the capacity of an officer or agent of a labor organization is considered an Employee even though that person may have the power to hire, etc. as listed in the Employer section above.

A **SCHOOL DISTRICT ADMINISTRATOR** is defined as someone employed as a school district superintendent, supervising principal, or other person who acts as the administrative head of a school district, and who holds an administrator's license.

Applications must be submitted in writing on forms that may be obtained from the Mid-State Technical College District Office, 500 32nd Street North, Wisconsin Rapids, WI 54494; Mid-State Technical College, 933 Michigan Avenue, Stevens Point, WI 54481; Mid-State Technical College, 2600 West Fifth Street, Marshfield, WI 54449; and the MSTC Adams County Center, 401 Main Street, Adams, WI 53910.

All candidates must provide two letters of recommendation. All candidates **MUST** attend the public hearing at which his or her appointment to the district board is discussed.

When selections are made, the **EMPLOYER AND EMPLOYEE MEMBERS** must come from Representation Area No. 1 (Wood County and portions of the Mid-State Technical College District within Jackson, Clark, and Marathon Counties); while the **SCHOOL DISTRICT ADMINISTRATOR** must be made on a districtwide basis.

Persons with specific questions can view the current plan of representation at the Wisconsin Rapids District Office.

Applications will be accepted no later than 4 p.m. March 26, 2003.

The public hearing date has been established at 7 p.m., Tuesday, April 8, 2003.

Mr. Lavern Reigel
Board Appointment Committee
Mid-State Technical College
500 - 32nd Street North
Wisconsin Rapids, WI 54494

**Letter from the Appointment Committee Chair to Interested Parties
Announcing Intent to Appoint District Board Members**

Letter (dated letter on letterhead) is sent to:

- Labor organizations;
- Business organizations;
- Community groups;
- Women's organizations;
- Minority organizations.

As Chair of the _____ Technical College District Board Appointment Committee, I would like to inform you that the following appointments will be made to the _____ District Board effective July 1, 20__.

Note: Include only those categories to be appointed at this time.

- Additional member: 3-year term, expiring June 30, 20__
- Employer member: 3-year term, expiring June 30, 20__
- Employee member: 3-year term, expiring June 30, 20__
- School District Administrator: 3-year term, expiring June 30, 20__
- Elected Official: 3-year term, expiring June 30, 20__

A meeting of the Appointment Committee has been scheduled for (date, time and place). Enclosed please find a legal notice outlining the procedures that must be followed in applying for district board membership. Any assistance you can provide in nominating or encouraging candidates for membership will be appreciated. For more information on the appointment process and the responsibilities of district board members, please see the WTCS website at: <http://www.wtcsystem.org>

Appointment Committee Chair

**Letter from Appointment Committee Chair to
District Board Appointment Committee members
Noticing Appointment Committee Date**

Dated letter on letterhead:

Enclosed for your information and review are copies of the applications/affidavits and references that have been received for consideration of appointment to the _____ Technical College District Board. The closing date for applications was _____.

As you know, the meeting of the District Board Appointment Committee will be held (date, time and place). Please call (name of district board appointment liaison) at (phone number) confirming your plans to attend. It is imperative that you be represented at this appointment committee meeting.

Enclosed for your review is a copy of the legal notice, which was published in the district newspapers on (date). An agenda for the meeting and a copy of the current Plan of Representation also are included for your information. If you have any questions regarding the information provided, please contact (district staff liaison).

Board Appointment Committee Chair

cc: Governing Body having a member on the Appointment Committee
 District Board Members
 WTCS Board
 District President
 District Board Appointment Liaison

Sample Agenda for a District Board Appointment Committee Meeting

WTCS District Board Appointment Committee Meeting
(day) (date)
(time)
(location)

Meeting 1: Public Meeting

- A. Call public meeting to order
- B. Determination of compliance with open meeting law and statutory notices
- C. Establishment of quorum
- D. Review the Plan of Representation
- E. Discussion of names and qualifications of candidates
- F. Close of public meeting

Meeting 2: Appointment Committee Meeting

- A. Call public meeting to order
- B. Action on minutes of last Appointment Committee meeting
- C. Determination of compliance with open meeting law and statutory notices
- D. Establishment of quorum
- E. Purpose of meeting and explanation of statutes governing district board appointments
- F. Action on Plan of Representation (mandatory at appointment committee meeting)
- G. Convene public hearing
- H. Interview each candidate
- I. Testimony from the public regarding candidates
- J. Close public hearing and reconvene public meeting
- K. Roll call vote for District Board members
- L. Appointment of District Board members
- M. Adjournment of public meeting

NOTE: This agenda is intended as a sample only. Appointment committees may modify it as long as all statutory requirements are met.

Checklist – Plan of Representation

- | √ off | Action |
|--------------------------|--|
| <input type="checkbox"/> | 1. Was the Plan of Representation for the district board approved prior to the appointment of new district board members? |
| <input type="checkbox"/> | 2. Does the Plan of Representation give consideration to the general population distribution within the district? |
| <input type="checkbox"/> | 3. Does the Plan of Representation give consideration to the distribution of women and minorities within the district? |
| <input type="checkbox"/> | 4. Does the Plan of Representation form the basis upon which membership of the district board was determined? |
| <input type="checkbox"/> | 5. Does the Plan of Representation meet the requirements of Wisconsin Statute 38.08 (1) (a):

"A district board shall administer the district and shall be composed of nine members who are residents of the district including 2 employers, 2 employees, 3 additional members, a school district administrator as defined under s. 115.001(8), Stats., and one elected official who holds a state or local office, as defined in s. 5.02, Stats." |
| <input type="checkbox"/> | 6. Does the Plan of Representation contain a copy of the map of the district, and if the district is divided into subunits for appointment purposes, are the boundaries of these subunits indicated on the map? |
| <input type="checkbox"/> | 7. Does the Plan of Representation include the portion of the population for each county or school district within the district? |
| <input type="checkbox"/> | 8. Does the Plan of Representation include the population of women by county or school district within the district? |
| <input type="checkbox"/> | 9. Does the Plan of Representation include the population of minorities by county or school district within the district? |

Checklist – Plan of Representation – continued

- | √ off | Action |
|--------------------------|--|
| <input type="checkbox"/> | 10. Does the Plan of Representation include the category designation (employer, employee, additional member, school district administrator, elected official) of each current board member, their term of office, and the geographic location of their place of residence within the district? |
| <input type="checkbox"/> | 11. Does the Plan of Representation include a general description of the sub-areas (if any) of the district from which membership on the district board will be considered, described by portions of county or school district? |
| <input type="checkbox"/> | 12. FOR MILWAUKEE AREA TECHNICAL COLLEGE ONLY:
Was a statement included in the Plan of Representation explaining how the plan gives equal consideration to the distribution of minorities within the 1 st class city? |

**Letter to Appointed Candidates Announcing Appointments to
District Board from Board Appointment Committee Chair**

Letter (dated letter on letterhead) sent to:

- Appointed candidates

Letter shall:

- Be sent within 5 working days of appointment of new district board members
- Contain names and terms of office of new district board members
- Indicate appointment is subject to WTCS Board action

The _____ Technical College District Board Appointment Committee met on (date, time and place of meeting) to appoint members to the _____ District Board for three year terms beginning July 1, 20__ . The Appoint Committee consists of the county board chairs (or school board presidents) of the counties (or school districts) that make up the _____ Technical College District Board.

The following individuals were selected for membership on _____ Technical College District Board, subject to ratification by the Wisconsin Technical College System Board on (date of WTCS Board meeting).

Note: Name of appointee to appropriate category:

- _____, Additional Member
- _____, Employer Member
- _____, Employee Member
- _____, Elected Official Member
- _____, School District Administrator Member

The District Board Appointment Committee would like to express their thanks for your interest in serving on the _____ Technical College District Board and for your support of technical education.

Board Appointment Committee Chair

cc: District Board Appointment Committee
District Board Secretary
District President
WTCS Board Office

**Letter from Appointment Committee Chair to WTCS Board
Announcing Appointments to District Board**

Letter (dated letter on letterhead) shall:

- Be sent within 5 working days of appointment of new district board members
- Contain names and terms of office of new district board members
- Indicate appointment is subject to WTCS Board action

Mr. Daniel Clancy, President
Wisconsin Technical College System
PO Box 7874
Madison, WI 53707-7874

Dear Mr. Clancy:

The _____ Technical College District Board Appointment Committee met on (date, time and place of meeting) to appoint members to the _____ Technical College District Board for three year terms beginning July 1, 20__ . This committee consists of the county board chairs (or school board presidents) of the counties (or school districts) that make up the _____ Technical College District.

The following individuals were selected for these positions on the _____ Technical College District Board, subject to ratification by the Wisconsin Technical College System Board on (date of WTCS Board meeting).

Name of appointee to appropriate category:

- _____, Additional member (term of office)
- _____, Employer member (term of office)
- _____, Employee member (term of office)
- _____, Elected Official member (term of office)
- _____, School District Administrator member (term of office)

The Appointment Committee believes that these appointments comply with Wisconsin Statutes and applicable Administrative Rules.

Should you have any questions relative to these appointments, please contact me.

Board Appointment Chair-

**Letter from Appointment Committee Chair to WTCS Board
Accompanying Required Appointment Committee Materials**

Mr. Daniel Clancy, President
Wisconsin Technical College System
PO Box 7874
Madison, WI 53707-7874

Dear Mr. Clancy:

Enclosed you will find the documentation required concerning appointments to the _____ Technical College District Board.

The Appointment Committee believes these appointments comply with Wisconsin Statutes and applicable Administrative Rules.

Material provided includes:

1. Letter providing the names, categories and terms of office of persons appointed to the district board.
2. Copies of letters from appointment committee chair to all candidates announcing appointment to district board.
3. An application/affidavit for each candidate for a position on the district board that includes written references.
4. Copy of legal notices announcing intent to appoint district board members and appointment committee public hearing and meeting, and a listing of names and addresses of all candidates.
5. Affidavit from newspaper attesting to insertion of legal notice.
6. Copy of minutes of district board appointment public hearings and meetings.
7. The Plan of Representation, containing a map of the district, and if the district is divided into subunits for appointment purposes, the boundaries of these subunits.
8. An explanation of how the appointments implement the plan, how the appointments give equal consideration to the general population distribution and the distribution of women and minorities within the district, and what actions were taken to recruit women and minority candidates for positions on the district board.
9. In districts encompassing a city of the 1st class (applies only to Milwaukee Area Technical College), a statement must be included that describes how the appointments give equal consideration to the distribution of minorities within cities of the 1st class.

**continued -
Letter from Appointment Committee Chair to WTCS Board accompanying
required Appointment Committee materials**

10. An explanation of how the appointed employer and employee members represent various businesses and industries in the district.

If you have any additional questions concerning the enclosed material, please call me.

Board Appointment Committee Chair

Enclosures

Checklist
Items to be Sent to the WTCS Board

- | √ off | Action |
|--------------------------|--|
| <input type="checkbox"/> | 1. Letter from Appointment Committee Chair to the System President providing the names, categories, and terms of office of persons appointed to the district board. |
| <input type="checkbox"/> | 2. Copies of letters from appointment committee chair to appointed candidates. |
| <input type="checkbox"/> | 3. Copies of all affidavits, letters of reference, and other qualifications brought to the attention of the appointment committee. |
| <input type="checkbox"/> | 4. Copy of the Plan of Representation and population/demographic data. |
| <input type="checkbox"/> | 5. Copy of legal notice of Intent to Appoint District Board Members and legal notice announcing appointment committee meeting dates, times and places, and the listing of names of all candidates. |
| <input type="checkbox"/> | 6. Affidavit from newspaper attesting to insertion of legal notice announcing public hearing and meeting of the district board appointment committee. |
| <input type="checkbox"/> | 7. Copies of minutes of the Appointment Committee public hearing and the appointment committee meeting. |
| <input type="checkbox"/> | 8. Statements required by Administrative Rule indicating: <ul style="list-style-type: none">• How the appointments implement the Plan of Representation;• How the appointments give equal consideration to the general population distribution and the distribution of women and minorities;• What actions were taken to recruit women and minority candidates;• How the appointed Employer and Employee members are representative of businesses and industries in the district as required under s. 38.08(1)(a)2, Wis. Stats. |

Checklist
Legal Notice Announcing Intent to Appoint District Board Members

√ off

Action

- 1. Was the legal notice of Intent to Appoint District Board Members and seeking applications published at least 28 days prior to the appointment committee meeting?
- 2. Was the legal notice of Intent to Appoint District Board Members and seeking applications published at least 14 days prior to publishing any legal notice announcing the meeting date, time, and place at which the appointment committee will consider the filling of any vacancies?
- 3. Did the notice include the 14 day deadline date for the receipt of applications?
- 4. Did the notice contain the criteria to be used in the selection of candidates?
- 5. Did the notice describe how candidates can get application materials?
- 6. Did the notice indicate that all candidates must attend a public hearing of the board appointment committee and be interviewed?
- 7. Did the notice indicate that candidates must include at least two written references supporting their candidacy?
- 8. Did the notice designate the name and address of the person to whom applications should be sent?
- 9. Was the notice distributed to the required parties?
- 10. Were the procedures for publishing a class 1 notice followed, except for printing in 8-point type or larger?

Checklist
Board Appointment Committee Meeting and Public Hearing

- | √ off | Action |
|--------------------------|---|
| <input type="checkbox"/> | 1. Were the requirements of the open meeting law met? |
| <input type="checkbox"/> | 2. Was a quorum of the appointment committee present to conduct an official meeting? |
| <input type="checkbox"/> | 3. Were roll call and all motions recorded? |
| <input type="checkbox"/> | 4. Were procedures for conducting the public hearing/meeting reviewed? |
| <input type="checkbox"/> | 5. Was the Plan of Representation reviewed and formally adopted prior to the appointment of district board members? (Mandatory at committee meeting.) |
| <input type="checkbox"/> | 6. Did the names of all candidates appear in at least one legal notice announcing the meeting or public hearing? |
| <input type="checkbox"/> | 7. Are affidavits on file for all candidates? |
| <input type="checkbox"/> | 8. Were the affidavits determined to be eligible to serve on the district board? |
| <input type="checkbox"/> | 9. Were at least two written references submitted for each candidate? |
| <input type="checkbox"/> | 10. Were references for each candidate reviewed? |
| <input type="checkbox"/> | 11. Was each candidate interviewed in person by the committee? |
| <input type="checkbox"/> | 12. Did candidates attend the public hearing at which their appointment to the district board was discussed? (Mandatory at public hearing.) |

Checklist
Legal Notice Announcing Appointment Committee Public Hearing/Meeting

√ off

Action

- 1. Was the legal notice announcing the date of the public hearing and meeting published no sooner than 14 days after publication of the legal notice of Intent to Appoint District Board Members?
- 2. Was the legal notice published at least 14 days prior to the scheduled meeting date?
- 3. Did the notice include the date, time, and place of the meeting?
- 4. Did the meeting notice include the names of the individuals who applied for consideration by the appointment committee?
- 5. Was the notice distributed to the required parties?
- 6. Were the procedures for publishing a class 1 notice followed, except for printing in 8-point type or larger?

Checklist
Final Checklist Prior to the Appointment of District Board Members

This checklist references the most important elements of the district board appointment process. It does not cover all items, but is instead intended to provide a quick, last minute reference just prior to the appointment of district board members.

√ off

Action

- 1. Will the appointments result in a total board that has:
 - 2 employers
 - 2 employees
 - 3 additional members
 - 1 school district administrator
 - 1 elected official

- 2. Are no more than 2 of the additional members employers?
- 3. Are no more than 2 of the additional members employees?
- 4. Are no more than 3 of the additional members school district administrators?
- 5. Are no more than 3 of the additional members elected officials?
- 6. Are no 2 members of the district board officials of the same governmental unit?
- 7. Are there at least 3 female members?
- 8. Are there at least 3 male members?
- 9. Is there at least 1 minority member if minorities comprise at least 6.5% of the district's population? (Minority representation is encouraged on all district boards.)
- 10. Do the employer and employee members represent the businesses and industries in the district?
- 11. Do the appointments result in board composition that complies with provisions of the Plan of Representation?
- 12. Were all applications received within 14 days of the publication of the legal notice announcing intent to appoint board members?

- 13. Were the annual appointments to the board made within 60 days after receipt of the Notice of Pending Vacancy from the district board secretary?

- 14. If the appointment is to fill a vacancy due to resignation, was it made within 90 days? If the vacancy occurred within 120 days prior to the spring election (2nd Tuesday in April), the appointment need not be made until 60 days after the spring election.

Cover Letter to Accompany Application Materials Made Available to all Applicants

(Dated letter on letterhead) .

Dear Applicant:

Thank you for expressing interest in serving on the _____ Technical College District Board. The information being provided is designed to familiarize you with the Wisconsin Technical College System (WTCS), its Boards, and the application/selection process for District Board Membership.

Materials include:

1. An overview of the Wisconsin Technical College System, including a brief description of Wisconsin's Technical Colleges
2. Information pertinent to your Technical College District
3. The Application/Affidavit and instructions for District Board membership

Complete application/affidavits must be received no later than (date, time). Applications received after this date will not be considered.

Please note that all applicants must submit at least two written references supporting their nomination to the district board. Applicants also must attend a public hearing of the district board appointment committee and be interviewed.

Board Appointment Committee Chair

**Letter from Appointment Committee Chair to all Candidates Noticing
Appointment Meeting Date**

(Dated letter on letterhead)

Dear Candidate:

Thank you for submitting an application to the _____ Technical College District Board. Your application will be reviewed by members of the Appointment Committee at a public hearing to be held (date, time and place).

State law requires that you attend this public hearing and be interviewed to be an eligible candidate. You and persons speaking on your behalf will be allowed a total of ____ minutes to address the Appointment Committee.

State law also requires that you provide at least two (2) written references on behalf of your candidacy to the District Board. You may have already submitted these references with your original application. If you have not done so, please submit them at the public hearing when you are interviewed.

Board Appointment Committee Chair

**Wisconsin Technical College System Application/Affidavit Packet for
Candidates for District Board Member**

An Overview of the Wisconsin Technical College System

The Wisconsin Technical College System (WTCS) provides education to individuals in programs with specific occupational orientation below the baccalaureate level, including associate degrees, training of apprentices, and adult education below the professional level. The principal purposes, as defined by state statute, are to provide:

- (a) occupational education and training and retraining programs, including the training of apprentices; and
- (b) customized training and technical assistance to business and industry to foster economic development and the expansion of employment opportunities.

Additional purposes include:

- (a) providing educational opportunities for high school age students;
- (b) providing college transfer, community services, self enrichment activities, and basic skills education; and
- (c) providing education and services addressing barriers to participation in technical education created by stereotyping and discrimination.

The Wisconsin Technical College System consists of 16 technical colleges, each responsible for providing educational programs and services through the operation of technical colleges. Forty-eight campuses and numerous outreach centers operated by the technical colleges make up Wisconsin's technical education delivery system responsible for meeting the needs, interests, and abilities of students and the needs of the labor market.

Each year the WTCS serves over 400,000 state residents. Students may enroll in over 300 programs leading to employment in agriculture, business, family and consumer education, service and health occupations, or trade, industry, and technology. Technical colleges offer two-year programs leading to an associate degree, one and two-year technical diplomas, short-term diplomas, certificates, and related instruction for apprentices. The first two years of instruction in liberal arts leading to a baccalaureate degree are also offered at Madison Area Technical College, Milwaukee Area Technical College, and Nicolet Area Technical College. In addition, each technical college district provides basic literacy instruction through adult basic education programs, high school completion or equivalency programs, and instruction in English as a Second Language.

Wisconsin Technical College System Board

The WTCS Board is comprised of 13 members. Three members serve *ex officio*: the State Superintendent of Public Instruction; the Secretary of the Department of Workforce Development; and the President, or by designation, the Vice President of the University of Wisconsin System Board of Regents. The Governor appoints 10 members to staggered 6-year terms: One employer of labor, one employee who does not have the power to employ or discharge; one engaged in farming as a principal occupation; six additional members from the public at large; and one student enrolled at least half-time and in good academic standing at a technical college.

The WTCS Board establishes policy direction for Technical College programs across the state. The WTCS Board has statutory authorization to determine the organization, plans, scope, and development of technical colleges; to appoint a president; to approve qualifications of educational personnel and courses of study; and to approve district proposals for facilities development and land acquisition. In addition, the WTCS Board establishes procedures and criteria for determining course credit, tuition, state aid, and uniform accounting for financial programs and other data required of the Technical College districts.

District Boards

Districts have distinct demographic, geographic, and economic characteristics. Consequently, local educational programming is tailored to meet unique local needs.

District boards have statutory authority to levy property taxes, provide for facilities and equipment, contract for instructional services, and appoint a district president who serves as chief executive officer for the district. The district president is responsible for local administration, including setting academic and grading standards, hiring instructional and other staff, and providing auxiliary services and budget management.

Each district is governed by an appointed board composed of 9 members who serve 3-year staggered terms. District boards consist of: 2 employers, 2 employees, 3 additional members, a school district administrator as defined in s. 115.001(8), Stats., and one elected official who holds a state or local office as defined in s. 5.02, Stats., except for the office of party committeeman or party committeewoman.

Statistics

- In 2004-05, the total number of persons enrolled in Wisconsin's technical colleges was 406,323*.
- Of this total, 144,555 were enrolled in occupational Associate Degree; short-term, one and two-year diploma; and apprentice programs and courses.
- 214,948 students were enrolled in vocational-adult courses.
- 76,870 were enrolled in basic education and remedial courses.
- 10,817 in community services courses.
- 20,181 in college parallel courses.
- 13,833 students had a disability.
- 76,573 students were academically disadvantaged.
- 55,814 were economically disadvantaged.
- 15,868 had limited English proficiency.
- Over 14 percent of all students were minorities, and female students accounted for 51 percent of total enrollments.
- The average age of a postsecondary student was 39.8 years, and 38.6 years for a continuing education student.

In 2004-05, WTCS students enrolled in one of the over 340 programs offered in the instructional divisions of Agriculture, Business, Marketing, Family and Consumer Education, Service, Health, Industrial, Technical, and General Education. An advisory committee provides oversight to each full-time occupational program.

Education and economic development services are provided to a broad range of clientele including technical assistance to business and industry and coordinated curriculum with other secondary and postsecondary educational systems.

Wisconsin's technical colleges employ about 4,950 full-time equivalent faculty.

In 2004-05, statewide operational costs were \$832.1 million, with other costs including debt service, auxiliary and public service functions of \$512.8 million, for a total budget of \$1,344.9 million. The major sources of district revenue included:

Local property tax \$590.4 million
State aid \$155.7 million
Tuition and fees \$162.1 million
Institutional** 210.3 million
Federal \$139.3 million

There are 48 technical college single campus sites throughout the 16 WTCS districts. Classes also are offered in many additional convenient locations throughout the state including secondary schools, municipal buildings, and private buildings.

* The 406,323 total is an unduplicated figure, of individual people enrolled. The total reported for program categories exceeds the unduplicated total because many people enroll in more than one kind of program.

** Revenues generated by district operations. Examples are: contracts for services, interest, and sales.

Application/Affidavit Instructions for District Board Membership

Wisconsin Statutes establish a series of specific requirements relating to district board appointments. These instructions are intended to help you understand those requirements as they affect your application for membership on a district board.

Please review these instructions prior to completing the Application/Affidavit. The numbered sections in the Application/Affidavit correspond to the numbered sections in the instructions.

When submitting your name for candidacy, it is necessary to return only your completed Application/Affidavit to the district board appointment committee. You may retain the information packet.

There are four (4) important requirements all candidates must meet in order to be eligible for WTCS district board membership. They must:

1. Be residents of the technical college district in which they are applying for board membership;
2. Submit a properly completed application/affidavit that is received by the district board appointment committee within 14 days of the published announcement requesting applications;
3. Attend a district board appointment committee public hearing in person and be interviewed; and
4. Have at least two (2) written references submitted with the application/affidavit supporting their candidacy.

Fifteen of the 16 boards have nine (9) members who must, by Wisconsin statute, include:

- 3 additional members;
- 2 employers;
- 2 employees;
- 1 school district administrator; and
- 1 elected official

Each year three (3) members are appointed to serve three-year terms beginning July 1.

Board Member Category

Each applicant must check ALL of the categories for which he/she is qualified.

√ off

Action

- 1. Additional Member: All district residents are eligible to serve as an additional member.
- 2. Employer: Your responsibility for exercising independent judgment in determining or effectively recommending any of the actions below for the businesses employees and receipt of earnings as payment for personal services will identify you as an eligible candidate for the Employer category. Representatives of labor organizations (officers or agents) are considered employees regardless of their responsibilities. Generally, public employees at or above the division administrator level are considered employers.

Check all those that apply to your regular job responsibilities:

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Hire | <input type="checkbox"/> Discharge |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Assign |
| <input type="checkbox"/> Suspend | <input type="checkbox"/> Reward |
| <input type="checkbox"/> Lay off | <input type="checkbox"/> Discipline |
| <input type="checkbox"/> Recall | <input type="checkbox"/> Promote |
| <input type="checkbox"/> Adjust grievance | |

The form of the business organization that employs people; e.g., sole proprietorship, limited liability corporation, partnership, etc., is not conclusive in determining the status as an employer. Being actively engaged in business with a business license, state tax identification number, business listing in the phone directory, business cards and current employees are all supportive of determining the status of employer.

- 3. Employee: One who does not meet the definition of Employer, or who is an officer or agent of a labor organization. An employee receives earnings as payment for personal services and is employed in the district.
- 4. School District Administrator: Must be employed by a school board or a school district located within the WTCS district as defined by s. 115.01(3), Wis. Stats.

✓ off

Action

5. Elected Official: (as defined in s. 5.02, Wis. Stats.)

- | | |
|--|--|
| <input type="checkbox"/> School Board | <input type="checkbox"/> Common Council |
| <input type="checkbox"/> County Board | <input type="checkbox"/> Village Board |
| <input type="checkbox"/> Town Board | <input type="checkbox"/> State Legislature |
| <input type="checkbox"/> City Council | <input type="checkbox"/> Town Clerk |
| <input type="checkbox"/> Sheriff | |
| <input type="checkbox"/> Other (specify) _____ | |

I declare the information I have submitted is accurate to the best of my knowledge and is submitted pursuant to Chapter TCS 2, Wisconsin Administrative Code.

Signature of Candidate

Subscribed and sworn to before me this
_____ day of _____,
20____, _____
Notary Public, _____ County,
Wisconsin.

- My commission expires _____.
- My commission is permanent.

Application/Affidavit

**State of Wisconsin
Wisconsin Technical College System**

Please read carefully before completing.

STATE OF WISCONSIN)
) ss.
 COUNTY OF _____)

Identification and Residency

Candidates must be a resident of the district in which they are making application for district board membership. For assistance in determining residency, call your technical college district office.

Code of Ethics: District Board members are required to abide by the State of Wisconsin Code of Ethics and must file annual financial disclosure statements with the State of Wisconsin Ethics Board if appointed.

Expense Reimbursement: District Board members serve without salary or per diem. Actual and necessary expenses incurred in the performance of their duties are reimbursed.

I, _____, reside at
(name of candidate – please type or print)

_____, _____, _____, _____,
(street) (city, village, town) (county) (zip code)

(_____) _____, and am a resident of the
(area code/phone number)

_____ Technical College District and
(name of WTCS district)

meet the requirements for serving on a district board as outlined in s. 38.08,
Wis. Stats.

Application/Affidavit (continued)

Minority Status: You will be considered a minority if you indicate any of the following categories:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black
- Hispanic

Gender:

- Male
- Female

Special Requirements for Appointment to a Technical College District Board: All candidates must provide at least two letters of recommendation. You may attach the letters to this affidavit or bring them to the appointment committee hearing.

All candidates must attend the public hearing at which their appointment is discussed and must be interviewed.

Checklist to Help You Determine Board Member Category for Which You Qualify

You may qualify for membership in several board member categories. For instance, everyone automatically qualifies as an Additional Member. Further, you may have more than one job, one which qualifies you as an Employer and one which qualifies you as an Employee. Finally, you also may be an Elected Official. While few people will qualify in all board membership categories, most will qualify for two or three categories.

1. Additional Member: You are automatically considered an applicant in this category because of residing in the district.
2. Employer: Your responsibility for exercising independent judgment in determining or effectively recommending any of the actions below for the businesses employees and receipt of earnings as payment for personal services will identify you as an eligible candidate for the Employer category. Representatives of labor organizations (officers or agents) are considered employees regardless of their responsibilities. Generally, public employees at or above the division administrator level are considered employers.

Check all those that apply to your regular job responsibilities:

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Hire | <input type="checkbox"/> Discharge |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Assign |
| <input type="checkbox"/> Suspend | <input type="checkbox"/> Reward |
| <input type="checkbox"/> Lay off | <input type="checkbox"/> Discipline |
| <input type="checkbox"/> Recall | <input type="checkbox"/> Promote |
| <input type="checkbox"/> Adjust grievance | |

The form of the business organization that employs people; e.g., sole proprietorship, limited liability corporation, partnership, etc., is not conclusive in determining the status as an employer. Being actively engaged in business with a business license, state tax identification number, business listing in the phone directory, business cards and current employees are all supportive of determining the status of employer.

3. Employee: Persons who are employed, but who do not meet the definition of Employer, or who are an officer or agent of a labor organization. An employee is one who receives earnings as payment for personal services and is employed in the district.

Checklist to Help You Determine Board Member Category for Which You Qualify (continued)

Additional considerations in determining whether you qualify in the employer or employee categories:

Location of Business: Employer and employee candidates must reasonably represent the businesses and industries in the district by being:

- employed at a location within the boundaries of the district; or
 - employed at a location outside the boundaries of the district by a corporation, partnership, sole proprietorship, labor organization, or association whether or not operated for profit, that maintains an office, factory, warehouse, or other business facility within the boundaries of the district where other employers or employees of that organization are regularly employed.
4. School District Administrator: You are considered an applicant in the School District Administrator category if you are a school district superintendent, supervising principal, or other person who acts as the administrative head of a school district and who holds an administrator's license.

You must be employed by a school board or a school district located within the technical college district as defined by s. 115.01(3) Wis. Stats.

5. Elected Official: You are considered an applicant in the Elected Official category if you hold a non-partisan elected public office other than party committee chair.
- School Board
 - Common Council
 - County Board
 - Village Board
 - Town Board
 - Town Clerk
 - Sheriff
 - City Council
 - State Legislature
 - Other (specify) _____

Biographic Resume

This form provides additional information for consideration by the Board Appointment Committee. Your biographic resume is an integral part of your Affidavit.

Job Description: Please describe the duties and responsibilities of your current position. (Attach additional information as needed.) Please be consistent with the board member category criteria identified previously.

Date appointed to present position: _____

Current Employment:

(Company/Organization/Name)

(Title)

(Street)

(City, State, Zip Code)

(Business Phone Number)

If your job is located outside the geographic boundaries of the district, indicate how your company serves the population of the technical college district.

Previous Occupational Experience: Attach resume(s) as necessary.

Membership and Positions in Business or Professional Groups, Labor Organizations:

Membership and Positions in Civic Groups:

Honors, Awards, Citations:

Recognizing that an appointment to the Technical College District Board is a non-paid civic service, please provide a narrative about your reasons for seeking appointment to the Technical College District Board. Limit your narrative to 5 single-spaced pages.

Other Information that you feel would be valuable to the appointment committee.

(attach additional pages as necessary)

Frequently Asked Questions (FAQs)

In recent years, WTCS staff have reviewed questions from appointment process participants. The following answers are based on administrative interpretations by state staff, decisions by WTCS Board action, and attorney general interpretations. Please refer to Chapter 38, Wisconsin Statutes and Wisconsin Administrative Rule TCS 2 for additional information.

What are the criteria for giving equal consideration to the general population distribution and the distribution of women and minorities within the district and how should the appointment committees consider that criteria in making their appointments?

Because the distribution of males and females throughout the districts and state is nearly equal, fewer than three of either sex on a district board does not qualify as giving equal consideration to the general population distribution. The WTCS Board will generally not approve any appointment that would reduce the representation of either sex on the district board below three.

Minority representation is based on the total of all minorities within a district. A minority appointment must be made to a district board if the total percentage of minorities within a city of the first class or a technical college district exceeds 6.5 percent of the general population. Minority appointments are encouraged for every technical college district board regardless of their percentage of the general population. Reasonable representation of minorities is interpreted to require a minority representative in districts where the minority population exceeds 6.5 percent of the district population.

What criteria affect filling vacancies for “additional members” on the board?

Of the three additional members on a technical college district board, no more than two may be employers, no more than two may be employees, no more than three may be school district administrators, and no more than three may be elected officials.

No two members of the district board may be officials of the same governmental unit. No district board member can be a member of the school board that employs the school district administrator member serving on the board. s.38.08(1)(a)(2), Wis. Stats.

Are there any limitations on how many elected officials may be on the board or requirements that elected officials come from any specific unit of government?

The statutes specify that at least one member of the board must be an elected official. That official may represent any level of government, as long as he is a resident of the district. However, no two members of the district board may be officials of the same governmental unit. If the elected official loses his elected position during his term, he no longer qualifies after his last day office, and a new appointment must be made.

Additionally, no more than 3 technical college district board members in the "additional member" category may be elected officials.

Historically, county sheriffs were limited to serving only in one office. Is that still true?

No, sheriffs are no longer prohibited from holding any other office while they are holding the office of sheriff.

We have had candidates ask if they can participate in the public hearing by conference call or video conference. Is that permissible?

No. The law requires that candidates attend a district board appointment committee public hearing in person to be interviewed before they may be appointed as a district board member. In order to be considered to be in attendance, the candidate must attend, in person. Participating in the public hearing by phone or videoconference is not legally interpreted as being present at the hearing and, therefore, is not allowable. The committee may, however, schedule more than one hearing to accommodate candidates' schedules.

Is it essential for candidates to submit letters of recommendation?

Yes, all candidates must submit at least two letters of recommendation supporting their candidacy before they may be appointed as a district board member. These letters should be submitted with the candidate's application/affidavit or presented at the district appointment committee hearing.

How is “residency” defined for determining eligibility for a district board seat?

A candidate for Technical College District Board membership must be a resident of the technical college district in which they apply. A resident is defined as a person whose domicile (whether owned or rented) is located within the boundaries of the technical college district. (See also the interpretation relating to “representative of the various businesses and industries within the district.”)

How should the Appointment Committee handle vacancies that occur outside of the annual appointment schedule?

Unexpected vacancies occurring 120 days prior to the spring election (2nd Tuesday in April) may be filled anytime up to 60 days after the spring election. This provision was originally intended to allow appointment committees greater latitude in filling unexpected vacancies such as those created when elected officials lose their elected office and thus automatically lose their district board position. The greater latitude allows the appointment committee to combine the recruitment process to fill the unanticipated vacancy while filling annual vacancies. This eliminates the need to conduct two separate but simultaneous recruitment processes.

How should the local districts handle an oath of office?

A written sworn (notarized) oath of office is required for every new appointment or reappointment and must be filed with the district board secretary. Copies do not have to be submitted to the WTCS Board. An oral oath may be used for ceremonial purposes only. Failure to have a written sworn oath could result in a disqualification.

Is it permissible for employees of a technical college district who are also elected officials to serve on the local technical college district board?

No. A technical college district employee cannot serve as a member of a technical college district board regardless of category.

When is it permissible to have closed sessions of District Board Appointment Committees?

The opinion of the Attorney General 15-85 indicated that the law allows closed sessions only in the case of an appointment committee member having information about a candidate that would have a substantial adverse effect upon the reputation of any person referred to. The fact that some damage may occur to an individual's reputation is probably not sufficient, since the law requires a "substantial adverse effect." Discussion in closed session can only involve the item that has a substantial effect. A vote to go into closed session must occur in open session and the appointment committee is required to return to open session to vote on the candidates. The appointment committee must notice the possibility of going into closed session during discussions of applicants' qualifications.

What is the effective date of resignation?

Resignations of technical college district board members take effect upon receipt of the resignation letter by the district board secretary or upon the date as specified in the letter of resignation. Elected official vacancies occur when the official is no longer in office.

For purposes of district board appointments, are there incompatible offices?

Yes, incompatibility of office exists if the applicant is both a technical college district board member and a technical college district employee. Therefore, a technical college district employee cannot serve as a member of a technical college district board. Additionally, a WTCS Board member and district board members are considered incompatible, and a person may not serve on both boards at the same time.

Do district board members have to register with the Wisconsin Ethics Board?

Yes, upon appointment, all district board members are required to file an annual statement of economic interests with the State Ethics Board.

Are there instances of labor union officials qualifying as "employer" for appointment purposes?

No, labor union officials acting in the capacity of officer or agent of a labor organization are considered employees .

What are the requirements for the location of employers and employees within the district?

Employer and employee candidates must reasonably represent the businesses and industries in the district by being:

- employed at a location within the boundaries of the district; or employed at a location outside the boundaries of the district by a corporation, partnership, sole proprietorship, labor organization, or association whether or not operated for profit, that maintains an office, factory, warehouse, or other business facility within the boundaries of the district where other employers or employees of that organization are regularly employed.

How would you classify individuals who are sole proprietors? Must sole proprietors be actively engaged in business to qualify as employers?

The prime considerations are that the sole proprietors receive earnings as payment and that they have employees that allow them to determine or effectively recommend the actions of an employer. It would be assumed that the sole proprietor would be actively engaged in business in order to be representative of business and industries in the districts.

Can elected officials, appointed as such to the district board, also meet the employer or employee categories?

No, members appointed in the Elected Official category are not considered employers or employees.

If a school district administrator applies for a position other than as the school district administrator member, what category would that person be in?

School district administrators applying for a district board member position other than the school district administrator designated position are considered employers. They would also qualify as additional members.

Is it necessary to conduct a roll call vote in the selection of District Board Members?

The method of voting for district board members may not be by secret ballot. It is the recommendation of the WTCS Board that the vote be a roll call vote.

If a candidate's status changes after action by the appointment committee, do they qualify in the category to which they were appointed?

Yes, unless they are an elected official. Eligibility status for employers, employees, additional members and school district administrators is determined at the time of the appointment meeting. Elected officials, though, will cease to be a member upon vacating their office as an elected official.

A candidate selected by the appointment committee moves out of the district. Can they continue to serve?

No, being a resident of the district is a basic requirement of statutes. If a candidate moves out of the district, they vacate their membership. Other status changes do not affect a candidate's eligibility until they apply for a new three-year term (except for elected officials as noted above).

The Wisconsin Technical College System is in full compliance with state and federal equal opportunity and affirmative action laws and regulations including Title VII of the 1964 Civil Rights Act, Age Discrimination in Employment Act, Title VI of the 1964 Civil Rights Act, Equal Pay Act, Title IX of the 1972 Education Amendments, and Section 504 of the 1973 Rehabilitation Act, Wisconsin Fair Employment Law, Wisconsin Civil Service Law and Executive Orders, the Carl Perkins Vocational and Technical Education Act, Adult Education and Family Literacy Act, Job Training Partnership Act, Workforce Investment Act, the Office of Civil Rights Guidelines for the Elimination of Discrimination in Vocational Education, the Americans with Disabilities Act (ADA), and/or other applicable state or federal legislation. It is the policy of the WTCS not to illegally discriminate on the basis of race, color, creed, national origin, religion, sex, age, disability, arrest record, conviction record, political affiliation, marital status, sexual orientation, and membership in the National Guard, state defense force or any other reserve component of the military forces of the United States, or this state. Inquiries regarding equal opportunity may be directed to the Wisconsin Technical College System, 345 W. Washington Avenue, 2nd Floor, P.O. Box 7874, Madison, Wisconsin 53707-7874; telephone (608) 266-1844 or Tele-communications Device for the Deaf (TDD) (608) 267-2483.