



MONTANA UNIVERSITY SYSTEM
Office of the Commissioner of Higher Education

46 N Last Chance Gulch ♦ PO Box 203201 ♦ Helena, Montana 59620-3201
(406) 444-6570 ♦ FAX (406) 444-1469

SCHEDULE OF EVENTS
BOARD OF REGENTS MEETING
May 30 - June 1, 2007

WEDNESDAY, May 30, 2007

- 11:30 – 12:45 PM Lunch for Miles CC Board, Dawson CC Board, Board of Regents, Presidents Hicswa, Cargill and Karas, Commissioner Stearns, and Director of Two-year Programs Parisot. – Smith Center Cafeteria
- 5:30 – 7:00 PM Reception for all attendees – USDA, ARS Fort Keogh Livestock and Range Research Laboratory, 243 Fort Keogh Rd., Miles City, MT 59301-4016

THURSDAY, May 31, 2007

- 7:00 AM Regents Breakfast with Faculty Leaders – Room 106
- 7:15 AM Continental Breakfast for all attendees – outside Room 106
- 12:00 PM Regents Lunch with Student Representatives — Room 106
Recognition of Regent Heather O'Loughlin
- 12:00 PM Lunch for all attendees – Smith Center Cafeteria
- 5:15 PM Executive Session – Conference Room 116
Personnel Evaluation



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AGENDA
BOARD OF REGENTS MEETING
On the Campus of Miles Community College
May 30 - June 1, 2007

Wednesday, May 30, 2007

- 1:00 PM Administrative, Budget and Audit Oversight Committee – Room 106
1:00 PM Academic and Student Affairs Committee – Room 112

Thursday, May 31, 2007

- 8:15 AM Staff and Compensation Committee – Room 106
8:15 AM Workforce Development Committee – Room 112
10:00 AM Full Board Convenes – Room 106
Roll Call, Approval of Minutes ([Link](#)), and Introductions

SYSTEM ISSUES

- a. Tribal Colleges:
President Dick Littlebear, Chief Dull Knife College
President David Yarlott, Little Big Horn College
- b. 2007 Legislative Update: Commissioner Stearns and Staff
- c. MUS Issues and Challenges: Campus CEOs (*also see written [reports](#)*)
Includes Campus Safety and Security Updates
- d. Student Loan Advisory Council Appointments. [ITEM 135-110-R0507](#)
- 11:30 AM Student Reports
- 1:00 PM Board Reconvenes – System Issues Continued
- e. Strategic Plan (Transferability): Roger Barber and Tyler Trevor
- f. "Asserting Policy Leadership" – for Board Leaders and System Executives: Regents Hamilton, Taylor, Buchanan, & Commissioner Stearns
- g. Western Undergraduate Exchange (WUE) Program: Commissioner Stearns and Staff [Link](#)
- 1:45 PM Committee Reports and Action
- a. Workforce Development ([Link](#))
- b. Academic and Student Affairs ([Link](#))
- c. Administrative, Budget, and Audit Oversight ([Link](#))
- d. Staff and Compensation ([Link](#))

- 4:00 PM Senator Max Baucus – Policy conversation with MUS leaders
- 5:00 PM Public Comment
- 5:10 PM Election of Officers; Farewell to Regent O'Loughlin
- 5:15 PM Executive Session – Conference Room 116
Personnel Evaluation
- 6:00 PM Adjourn, or on completion of business

Other than the meeting starting time, times listed are approximate. In addition, agenda items may be rearranged unless an item is listed as having a "time certain."

Action may be taken on any item listed on the Board or Committee Agendas. Public comment is welcome on all items.

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MINUTES
Montana Board of Regents Meeting

March 1, 2007

The full Board convened at 10:05 A.M.

Roll Call indicated a Quorum present.

Regents Present: Lynn Hamilton, Chairman, Steve Barrett, Vice Chairman, Todd Buchanan, Clayton Christian, Heather O'Loughlin, and Janine Pease. Also present were Commissioner Stearns, Governor Schweitzer, and Superintendent McCulloch all *ex officio*.

Regents Absent: Lila Taylor, excused.

Regent Barrett Moved approval of the Minutes of the November 2006 meeting as amended, and the January 2007 meeting. Approved 6-0.

Governor Schweitzer welcomed the newest Regent, Todd Buchanan. He recalled the agreement which the Regents and his office had reached in September, 2006 called the College Affordability Plan (CAP) in which the MUS will not raise tuition for the next two years if the Legislature provides \$50M new money to the System. It is now half way through the Legislative Session and he is not so confident in the outcome. He indicated they needed to stand together in support of the CAP. He promised his office will stand beside the University System and he wants the System to stand beside his office to be sure the resources are available. He challenged the Board and the University System to be innovative, and to try bold new ideas even if they should fail in some of them.

INTRODUCTIONS

Chancellor Gilmore introduced Dr. Doug Abbott Vice Chancellor of Academic Affairs at Montana Tech of The University of Montana.

Chancellor Capdeville announced that Dr. Cheri Jimeno is leaving MSU-Northern to become a President in the New Mexico University System

Chancellor Storey announced that Dr. Tom Yahraes will be leaving The University of Montana-Western to accompany his wife to New Mexico.

Dean Moe introduced Interim Associate Dean for Academic Programming, Dr. Joe Shaefer, and Interim Associate Dean for Instruction and Assessment Dr. Heidi Passeck at Montana State University-Great Falls College of Technology.

MUS ISSUES AND CHALLENGES

Commissioner Stearns requested the Board give consensus affirming support of the CAP proposed by the Governor.

The Board reaffirmed its support for CAP.

c. Legislative Update

Commissioner Stearns – HB 807 (the new Education Budget Bill) – Initiatives: Transferability Data System, Enhance Distance Learning, Equipment and Technology in High Demand Fields, Work Force Training in High Demand Fields, Tribal College Assistance; HB 13 (Pay Plan); HB 131 and HB 63; LRBP; Super Computer in Butte; Northern Tier; HB 335; HB 19 (Morrill Trust Lands); SR 4 (Confirmation of new Regent appointments); SB 12 (Community College Funding); SB 412 (Athletic Facility Construction); SJR (International)

a. MUS Issues and Challenges – Campus CEOs

Commissioner Stearns – K-12 Partnerships; Dual Enrollment; Assessment Alignment; Indian Education for All (Regional Learning Project); Writing Proficiency (shortage of scorers); Transferability; Persistence;

Linda McCulloch – Commonality in Strategic Plans; K-12 Bills; HB 809; Indian Education for All; Speech Language Pathology Program

Jan Lombardi – K-12 Budget

Chancellor Capdeville – Infrastructure and Facilities; Collaboration; Outreach; Articulation with Canadian School; Niche Programs; Declining Demographics

Chancellor Storey – Student Success surveys;

President Dennison – Outreach to Tribal schools; Dual Enrollment; Native Languages; Tribal Histories; Tribal Strategic Plans; Tribal Forestry Program; Tribal Judges College; Safe Schools Project.

Chancellor Gilmore – Engineering Licensure changes (added 30 Credit Hours); Certificate for Lineman Apprenticeship.

President Hicswa – Faculty and Staff Recruitment and Retention; Compensation for Faculty and Staff.

Chancellor Sexton – Student Networking on-line (loss of privacy).

STUDENT REPORTS

The following students presented reports

Andrea Helling, President ASUM, and MAS

Chris Mjelde, President ASMT

Whitney Wines, President ASUM-W

Kevin Majewski President ASMSU-B

Samantha Clausen, President ASMSU-N

AJ Hernandez, President ASMSU-GF

J.T. Hinman, President ASUM-Helena

Cole Arthun, President ASMSU

Regent O'Loughlin acknowledged the quality of the student leadership over the past year.

The meeting recessed for lunch at 12:00 p.m. and reconvened at 1:05 p.m.

- b. Update Report – Legislative Audit Division Performance Audit – Research and Development

Interim Associate Commissioner Cathy Conover gave a brief update indicating the Audit produced nine recommendations. A Policy change will be presented to the Board in response to Recommendation # 6. Additionally, the Board will be provided with copies of the '08 budgets that were submitted to the Congressional offices.

- d. **Approval of Appointments to Local Executive Boards** ITEM 134-108-R0307

Motion by Regent Barrett on Item d. approved 6-0.

COMMITTEE REPORTS AND ACTION

WORKFORCE DEVELOPMENT COMMITTEE REPORT

INFORMATION

- a. **Montana Healthcare Workforce Advisory Committee Report and Recommendations**

Dr. Arlene Parisot provided an overview of the Report and Recommendations.

ACTION

- a. **Call for Election for the organization of a Community College District in Ravalli County** ITEM 134-102-R0307

Chief Legal Counsel Catherine Swift explained the laws on procedures to create a community college and the Board's role in reviewing a citizen petition for organization of a new community college district. The next school election is May 8 and the community college district must be included in the six school district elections.

Committee Motion by Regent Pease approved 6-0.

- b. **RFP: NP-9053 – Equipment and Technology in High Demand Fields** ITEM 134-103-R0307

Committee Motion by Regent Pease approved 6-0.

- c. **RFP: NP-9054 – Workforce Training in High Demand Fields** ITEM 134-104-0307

Committee Motion by Regent Pease approved 6-0.

ACADEMIC AND STUDENT AFFAIRS COMMITTEE REPORT

ACTION

- a. **Approval of Operational Rules for the MUS General Education Core.** ITEM 133-102-R1106

Committee Motion by Regent Hamilton approved 6-0.

- b. **Approval of Operational Rules for Provisional Admissions.** ITEM 134-101-R0307

Committee Motion by Regent Hamilton approved 6-0.

Following a 10-minute break, the Board reconvened at 2:50 p.m.

- c. **Approval of America's Professor Project, The University of Montana -** ITEM 134-1004-R0307

Regent Hamilton moved deferral of item c. to the May, 2007 meeting. There was discussion of the potential complications associated with such a long delay. Regent Hamilton revised her motion to defer action for not more than four weeks providing time for the campus to bring forward better documentation, and completed conflict of interest documents. A conference call meeting will be called at that time. Approved 6-0.

Level II Items

- d. **Option in Inequality and Social Justice, The University of Montana-Missoula** ITEM 134-1001-R0107

There was extensive discussion on non-compliance of this item with Regent's Policy 303.10 that requires a 3-year disclosure of plans for academic programs by all campuses. There is a penalty attached to this policy providing grounds for the Board to deny approval of this program.

Regent Christian moved approval of item d. Failed 2-4 with Regents Barrett, Hamilton, O'Loughlin, and Pease opposed.

- e. **Certificate in Entertainment Management**, The University of Montana-Missoula ITEM 134-1002-R0107
- f. **Certificate in Computer Systems Technician**, The University of Montana-Missoula ITEM 134-1003-R0107
- g. **Minor in Gerontology**, The University of Montana-Missoula ITEM 134-1004-R0107
- h. **Certificate and Associate of Applied Science degree in Carpentry**, The University of Montana-Missoula ITEM 134-1005-R0107
- i. **Certificate in Entrepreneurship**, The University of Montana-Missoula ITEM 134-1006-R0107

Committee Motion by Regent Hamilton on items e. – i. approved 6-0.

- j. **Bachelor degree in Communicative Disorders**, The University of Montana-Missoula ITEM 134-1008-R0107
- k. **Master degree in Speech-Language Pathology**, The University of Montana-Missoula ITEM 134-1009-R0107

Committee Motion by Regent Hamilton on items j. and k. approved 6-0.

- l. **Center for Advanced Supramolecular and Nano Systems**, Montana Tech of The University of Montana ITEM 132-1502-R0706

Committee Motion by Regent Hamilton approved 6-0.

- m. **Minor in Latin American and Latino Studies**, Montana State University-Bozeman ITEM 134-2006-R0107

Committee Motion by Regent Hamilton approved 6-0.

- n. **Bachelor degree and minor in Outdoor Adventure Leadership**, Montana State University-Billings ITEM 134-2702-R0107

Committee Motion by Regent Hamilton.

Regent Barrett indicated this was not an appropriate subject for a BA, although it might work as a Certificate, but he would vote for it at this time, asking for further discussion of such items in the future.

Approved 6-0.

- o. **Bachelor degree in Political Science**, Montana State University-Billings ITEM 134-2703-R0107
- p. **Teaching option in Political Science**, Montana State University-Billings ITEM 134-2704-R0107

Committee Motion by Regent Hamilton on items o. and p. approved 6-0.

- q. **Certificates of Applied Science in Automotive Technology and Welding Technology**, Montana State University-Northern ITEM 134-2801-R0107

Committee Motion by Regent Hamilton approved 6-0.

- r. **Certificates of Applied Science in Accounting Assistant, Dental Assistant, Health Information Coding Specialist, Medical Billing Specialist, and Medical Transcription**, Montana State University-Great Falls College of Technology ITEM 134-2851-R0107

Committee Motion by Regent Hamilton approved 6-0.

- s. **Certificate of Applied Science in Welding Technology in Bozeman, Montana**, Montana State University-Great Falls College of Technology ITEM 134-2852-R0107

Committee Motion by Regent Hamilton approved 6-0.

INFORMATION

- a. Legislative update on issues that impact academic & student affairs. Report given to the Committee.
- b. Update on mental health conversation.
 - UM provided an update on its suicide prevention program.
 - Campuses are collaborating on best practices on suicide prevention
- c. Report on Aviation Program in Bozeman, MSU-Great Falls College of Technology.
 - Enrollments are good
- d. Additional Information on Policy 940.29, post-baccalaureate students.
 - Recommendations for amendments will be brought to the May 2007 meeting.

CONSENT

- a. Level I memorandum.
There were no comments on Item a.

ADMINISTRATIVE, BUDGET AND AUDIT OVERSIGHT COMMITTEE REPORT

ACTION

- a. **Revision of the Montana University System Honor Scholarship Policy – ITEM 134-107-R0307**
Commissioner Stearns asked that the minutes reflect Regent Taylor's continuing concern about this change on behalf of the many small schools in the state, which might receive fewer scholarships.

Committee Motion by Regent Barrett approved 6-0.
- b. **Authority to Purchase Property; MSU-Billings – ITEM 134-2701-0307**

Committee Motion by Regent Barrett approved 6-0.
- c. **Authorization for Campus Parking Projects; MSU-Bozeman – ITEM 134-2006-0307**

Committee Motion by Regent Barrett approved 6-0.
- d. **Financing Plan for Construction of New Research Facility; MSU-Bozeman – ITEM 134-2004-0307**

Committee Motion by Regent Barrett approved 6-0.
- e. **Spending Authority for Student Facilities Projects; MSU-Bozeman – ITEM 134-2007-0307**

Committee Motion by Regent Barrett approved 6-0.
- f. **Naming the Animal Resource Center “William J. Tietz Hall”; MSU-Bozeman - ITEM 134-2005-0307**

Committee Motion by Regent Barrett approved 6-0.
- g. **MSU – Ag Coalition Report**

Committee Motion by Regent Barrett for adoption of the recommendations, with the Commissioner to contact the coalition to let them know they are working on it approved 6-0.

INFORMATION

- a. Audit Reports
 1. UM-Missoula Financial Audit – June 30, 2006 (Unqualified Opinion)
 2. MSU-Bozeman Financial Audit – June 30, 2006 (Unqualified Opinion)
 3. MGSLP Financial Audit – June 30, 2006 (Unqualified Opinion)

4. Montana Tech Foundation – June 30, 2006 (Unqualified Opinion)

Regent Barrett indicated these were all clean audits.

- b. MUS Self-Funded Workers Comp Program Update
- Administered by Missoula County.
 - Claims Administrator is Intermountain Claims.
 - Aggressive claims management has resulted in savings to MUS of \$800,000/year.
 - Program has excess insurance to cover any claims over \$500,000.
 - May take administration in-house with hired administrator to handle.
 - Plan to develop loss-control programs.
 - Plan to purchase tools to reduce accidents and claims.

- c. FY 2006 Athletic Report (Athletic Income Details, Athletic Expense Comparisons, Student athlete information, including participation and graduation rates)

These reports can be viewed at <http://www.montana.edu/ocheftp/March-2007/>.

- d. Fee Committee Report

The Fee Committee will bring revised policies reflecting their recommended changes for Board approval at an upcoming meeting.

- e. Review Board Direction Regarding Tuition & Fees
- Cost of Living increases will be acceptable.
 - Increases in excess of cost of living will need documentation from the campuses.
 - New fees will need documentation from the campuses.
 - Recommendations on fees will be brought to the Board at the May/June meeting.

- f. Distance Education Conversion; MSU-Bozeman

Montana State University-Bozeman informed the Board they will be bringing budget changes in their distance education enrollment similar to those submitted by the University of Montana-Missoula.

CONSENT

- a. **Authority to Lease Space for MSU Alumni Association; MSU-Bozeman – ITEM 134-2008-0307**
- b. **Authorization to Expend Student Equipment Fees; UM–Helena College of Technology – ITEM 134-1902-R0307**

Committee Motion by Regent Barrett on items a. and b. approved 5-0 with Regent Pease out of the room.

STAFF AND COMPENSATION COMMITTEE REPORT

ACTION

- a. Discussion of employee compensation issues for Fiscal Years 2008 and 2009
- Committee was updated on HB 13 and HB 95.
 - Raises and labor negotiations must remain within CAP guidelines.
 - Increases will follow the State Pay Plan of 3% with .6% for market, performance, and merit adjustments.
- b. Discussion of Recruitment and Retention Task Force
- Announcement of formation of Task Force.
 - Should not take time to convince of problem.
 - Address issues with innovative ideas other than financial.
 - Tailor to each campus community.
 - Maintain internal equity.

- First meeting is March 16, 2007.
- Report to the Board at the May 2007 meeting.
- Substantive recommendations at the September 2007 meeting.

CONSENT

Staff Items

- a. Authorization to Confer the Title of Professor Emeritus of Social Work Upon John Spores: The University of Montana - Missoula – ITEM 134-1002-R0307
- b. Authorization to Confer the Title of Professor Emeritus of Economics Upon Richard L. Stroup; Montana State University-Bozeman – ITEM 134-2001-0307
- c. Authorization to Confer the Title of Professor Emeritus of Horticulture upon Dr. Nancy Callan; Montana State University-Bozeman – ITEM 134-2002-0307
- d. Authorization to Confer the Title of Professor Emeritus of Architecture upon Jerry Bancroft; Montana State University – Bozeman – ITEM 134-2003-0307
- e. Authorization to Confer The Title of Professor Emeritus of Sociology upon Professor Joe W. Floyd; Montana State University – Billings – ITEM 134-2705-0307
- f. Authorization to Confer The Title of Professor Emeritus of Finance and Economics upon Professor Farzad Farsio; Montana State University – Billings – ITEM 134-2706-0307
- g. Staff; MSU Northern – ITEM 134-2800-0307

Committee Motion by Regent Christian on all staff items approved 6-0.

Labor Agreements / Other

- a. Approval of tentative Agreement with Montana Tech Faculty Association ITEM 134-106-R0307 (Full Contract)
- b. Approval of University System/Employee Joint Venture Under MUSP 407 - Thompson; The University of Montana – ITEM 134-1005-R0307
After pulling Item b. from the Agenda, UM opted to replace it.
- c. Approval of University System/Employee Joint Venture Under MUSP 407, Babbitt; MSU Bozeman – ITEM 134-2009-0307

Committee Motion by Regent Christian on items a. – c. approved 6-0.

With no further business to come before the Board, the meeting recessed and the Board went directly into Executive Session to discuss Honorary Degrees at 4:30 P.M.

The meeting adjourned at 5:00 P.M.

Posted on

Approved by the Board of Regents on

April 5, 2007

(Date)

(Date)

Sherry Rosette
Board Secretary

Lynn Morrison-Hamilton
Board Chair

The next meeting of the Board of Regents will be held May 30-June 1, 2007 at Miles Community College.



MINUTES

Montana Board of Regents

Conference Call Meeting

March 27, 2007

The Meeting Convened at 8:08 a.m.

ROLL CALL

Roll Call indicated a quorum present.

Regents present by phone: Steve Barrett vice Chair, Todd Buchanan, Clayton Christian, Lynn Hamilton Chair, Heather O'Loughlin, Janine Pease, and Lila Taylor

Also present: Commissioner Sheila Stearns *ex officio*

Ex officio Regents absent and excused: Governor Brian Schweitzer and Superintendent Linda McCulloch.

Also present by phone: at OCHE - Cathy Swift, Roger Barber, Mick Robinson
At President Dennison's Office - George Dennison, Jerry Furniss, Jack Morton, Claudia Denker, Betsy Cohen (*Missoulian*), Charlie Thorn
Larry Gianchetta
Tom Gibson

ACTION

Approval of America's Professor Project, The University of Montana. [ITEM 134-1004-R0307](#)

Chair Hamilton moved approval; seconded by Regent Barrett.

Chief Legal Counsel Catherine Swift updated the Board on the changes made to this item:

- Conflict of Interest Management Plan.
- Professors act as independent contractors.
- Professors will not be paid as employees for any work done on this program.
- If a course is ever approved to be offered for credit, a license fee to compensate AP for its additional work in offering courses for credit will be negotiated between AP and UM.
- Any new or replacement partner from the university must come before the Board under Policy 407, and would appear on the Consent Agenda.

- UM may give a 60 day notice to discontinue the Contract at any time.
- Absent a mutual decision by the parties to terminate the Agreement, AP must wait for 3 years prior to giving notice to discontinue or must pay to UM the shortfall between three years of UM's in-kind contributions and the three years of net revenue received by UM from this Agreement.
- UM has first right of refusal if AP is put up for sale.
- If UM refuses to buy AP, it can either discontinue the relationship altogether, or make an agreement with the new owner. (Professor Furniss confirmed this to be their understanding)
- An AP Committee will be made up of one of the principals (Furniss or Morton), a representative from Administration & Finance at UM, the Dean of Continuing Education or her designee, and Dean Gianchetta or his designee.
- The Committee will report to the President of UM and the Commissioner of Higher Education at least every 15 months detailing the number of students served, income, expenses, etc. President Dennison indicated it would be more often.
- Net revenue will be split 75/25 and this clause will be added into the Item.
- The Commissioner will relay these reports to the Board, and this clause will be added to the Contract.

Regent Hamilton modified her motion to include the last two bullets. Approved 6-1 with Regent Pease opposing.

CONSENT

Remodel Testing Center – Lommasson Center; The University of Montana – Missoula ITEM 134-1001-C0307

Motion by Regent O'Loughlin approved 7-0.

With no further business to come before the Board, the meeting recessed at 8:45 at which time the Executive Session convened. The Meeting adjourned at 9:00 a.m.

EXECUTIVE SESSION

Consideration of Special Award

Posted on

Approved by the Board of Regents on

April 5, 2007

(Date)

(Date)

Sherry Rosette
Board Secretary

Lynn Morrison-Hamilton
Board Chair

May 30-31, 2007

ITEM 135-110-R0507

Appointments to the Student Loan Advisory Council

THAT:

The Board of Regents of Higher Education hereby appoints the following members to the Student Loan Advisory Council (SLAC): Lowell Wollitz as the representative from the Montana Higher Education Student Assistance Corporation (MHESAC); Lisa Browning as the representative of a private educational institution and Megan Rennie as the student representative.

EXPLANATION:

Pursuant to § 2-15-1520, MCA, the Board of Regents of Higher Education is responsible for appointing an eight member student loan advisory council. The statute requires a member from private and public educational institutions, one from MHESAC, two from approved lenders, and one student. There is also an ex-officio member from the Office of the Commissioner of Higher Education.

There are currently 3 vacancies on the council. MGSLP is recommending that Lowell Wollitz be re-appointed as the representative from MHESAC, Lisa Browning be appointed as the representative of a private educational institution, and Megan Rennie be appointed as the student representative. Biographies of the three recommended appointees are attached.

Other current members of the council are Bruce Marks, OCHE representative; Lowell Wollitz; Rosi Jamison, U.S. Bank; D.W. Eiler, Wells Fargo; Mike Richardson, MT Tech Financial Aid Director; and Brandi Payne, MSU-Bozeman Financial Aid Director.

ATTACHMENT:

Exhibit A: Prospective Appointee Biographies

ITEM 135-110-R0507

Exhibit "A"

Lowell Wollitz is the Executive Vice President of Borrower Services for the Student Assistance Foundation and fulfills requirement MCA 2-15-1520 (3)(f). This would be a renewal of his term as Lowell has been serving on the student loan advisory council. He is responsible for SAF's servicing activities, including skip tracing, collections, pre-claims, claims, recovery and customer service. He also is responsible for quality assurance and lender servicing functions. Mr. Wollitz graduated from North Dakota State University, College of Science. Mr. Wollitz has 23 years experience in the audit, accounting and lending divisions of First Bank System and Bank of Montana System. He joined MHESAC in 1993 as the Corporation's first Quality Assurance Manager and also served as the interim Servicing Manager prior to transferring to SAF. At SAF, he was the Client Services Director before being promoted to his current position.

Megan Rennie is a freshman at Carroll College. This would be Megan's first term on SLAC. Her major is Biology/Pre-Med, but has been working in the financial aid office since arriving at Carroll. Megan fulfills requirement MCA 2-15-1520 (3)(d). Megan is from Boulder, MT., and chose Carroll for its academic reputation and Catholic orientation.

MGSLP conducted a search for the student advisory member by word-of-mouth and referral. In the past, we have predominantly selected junior and senior students majoring in business. Because SLAC only meets twice a year, many of our student representatives graduated before they obtained a solid working knowledge of the loan program. Selecting a freshman is an attempt to have better student representation by actually allowing the student representative to fill a full 3-year term.

Lisa Browning is the Director of financial aid at Rocky Mountain College in Billings. She also serves as the Vice President of enrollment services. Lisa fulfills requirement MCA 2-15-1520 (3)(a) and is a new member to the advisory council. Lisa graduated with a BS from Rocky Mountain in 1994 and is currently pursuing an MBA from the University of Wisconsin-Whitewater. Lisa has worked at Rocky since 2002. Lisa is married and has 3 children, ages 9, 7, and 3.

Western Undergraduate Exchange

Migration by State, Fall 2006

State	In	Out	Net Flow	
Alaska	464	1,664	1,200	OUT
Arizona	2,348	789	-1559	IN
California	314	2,973	2,659	OUT
Colorado	1,507	2,496	989	OUT
Hawaii	2,083	1,363	-720	IN
Idaho	1,931	1,192	-739	IN
Montana	1,688	1,321	-367	IN
Nevada	2,946	864	-2082	IN
New Mexico	197	654	457	OUT
North Dakota	1,386	462	-924	IN
Oregon	1,504	1,516	12	OUT
South Dakota	1,373	818	-555	IN
Utah	844	761	-83	IN
Washington	759	3,280	2521	OUT
Wyoming	2,234	1,425	-809	IN

Western Undergraduate Exchange

Migration by State, Fall 2006

MONTANA

WUE Students	2002	2003	2004	2005	2006
Received	949	1,511	1,471	1,670	1,688
Sent	1,409	1,396	1,399	1,359	1,321

WORKFORCE DEVELOPMENT
Miles Community College
Room 112
Thursday, May 31, 2007
8:15 – 9:30 AM

8:15 AM ROLL CALL and REVIEW OF MINUTES [Link](#)

8:20 AM **ACTION**

- a. Montana Healthcare Workforce Advisory Committee Report and Recommendations. [ITEM 135-108-R0507](#) [Supplemental Materials](#)
- b. Strategic Plan, Workforce Development Measures. [ITEM 135-109-R0507](#)
[Attachment](#)

INFORMATION

- a. Perkins State Plan Summary. [Link](#)

9:20 AM PUBLIC COMMENT

9:30 AM ADJOURN

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MINUTES
Workforce Development Committee Meeting
March 1, 2006
Helena, MT

Regents Pease and Hamilton were present. Regent Taylor was excused.
Minutes approved.

INFORMATION

a. Montana Healthcare Workforce Advisory Committee Report and Recommendations

Linda Hyman, MSU, and Tammy Buyok, Healthcare Workforce Advisory Committee presented the Montana Healthcare Workforce Advisory Committee Report and Recommendations. Ms. Hyman explained that their group is tasked to facilitate the BOR decisions on healthcare and healthcare initiatives. She referenced the hospital tours that Commissioner Stearns and Deputy Commissioner Gibson conducted throughout the state in 2006, in conjunction with the Montana Hospital Association.

6 recommendations:

1. Programs that increase clinical education sites and opportunities.
2. Distance education programs targeted to rural and underserved areas.
3. Flexible education programs to reach non-traditional students.
4. Healthcare workforce planning, projects and analysis at state and regional levels.
5. Programs that increase the pipeline of health professions.
6. Feasibility studies and program planning for high professions.

ACTION

- a. RFP: NP-9053 – Equipment and Technology in High Demand Fields Item 134-103-R0307
Arlene Parisot, OCHE, explained the item, which focuses on healthcare workforce shortage areas, and stated the MUS is supporting the One-Time-Only funding support proposed in the Governor's budget. This would be carried out by the Commissioner's office. She explained the funding match requirement in the RFP's. Ms. Parisot stated the RFP was subject to any language changes made by the legislature.

Commissioner Stearns explained the process involved in the legislature with the designated funding for this item.

- b. RFP: NP-9054 – Workforce Training in High Demand Fields Item 134-104-0307
Arlene Parisot explained item, which supports new workforce initiatives contingent upon approval of funds by the 2007 legislature. Need approval of the BOR of the allocation of funds for both RFP's. Ms. Parisot recommended adding language that provides for change of amended language based upon wording approved in the legislature. Both RFP's are similar in scope, but contain different match requirements.

Public comment:

Emily Sarota
Dean Mary Moe, Great Falls College of Technology

Arlene Parisot explained she would form an RFP committee to revise the RFP to reflect the issues of equity and matching funds.

Regent Hamilton requested the larger campuses, with more access to matching funds, to work with the smaller campuses and would like a response from President Gamble and Dennison on this matter.

Concerns:

- The disadvantage of the smaller campuses to compete with the match funding the larger campuses are able to derive

Regent Hamilton requested the RFP language come back to the BOR as an informational item if possible. Regent Hamilton expressed continued concern about the matching funding for the smaller campuses.

c. Call for Election for the organization of a Community College District in Ravalli County Item 134-102-R0307

Cathy Swift, OCHE Legal Counsel, explained the statutes requiring the regents to call for the election if the statutory requirements are met and the steps involved.

Steps:

1. Citizen initiative process, in which the citizens of area gather the required number of petition signatures.
2. Regents call for election if requirements are met.
3. Following the call, the election takes place on the next school election day.
4. If voters approve, then BOR makes recommendation to next legislative session.
5. The Board of Trustees for the new community college district go to the legislature with a request for approval of a new community college district.
6. Legislature makes final approval to determine if there will be a new community college district.

Statute requires the Board of Regents to:

- Order elementary districts in the area to call for organizational election.
- Make the call for the nominations of the trustees.

Cathy Swift explained the packet of information given to the regents and the documents within, including a Board of Regents resolution, explaining that approval of the amended item means approval of the resolution. The following 3 requirements have been met:

- The proposed area coincides with the then-existing boundaries of contiguous elementary districts of one or more counties, which includes 6 school districts.
- The taxable value of the proposed district has to be at least \$10 Million.
- There has to be at least 700 students regularly enrolled in public and private high schools located in the proposed area.

The petition has to be signed by at least 20% of the registered voters of the proposed district. OCHE has received certification from the Montana Secretary of State Office and certification from county election official certifying that the required number of voters have signed the petitions and have met the requirement.

Regent Hamilton moved approval of the amended item. Committee approved.

Public comment was offered in support:

Dixie Stark
Patricia Wilson
Patti Furniss
Victoria Clark
Sarah Monson

Meeting adjourned at 9:45 a.m.

May 30-31, 2007

ITEM 135-108-R0507

**Montana Healthcare Workforce Advisory Committee
(MHWDC) Final Report and Recommendations**

THAT:

The Office of the Commissioner of Higher Education requested that a statewide MHWAC be convened to provide leadership on healthcare issues for the Board of Regents and present its recommendations at the May 2007 meeting for board action.

EXPLANATION:

In the spring of 2006, the Montana Office of the Commissioner of Higher Education approached the Montana Area Health Education Center (AHEC) and Office of Rural Health, asking the Advisory Board to provide leadership on healthcare workforce issues. The Director, Kristin Juliar, was asked to organize and chair a statewide Montana Healthcare Workforce Advisory Committee (MHWAC).

The purpose of the Committee has been to provide guidance to the state on how to assure that there is a well-trained workforce sufficient in numbers, breadth, and quality to meet the needs of all regions of the state. The Committee has broad representation from around the state, and among health providers and higher education.

The Committee, in collaboration with the Governor's State Workforce Investment Board (SWIB), has worked since spring 2006 to analyze all available data on the state's healthcare workforce. Sheila Stearns, Commissioner of Higher Education, in a letter dated January 8, 2007, charged the Committee to provide recommendations to the Board of Regents and campuses for the next 5 to 10 years in regard to resource allocation.

The Committee has identified professions in high demand as well as investments in the state's educational infrastructure that would improve access to education in rural and underserved areas.

The summary of this report indicates that Montana faces and will continue to face significant challenges in providing an adequate healthcare workforce for the state, particularly in rural and frontier communities. Shortages exist at all educational and professional levels. Healthcare is an economic driver for Montana; healthcare jobs are in high

demand and pay well. It is to the economic advantage of the state to invest in the healthcare workforce.

Strategies to improve the supply and quality of the state's workforce are dependent upon the continued attention and investment of the Montana University System, in partnership with healthcare providers, professionals, state agencies, and healthcare consumers.

May 30-31, 2007

ITEM 135-109-R0507

Strategic Plan, Workforce Development Measures

THAT:

The Board of Regents 2006-2010 Strategic Plan recognizes that the availability of a skilled workforce has become one of the most important issues for attracting, retaining, and growing businesses that provide higher paying jobs. Workforce skill level is a key driver of innovation and productivity improvement across all industries. The success of Montana's economy depends on our ability to provide the skilled workers needed for jobs that exist, or will exist. To this end, the strategic plan established the following goal: Increase responsiveness to workforce development needs by expanding and developing programs in high demand fields in the state.

EXPLANATION:

The strategic plan was approved by the Board of Regents in July 2006. It combined the ongoing efforts with the legislature, particularly the PEPB subcommittee, and Shared Leadership. It described what will be the university system's priorities, how those priorities will be accomplished, and how progress will be measured. To this end, the following priorities related to two-year programs were identified:

- Increase employer satisfaction with graduates
- Increase degrees and certificates awarded in high-demand occupational fields
- Increase job placement rates
- Grow enrollment, for certificates and degrees, in 2-year programs

The Two-Year Council is charged with the responsibility to determine how progress on these priorities may be measured and submit recommendations for action by the BOR during its May 2007 meeting.

ACADEMIC AND STUDENT AFFAIRS
Miles Community College
Room 112
Wednesday, May 30, 2007
1:00 – 5:00 PM

1:00 PM ROLL CALL and REVIEW OF MINUTES [Link](#)

ACTION

- 1:05 PM
- a. Revisions to Board of Regents' Policy 301.3, Admissions Requirements; Graduate Students. [ITEM 135-101-R0507](#)
 - b. Revisions to Board of Regents' Policy 303.1, Curriculum Proposals. [ITEM 135-102-R0507](#)
 - c. Pilot Program for Suspended Students, UM-Missoula. [ITEM 135-103-R0507](#)
 - d. Change in the Model Curriculum for Practical Nursing Programs. [ITEM 135-104-R0507](#)
 - e. New and Revised Policies on Research and Conflict of Interest. [ITEM 135-105-R0507](#)
 - f. Program Exceptions to Board of Regents' Policy 301.12, Undergraduate Degree Requirements: Associate Degrees and Certificates of Applied Science. [ITEM 135-106-R0507](#) [Supplemental Materials](#)
 - g. Revisions to Policy 301.16, Writing Proficiency. [ITEM 135-111-R0507](#)

Level II Items

- h. Option in Inequality and Social Justice, UM-Missoula. [ITEM 134-1001-R0107](#)
- i. Osher Lifelong Learning Institute, UM-Missoula. [ITEM 134-1003-R0307](#)
- j. Associate of Applied Science Degree in Web Development and Administration, Montana Tech of UM College of Technology. [ITEM 134-1503-R0307](#)
- k. Bachelor of Arts Degree in Music Technology, MSU-Bozeman. [ITEM 134-2010-R0307](#)
- l. Certificate of Applied Science and Associate of Applied Science Degree in Carpentry Technology, MSU-Northern. [ITEM 134-2802-R0307](#)
- m. Associate of Applied Science Degree in Surgical Technology, MSU-Great Falls College of Technology. [ITEM 134-2852-R0307](#)
- n. Associate of Applied Science Degree in Auto Body Repair & Refinishing, MSU-Great Falls College of Technology. [ITEM 134-2857-R0307](#)

INFORMATION

- 3:30 PM a. Possible recommendation on Policy 940.29, Post-Baccalaureate Tuition. [Link](#)
- b. Higher Education Center in Hamilton, Montana – UM-Missoula. [Link](#)
- c. Distance Education Initiative. [Link](#)
- d. Memorandum on Certificates of 30 credits or less. [Link](#)
- e. Memorandum on program moratoriums and terminations. [Link](#)

CONSENT

- 4:40 PM Level I Memorandum. [Link](#)
- 4:45 PM PUBLIC COMMENT
- 5:00 PM ADJOURN

Other than the meeting starting time, the times listed are approximate. In addition, agenda items may be rearranged unless an item is listed as having a "time certain."

Action may be taken on any item listed on the Board or Committee Agendas. Public comment is welcome on all items.

The Board of Regents will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate. Persons requiring such accommodations should make their requests to the Office of the Commissioner of Higher Education as soon as possible before the meeting to allow adequate time for special arrangements. You may call or write to: ADA Coordinator, P.O. Box 203201, Helena, MT 59420-3201, 406/444-6570, 1-800-253-4091 (TDD)

Minutes of
The Academic & Student Affairs Committee
of the Montana Board of Regents
February 28, 2007

Regent Lynn Hamilton, Committee chair, called the meeting to order at 1:30 p.m. and welcomed the new member of the Committee, Regent Todd Buchanan. Deputy Commissioner Roger Barber introduced new academic officers, Doug Abbott of Montana Tech and Shelly Weights of Miles Community College. He extended congratulations to Cheri Jimeno, current MSU-Northern Provost who has accepted a CEO position at New Mexico State University-Alamogordo.

a. Roll Call.

All committee members were present. Regent Buchanan has replaced Regent Lila Taylor on the committee.

b. Approval of the minutes from the January, 2007, meeting of the Committee.

The minutes were approved, as written.

1. Action items

a. ITEM 133-102-R1106: Approval of Operational Rules for the MUS General Education Core.

Roger Barber, OCHE Deputy Commissioner of Academic & Student Affairs, said that the revised rules haven't changed much since the November, 2006 committee meeting. The one new rule clarifies that the communication section includes both written and oral communication. The old rule #4 was moved to an advisory note. Motion carried to move forward to full Board of Regents for approval.

b. ITEM 134-101-R0307: Approval of Operational Rules for Provisional Admissions.

This item provides clarity of guidelines for campuses re provisional admissions with the phase in of writing proficiency in the Montana University System. Deputy Commissioner Barber, in response to Regents' request, will see that data from provisional admissions is tracked.

c. ITEM 134-1004-R0307: Approval of America's Professor Project, The University of Montana.

Provost George Dennison discussed the history of this item and outlined the terms of the contract. He also responded to a number of questions and concerns from the committee. David Aronofsky, UM legal counsel, explained that what is different in this situation, relative to Policy 407, is that the company that wants to contract with UM for delivery of proposed courses has been in existence for decades. Larry Gianchetta, Dean of the School of Business Administration, commented on Jack Morton's and Jerry Furniss's long and successful faculty experience at UM-Missoula. He sees the revenue-generating opportunity as a desirable one for UM and recognizes the professors' loyalty to UM as the motivating factor in their offering to work with UM in this business contract. Cathy Swift, OCHE legal counsel, emphasized that, relative to Policy 407, the regents' approval doesn't erase need for conflict of interest review. OCHE is working with UM on that aspect. Generally the university is in the position of licensing to a third party company; presented here is licensing from faculty within the university to the university. Professor Furniss described the national market potential for the courses and the motivation for offering to include UM in the business arrangement. Chair Hamilton summarized that the policies and agreements we're trying to apply to this case, don't apply. She wondered why faculty would develop courses for university delivery when this proposed platform is potentially more lucrative. Provost Dennison said that concern needs to be addressed. He emphasized that this business group has already developed courses and dominated the Montana market and they want to share that success with UM. Commissioner Steams suggested the discussion be completed

tomorrow with the other Regents at the full Board meeting. Chair Hamilton agreed to adopt that suggestion.

2. Level II Action items

d. ITEM 134-1001-R0107: Option in Inequality and Social Justice, The University of Montana-Missoula.

Chair Hamilton recommended that this item be delayed until the May Board meeting because the campus did not disclose the new option on its academic plan as required by Board policy 303.10. The committee will recommend to the full Board a delay in considering this item until the May meeting.

e. ITEM 134-1002-R0107: Certification in Entertainment Management, The University of Montana-Missoula.

Provost Dennison explained that entertainment industry professionals come to the university to interface with students in this program. The committee reached the consensus to move this item forward for approval.

f. ITEM 134-1003-R0107: Certificate in Computer Systems Technician, The University of Montana-Missoula.

The committee reached the consensus to move this item forward for approval.

g. ITEM 134-1004-R0107: Minor in Gerontology, The University of Montana-Missoula.

Associate Provost Arlene Walker-Andrews described this item as a response to need for training in gerontology issues across fields. This is a free-standing minor and students will take other courses in their major related to gerontology issues. The committee agreed to move this item forward for approval.

h. ITEM 134-1005-R0107: Certificate and Associate of Applied Science degree in Carpentry, The University of Montana-Missoula.

The committee will recommend that the Board approve this item.

i. ITEM 134-1006-R0107: Certificate in Entrepreneurship, The University of Montana-Missoula.

Associate Provost Walker-Andrews described this as similar to the Entertainment Management certificate in design and very popular among students. Consensus to move forward to full Board of Regents for approval.

j. ITEM 134-1008-R0107: Bachelor degree in Communicative Disorders, The University of Montana-Missoula.

Chair Hamilton asked that this and the following item be considered together. Provost Dennison presented the history of the speech pathology program at UM-Missoula. Commissioner Stearns added to this. Deputy Commissioner Barber stated that he has received a number of emails from parents, students, and professional associations urging approval of this item because of pressing need. A lengthy discussion ensued, including members of the public urging adoption of the item. These speakers included: Janice Nugent, Speech Pathologist for Missoula Public Schools, Laura Jo McKamey, President of the Montana Speech & Hearing Association, Marilyn Pearson, Interim Director of Special Education for the Office of Public Instruction,, and Judy Gosnell-Lamb, Director of Big Sky Special Needs Coop. The consensus is that this is a very high demand area not currently being met either in the MUS, or within the Western Undergraduate Exchange. The committee will recommend approval of these two items to the Board.

k. ITEM 134-1009-R0107: Master degree in Speech-Language Pathology, The University of Montana-Missoula.

Item was considered with above item.

l. ITEM 132-1502-R0706: Center for Advanced Supramolecular and Nano Systems, Montana Tech of The University of Montana.

Regent Pease commended Montana Tech of The University of Montana and Montana State University-Bozeman for collaborating as they did in response to this committee's request last September. All of the campuses and the outside consultant recommended the creation of

two small, focused research centers on nano science in Montana. The committee was in consensus that this item be approved to the Board.

m. ITEM 134-2006-R0107 Minor in Latin American and Latino Studies, Montana State University-Bozeman.

Chair Hamilton asked for consideration of Items “m” through “s” as a group. The committee agreed to move all of these items forward and recommend approval to the Board.

n. ITEM 134-2702-R0107: Bachelor degree and minor in Outdoor Adventure Leadership, Montana State University-Billings.

See “m.”

o. ITEM 134-2703-R0107: Bachelor degree in Political Science, Montana State University-Billings.

See “m.”

p. ITEM 134-2704-R0107: Teaching option in Political Science, Montana State University-Billings.

See “m.”

q. ITEM 134-2801-R0107: Certificates of Applied Science in Automotive Technology and Welding Technology, Montana State University-Northern.

See “m.”

r. ITEM 13-2851-R0107: Certificates of Applied Science in Accounting Assistant, Dental Assistant, Health Information Coding Specialist, Medical Billings Specialist, and Medical Transcription, Montana State University-Great Falls College of Technology.

See “m.”

s. ITEM 134-2852-R0107: Certificate of Applied Science in Welding Technology In Bozeman, Montana, Montana State University-Great Falls College of Technology.

See “m.”

3. Information Items

a. Legislative update on issues that impact academic & student affairs

Commissioner Stearns will give the update at the full Board of Regents meeting March 1.

b. Update on mental health conversation

i. Initially held in Fall 2005.

ii. With special report from UM-Missoula on its suicide prevention program.

Provost Dennison presented this report with detail on the University of Montana-Missoula suicide prevention program and new developments in FY 2007. Deputy Commissioner Barber said that the Student Affairs officers had discussed this issue at their meeting earlier in the day. He noted that small campuses are challenged because of resources. The following officials offered updates to the committee on aspects of this issue at their individual campuses:

Nicole Hazlebaker, Acting Dean of Students at UM-Western,

Allen Yarnell, VP of Student Affairs and Dean of Students at MSU-Bozeman,

Theresa Branch, VP of Student Affairs at The University of Montana-Missoula,

Ken Welt, Director of Counseling Services at The University of Montana-Missoula,

Stacy Klippenstein, Vice Chancellor for Student Affairs, MSU-Billings,

Judy Hay, Assistant Dean of Student Services, MSU-Great Falls COT, and

Paul Beatty, Dean of Students/Director of Counseling Services, Montana Tech of UM

Regent Buchanan said this is a multifaceted issue and bears more examination. Chair

Hamilton asked follow-up questions about penalties for not following through with

therapy in the case of substance abuse. Provost Dennison and VP Yarnell responded

that these consequences range from referral to the counseling center to suspension.

Regent Pease asked if there is any way to identify incoming students who may have

problems with substance abuse and/or depression. Director Welt said students, at this

point, receive brochures about services and encouragement to access them when needed.

c. Report on Aviation Program in Bozeman, MSU-Great Falls College of Technology.

At the time this program was initially approved two years ago, the Board requested this follow-up report, Deputy Commissioner Barber said.

d. Additional Information on Policy 940.29, post-baccalaureate students.

Deputy Commissioner Barber said that the staff in the Commissioner's Office may recommend a revision of this policy at the May 2007 Regents' meeting. The campuses are concerned about revenue loss, if the policy is repealed, Barber said, particularly in light of the tuition freeze currently working its way through the 2007 legislature.

4. Consent Items

a. Level I memorandum.

Deputy Commissioner Barber presented the Level 1 memorandum for the Regents' information. The Regents had no questions or concerns about the memorandum.

Public Comment

There was none.

The meeting adjourned at 4:44 p.m.

Submitted by Jeanne Horvath

May 30 – June 1, 2007

ITEM 135-101-R0507

Admissions Requirements; Graduate Students

THAT:

The Board of Regents of Higher Education approve the attached revision to Policy 301.3, dealing with admission requirements to graduate programs in the Montana University System. The revision basically leaves it up to each graduate program in the MUS to establish admissions standards appropriate to the program.

EXPLANATION:

The current policy requires the Graduate Record Examination, or an equivalent examination appropriate to the profession, as a mandatory condition for admission. The graduate deans and academic officers throughout the Montana University System are unanimous in their recommendation that a mandatory GRE, in particular, no longer makes any sense.

In a world of lifelong learning and multiple career changes, many graduate students are returning for additional graduate credentials. Other students are contemplating their first graduate degree after years in a successful career that more than prepares them for graduate education. The mandatory GRE especially is unnecessary for many of these students, when they have already demonstrated their ability to do graduate work or succeed in a high-pressured, competitive environment.

Many professional schools will probably continue to require an examination as part of their admissions' criteria. The proposed language change permits that. Some programs may continue to require the GRE. The proposed language change also permits that decision.

The important, philosophical change is that graduate programs should be able to establish appropriate admission standards without a "one size fits all" policy at the System level. The Montana Board of Regents already permits undergraduate programs to establish admission standards in those programs that have limited or competitive admissions. The same practice should extend to the graduate programs throughout the Montana University System.

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: ACADEMIC AFFAIRS

Policy 301.3 – Admissions Requirements; Graduate Students

Effective July 11, 1977; Issued July 12, 1977

Board policy:

~~The Graduate Record Examination, or an equivalent examination appropriate to a professional field, is mandatory for all entering graduate students and the cost of the examination shall be borne by the individual. All graduate programs in the Montana University System shall establish admission and selection standards that are appropriate to the program of study.~~

History:

Item 165-215 adopted by the State Board of Education ex officio Regents of the University of Montana, March 17, 1958, (rescinded); Item 16-006-R0577, Graduate Record Examination, Montana University System, July 11, 1977.

May 30 – June 1, 2007

ITEM 135-102-R0507

Revisions to the Level II Documentation Process for New Academic Programs

THAT:

That the Board of Regents approved the attached revisions to the Level II documentation process for new academic programs. The revisions are:

- 1) amendments to Board of Regents' Policy 303.1, Curriculum Proposals – Montana University System;
- 2) a new Curriculum Proposals document that supplements Policy 303.1;
- 3) elimination of the New Academic Program Proposal Summary; and
- 4) elimination of the 5-year budget analysis.

EXPLANATION:

The Chief Academic Officers worked for almost a year on revisions to the Level II documentation process. Their goal was to come up with a Level II document that would be accurate, relevant and readable, and would also provide the Regents with the essential information they need to review and approve new academic programs. The documentation is very similar to the "story" that faculty and administrators have to tell their colleagues on each of the campuses when new programs are developed internally.

The Chief Academic Officers were also interested in eliminating information that appeared to be unnecessary, based on how it was used at the Regents' meeting. The best example of that goal is the New Academic Program Proposal Summary, with its break-even point, Montana jobs/year, contributions to economic development in Montana and support of Montana's needs and interests. Many of those questions are purely speculative, or so glitteringly general that the campuses ended up using boiler plate language over and over again to complete the form.

The Chief Academic Officers are also recommending the elimination of the five-year Budget Analysis, which was frequently filled out with "Os" or guesswork despite a two-page instruction sheet that accompanied the analysis. The academic officers agree that resource information is very important, particularly for programs that require additional faculty or significant library or equipment purchases. Those details will still be provided. But many program proposals utilize the resources, especially the faculty and coursework resources, that already exist on the campus. Or the new program will be funded through an internal reallocation of existing resources. If that reallocation significantly impacts other programs, that information will still be provided under part 3 of the Curriculum Proposals document.

The revisions are supported by the staff in the Office of the Commissioner of Higher Education.

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 301.5.2 (1 of 3)

SUBJECT: ACADEMIC AFFAIRS

Effective: March 18, 2005

Policy: 303.1 Curriculum Proposals - Montana
University System

Issued: April 15, 2005

Board policy:

1. All new postsecondary educational programs (i.e. degrees, majors, minors, options, and certificates), substantive changes in those programs, delivery of programs in a distance format, changes in organizational structure, and revision of institutional mission shall be reviewed and approved by the Board of Regents. The amount of review and approval shall be determined by the Level I and Level II procedures adopted by the Board, and that review shall begin with the Academic and Student Affairs Committee of the Board.

2. Certificate programs of more than 30 credits will be reviewed and approved under the procedures established by this policy. Certificates of 30 credits or less may be implemented by the individual campuses of the Montana University System, without approval by the Board of Regents. All such certificates shall be reported to the Office of the Commissioner of Higher Education, however, and listed on the official degree and program inventory of the System. They will be removed from the inventory upon notice to the Commissioner's office.

Procedures:

1. ~~Level II proposals shall include documentation that sets out the following information:~~ Level II proposals shall include documentation that sets out information in the following general categories:
 - a. ~~specify the objectives to be reached by the addition of this program;~~
an overview of the proposed program;
 - b. ~~specify in detail present faculty, facilities and equipment, and library holdings in support of this program, and compare them to known or anticipated minimum standards for accreditation;~~
need for the program, including the anticipated student demand;
 - c. ~~detail additional faculty requirements as to qualifications, salary, and recruitment;~~
institutional and system fit, including the connection of the proposed program to other programs in the institution, the connection to the institution's strategic plan and the relationship of the program to similar programs in the Montana University System;
 - d. ~~submit budget information that describes estimated incremental revenues and expenditures associated with the program for a three- to five-year period; and estimated student enrollments for the same period of time;~~
program details, including curriculum details, implementation plans and student estimates at each stage of the implementation process;

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

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- e. ~~specify the number of students expected to graduate over a ten-year period; resources, including faculty needs and other, additional institutional needs with information on how those resources will be met;~~
 - f. ~~list the new courses this program will add to the curriculum and specify the course requirements for the degree; the assessment plan;~~
 - g. ~~indicate the inter departmental implications of additions to this program or supporting courses in departments which contribute to the new program of studies; the development and approval process for the program, including relevant parties who assisted with that program development.~~
 - h. ~~explain how the recommendation to submit this proposal to the Board of Regents was made: Include information about process followed, faculty involvement, employer or community input, market demand for graduates, employment prospects and starting salaries, as well as other justifications.~~

2. Additional details concerning the Level II proposal documentation can be determined by reviewing the Curriculum Proposal guidelines that were approved by the Montana Board of Regents as a supplement to this policy.

3. In all cases the Board of Regents may require an appropriate report from outside, objective consultants to assist the Board in analyzing the proposal and arriving at a just decision.

4. A copy of every curriculum proposal shall be forwarded to the Deputy Commissioner for Academic Affairs and to the chief academic officers of the campuses of the Montana University System as soon as it has been approved by the campus concerned. Copies of all proposals for associate degree programs and vocational-technical programs shall also be forwarded to the chief academic officers of the community colleges. In addition, proposals for vocational-technical programs shall be forwarded to the Deputy Commissioner for Academic and Student Affairs and to the chief academic officers of the colleges of technology.

Definitions:

1. Degree - A specific designation of letters representing the words on the diploma indicating completion or attainment, e.g., B.A., B.S., B.Arch., B.B.A., M.A., M.F.A., Ed.D., D.A., Ph.D.

2. Certificate - Awarded upon successful completion of entry-level programs, a specialty within an occupational area, and/or upgrading skills and knowledge within an occupation. Usually, certificate programs are no more than 60 semester hours in length.

3. Major - The specific field of concentration for the degree. A designated and coherent sequence of courses in a discipline, related disciplines, or professional area in which a student concentrates as

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a part of a baccalaureate degree program. The requirements of the major are usually defined by one academic department, but may be defined jointly by two or more departments in the case of an interdisciplinary major. Majors may range from 30 to 48 semester hours, half of which must be at the upper division level. Study in the major will conclude with a capstone, integrating experience in which the knowledge and skills learned in the major are applied or demonstrated.

4. Extended Major - Where required by professional expectations or specialized accreditation standards, extended majors may be offered in undergraduate programs. The extended major may require up to 80 hours.

5. Minor - The supporting or complementary field undertaken along with a major for a degree. A designated and coherent sequence of courses in a discipline, related disciplines, or professional area which provides support or enhancement of a student's major in a baccalaureate program. Minors may range from 18 to 30 semester hours of credit, one-third of which must be at the upper division level.

6. Option - One of two or more alternative tracks available to students in an associate degree, baccalaureate minor or major or graduate degree program. Each option consists of a core of required courses in the program plus required and/or elective courses in the specialty area indicated by the title of the option. The core of required courses must constitute at least one-third of the hours required for the program.

7. New postsecondary educational programs - All proposals for a new series of courses arranged in a scope or sequence leading to a certificate, option, major, or minor where a major does not already exist.

History:

Item 2-001-R0973, (Revised), October 19, 1973, as revised April 11, 1978; Item 24-001-R0579, Changes in Institutional Organization, May 30, 1979; Item 2-001-R0973, as revised June 14, 1990; November 18, 1999 (Item 104-103-R0999); September 21, 2000 (Item 108-101-R0700); and March 18, 2005 (Item 126-103-R0305).

LEVEL II BOARD OF REGENTS ITEMS

Curriculum Proposals

1. Overview
Provide a one paragraph description of the proposed program. Be specific about what degree, major, minor or option is sought.
2. Need
 - a. To what specific need is the institution responding in developing the proposed program?
 - b. How will students and any other affected constituencies be served by the proposed program?
 - c. What is the anticipated demand for the program? How was this determined?
3. Institutional and System Fit
 - a. What is the connection between the proposed program and existing programs at the institution?
 - b. Will approval of the proposed program require changes to any existing programs at the institution? If so, please describe.
 - c. Describe what differentiates this program from other, closely related programs at the institution (if appropriate).
 - d. How does the proposed program serve to advance the strategic goals of the institution?
 - e. Describe the relationship between the proposed program and any similar programs within the Montana University System. In cases of substantial duplication, explain the need for the proposed program at an additional institution. Describe any efforts that were made to collaborate with these similar programs; and if no efforts were made, explain why. If articulation or transfer agreements have been developed for the substantially duplicated programs, please include the agreement(s) as part of the documentation.
4. Program Details
 - a. Provide a detailed description of the proposed curriculum. Where possible, present the information in the form intended to appear in the catalog or other publications. NOTE: In the case of two-year degree programs and certificates of applied science, the curriculum should include enough detail to determine if the characteristics set out in Regents' Policy 301.12 have been met.
 - b. Describe the planned implementation of the proposed program, including estimates of numbers of students at each stage.
5. Resources
 - a. Will additional faculty resources be required to implement this program? If yes, please describe the need and indicate the plan for meeting this need.
 - b. Are other, additional resources required to ensure the success of the

proposed program? If yes, please describe the need and indicate the plan for meeting this need.

6. Assessment.

How will the success of the program be measured?

7. Process Leading to Submission

Describe the process of developing and approving the proposed program. Indicate, where appropriate, involvement by faculty, students, community members, potential employers, accrediting agencies, etc.

May 30 – June 1, 2007

ITEM 135-103-R0507

A Pilot Program for Suspended Students at The University of Montana-Missoula

THAT:

The Board of Regents of Higher Education for the State of Montana approve a temporary exception to Board of Regents' Policy 301.9, Academic Suspension, to permit The University of Montana-Missoula to implement a pilot program for suspended students.

EXPLANATION:

Board of Regents' Policy 301.9 requires students who are suspended from the Montana University System because of their academic performance to wait an entire semester before they can continue their educational career in the System. The relevant policy language is as follows:

Students will be suspended academically at the end of any semester if they have been placed on academic probation during their prior semester of attendance and their cumulative GPA remains below 2.00 on a 4.0 scale . . . Students suspended may not re-enroll until they have been reinstated. Campus administrations are authorized to work with the relevant faculty committees to develop policies and procedures for reinstatement, but reinstatement will require, at a minimum, one full semester of non-enrollment at any campus of the Montana University System. (Emphasis added).

The University of Montana-Missoula would like to implement a pilot program that would permit suspended students to return to that institution during the summer semester immediately following their suspension. Participants in the program would be required to develop a reinstatement plan and participate in intensive workshops that hopefully will help them to succeed in the future. The details of the pilot program are set out in a memorandum that is attached to this item page.

The Office of the Commissioner of Higher Education is very supportive of this program, and recommends its approval. Because of the institution's timeline, Sheila Stearns, the Commissioner of Higher Education, has approved the pilot program for this summer. The Board of Regents is being asked to authorize the program and

an exception to Policy 301.9 for three years to permit implementation of this pilot program. The University of Montana-Missoula will report to the Montana Board of Regents in Spring 2010 on the outcomes of the pilot project and its future at the institution. The University of Montana-Missoula will also have the right to suspend the program before that reporting date, if it does not work.

DATE: March 22, 2007

TO: Roger Barber, Deputy Commissioner

FROM: Arlene Walker-Andrews, Associate Provost, UM-M

RE: Pilot Program for Assisting Suspended Students

Request:

I am writing to request a one-time exemption from the BOR policy that suspended students must sit out a semester before being reinstated. We propose introducing a pilot program this summer to see whether modifications to the policy could lead to improved success for our students. The program would allow suspended students to be reinstated if they develop an acceptable reinstatement plan and agree to attend workshops offered by the Undergraduate Advising Center that are designed to address preparedness issues (e.g., test anxiety, study skills). In addition, the pilot program includes the possibility of a week-long “boot camp” designed specifically for students struggling with their math requirements or, alternatively, one for students with writing difficulties. In some cases, students could be encouraged to retake one of the math or writing courses that contributed to their suspension. Under this proposal, students would be required to sit out only the first session of summer school, and summer would provide an opportunity to improve their standing.

Justification:

Given the complex issues faced by students today, we believe that a service-centered approach has a higher probability of success than a punishment-centered approach. Current policy has proven counter-productive for several reasons:

1. Current policy has the effect of removing 550 students from the pool of those who may wish to attend summer school. Summer provides the opportunity for intensive coursework in smaller enrollment sections, without competing classes.
2. Current policy invites students, in effect, to go away and not come back. Because many students do not return, this policy runs counter to other policies designed to improve retention rates. We are unable to help students who have left campus deal with their academic and personal concerns.
3. Current policy rests on the assumption that suspended students lack sufficient motivation and that being forced to sit out a semester will provide the much-needed “wake up call.” Whereas this assumption may hold for some students, it

clearly does not hold for those afflicted less by laziness than by the circumstances of life. Our work with suspended students has led us to believe that many students resent the implication that a “wake up call” is what they need. What they need most is individualized assistance.

As I indicated, we view this as a pilot program. The data we obtain about students’ needs and their responses to such a program may also be useful to others in the MSU system.

Thanks for your attention.

c: G. M. Dennison, President
J. Fetz, Dean, CAS
J. Tompkins, Associate Dean, CAS
S. Alexander, Dean, Continued Education

May 30 – June 1, 2007

ITEM 135-104-R0507

A Revision to the Nursing Curriculum Model

THAT:

The Board of Regents of Higher Education:

- change the credential for practical nursing graduates from a Certificate to an Associate of Applied Science degree;
- grant an exception to Board of Regents' Policy 301.12, under section I.C.5 of that policy, for all practical nursing programs in the Montana University System;
- authorize the change to go into effect immediately upon approval by the Board;
- authorize the change to be effective upon approval by the Board without requiring all of the practical nursing programs in the Montana University System to follow the usual Level II process for a degree change.

EXPLANATION:

The change in credential is necessitated by Federal financial aid eligibility rules. The three (3) practical nursing programs, in Butte, Missoula and Helena, that lead directly into a two-year registered nursing degree are fine. But the two (2) stand-alone practical nursing programs, in Great Falls and Kalispell, have difficulty providing financial aid to their nursing students because of those eligibility rules. The attached memo, which I prepared for the nursing directors in early April, attempts to explain the problem.

If the credential awarded to practical nursing graduates is changed from a Certificate to an Associate of Applied Science, the program will comply with Federal financial aid rules.

That change triggers another problem. Board of Regents' Policy 301.12 requires that all Associate of Applied Science degrees must have between 60 and 72 credits. The practical nursing program only has 50 credits. The Board of Regents has authority to grant exceptions to its credit limits, however, under Section I.C.5 of the above-referenced policy. The Board is asked to grant such an exception because:

- the practical nursing curriculum is integrated into the two-year Associate of Science degree in registered nursing, and that integration doesn't work if the PN credential is expanded; a copy of the model nursing curriculum for PN/RN programs is attached to this memorandum.
- the practical nursing program is already significantly more rigorous, under the integrated nursing model, and it would become even more intense if additional credits were added to comply with Board policy.

The Board is also asked to make the change effective immediately, because some of the practical nursing programs in the Montana University System will graduate their first students in the next few months. Flathead Valley Community College, for instance, has students who will complete the program at the end of Summer Semester 2007.

TO: Nursing Directors
FROM: Roger
RE: Our Model PN/RN Curriculum
DATE: April 6, 2007

We have a significant problem with our model curriculum, and one that wasn't uncovered until some of the nursing programs in the State began to implement the model. The problem is as follows:

the stand-alone PN programs at the Great Falls College of Technology and Flathead Valley Community College cannot offer Federal financial aid to their students because the program violates eligibility rules.

I'll attempt to explain why.

The integrated PN/RN programs are fine, under financial aid eligibility rules, because ". . . each course within the program is acceptable for full credit toward that institution's associate degree. . .and the degree offered by the institution requires at least two academic years of study. . ."

If a school offers an undergraduate program in credit hours, however, and

- the above scenario is not possible; or
- the program is not an associate degree, then

the school must use a clock hour/credit hour conversion formula to determine whether the undergraduate program qualifies for Federal financial aid. Using the clock hour/credit hour conversion formula set out by the Federal government, the PN program would need 1,500 hours. It only has 1,020.

We have the following options (at least these are the ones that I can think at the moment):

- expand the clock hours significantly; but that means adding more credits or laboratory requirements or clinical requirements. And every time we do that, the clock hour requirement goes up.
- change the degree to an associate of applied science degree. We talked ourselves out of that, because it would be a 50-credit associate degree and Board of Regents' policy requires at least 60 credits. We could always ask the Board for an exception to its policy, however.
- keep the PN credential a certificate at the integrated programs; and call it an A.A.S. degree at the stand-alone programs.
- change the PN credential for all of the programs.
- maintain the status quo, which I think is unacceptable because of the financial aid consequences to students.
- your ideas??

TABLE 1 – MODEL NURSING CURRICULUM
CURRICULUM FOR 72 CREDIT ASN WITH OPTIONAL PN EXIT AFTER 48(+) CREDITS
("STAND-ALONE" PN PROGRAMS WILL OFFER FIRST FOUR SEMESTERS)

SEMESTER ONE		SEMESTER TWO	
Course	Credits Didactic/Clinical/Lab	Course	Credits Didactic/Clinical/Lab
		<i>(Apply for admission to Nursing Program during Semester Two)</i>	
Anatomy & Physiology I	3/0/1 = 4	Anatomy & Physiology II	3/0/1 = 4
Freshman English	3/0/0 = 3	Inorganic Chemistry w/Lab	3/0/1 = 4
College Algebra	3/0/0 = 3	Introduction to Nursing	1/0/0 = 1
Nutrition	2/0/0 = 2	General Psychology	3/0/0 = 3
Total	11/0/1 = 12	Total	10/0/2 = 12

NOTE: Admission to Nursing Program required before taking Semester Three coursework

SEMESTER THREE		SEMESTER FOUR	
Pharmacology	3/0/0 = 3	Core Concepts of Adult Nursing	4/3/0 = 7
Fundamentals of Nursing	4/0/3 = 7	Core Concepts of Maternal/Child Nursing	2/1/0 = 3
Gerontology	1/1/0 = 2	Core Concepts of Mental Health Nursing	2/0/0 = 2
Total	8/1/3 = 12	Total	8/4/0 = 12
		Leadership Issues (for those opting PN exit)	
		Total	1/1/0 = 2 9/5/0 = 14
		Total	50 credits

NOTE: PNs applying for entry in Semester Five must take a 3-credit Transition to Registered Nursing course. A skills assessment may also be required.

SEMESTER FIVE		SEMESTER SIX	
Complex Care Needs—Maternal/Child Client	2/1/0 = 3	Intro Sociology	3/0/0 = 3
Complex Care Needs—Mental Health Client	1/1/0 = 2	Complex Care Needs—Adult Client	2/2/0 = 4
Pathophysiology	3/0/0 = 3	Advanced Clinical Skills	0/0/1 = 1
Microbiology	3/0/1 = 4	Managing Client Care	2/2/0 = 4
Total	9/2/1 = 12	Total	7/4/1 = 12

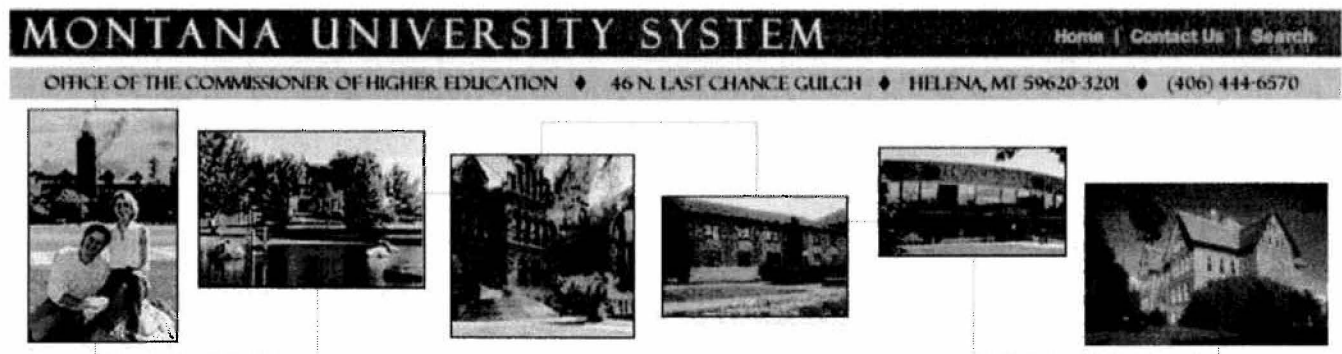
Clinical credits are 3:1 Lab credits are 2:1

50 credit PN Certificate

- 23 credits cognates, 27 credits Nursing (includes PN exit class)
- 38 credits didactic, 6 credits clinical, 6 credits lab (includes PN exit class)

72 credit ASN

- 30 credits cognates; 42 credits Nursing
- 52 credits didactic, 12 credits clinical, 8 credits lab

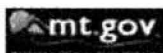


STUDENT INFORMATION

- Our Campuses
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- Board of Regents
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- Workforce Development



A New Model for PN and ASN Nursing Programs

The following guidelines for Practical Nursing (PN) Programs in the Montana University System and the three community colleges have been adopted by the Board of Regents:

- (1) the credential awarded to students who complete a practical nursing program will be a certificate;
- (2) all of the practical nursing programs will be 50 credits;
- (3) all of the practical nursing programs will include a common set of nursing courses, totaling 24 credits plus a two-credit "scope of practice course."

Table 1 describes the pre-nursing and nursing courses in more detail. It also includes the coursework for those programs that offer both a Practical Nursing and an Associate of Science in Nursing credential.

Nursing students can follow a variety of pathways under this model to complete a nursing program. Those pathways are described at the following [link](#).

This model was developed by a work group made up of all of the PN and RN nursing administrators in the MUS System, the community colleges and one tribal college; some nursing faculty members; and representatives and staff from the State Board of Nursing. The Board of Regents authorized this project in May 2004, based on a recommendation of the Nursing Coordinating Group and the work that that Group had done on nursing issues for almost a year. The work group was also careful to respond to the issues raised in the Legislative Audit report concerning transfer of credit practices in the Montana University System.

The new model, currently utilized by at least 22 other states, includes (a) pre-nursing coursework that is appropriate for both the PN and RN credential; (b) an initial year of nursing courses, with a so-called exit point or stop-out for programs that offer both credentials; students can sit for the LPN licensure examination at that stop-out point; and (c) an additional year of nursing coursework, for students who want to continue their education, after which they can take the RN licensure examination.

Implementation of this academic program model will take

- [PN/ASN Model Curriculum](#)
- [Implementation Plan](#)
- [Operational Rules for Nursing Directors](#)

some time, but work has already begun. Table 2 sets out the implementation schedule. Curriculum revisions will have to work their way through the internal review and approval process for academic programs on each campus. Several programs will also have to develop new courses, particularly in the area of pre-nursing coursework, and may have to find faculty to teach those classes. The State Board of Nursing will then have to approve each individual program.

ITEM 135-105-R0507

Adoption Of New And Revised Board Of Regents Policies On Research And Conflict Of Interest

THAT:

The Board of Regents of Higher Education adopts new Policy 401, Research and Technology Transfer, revises Policy 401.2, Inventions and Patents, revises Policy 770, Conflict of Interest, and revises Policy 218, Institutional Organization.

EXPLANATION:

The Commissioner of Higher Education (CHE) proposes new and revised Board of Regents policies as a result of recommendations of the Legislative Audit Division (LAD) made pursuant to performance audits conducted in 2006. These audits included a general performance audit of the system's research and technology transfer activities and a more specific audit of an earmark project at The University of Montana. The latter audit reviewed the establishment and activities of the Northern Rockies Consortium for Space Privatization (NRCSP) and its primary grant sub-contractor, the Inland Northwest Space Alliance (INSA).

The INSA audit findings were released in June of 2006. The Research and Development audit findings followed in November of 2006. The LAD made audit recommendations on the handling of research and technology transfer activities, including recommendations on grant management, reporting and assessment of grant activity, and the management of conflicts of interest. Campus and MUS responses to the audits were submitted at the time to LAD and to this board. Compliance with the LAD recommendations is underway.

The recommended policies are the product of the campuses working in conjunction with the Office of the Commissioner of Higher Education (OCHE). These policies are designed to ensure that compliance will continue, that campus policies will address the areas of identified concern, and that the board and commissioner will receive such reports as will enable them to better monitor and evaluate campus research and technology transfer activities, as this important area of campus activity grows and develops.

Research and Technology Transfer. We propose a new Policy 401, Research and Technology Transfer, which will:

- Recognize the vital role of campus research programs;
- Provide for the inclusion of research & technology transfer as part of strategic planning;
- Require training for faculty and researchers in many aspects of this area;
- Require a federal initiatives (earmarks) report to the board in January of each year; and
- Require an annual report summarizing the research and technology transfer activities for the previous year, with expenditures, numbers, gross revenues, etc.

We recommend revising the timelines on inventions & patents, Policy 401.2, as per the recommendation of the LAD and the campuses.

Conflict of Interest. We recommend revising Policy 770, Conflict of Interest, which will:

- Require that campuses have CHE-approved conflict of interest plans with provisions defining conflicts and potential conflicts of interest; addressing conflict disclosure and compliance with state ethics laws; and setting procedures for independent conflict assessments and review by legal counsel, as well as for resolution of conflict issues;
- Provide for approval by CHE of the policies;
- Provide for annual written campus COI reports to the regents, including such information as number of conflicts, nature of conflicts, number being managed through written plans, number of COIs eliminated, and other material information.
- Provide for an OCHE policy addressing OCHE employee and president conflicts and potential conflicts.

We recommend revising Policy 218 on Institutional Organization to include a statement that “formation of a profit or non-profit corporation or other legal entity by a campus or its employees acting on behalf of the campus” requires the approval of the Board of Regents, to apply to entities formed after June 1, 2007.

It should be noted that several of the audit issues will be addressed administratively. For example, OCHE will coordinate the move toward full integration of Banner on all campuses for research administration functions. In addition, the University of Montana-Missoula has complied with the recommendation to assign pre-award staff within the UM Office of Sponsored Research by departmental specialization. Lastly, OCHE will monitor the guidelines being developed by the Government Accounting Standards Board (GASB) for capitalization of intellectual property as intangible properties and will take steps to ensure that appropriate capitalization methodologies are incorporated into campus practices.

ATTACHMENTS:

Recommended new policy 401.
Recommended revised policies 218, 401.2, and 770

SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: June 1, 2007

Section: 401 Research and Technology Transfer;
Montana University System

Board Policy

1. Purpose. The Board of Regents recognizes the vital role of the campus research programs in providing an environment that promotes exploration, discovery and the dissemination of new knowledge for students. The board supports the integration of learning and discovery on the campuses and recognizes that The University of Montana-Missoula, Montana State University-Bozeman and Montana Tech of The University of Montana maintain significant research programs as an integral part of their academic environment.

The dissemination of knowledge gained through research is an important part of the mission of higher education. The transfer of new discoveries and innovations and new applications of science may lead to the development of useful products, processes and services for the public. Products of this research may translate into new medical devices, diagnostics for human and veterinary use, pharmaceuticals, new grain varieties, innovations in current products, and numerous other products and processes.

Technology transfer also creates a dynamic interface between the universities and the commercial sector which encourages research collaborations, exchanges of materials, information and personnel with industry which enhances the university research programs by offering unique research opportunities for faculty and students.

The Board of Regents has responsibility for general oversight of all MUS campuses, including research and technology transfer activities. Therefore, the board adopts this policy to inform and guide its oversight and provide direction to MUS campuses engaged in these activities.

2. Strategic Planning. The Board of Regents shall adopt goals for research and technology transfer as part of its strategic plan. Additionally, UM-Missoula, MSU-Bozeman, and Montana Tech shall, and other campuses may, specifically include these items as components of their campus strategic plans.

3. Training for faculty and researchers. UM-Missoula, MSU-Bozeman, and Montana Tech shall each establish mandatory training programs for faculty and researchers who regularly engage in sponsored research activities. At a minimum, the following subjects will be included in the overall training program: compliance with state and federal laws and regulations applicable to university research; institutional policies and procedures governing research and laws and regulations.

Each campus will also develop optional training programs for faculty and researchers concerning board, unit, and campus policies and procedures governing patents, copyrights, and other relevant intellectual property matters and the technology transfer programs at the units.

4. Federal Initiatives Report. Targeted federal initiative funds (commonly referred to as "earmarks") are funds included in federal appropriations requested by members of Congress to fund specific projects or programs. To keep the regents informed of these funding requests, UM-Missoula

SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: June 1, 2007

Section: 401 Research and Technology Transfer;
Montana University System

and MSU-Bozeman, as representatives of the affiliated campuses, shall coordinate requests for federal initiatives for their affiliated campuses and shall each submit to the Commissioner of Higher Education a report of the requests for any non-competitive federal funds which the units anticipate submitting to Montana's congressional delegation for inclusion in the federal budget. The report will be submitted before the January board meeting unless otherwise scheduled by the board.

5 Reports. Annually, for the September regents' meeting, UM-Missoula and MSU-Bozeman, as representatives of the affiliated campuses, shall submit to the Commissioner of Higher Education a report summarizing the research and technology transfer activities for the previous fiscal year. The report shall contain, at a minimum, the following data for the previous fiscal year:

- a. All expenditures from grants and contracts managed by the respective research administrative offices;
- b. Number of new invention disclosures filed;
- c. Number of new start-up companies which have licensed or commercialized university-developed intellectual property;
- d. Number of new intellectual property licenses issued;
- e. Total intellectual property licenses in effect at the close of the fiscal year;
- f. Total gross revenues from intellectual property licenses; and
- g. Assessment of progress toward meeting the goals pertaining to technology transfer outlined in the campus strategic plans.

ITEM 135-105-R0507 ATTACHMENT 2

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 401.2 (1 of 5)

SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: November 18, 1999

Section: 401.2 Invention and patents
Montana University System

Issued: December 10, 1999

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A. Board policy:

1. All employees and units of the University System shall adhere to the following procedures with respect to patentable inventions or discoveries. The purpose of these procedures is to define the relationships among the inventor; the University System; the unit, college, school, branch, division or agency of the University System; and outside sponsors of research within the University System.

2. General objectives of this policy include dissemination of existing knowledge together with the acquisition of new knowledge and understanding through research. System research is also conducted to train students and to stimulate a spirit of inquiry, but seldom with regard to practical applications which might result. However, inventions are often by-products of research, and when such inventions are made, it may be in the public interest that the System provide the protection and control available under the patent laws. In such cases, it is the intention of the Board of Regents to provide that protection and control when practicable.

B. Procedures:

1. Ownership of Inventions or Discoveries. All patentable inventions made by employees of the Montana University System (including all its various units, colleges, schools, branches, divisions and agencies hereinafter called the "System"), in connection with their assigned duties and/or by the use of the System's facilities, shall be considered the property of the unit at which the inventor was employed under the following circumstances and to the following extent:

a. Wholly the property of the unit if the person (or persons) responsible for the invention was employed by the unit specifically for that purpose.

b. To the extent specified if the person's (or persons') contract of employment contains specific provision vesting ownership in the unit.

c. To the extent recommended by the Unit Patent Management **Officer or** Committee and approved by the president if research or endeavors directly resulting in the discovery or development of the invention or marketable product involved use of unit time, materials, property, or facilities.

Under all other circumstances individual employees are free to secure, under the patent laws of the United States, the exclusive right to their inventions, consistent with Article I, Section 8, of the Constitution of the United States which grants to the Congress the power "to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries...".

2. Limitations.

ITEM 135-105-R0507 ATTACHMENT 2

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

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a. This policy shall not include copyrights.

b. Provision of normal academic environment, including library facilities, does not constitute grounds for equity by the unit in a discovery or invention.

3. Inventors' Rights and Duties. System employees retain the right and responsibility for recognizing in their work inventions that may reasonably be marketable; and in every case, complete freedom of publication in both time and scope shall be maintained, unless agreements with outside sponsors provide otherwise as indicated below. Investigators will participate in work under such outside agreements only after they have informed themselves of such provisions and have accepted these provisions. Any employee or student to whom the conditions set forth in Section 1.a., b., and c. above applies, who believes an invention or discovery resulting from his work should be patented, shall present the matter to the Unit Patent Management Officer or Committee for consideration and disposal. Within ~~60 days~~ **18 months** of this presentation submission of an invention disclosure, the Patent Management Officer or Committee shall inform the inventor(s) in writing whether it plans to secure the patent or release the discovery to the inventor(s). In the latter case, or in case of failure by the Officer or Committee to communicate in writing within ~~60 days~~ **18 months**, the inventor(s) is free to secure the patent, pay all fees, and receive all benefits therefrom.

4. Submission of Patentable Inventions or Discoveries to Patent Management Officer or Committee

a. Invention Outside the System. If an invention is made and/or developed without System support of a significant degree, all rights remain with the inventor. Such inventions may be voluntarily submitted for consideration by the Unit in the System, but the inventor is under no obligation to do so. Provision of a salary or desk to an inventor by the System does not, in itself, constitute significant support. However, any invention by an employee related to an area in which he or she participates in research under unit auspices must be reported to the appropriate unit so that the question of whether the unit has provided sufficient support can be decided by the Patent Management Officer or Committee of the unit. This decision may be appealed to the System Invention Committee.

b. Invention with System Support. If an invention is made and/or developed with System support of a significant degree in time, money, materials, or facilities, the inventor must submit a full disclosure of the invention to the Patent Management Officer or Committee of the unit. Additionally, a copy of any manuscript submitted for publication shall simultaneously be submitted to the Patent Management Officer or Committee of the unit, if the author considers that it may contain marketable inventions. The Unit Patent Management Officer or Committee may advise, but not require, deferral of publication in order to protect the patent rights of the unit and the inventor.

ITEM 135-105-R0507 ATTACHMENT 2

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

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SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: November 18, 1999

Section: 401.2 Invention and patents
Montana University System

Issued: December 10, 1999

c. **Voluntary Assignment by Inventors who are not Employees of the MUS.** Individuals who are not employees of the Montana University System, including students, may offer to assign their rights to an invention to the appropriate unit. If that unit accepts the assignment, the royalties and other income from such invention shall be distributed as described in Subsections B(5)(b)(1) and B(6).

5. Prosecution of Patents

a. Time Limits

In the event that the unit deems that a patent should be prosecuted, the prosecution shall be carried out diligently and without expense of any kind to the inventor. The inventor must assign to the unit any interest in the patent equivalent to the property interest which the Committee determines to belong to the unit or which is required by Section 1.a. or Section 1.b. The preliminary patent search must be started within **60 days 9 months** from the date the matter is presented to the unit or the unit forfeits all right to the invention. If no patent application is filed within a total elapsed time of ~~eight months~~ **18 months** following disclosure, all patent rights revert to the inventor(s) unless other agreement is executed between the inventor(s) and the unit.

b. Options Available to the University Unit. The inventor has an obligation to offer the unit the opportunity to develop the invention for commercial use if the invention was made under unit auspices. The unit may:

(1) Elect to acquire title to the invention by assignment and in this case will undertake (unless inappropriate) the timely filing of patent applications, patent prosecution development, and marketing of the invention and shall bear all related costs. If the unit desires to accept such an assignment after competent peer review, the inventor shall be obligated to make such an assignment. The inventor shall, in this instance, receive on an annual basis, 50 percent of all net income, defined as gross royalties or other payments, including any recovery of damages obtained by the unit, but less external costs incurred by the unit in obtaining and protecting the patent rights and less any direct costs of development; or

(2) Cause the invention to be assigned to some patent management organization, such as Research Corporation or the Unit's Research Foundation. The domestic patent rights, foreign patent rights, or both, may be assigned to the patent management organization. The inventor shall receive on an annual basis 50 percent of all net royalties and other income received by the University from said patent management organization; or

(3) Decline to accept any rights to the invention by assignment or otherwise, in which case all rights revert to the inventor. If a dispute arises concerning the origin of an invention or patentable discovery or any aspect of patent policy, the dispute shall be presented to the System Invention Committee for final

ITEM 135-105-R0507 ATTACHMENT 2

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

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PAGE: 401.2 (4 of 5)

SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: November 18, 1999

Section: 401.2 Invention and patents
Montana University System

Issued: December 10, 1999

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disposition.

c. Invention Developed Under Agreement With Outside Sponsor. If the invention was made or developed under an agreement with an outside sponsor, the rights with respect to the invention shall be governed by provisions of that agreement. If not provided otherwise by the sponsoring agreement, the inventor's share of royalty or other income received from an outside sponsor shall be limited to the share he would have received had the unit supported the research entirely. If the sponsor determines that invention rights are left with the unit, the unit may elect to pursue one of the three options listed in Section 5b.

6. Distribution of Unit-retained Invention-related Income. In order to provide invention incentive and capability to unit personnel, the unit's share of invention income will be distributed as follows. Of the unit-retained share of net royalty or other income for any given invention, defined as gross receipts, less external expenditures for that invention and less the inventor's personal share two-thirds of the first \$30,000 per year, one-half of the next \$30,000 per year and one-third of the remainder will be designated through the unit budget or financial office to support the work of the inventor while employed by the unit and/or to promote discoveries at the unit. The rest will be distributed to a designated fund and will be used to support and expand research at the unit. Such distribution to support the inventor's work, derived from any given invention, will terminate after eight years from the first sale of products embodying that invention, and any earned monies after this date will go to a designated fund.

7. Development of Inventions. If the inventor becomes dissatisfied with the development of the invention as carried out by the unit, or with the unit's delay in reaching a decision, an appeal may be made to the System Invention Committee, in which the inventor may urge specific changes in the proposed course of action undertaken by the unit, or if the unit has been assigned rights to the invention, may ask that the invention rights be reassigned to a patent management organization such as Research Corporation or all rights be reserved to the inventor.

If after a period of three years from the acquisition of the issued patent by the University the invention has not been marketed, all rights revert to the inventor, unless an agreement with any outside sponsor precludes such reversion.

Definitions:

1. Employees
 - a. Regularly employed faculty or staff members,
 - b. Part-time or special faculty or staff members,
 - c. Students employed by any of the System's units, and
 - d. Any other persons including students using any unit's facilities who are not covered by contract or agreement.

ITEM 135-105-R0507 ATTACHMENT 2

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 401.2 (5 of 5)

SUBJECT: RESEARCH AND PUBLIC SERVICE

Effective: November 18, 1999

Section: 401.2 Invention and patents
Montana University System

Issued: December 10, 1999

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2. Invention. (Webster) - A device, contrivance, or process originated after study and experiment. To produce, as something useful, for the first time through the use of imagination or of ingenious thinking and experiment.

The term "invention" includes improvements, discoveries, processes and anything else covered by the federal patent laws.

3. Inventor. A person who invents. Specifically in this policy, an employee of the System who invents.

4. Patent. (Webster) - A writing securing to an inventor for a term of years the exclusive right to make, use, or sell his or her invention.

5. Unit Patent Management Officer or Committee. The person or committee, regardless of name or title, designated by the unit president to carry out the duties created by this policy.

6. System Invention Committee. The ad hoc committee selected by the Commissioner as needed to carry out the duties created by this policy.

History:

Item 179-000, Patent Policy, University of Montana, July 10, 1961 (Rescinded); Item 18-007-R1077, Invention and Patent Policy, Montana University System, October 28, 1977; as revised November 18, 1999 (Item 104-103-R0999).

SUBJECT: PERSONNEL

Effective Date: December 31, 2007

Section: 770 Conflicts of Interest;
Montana University System

Issued:

Board Policy:

1. Coordination with Other Standards or Policies. This policy is intended to complement the state statutes on standards of conduct for public employees (§ 2-2-101, MCA, et seq.) and is not intended to supersede or conflict with those standards. In addition, this policy is not intended to supersede Board of Regents' Policy 760, Service on Outside Governing Boards, and persons covered by that policy must act in compliance with both the general terms of this policy and the specific terms of that policy.

2. General Policy. Employees of the Montana University System must endeavor to avoid actual or apparent conflicts of interest between their university system duties and obligations and their personal activities, and between their university system duties and obligations and their professional activities outside the university system. A conflict of interest exists:

a. When an employee has a personal interest in a matter that may be inconsistent or incompatible with the employee's obligation to exercise the employee's best judgment in pursuit of the interests of the university system; or

b. When a non-university system activity unreasonably encroaches on the time an employee should devote to the affairs of the university system; or

c. When an employee's non-university system activities impinge on or compromise the loyalty, commitment, or performance the university system has the right to expect from the employee.

3. ~~Disclosure of Potential Conflict.~~

~~a. When presented with a situation involving a potential conflict of interest, an employee should ask: Would public disclosure of the matter lead an outside observer to believe a conflict exists?~~

~~b. When a potential conflict of interest arises, the involved employee has an obligation to bring the matter to the attention of his or her supervisor and ultimately to the campus chief executive; or in the case of the presidents to the commissioner, and in the case of the commissioner to the Regents. Also, a supervisor who has reason to believe an employee may have a conflict of interest is obligated to bring that matter to the attention of the employee and ultimately to the campus chief executive. Upon receiving a report that a conflict of interest may exist, the responsible administrative officer will undertake a careful, timely examination of the facts of the case to determine whether such conflict does exist or is likely to arise out of the activity at issue. The administrator will inform the affected employee of the judgment reached in the matter, subject to appropriate appeal.~~

SUBJECT: PERSONNEL

Effective Date: December 31, 2007

Section: 770 Conflicts of Interest;
Montana University System

Issued:

4. ~~Availability of Grievance Procedure.~~

a. ~~— An employee who objects to a refusal to allow him or her to undertake a specific activity may appeal such a decision through the appeals procedure established by Regents' Policy 203.5.2.~~

b. ~~— A person alleging a university system employee has acted or is about to act in a fashion incompatible with this policy may bring that matter to the attention of the chief executive officer on the involved campus. A campus decision on such a complaint is appealable under Regents' Policy 203.5.2 once a final decision has been rendered by the appropriate university president.~~

3. **Campus Conflict of Interest Policies. Each MUS campus shall maintain a written conflict of interest policy which contains the following elements:**

a. **A definition of conflict of interest consistent with Montana law, this policy, and applicable federal legal requirements.**

b. **Applicability to all employees of the campus.**

c. **A procedure for requiring all employees' written disclosure of all potential or actual conflicts of interest in compliance with Montana law and federal legal requirements at the following times:**

(1) **Whenever an actual or potentially conflicting interest is, or is about to be, acquired.**

(2) **Annually, on a conflicts disclosure form stating either the employee has no conflicts or disclosing any potential or actual conflicts. Annual disclosure statements must be completed by all full-time employees except those categories of employee expressly exempted from annual reporting by the campus conflict of interest policy.**

(3) **Before submitting a proposal for grants or contracts, any actual or potential conflicts relating to the proposal in accordance with sponsor and campus regulations.**

d. **On campuses that perform sponsored research, provisions to assure compliance with federal legal requirements concerning conflicts of interest in sponsored research.**

e. **Provisions to assure compliance with state legal requirements, including § 2-2-101, MCA, et seq.**

SUBJECT: PERSONNEL

Effective Date: December 31, 2007

Section: 770 Conflicts of Interest;
Montana University System

Issued:

-
- f. Procedures which assure independent assessment and review of potential conflicts, including review by legal counsel.
- g. Appointment of a campus administrator and/or committee as the policy administrator with responsibility for policy compliance, maintenance of records of disclosure, conflicts management plans, and periodic reviews of compliance with such plans.
- h. A process for resolution of conflicts determined to exist through the independent review process. Resolution must be in writing and will determine: (1) the conflict is not prohibited by statute or regulation, is not likely to influence the actions of the employee and, therefore, requires no further action; (2) the conflict requires management; or (3) the conflict must be eliminated.
- i. If a conflict is determined to require management, a written plan shall be established and shall require periodic independent conflicts review, the results of which are to be reported to the policy administrator. If conflicts are managed rather than eliminated, the policy administrator shall make a written determination as to why management is in the best interest of the campus.
- j. An appeal procedure for employees who are required to forgo a specific activity to eliminate a conflict of interest at the campus level and then through the appeals procedure established by Board of Regents' Policy 203.5.2.
4. **Office of Commissioner of Higher Education Policy.** The commissioner of higher education shall establish a conflict of interest policy which includes oversight of conflicts of commissioner's staff and campus chief executive officers. The policy shall be subject to review and approval by the Board of Regents.
5. **Board of Regents Approval of Campus Policies.** The proposed campus policies must be approved by the campus chief executive and submitted to the Commissioner of Higher Education by December 31, 2007, for review and approval. The submittal must include a proposed campus training plan for employees on the conflicts of interest policy.
6. **Annual Report to Board of Regents.** Annually, each campus shall submit a written conflict of interest report to the Board of Regents which includes at least the following information:
- a. Number of conflicts disclosed.
 - b. Summary of nature of conflicts.

ITEM 135-105-R0507 ATTACHMENT 3

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 770 (Page 4 of 4)

SUBJECT: PERSONNEL

Effective Date: December 31, 2007

Section: 770 Conflicts of Interest;
Montana University System

Issued:

-
- c. Number of conflicts being managed through written plans.**
 - d. Number of conflicts eliminated.**
 - f. Other material information relating to conflicts of interest at the campus.**

History:

Item 96-011-R0997, Conflicts of Interest; Montana University System (NEW), approved by the Board of Regents on November 20, 1997.

ITEM 135-105-R0507 ATTACHMENT 4

BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 218 (1 of 2)

SUBJECT: GOVERNANCE AND ORGANIZATION

Effective: November 18, 1999

Section: 218 Institutional organization

Issued: June 1, 2007

Approved:

Board Policy:

1. The following matters require review and approval by the Board of Regents before they can be announced and implemented.

a. formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory or similar unit;

b. formation of a profit or non-profit corporation or other legal entity after June 1, 2007 by a campus or its employees acting on behalf of the campus.

c. establishment, elimination or change in scope of an off-campus resident center;

d. designation of a lead institution;

e. movement of an academic unit from one college, school or division to another; and

f. changes in the names of any of the entities covered in 1.a. above.

Procedures:

Proposals for centers and institutes shall:

1. identify its purpose;

2. state its objectives;

3. briefly describe its anticipated activities;

4. identify all agencies, organizations and/or institutions which will be involved and include advisory council information;

5. identify its organizational structure within the institution;

6. describe the interrelationships between it and the institutional mission, including information about which departments on campus will be involved and how the center or institute will contribute to the academic programs of the institution;

ITEM 135-105-R0507 ATTACHMENT 4

BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 218 (2 of 2)

SUBJECT: GOVERNANCE AND ORGANIZATION

Effective: November 18, 1999

Section: 218 Institutional organization

Issued: June 1, 2007

Approved:

7. identify first year and continuing finances necessary to support it including the sources of funding;
8. describe other similar programs in the state and surrounding region;
9. identify faculty expertise available for participation in its activities;
10. state the internal campus review and approval process which has occurred prior to submission to the Commissioner's Office.

History:

Item 24-001-R0579, Institutional organization, Montana University System, May 30, 1979 as revised October 28, 1983 and November 18, 1999 (Item 104-103-R0999).

May 30 – June 1, 2007

ITEM 135-106-R0507

Exceptions to Policy 301.12, Undergraduate Degree Requirements

THAT:

The Board of Regents of Higher Education approves exceptions to Policy 301.12, Undergraduate Degree Requirements; Associate Degrees and Certificates of Applied Science, for the following programs in the Montana University System:

- the Certificate in Farm and Ranch Business Management at Dawson Community College;
- the Associate of Applied Science degree in Civil Engineering Technology at Montana State University-Northern;
- the Associate of Applied Science degree in Dental Hygiene at Montana State University-Great Falls College of Technology.

EXPLANATION:

In response to the Legislative Performance Audit on transfer of credits in the Montana University System, the Montana Board of Regents adopted a comprehensive policy on associate degrees and certificates of applied science. That policy, referenced above, establishes guidelines and characteristics for those degree programs. It also establishes an exception procedure for programs that do not comply with those guidelines and have a compelling or externally-imposed reason for the variation. The request for exception must be submitted to the Deputy Commissioner for Academic and Student Affairs, who refers it to the Two-Year Education Council. That Council makes a recommendation on the exception request to the Academic & Student Affairs Committee of the Board of Regents. These three (3) programs are the first exceptions to come before the Committee and Board under the policy.

The Two-Year Education Council is meeting on these exception requests on May 23, 2007, after the posting deadline for May 2007 Board of Regents' meeting. The Council's recommendations will be available, as Addendum materials, however.

Dawson Community College is asking for an exception because its certificate program takes more than a year to complete. MSU-Northern is asking for an exception to

the technical credit requirement because of accreditation expectations. MSU-Great Falls College of Technology is asking for an exception to the maximum number of credits because of accreditation expectations, comparable dental hygiene programs and other compelling reasons.

The campuses prepared documents in support of their request. Those documents can also be found in the Addendum.

May 30 – June 1, 2007

ITEM 135-111-R0507

Revisions to Policy 301.16, Writing Proficiency

THAT:

The Board of Regents of Higher Education approve the attached revisions to Policy 301.16, Writing Proficiency. The revisions clarify the language in the original policy, which purposefully included indefinite benchmarks at the time of its original implementation.

EXPLANATION:

Policy 301.16 establishes writing proficiency standards for admission to four-year degree programs in the Montana University System, using the ACT test, the SAT test, the Montana University System Writing Assessment, Advanced Placement examinations and CLEP examinations. When the policy was originally adopted, in November 2005, the ACT and SAT writing examinations were very new, so the benchmark score for those two tests was hard to determine until more data could be collected.

The writing proficiency admissions standard is also being phased in over a three-year period. The ACT and SAT scores for Fall 2007 were set out in the original policy, and students are being admitted to four-year degree programs this year with those benchmarks. Some institutions in the Montana University System are already receiving applications for Fall 2008, however, so the policy needs to be clarified.

At this point, unfortunately, ACT and SAT do not have the data to assist with this revision. The Writing Proficiency Steering Committee, with the advice of Jan Clinard in the Office of the Commissioner of Higher Education, reviewed the information that was available on those two tests and recommend the attached revisions.

In reviewing the subsequent information in this explanation, it is important to remember that a score of 6 on the ACT and SAT test is equivalent to a score of 3 on the Montana University System Writing Assessment (MUSWA); an ACT or SAT score of 7 is equivalent to 3.5 on the MUSWA. Those MUSWA scores are the proficiency benchmarks for 2008 and 2009.

According to information supplied by ACT,

- 20% of all students who take their essay test score below a 6;
- 25% score below a 17 on the combined test;
- 45% score below a 7 on the essay test;
- 30% score below an 18 on the combined test.

Montana students who took the ACT in 2006 did considerably better, however. According to ACT,

- 8% of all Montana students who took the essay test scored below a 6;
- 12% scored below a 17 on the combined test;
- 28% scored below a 7 on the essay test;
- 17% scored below an 18 on the combined test.

Although the Writing Proficiency Steering Committee could not get nationwide information from SAT, Montana students appear to perform in much the same way as their ACT counterparts. SAT scores for Montana students in 2006 showed that

- 9.6% scored below 6 on the essay test;
- 12.8% scored below 420 on the combined test;
- 28.6% scored below 7 on the essay test;
- 18% scored below 440 on the combined test.

The recommended scores seem appropriate, based on the information that is currently available. The Office of the Commissioner of Higher Education has already promised the Board that it will do follow-up studies on the writing proficiency policy to see if it works. Those studies will include a more careful examination of the “predictive validity” of these benchmarks. Hopefully, ACT and SAT will also have information, down the road, that will help with that review.

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 300 (1 of 3)

SUBJECT: ACADEMIC AFFAIRS

Effective: November 18, 2005

Section: 301.16 Writing Proficiency

Issued: December 13, 2005

Approved: *E Dale*

I. Board Policy:

- A. Any student seeking full admission to a four-year degree program at Montana State University- Bozeman, Montana State University-Billings, Montana State University-Northern, The University of Montana-Missoula, Montana Tech of The University of Montana, and The University of Montana-Western must satisfy a writing proficiency standard. That standard is as follows:

For Fall 2009 and the following years, students must earn a minimum score of:

- 7 on the Writing Subscore or ~~an equivalent score~~ 18 on the Combined English/Writing section of the Optional Writing Test of the ACT; or
- 7 on the Essay or ~~an equivalent score~~ 440 on the Writing Section of the SAT; or
- 3.5 on the Montana University System Writing Assessment; or
- 3 on the AP English Language or English Literature Examination.

- B. The writing proficiency standard will be phased in, beginning in Fall 2007.

1. For Fall 2007, students must earn a minimum score of:

- 5 on the Writing Subscore or 16 on the Combined English/Writing section of the Optional Writing Test of the ACT; or
- 5 on the Essay or 390 on the Writing Section of the SAT; or
- 2.5 on the Montana University System Writing Assessment, or
- 3 on the AP English Language or English Literature Examination.

2. For Fall 2008, students must earn a minimum score of:

- 6 on the Writing Subscore or ~~an equivalent score~~ 17 on the Combined English/Writing section of the Optional Writing Test of the ACT; or
- 6 on the Essay or ~~an equivalent score~~ 420 on the Writing Section of the SAT; or
- 3 on the Montana University System Writing Assessment; or
- 3 on the AP English Language or English Literature Examination.

- C. In lieu of the indicators set out in paragraphs A and B above, students may offer CLEP Subject Examinations in Composition if their scores on the examination meet or exceed the ACE Recommended Score for Awarding Credit of 50.

- D. A student who has not yet demonstrated the ability to meet these standards may be admitted (without condition) to a two-year degree program or admitted

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

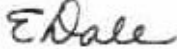
PAGE: 300 (2 of 3)

SUBJECT: ACADEMIC AFFAIRS

Effective: November 18, 2005

Section: 301.16 Writing Proficiency

Issued: December 13, 2005

Approved: 

provisionally to a four-year degree program on any campus of the Montana University System.

- E. Before gaining full admission status to a four-year program, the student may prove that he/she has the appropriate proficiency in the following ways:
1. re-take one or more of the listed writing assessments to earn the required score;
 2. earn a grade of C- or better in the composition course that is the prerequisite to the composition course that satisfies the general education program requirements described in Board [Policy 301.10](#);
 3. submit a letter to the admissions office documenting a disability that prevented him/her from adequately demonstrating proficiency in a test setting if no accommodation was provided at the time of the test.
- F. A student receiving a score of 5.5 or higher on the MUS Writing Assessment will be issued a certificate of merit from the Montana Board of Regents for use in applying for college admissions or scholarships.

High schools throughout Montana will receive:

- certificates of appreciation from the Montana Board of Regents for their partnership activities with the Montana University System on behalf of the Writing Assessment project;
- awards of merit from the Montana Board of Regents for the exemplary performance earned by their students on the Writing Assessment project.

G. By Fall 2007, the Montana University System will:

1. determine how this policy should be applied to the groups of students exempted in Section H, based on the Montana Board of Regents' expectation that all students in four-year degree programs should satisfy a writing proficiency standard;
2. determine how this policy should impact the writing placement examinations on the campuses of the Montana University System, based on the Montana Board of Regents' expectation that students should not have to take multiple writing examinations as part of their initial matriculation in the System;
3. establish a uniform system to collect and report student data related to writing proficiency to provide evaluation and analysis of the writing proficiency requirement.

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

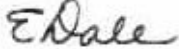
PAGE: 300 (3 of 3)

SUBJECT: ACADEMIC AFFAIRS

Effective: November 18, 2005

Section: 301.16 Writing Proficiency

Issued: December 13, 2005

Approved: 

-
- H. The following categories of students are exempt from the provisions of this policy:
1. non-traditional students (those who do not enter college for a period of at least three years from the date of high school graduation or from the date when they would have graduated from high school);
 2. summer-only students; and
 3. part-time students taking seven or fewer college-level semester credits.

History:

ITEM 89-003-R1195 Approval of Proficiency Admission Requirements and Developmental Education in the Montana University System, approved by the Board of Regents on November 17, 1995; [ITEM 107-109-R0500](#) Report from Joint K-16 Composition Standards Committee on Writing Proficiency Standards for Admission and Graduation from MUS, approved July 6, 2000; [ITEM122-115-R0104](#) Writing Proficiency Recommendation ([Background](#)), approved January 15, 2004; [ITEM 129-109-R1105](#) Writing Proficiency Policy, approved November 18, 2005.

January 18-19, 2007

ITEM 134-1001-R0107

Approval To Add A New Option In Inequality And Social Justice To The B.A. And M.A. In Sociology

THAT:

In accordance with The Montana University System Policy, The Board of Regents of Higher Education authorizes the University of Montana-Missoula, The Department of Sociology, approval to add an Option in Inequality and Social Justice the B.A. and M.A. in Sociology.

EXPLANATION:

The University of Montana requests approval for the Department of Sociology to add an Option in Equality and Social Justice to the B.A. and M.A. in Sociology.

When approved, The University of Montana--Missoula will be the only institution of higher education in the State to offer an option in Inequality and Social Justice within the Bachelor of Arts and Master of Arts programs. This proposed curriculum will substantially strengthen both undergraduate and graduate programs at The University of Montana--Missoula. This new option builds upon the existing research and teaching expertise of the Sociology faculty as a whole, in such areas as race, gender, and class, social stratification, poverty, social change, and political sociology. Importantly, the Inequality and Social Justice Option provides coherence to the sociology curriculum, with practical application of the degree options.

The Inequality and Social Justice Option in Sociology will benefit the State of Montana in dealing with problems of low wages, impoverished communities, and growing hunger. Students who graduate with this undergraduate or graduate option will be more informed as to the causes and consequences of inequality, and therefore will be in a better position to contribute to efforts to effect positive social change.

ATTACHMENTS:

Level II Request Form; New Academic Program Proposal Summary; Proposal for Inequality and Social Justice Option

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.: 134-1001-R0107 Date of Meeting: January 18-19, 2007
Institution: The University of Montana
Program Title: B.A. and M.A. in Sociology, New Option in Inequality and Social Justice

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor where there is no major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

The University of Montana seeks permission to add an Option in Inequality and Social Justice to the B.A. and M.A. in Sociology. Presently, the Sociology curriculum is structured to provide a general sociology degree, with more specialized options in Criminology and Rural and Environmental Change. These options provide coherence to the sociology curriculum, with practical application of the degree options.

February 28, March 1- 2, 2007

ITEM NO.: 134-1003-R0307

Approval of a Proposal to Approve the Osher Lifelong Learning Institute of The University of Montana

THAT:

In accordance with the Montana University System Policy, the Board of Regents of Higher Education authorizes The University of Montana to host, within Continuing Education, the Osher Lifelong Learning Institute of The University of Montana.

EXPLANATION:

Continuing Education of The University of Montana-Missoula is seeking approval of The Osher Lifelong Learning Institute of The University of Montana which offers non-credit, short courses for adults over the age of 55. The courses will be taught three times during the academic year: fall, winter and spring. The programs offered through the proposed institute are designed to help meet the informal educational needs of older adults and are not offered for credit. The Institute is supported by an external grant from the Bernard Osher Foundation and by self-support funding generated through memberships and program/course fees.

While Missoula maintains a large number of social service and health care programs for senior citizens, there are relatively few programs that have an education focus. An online search revealed ninety-five programs and resources, of which only three were related to education. Two of these focus on learning specific skills for people over age eighteen: the Dickinson Lifelong Learning Center offers training programs, most of which provide basic skills while others relate to hobbies such as photography or cooking; and the College of Technology, which offers a limited number of occupationally-focused courses for "non-traditional" students of all ages, although the vast majority of their students are under age fifty. There was only one academically oriented program available, Golden College, offered by The University of Montana. This relatively obscure program enables senior citizens to audit traditional credit courses with on-campus students.

There are few intellectually stimulating, academically-focused programs for individuals over the age of fifty in Missoula, and based on the numbers of students who have attended Institute courses from towns as far away as Hamilton and Superior, this need and lack of opportunity extends well into the state of Montana. In addition, enrollments in the first three terms of courses clearly indicate the need and the desire for programs for older adults in this area.

M O N T A N A B O A R D O F R E G E N T S
LEVEL II REQUEST FORM

Item No.: 134-1003-R0307 **Date of Meeting:** February 28, March 1-2, 2007
Institution: The University of Montana-Missoula
Program Title: The Osher Lifelong Learning Institute of The University of Montana

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor where there is no major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

The University of Montana-Missoula requests approval of a new institute, The Osher Lifelong Learning Institute of the University of Montana. The programs offered through the proposed Institute are designed to help meet the informal educational needs of older adults. The short courses offered in the program are not for credit. The Institute is supported by an external grant from the Bernard Osher Foundation and by self-supported funding generated through memberships and program/course fees.

February 28-March 2, 2007

ITEM: 134-1503-R0307

Approval of proposal to offer a two-year Associate of Applied Science Degree in Web Development and Administration.

THAT:

In accordance with Montana University Policy, the Board of Regents of Higher Education authorizes The University of Montana, Montana Tech to create an Associate of Applied Science degree in Web Development and Administration.

EXPLANATION:

This degree in Web Development and Administration will prepare students to utilize current and emerging web development tools. The degree program will also produce competent technicians who are able to develop, manage, and secure a medium sized network infrastructure that supports a web presence. The degree is unique in that it has a major focus in the organization and management aspects of web sites as well as web page creation. This proposal is for a new degree with select components from the existing AAS and BS Network Technology degrees.

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.:	134-1503-R0307	Date of Meeting:	February 28-March 2 2007
Institution:	Montana Tech COT		
Program Title:	Web Development And Administration		

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor or certificate where there is no major or no option in a major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

The University of Montana - Missoula requests approval to authorize MT Tech of The University of Montana College of Technology to offer a new AAS degree, Web Development and Administration. The degree is unique in that it has a major focus in the organization and management aspects of web sites as well as web page creation. This proposal is for a new degree with select components from the existing AAS and BS Network Technology degrees.

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.:	134-2010-R0307-Revised	Date of Meeting:	May 31-June 1, 2007
Institution:	Montana State University-Bozeman		
Program Title:	Bachelor Of Arts In Music Technology		

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor or certificate where there is no major or no option in a major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

Montana State University - Bozeman seeks approval from the Montana Board of Regents to offer a Bachelor of Arts in Music Technology.

The Program would be managed by the Director of Music Technology and the Department Head of the Department of Music. The proposed program includes both specialized Music Technology coursework and interdisciplinary work in conjunction with other University departments.

Professionals in sound and music are called upon to handle a wide range of work, from music composition to sound synthesis to equipment installation and operation. Students are best prepared to direct their own careers when they have educational background in all of these areas. The Music Technology program at MSU - Bozeman meets this need, integrating theory and performance, composition, acoustics, audio engineering, music for visual media, and interdisciplinary studies.

February 28–March 2, 2007

ITEM 134-2802-R0307 **Approval of Proposal to Offer a Certificate of Applied Science and an Associate of Applied Science degree in Carpentry Technology; Montana State University-Northern**

THAT: Montana State University-Northern seeks approval from the Montana Board of Regents to offer a Certificate of Applied Science and an Associate of Applied Science degree in Carpentry Technology.

EXPLANATION: The proposed degrees will prepare students to work as carpenters in Montana's construction industry. The degrees are part of the state-wide initiative to increase the number of trained workers in the construction industry. The degrees were defined in cooperation with business and industry and follow the state-wide curriculum defined for carpentry. The start-up monies for this initiative are provided by the BILT grant.

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.:	134-2802-R0307	Date of Meeting:	February 28 - Mar. 2, 2007
Institution:	Montana State University-Northern		
Program Title:	Certificate of Applied Science in Carpentry Technology and Associate of Applied Science in Carpentry Technology		

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor or certificate where there is no major or no option in a major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

Montana State University-Northern proposes the delivery of a Certificate of Applied Science degree and an Associate of Applied Science degree in Carpentry Technology. The development and delivery of these degrees are part of the state-wide initiative to increase the number of trained workers in the construction industry. MSU-Northern is part of the BILT consortium with curriculum for these degrees developed in cooperation with the Colleges of Technology in Billings, Butte, and Helena. The state-wide BILT grant is led by the College of Technology in Billings.

February 28-March 2, 2007

ITEM 134-2852-R0307 Approval of Proposal to Transition the Certificate in Surgical Technology to an Associate of Applied Science in Surgical Technology; Montana State University-Great Falls

THAT: Montana State University-Great Falls College of Technology seeks approval from the Montana Board of Regents to transition the College's Certificate in Surgical Technology to an Associate of Applied Science in Surgical Technology.

EXPLANATION: This request is in response to three primary considerations: (1) the move in the field of Surgical Technology is towards Associate Degree level educational preparation; (2) the need to bring the current program into compliance with Board of Regents Policy 301.12, which stipulates the parameters for Certificate and Associate Degree programs; and (3) the desire to align the program and its curriculum more closely with other Surgical Technology programs in Montana

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.:	134-2852-R0307	Date of Meeting:	Feb. 28 - Mar. 2, 2007
Institution:	Montana State University-Great Falls COT		
Program Title:	Associate of Applied Science In Surgical Technology		

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor or certificate where there is no major or no option in a major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

Montana State University-Great Falls College of Technology seeks approval from the Montana Board of Regents to transition the College's Certificate in Surgical Technology to an Associate of Applied Science in Surgical Technology. This request is in response to three primary considerations: (1) the move in the field of Surgical Technology is towards Associate Degree level educational preparation; (2) the need to bring the current program into compliance with Board of Regents Policy 301.12, which stipulates the parameters for Certificate and Associate Degree programs; and (3) the desire to align the program and its curriculum more closely with other Surgical Technology programs in Montana.

February 28–March 2, 2007

ITEM 134-2857-R0307 **Approval of Proposal to Transition the Certificate in Auto Body and Refinishing to an Associate of Applied Science in Auto Body Repair and Refinishing; Montana State University-Great Falls**

THAT: Montana State University-Great Falls College of Technology seeks approval from the Montana Board of Regents to transition the College's Certificate program in Auto Body Repair and Refinishing to an Associate of Applied Science in Auto Body Repair and Refinishing.

EXPLANATION: The current program is not in compliance with Board Policy 301.12 and this proposal is intended to bring the program into compliance while aligning the program with the appropriate credential for the coursework.

MONTANA BOARD OF REGENTS

LEVEL II REQUEST FORM

Item No.:	134-2857-R0307	Date of Meeting:	February 28–March 2, 2007
Institution:	Montana State University-Great Falls COT		
Program Title:	Associate of Applied Science in Autobody Repair and Refinishing		

Level II proposals require approval by the Board of Regents.

Level II action requested (check all that apply): Level II proposals entail substantive additions to, alterations in, or termination of programs, structures, or administrative or academic entities typically characterized by the (a) addition, reassignment, or elimination of personnel, facilities, or courses of instruction; (b) rearrangement of budgets, cost centers, funding sources; and (c) changes which by implication could impact other campuses within the Montana University System and community colleges. Board policy 303.1 indicates the curricular proposals in this category:

- 1. Change names of degrees (e.g. from B.A. to B.F.A.)
- 2. Implement a new minor or certificate where there is no major or no option in a major;
- 3. Establish new degrees and add majors to existing degrees;
- 4. Expand/extend approved mission; and
- 5. Any other changes in governance and organization as described in Board of Regents' Policy 218, such as formation, elimination or consolidation of a college, division, school, department, institute, bureau, center, station, laboratory, or similar unit.

Specify Request:

Montana State University-Great Falls College of Technology seeks approval from the Montana Board of Regents to transition the College's Certificate program in Auto Body Repair and Refinishing to an Associate of Applied Science in Auto Body Repair and Refinishing. The current program is not in compliance with Board Policy 301.12 and this proposal is intended to bring the program into compliance while aligning the program with the appropriate credential for the coursework.

TO: Montana Board of Regents

FROM: Roger Barber
Deputy Commissioner for Academic & Student Affairs

RE: Policy 940.29, Tuition: Post-Baccalaureate Students

DATE: May 30 - June 1, 2007

The Montana Board of Regents asked the Office of the Commissioner of Higher Education to prepare a recommendation on the above-referenced policy. This memorandum contains that recommendation, and is intended to provoke. . .and focus. . .discussion on the future of that policy.

The recommendation is as follows:

- the policy should remain in effect for the 2007 – 2009 biennium.
- the tuition authorized by this Policy should be phased out over a two-year period, beginning July 1, 2009.
- the repeal of the policy should be effective on June 30, 2011.
- the campuses of the Montana University System should be authorized to set tuition for graduate programs at a rate not to exceed 120% of the resident undergraduate tuition, before and after the repeal of this policy.
- the Office of the Commissioner of Higher Education should prepare a policy amendment for the May 2009 Board of Regents' meeting that reflects these recommendations.

The Academic and Student Affairs Committee of the Board of Regents has discussed this policy for more than a year. During that time period, the Committee has received information on the number of post-baccalaureate students on each campus and their programs of study, the financial aid opportunities available to post-baccalaureate students, and the potential revenue loss for the campuses if this policy is repealed. That revenue loss varies from \$50,000/year to approximately \$350,000/year on the two largest campuses.

The Office of the Commissioner of Higher Education believes that the policy has outlived its usefulness, however.

- It was adopted at a time when the Board enacted several policies to move students through the Montana University System quickly, and to penalize students for accruing credits. Most of those policies have been repealed.
- It no longer makes sense, particularly in a world where people change careers often, new job skills are important to a successful lifetime of work, and many professions. . .like teaching and healthcare. . .could benefit from the talents of people who have already had a successful career in some other field.

Post-Baccalaureate Tuition, cont.:
Page 2

The Commissioner's office believes it would be unfair to change the policy in the next biennium, since the campuses would have no time to prepare for its fiscal impact. Hopefully, Governor Schweitzer's CAP program will also be enacted by the 2007 Legislature. But if that happens, the campuses would have no way to recover the tuition loss associated with this policy repeal.

By postponing the repeal for two years, and by phasing it out over the next two years, the campuses of the Montana University System will have time to adjust to the revenue loss.

The University of Montana—Missoula Higher Education Center in Hamilton

The University of Montana—Missoula proposes to create an off-campus Higher Education Center in Hamilton, Montana. Montana Board of Regents of Higher Education Policy (220, issued May 9, 2000) states that “The presidents and chancellors of the Montana University System are authorized to plan higher education centers to provide additional educational services to the people of the State of Montana.... Any program offered at a higher education center must be within the approved mission and authorized programs of the institution” and “A higher education center shall offer a structured, coherent educational program leading to a degree. It shall not be merely the physical location for occasional course offerings.”

Needs Assessment

In Spring 2007, The University of Montana commissioned a telephone survey to determine the need for postsecondary education in the region south of Missoula, especially regarding the need for evening/night classes. More than 1,600 households were contacted, with a response rate of 50.2%. Questions ranged from those about demographic information, to types of courses and degrees of interest, to need for student services. Responders to the survey indicated the strongest interest in the following fields: Business (business, marketing, accounting, finance, human resources), Education (elementary, leadership, early childhood), and Health Care (especially Nursing). The majority of adults who indicated that they were very likely or extremely likely to enroll in coursework said that evening classes (5:00 pm or 6:00 pm start) provided the best option for them.

Beginning at about the same time, a community-based exploratory committee in the Bitterroot Valley developed an initiative in favor of a district-based community college to respond to the Valley citizens' postsecondary educational needs. The committee proceeded on the premise that a locally funded and controlled community college offers the best means to provide residents with access to higher education and the economic and social benefits that accrue from higher education.

The two initiatives do not conflict. The University proposal to establish a Higher Education Center has the capacity to accommodate the contributions of a locally funded and controlled community and those of all other higher education institutions in Montana wishing to participate. The design of a MUS Higher Education Center calls for collaboration as the most appropriate and efficient means to respond to the range of local needs. Therefore, the University proposes to establish a Center that will welcome all institutions that wish to and can contribute, much as the existing Centers in Great Falls and Helena do.

Purpose of the Center

Establishing a Higher Education Center in Hamilton will allow individuals in the region access to coursework toward degrees at The University of Montana or another accredited higher education institution, to workforce training, and to college preparation in closer proximity to their residences. Establishment of a Center in Hamilton will provide a convenient location in Ravalli County to offer University of Montana degree programs currently available through the College of Technology as well as all other Colleges and Schools of the University, as identified needs dictate. As appropriate through a Higher Education Center, collaboration with other post-

secondary institutions through site-sharing for the opportunity to offer course work or programs will become available.

Coursework offered through the Higher Education Center in Hamilton by The University of Montana, Missoula, will be applicable to Certificate, Certificate of Applied Science (CAS), Applied Science (AS), Associate of Applied Science (A.A.S.), Bachelor of Applied Science (B.A.S.), Associate of Arts (AA), Associate of Science (AS), Bachelor of Arts (BA), Bachelor of Science (BS), and other appropriate degrees. Other course, seminar, and workshop offerings will respond to regional and community workforce needs. Additional offerings could include, based upon identified need, college preparatory courses; dual credit – i.e., for high school as well as college -- for high school students; developmental coursework in reading, writing, and mathematics; adult basic education; professional development and continuing education; community education non-credit offerings; and selected graduate program offerings. Courses will be offered during time periods identified as traditional, evening, weekend, and summer.

The curriculum offered through the Higher Education Center will include courses and programs approved by The University of Montana Curriculum Committee and Faculty Senate, by those entities of other institutions, and authorized by the Board of Regents.

Time Frame

The University of Montana has submitted a substantive change proposal to the Northwest Commission on Colleges and Universities requesting authorization for the delivery of coursework to a new remote site. As mentioned, all courses and programs will have the pre-existing approval of the University governance entities and the Regents. Any new programs will undergo the required institutional and Regental processes for approval prior to delivery. In addition, the University has entered into an agreement with the school district in Hamilton for the use of high school facilities to offer coursework during the summer of 2007 and through the 2008 Academic Year. To insure the necessary coordination of the effort and support of the educational offerings, the University has made arrangements for bandwidth, equipment, infrastructure, and personnel in Hamilton. To provide the necessary liaison, the University will appoint a qualified local resident as the Director of the proposed Center. As the scope of the Center develops, the University will scale these arrangements in response to demand and offerings. At the appropriate time, following the initial start-up but no later than May 2008, the University will request authorization by the Board of Regents of the Hamilton Higher Education Center.

TO: Montana Board of Regents
FROM: Roger Barber
Deputy Commissioner for Academic & Student Affairs
RE: Certificates Created by the Campuses
DATE: May 30 – 31 and June 1, 2007

In March 2005, the Montana Board of Regents approved a policy that permits the campuses of the Montana University System to create certificate programs without approval of the Board. The relevant section of Policy 303.1 states:

Certificate programs of more than 30 credits will be reviewed and approved under the procedures established by this policy. Certificates of 30 credits or less may be implemented by the individual campuses of the Montana University System, without approval by the Board of Regents. All such certificates shall be reported to the Office of the Commissioner of Higher Education, however, and listed on the official degree and program inventory of the System. They will be removed from the inventory upon notice to the Commissioner's office.

Since the creation of that policy, the following certificates of 30 credits or less have been established by the campuses of the Montana University System:

Montana Tech of The University of Montana College of Technology:

Baccalaureate Prep
Lineman

The University of Montana-Helena College of Technology:

Medical Assistant

Flathead Valley Community College:

3-D Jewelry Computer Design & Production
Customer Service Specialist
Electrical Technology
Entrepreneurship
Gerontology
Heavy Equipment Operator
Marketing/Sales Specialist
Payroll Accounting
Personal Trainer
Plumbing Technology
Real Estate Specialist
Welding & Fabrication Technology

Certificates Memo, cont.:
Page 2

Miles Community College:

Business Administration
Entrepreneurship
Fundamentals of Business
Heavy Equipment Operator
Marketing & Sales
Medical Receptionist

If you have any questions, I would be happy to attempt to answer them, along with my colleagues on the campuses.

TO: Montana Board of Regents

FROM: Roger Barber
Deputy Commissioner for Academic & Student Affairs

RE: Information on Program Terminations and Moratoriums

DATE: May 30 – 31 and June 1, 2007

With the help of staff in the Office of the Commissioner of Higher Education, I have prepared a summary of program terminations, moratoriums and consolidations over the last 13 years. That summary is attached to this memorandum.

The summary is for informational purposes only. At every regular meeting of the Montana Board of Regents, the Board is asked to approve new academic programs. That process is formal, structured and very public. Almost as regularly, but with considerably less fanfare, academic programs are terminated or placed on moratorium by the campuses. That process takes place as part of the Level I memorandum, which is handled as a consent item on the Board's agenda.

The termination numbers are, admittedly, skewed a bit because of the recent actions by The University of Montana-Missoula to eliminate multiple options in its fine arts programs. That decision alone added over 30 programs to the termination column.

Information about the specific decisions and programs that are summarized in this table can be found at <http://mus.montana.edu/reports/academic/TerminationReport.pdf>

Summary of Program Moratoriums, Terminations, and Consolidations 1994-2007

	Total Number of Programs	Termination	Moratorium	Consolidation
MSU-Bozeman	42	28	2	12
MSU-Billings	34	25	0	9
MSU-Northern	28	16	11	1
MSU-Great Falls COT	6	4	2	0
UM-Missoula	64	58	4	2
UM-Western	7	1	5	1
UM-MT Tech	14	12	2	0
UM-Helena COT	2	1	0	1
Dawson CC	4	4	0	0
Flathead Valley CC	8	7	1	0
Total	209	156	27	26

MEMORANDUM

DATE: May 30 – June 1, 2007

TO: Montana Board of Regents

FROM: Roger Barber, Deputy Commissioner for Academic & Student Affairs

RE: Level I Approvals and Announcements

This memorandum is intended to inform you of the Level I changes in academic programs that have been approved in the Office of the Commissioner of Higher Education since the last meeting of the Board of Regents. It also includes announcements that may be of interest to the Board. If you have any questions, I would be happy to answer them with the help of my colleagues in academic affairs.

The University of Montana-Missoula:

- The University of Montana-Missoula filed a Notice of Intent to terminate its Minor in Nature and Democracy in March 2007. All of the steps in the termination process have been completed, and the minor is, therefore, eliminated. [ITEM 134-1001+R0307](#)
- The University of Montana-Missoula asked for authority to include a new Option in its Masters in Business Administration and Doctorate in Physical Therapy programs. That option would permit students to earn a degree in both disciplines. [ITEM 135-1001+R0507](#)
- The University of Montana-Missoula requested permission to add an Option in Field Ecology to its Biology degree. [ITEM 135-1009+R0507](#)
- The University of Montana-Missoula asked for the right to award an Option in Film Studies as part of its English program offerings. [ITEM 135-1010+R0507](#)
- The University of Montana-Missoula asked for authority to merge three (3) options in Biology into a new Option entitled Ecology and Organismal Biology. The three current options, Ecology, Botanical Sciences and Zoological Sciences, will be terminated and this narrative serves as the Notice of Intent to initiate that action. [ITEM 135-1011+R0507](#)

- The University of Montana-Missoula College of Technology requested to permission to offer an Associate of Applied Science degree in Energy Technology under the two-year, temporary approval process. [ITEM 135-1012+R0507](#)

Montana Tech of The University of Montana:

- Montana Tech of The University of Montana College of Technology filed a Notice of Intent to terminate its Associate of Applied Science degree in Computer Technology, along with the Application Software Specialist and Geographic Information Systems options, in March 2007. All of the steps in the termination process have been completed, and the degree and options are, therefore, eliminated. [ITEM 134-1501+R0307](#)
- Montana Tech of The University of Montana College of Technology filed a Notice of Intent to terminate its Associate of Applied Science degree in Geographic Information Systems/Global Positioning Systems in March 2007. All of the steps in the termination process have been completed, and the degree is, therefore, eliminated. [ITEM 134-1502+R0307](#)
- Montana Tech of The University of Montana College of Technology asked for permission to offer a Certificate of Applied Science in Automotive Technology. [ITEM 135-1501+R0507](#)

The University of Montana-Western:

- The University of Montana-Western asked for authority to change the name of its Bachelor of Science degree in Business to *Business Administration*. [ITEM 135-1603+R0507](#)
- The University of Montana-Western requested permission to add an Option in Mathematics to its Bachelor of Arts degree. [ITEM 135-1604+R0507](#)

Montana State University-Bozeman:

- Montana State University-Bozeman filed a Notice of Intent to terminate its Bachelor of Science degree in Agricultural Operations Technology. It also asked that the division that currently houses that degree program be permitted to change its name from Division of Agricultural Education/Agricultural Operations Technology to *Division of Agricultural Education*. [ITEM 135-2012+R0507](#)

- Montana State University-Bozeman asked permission to change the name of its Minor in Range Science to *Natural Resources and Rangeland Ecology*.
[ITEM 135-2013+R0507](#)

Montana State University-Great Falls College of Technology:

- Montana State University-Great Falls College of Technology asked for permission to change the name of its Certificate in EMT-Paramedic to *EMT-Intermediate 99*. The institution also asked that the Commissioner's office withdraw the Notice of Intent to terminate the certificate, which was initiated in March 2007.
[ITEM 135-2851+R0507](#)
- Montana State University-Great Falls College of Technology asked for authority to change the name of its Associate of Applied Science degree in Office Technology to *Office Administration and Technology*. It also filed a Notice of Intent to terminate three (3) options associated with the Office Technology major. I.E., Executive/Administrative Assistant, Medical Administrative Assistant and Attorney's Administrative Assistant. [ITEM 135-2852+R0507](#)
- Montana State University-Great Falls College of Technology requested permission to revise three (3) existing Certificates of Applied Science into one Certificate of Applied Science entitled *Office Support*. The three (3) Certificates, General Office Assistant, Legal Receptionist, and Medical Receptionist, will be terminated, and this item also serves as a Notice of Intent to initiate that process. [ITEM 135-2853+R0507](#)
- Montana State University-Great Falls College of Technology asked for authority to change the name of its Certificate in Network Support to *Network Infrastructure*. The institution also asked that the Commissioner's office withdraw the Notice of Intent to terminate the certificate, which was initiated in March 2007.
[ITEM 135-2854+R0507](#)

Dawson Community College:

- Dawson Community College requested permission to change the name of its Associate of Applied Science degree in Agricultural Power and Machinery to *Agricultural Mechanics and Machinery*. [ITEM 135-201+R0507](#)
- Dawson Community College asked for authority to change the name of its Certificate in Agricultural Power and Machinery to *Agricultural Mechanics and Machinery*. [ITEM 135-202+R0507](#)

- Dawson Community College asked to change the name of its Certificate in Office Technology, with an option in Office Assistant, to *Business Technology*.
[ITEM 135-203+R0507](#)
- Dawson Community College requested permission to change the name of its Associate of Applied Science degree in Office Technology, with an option in Administrative Assistant, to *Business Technology*. [ITEM 135-204+R0507](#)
- Dawson Community College asked for authority to change the name of its Associate of Applied Science degree in Law Enforcement, with an option in Criminal Justice, to *Criminal Justice*. The option will be terminated. [ITEM 135-205+R0507](#)
- Dawson Community College asked to change the name of its Associate of Applied Science degree in Law Enforcement, with an option in Peace Officer, to *Criminal Justice*. [ITEM 135-206+R0507](#)
- Dawson Community College requested permission to change the name of its Associate of Applied Science degree in Law Enforcement, with an option in Private Security, to *Criminal Justice*. [ITEM 135-207+R0507](#)

Flathead Valley Community College:

- Flathead Valley Community College asked for permission to change the name of its Associate of Applied Science degree in Jewelry and Metalsmithing to *Goldsmithing and Jewelry Arts*. [ITEM 135-301+R0507](#)

Announcements:

The following certificate programs of 30 credits or less were created, under Board of Regents' Policy 303.1, since the last meeting of the Board:

- Graphic Arts, Flathead Valley Community College
- Pharmacy Technology, Flathead Valley Community College
- Web Development, Dawson Community College
- Nursing Education, graduate certificate, Montana State University-Bozeman.

A memorandum setting out all of the certificates that have been created under that policy, since its adoption in March 2005 to the Regents' meeting in March 2007, is included under the information section of the Academic & Student Affairs Committee agenda.

Crown College in St. Bonifacius, Minnesota, notified the Office of the Commissioner of Higher Education about its plans to offer three graduate courses in "Biblically-integrated leadership training" at the Missoula Alliance Church in Missoula, Montana. Crown College is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.

ADMINISTRATIVE, BUDGET, AND AUDIT OVERSIGHT
Miles Community College
Room 106
Wednesday, May 30, 2007
1:00 – 4:30 PM

1:00 PM ROLL CALL and REVIEW OF MINUTES. [Link](#)

1:05 PM **ACTION**

- a. FY08 & FY09 Tuition and Fees. [Link](#)
- b. Revision of Policy 940.13, Tuition Waivers. [ITEM 135-114-R0507](#)
- c. Relocation of Soccer Field, MSU-Billings. [ITEM 135-2701-R0507](#)
- d. Western Transportation Institute Lease of Property for Cold Regions Transportation Research Facility, MSU-Bozeman. [ITEM 135-2006-R0507](#)
- e. Memorandum of Understanding between UM-Missoula and UM Foundation. [ITEM 135-1019-R0507](#)
- f. Acquisition of Donated Property from ARCO, Montana Tech of UM. [ITEM 135-1504-R0507](#)
- g. Expansion of Project Budget, Washington Grizzly Stadium, UM-Missoula. [ITEM 135-1017-R0507](#)
- h. Conversion of Continuing Education Self Support FTE and Associated Tuition Revenues and Expenses to State Support, MSU-Bozeman. [ITEM 135-2008-R0507](#)

3:00 PM **INFORMATION**

- a. Audit Reports
- b. Agricultural Review Panel Update
- c. Biennial Reversions [Link](#)
- d. Legislative Funding for Campuses [Link](#)
- e. Legislative Funding for System Office [Link](#)
- f. Legislative Funding for Long Range Building Program [Link](#)

- g. Annual Status Report of Regents Authority Relating to Building Projects, MSU-Bozeman. [ITEM 135-2009-R0507](#)
- h. Annual Status Report of Regents Authority Relating to Building Projects, UM-Missoula. [ITEM 135-118-R0507](#)
- i. Possible Recommendation on Policy 940.29, Post-Baccalaureate Tuition. [Link](#)

4:10 PM

CONSENT

- a. Student Computer Fee Allocation, MSU-Billings. [ITEM 135-2702-R0507](#)
- b. Student Computer Fees Allocation, Montana Tech of UM. [ITEM 135-1502-R0507](#)
- c. Student Computer Fee Employment Allocation, UM-Missoula. [ITEM 135-1014-R0507](#)
- d. Student Computer Fee Equipment Allocation, UM-Missoula. [ITEM 135-1015-R0507](#)
- e. Naming of the Montana Tech Basketball Floor the “Kelvin Sampson Court”, Montana Tech of UM. [ITEM 135-1503-R0507](#)
- f. Painting of Existing Auxiliaries Facilities, MSU-Bozeman. [ITEM 135-2005-R0507](#)
- g. Employee Joint Venture: Donald E. Kiely, UM-Missoula. [ITEM 135-1002-R0507](#)
- h. Employee Joint Venture: John M. Gerdes, UM-Missoula. [ITEM 135-1016-R0507](#)
- i. Employee Joint Venture: Edward Rosenberg, UM-Missoula. [ITEM 135-1003-R0507](#)

4:15 PM PUBLIC COMMENT

4:30 PM ADJOURN

Other than the meeting starting time, the times listed are approximate. In addition, agenda items may be rearranged unless an item is listed as having a "time certain."

Action may be taken on any item listed on the Board or Committee Agendas. Public comment is welcome on all items.

The Board of Regents will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate. Persons requiring such accommodations should make their requests to the Office of the Commissioner of Higher Education as soon as possible before the meeting to allow adequate time for special arrangements. You may call or write to: ADA Coordinator, P.O. Box 203201, Helena, MT 59620-3201, 406-444-6570, 1-800-253-4091 (TDD)

MINUTES**ADMINISTRATIVE, BUDGET AND AUDIT OVERSIGHT COMMITTEE****Wednesday, February 28, 2007**

The committee convened at 1:15 P.M.

Committee Members Present: Regent Steve Barrett, Regent Clayton Christian

Committee Members Absent: Regent Lila Taylor, excused

ACTION

- a. Revision of the Montana University System Honor Scholarship Policy – [ITEM 134-107-R0307](#)

These scholarships will decrease from 280 recipients to up to 200, with a change in the computation of the scores. These scholarships will complement the Governor's Best and Brightest scholarships.

Regent Barrett indicated the committee would recommend approval to the full Board with discussion.

- b. Authority to Purchase Property; MSU-Billings – [ITEM 134-2701-0307](#)

The Commissioner's Office reviewed this proposal and confirmed its legality and conformation to policy.

Regent Barrett indicated the committee would recommend approval to the full Board.

- c. Authorization for Campus Parking Projects; MSU-Bozeman – [ITEM 134-2006-0307](#)

This item covers work to be done on all campus parking lots, with work to be financed with non-state, auxiliary, and parking fees, and O&M. Statute allows the Board to approve such projects as long as the revenue is self generated.

Regent Barrett indicated the committee would recommend approval to the full Board.

- d. Financing Plan for Construction of New Research Facility; MSU-Bozeman – [ITEM 134-2004-0307](#)

This item seeks approval for the entire financing plan on a non-teaching facility that was already authorized. O&M will be from non-state funds.

Regent Barrett indicated the committee would recommend approval to the full Board.

- e. Spending Authority for Student Facilities Projects; MSU-Bozeman – [ITEM 134-2007-0307](#)

These projects were scaled back due to increased costs of 1% per month. Due to the late start, there was greater revenue on the bond sales which will cover some of the higher costs.

Regent Barrett indicated the committee would recommend approval to the full Board.

- f. Naming the Animal Resource Center “William J. Tietz Hall”; MSU-Bozeman - ITEM [134-2005-0307](#)

This item went through the campus Naming Committee, and meets the Regents' policy requirements.

Regent Barrett indicated the committee would recommend approval to the full Board.

- g. MSU – Ag Coalition Report (Potential action to be determined) [\(Link\)](#)

This item was to be discussed before the full Board.

INFORMATION

- a. Audit Reports
1. UM-Missoula Financial Audit – June 30, 2006 (Unqualified Opinion)
 2. MSU-Bozeman Financial Audit – June 30, 2006 (Unqualified Opinion)
 3. MGSLP Financial Audit – June 30, 2006 (Unqualified Opinion)
 4. Montana Tech Foundation – June 30, 2006 (Unqualified Opinion)

All four audits received unqualified opinions, with no issues being identified. Copies are available in the Commissioner's Office.

- b. MUS Self-Funded Workers Comp Program Update

Item b. was deferred to the full Board.

- c. FY 2006 Athletic Report

Overview report was given. See reports attached to Agenda.

- d. Fee Committee Report

Recommendations of the Fee Committee:

- Naming conventions for tuition and fees
 - Tuition
 - General tuition
 - Program tuition (4 year high cost programs)
 - Fee
 - Mandatory (charged to all students)
 - 2-year program fee – (focused on high costs programs)
 - Course fees – expenditures
 - Other fees – fines, rental, etc.
- Audit Guidance
 - Appropriate fund balances – CEO defines
 - Discretion at departmental level – group by department with proper audit trail
- Good faith effort to communicate fees to students
- Expand two polices – Computer fees and Equipment fees to allow use for O&M.

Regent Barrett indicated the committee would recommend approval to the full Board.

e. Review Board Direction Regarding Tuition & Fees

The Commissioner's office will bring the formal proposal for tuition and fees to the May Board meeting.

- The Board has committed not to increase tuition if the College Affordability Plan is approved.
- The Community Colleges did not make this agreement.
- Fee increases above the normal inflation rate must have documentation for justification.

Consensus of Committee

f. Distance Education Conversion; MSU-Bozeman

Montana State University-Bozeman will bring changes to the May Board meeting to bring tuition for on-line for-credit students in line with regular for-credit students as The University of Montana-Missoula did at an earlier meeting.

CONSENT

- a. Authority to Lease Space for MSU Alumni Association; MSU-Bozeman – [ITEM 134-2008-0307](#)
- b. Authorization to Expend Student Equipment Fees; UM–Helena College of Technology – [ITEM 134-1902-R0307](#)

Regent Barrett indicated the committee would recommend approval of Consent Agenda to the full Board.

There was no public comment.

Committee Adjourned at 3:05 p.m.

ITEM 135-114-R0507

Proposed Tuition Waiver Policy

THAT: The Board of Regents of Higher Education revises Policy 940.13, Fee Waivers, Montana University System, in accordance with the changes presented in this item.

EXPLANATION: The issue of tuition and fee waivers in the Montana University System is a matter of ongoing review. For over a year, a committee composed of campus and Office of Higher Education staff has been working on policy revisions. A discussion of this issue was held with the board in May of 2006. While work is not complete, the committee is recommending certain formatting, organizational and substantive changes at this time. Further substantive changes will be recommended in September or November of 2007. The changes recommended at this time are as follows:

1. Change of Name. The policy, currently named "Fee Waivers, Montana University System," will be renamed "Tuition Waivers, Montana University System." The policy will authorize tuition waivers only. The term "fees" is a holdover from the time tuition was known as "incidental fees." Registration fees will no longer be waived under this policy; such fees are small and the inclusion of them with the waiver of tuition has been a source of confusion.
2. Reorganization. The policy has been reorganized into "Board of Regents Designated Tuition Waivers" (§ 6), which are essentially mandatory waivers, and "Campus Discretionary Waivers" (§ 7). We have attempted to streamline the language and organize the policy into a more readable format. In some cases more precise language has been used. Repetitive language has been deleted. All waivers are of in-state tuition; out-of-state tuition waivers are authorized only in the provision expressly addressing out-of-state waivers.
3. American Indian Waiver. Extraneous language has been deleted, and the title has been changed to "American Indian Waiver," but otherwise this waiver remains the same, except that, as with all of the other waivers, the waiver is of in-state tuition only and does not include registration fees.
4. Honorably Discharged Veterans. This section now includes combat veterans of Iraq and Afghanistan.
5. War Orphans Waiver. This provision has been updated to include orphans of Iraq and Afghanistan veterans who died in service as a result of combat.

6. September 11, 2001 Victims' Waiver. We are recommending a sunset clause (May 30, 2010) for this waiver.
7. Senior Citizens' Waiver. Eligibility for this waiver has been changed from 62 to 65 years of age, with a grandfathering provision for those who are current recipients of the waiver. The committee is recommending that this waiver be changed from a board-designated (mandatory) waiver to a campus discretionary waiver.
8. Custodial Student Waiver. We are working with the Department of Corrections (DOC) to find a means of better addressing access and affordability issues for students recently released from youth custodial institutions. The committee recommends removal of the waiver language from the policy. Such waivers would continue to be allowed as campus discretionary waivers. The committee is proposing establishment of a written working arrangement between the MUS and the DOC's Youth Services Division to provide a protocol for the provision of reasonable financial aid packages for DOC-recommended custodial students.
9. Out-of-State Student Waivers. This provision remains unchanged in this revision, however we will continue to work on this issue. A committee of OCHE and campus staff will work over the summer and report back to the commissioner, campuses and the fee waiver committee in August, 2007.

ATTACHMENTS: Proposed Revised Policy 940.13 (changes in bold)

ITEM 135-114-R0507 ATTACHMENT

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

PAGE: 940.13 (page 1 of 5)

SUBJECT: FINANCIAL AFFAIRS

Effective: **Fall Semester 2007**

Section: 940.13. Tuition Waivers; Montana
University System

Issued: June 1, 2007

Approved:

A. Board policy:

1. The campuses of the Montana University System are authorized to waive tuition in accordance with this policy. The Commissioner of Higher Education is responsible for the general administration of this policy.

2. The objectives of this policy are to:

a. assure a uniform and equitable administration of tuition waiver policies for students at the campuses of the Montana University System,

b. increase accessibility to public higher education for citizens who would not be able to matriculate or to continue an educational program without financial assistance,

c. recognize meritorious achievement or service, whether academic or through exceptional accomplishment, by students in the Montana University System,

d. maintain fiscal responsibility by insuring that other sources of financial assistance are explored and utilized prior to the waiver of tuition which reduces funds for the operation of the Montana University System, and

e. ensure that the allocation of waivers is made in accordance with federal law, specifically Title IX of the Higher Education Amendments of 1972.

3. Under this policy, only tuition will be waived. No fees, mandatory or miscellaneous, or program fees or other charges are waived by this policy.

4. Self-Supporting courses. Waivers awarded under this policy cannot be applied to self-supporting courses. Student with waivers under this policy will be required to pay the full tuition and fees for the self-supporting course.

5. Summer session. Any category of waiver granted to students during summer session shall be included in computations of each unit's allowable limit. Summer semester is considered the first semester of the fiscal year.

6. Board of Regents Designated Tuition Waivers. The Board of Regents hereby directs the campuses to grant waivers of undergraduate tuition for Montana resident students enrolled in the following categories at campuses of the Montana University System:

a. Montana University System Honor Scholarships. Recipients of a Montana University System Honor Scholarship are eligible for a tuition waiver pursuant to Board of Regents Policy 501.1.

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Issued: June 1, 2007

Approved:

b. Community College Honor Scholarships. Recipients of a Community College Honor Scholarship are eligible for a tuition waiver pursuant to Board of Regents Policy 501.2.

c. Honor Scholarship for National Merit Scholarship Semi-Finalists. National Merit Scholarship semi-finalists from Montana are eligible for a waiver through the first academic year (2 semesters) of enrollment exclusive of any credits earned prior to high school graduation. The holder of the scholarship must enter one of the Montana University System campuses or Dawson Community College, Flathead Valley Community College or Miles City Community College within nine months after high school graduation. A satisfactory standard of scholarship must be maintained as prescribed in § 9(b), "Continued Eligibility for Waiver." The scholarship is not transferable to another person and becomes void three years from the date of issue.

d. American Indian Waiver. Persons of one-fourth (1/4) American Indian blood or more are eligible for a waiver upon demonstration of financial need.

e. Faculty and Staff Tuition Waiver. Tuition may be waived for permanent University System employees who are employed at least $\frac{3}{4}$ time for the entire period of enrollment. Permanent employees employed at least $\frac{3}{4}$ time for the entire academic year who are reemployed for the following academic year are eligible for a tuition waiver during the intervening summer term. Each campus may at its discretion also waive other fees, but in no case may registration and building fees be waived. Each campus may adopt regulations to limit the amount of credit an employee or staff member may register for and to control the times at which courses may be taken.

f. Honorably Discharged Veteran Waiver.

i. Veterans From the Vietnam Era and Before (i.e., served anytime prior to May 8, 1975) - All honorably discharged persons who served with the United States forces in any of its wars and who are bona fide residents of the State of Montana for fee and tuition purposes are eligible for a waiver. This waiver shall not apply to persons who qualify for education stipends or other veterans' educational benefits under federal law or regulation and shall apply only to those who have at some time qualified for benefits but whose benefits have expired or been exhausted.

ii. Post-Vietnam Era Veterans (i.e., service began after May 7, 1975) - Veterans serving in the armed forces subsequent to the conflict in Vietnam are eligible for a waiver if the following conditions are met:

(1) (a) The veteran has been awarded an Armed Forces Expeditionary Medal, or
(b) The veteran served in a combat theater in the Persian Gulf
between August 2, 1990 and April 11, 1991 and received the Southwest Asia Service Medal, or

(c) The veteran has been awarded the Kosovo Campaign Medal.; **or**

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Approved:

(d) The veteran served in a combat theater in Afghanistan or Iraq after September 11, 2001 and received either the Global War on Terrorism Expeditionary Medal, the Afghanistan Campaign Medal or the Iraq Campaign Medal. For purposes of this policy any of the above noted medals shall be deemed to have been “awarded” to an individual if the individual was eligible for the medal but chose to receive another medal in lieu thereof.

(2) The veteran is pursuing his or her initial associate degree or initial baccalaureate degree.

(3) The veteran elected to become eligible for educational benefits under Title 38, Chapter 30 or 32, of the United States Code (or a successor federal program granting educational benefits based on active duty in the regular armed forces of the United States) and has exhausted such benefits or is no longer eligible for such benefits because of the passage of time. Participants in the Veterans Educational Assistance Program (VEAP) or any similar contributory program who withdraw any portion of their contribution before the expiration date for their benefits are not eligible for the waiver.

(4) The veteran is a resident of Montana eligible for in-state tuition and fees under the policies of the board.

g. War Orphans Waiver. A waiver is available, with the approval of the Commissioner of Higher Education, for children aged 25 and under of members of the armed forces of the United States who served on active duty during World War II, the Korean, Vietnam, **Iraq or Afghanistan** conflicts. Such members of the armed forces must be Montana residents at the time of entry into service and must have been killed in action or died as a result of combat related injury, disease, or other disability while in the service.

h. Surviving Dependents of Montana National Guard Member Waiver. The surviving spouse or child of any Montana National Guard member killed as a result of injury, disease, or other disability incurred in the line of duty while serving on state active duty is eligible for a waiver. This waiver shall not apply to the extent that any such person is eligible for educational benefits from any governmental or private benefit program that provides comparable benefits.

i. September 11, 2001 Victims Waiver. Persons whose spouse, parent, or legal guardian was a victim of the September 11, 2001 terrorist actions at the New York World Trade Center, the Pentagon or the Pennsylvania airplane crash are eligible for the waiver. “Victim” as used herein means a person killed as a direct result of physical injuries suffered on or about September 11 directly related to the above noted terrorist actions and includes rescuers, relief workers or fire and police personnel. It does not include any individual identified by federal law enforcement personnel as likely perpetrators of the terrorist activities. If a person is eligible for other grants or scholarships based on the individual’s relationship to a victim, which assistance may be used for attendance within the Montana University System, the waiver shall be available

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Approved:

only if the individual has fully pursued this alternative source of student assistance and only to the extent that the alternative aid does not cover charges otherwise waivable under this policy. **This provision will automatically expire on May 30, 2010.**

j. Surviving Dependents of Montana Firefighters/Peace Officers Waiver. The surviving spouse or child of any Montana firefighter or peace officer killed in the course and scope of employment is eligible for a waiver. This waiver shall not apply to the extent that any such person is eligible for educational benefits from any governmental or private benefit program that provides comparable benefits.

7. **Campus Discretionary Waivers.** Campuses of the Montana University System may grant the following waivers, **on a full or partial basis**, subject to specified conditions. Institutions are not required, nor encouraged, to allocate the maximum number or value of waivers allowed.

a. Undergraduate Student Waiver. Tuition may be waived for under-graduate **resident** students, which for the campuses of any one unit shall not exceed 6% of the unit's total fall term FTE enrollment for the preceding year, exclusive of all other waivers.

b. Out-of-State Student Waivers. Campuses may waive **out-of-state** tuition for out-of-state students, which for the campuses of any one unit shall not exceed 2% of the unit's total fall term FTE enrollment for the previous year. The 2% limit shall apply to all undergraduate, graduate and athletic waivers.

c. Graduate Student Waiver. Tuition may be waived for graduate students; however, the number of waivers for the campuses of any one unit shall not exceed 4% of the unit's total fall term FTE of the preceding academic year.

d. WICHE/WWAMI. Limitations on numbers of students in subsections 7(a), 7(b) and 7(c) above shall not apply to students from other states who enroll under provisions of any WICHE or WWAMI sponsored state reciprocal agreements which provide for the payment, where required, of the student support fee by the reciprocal state, or to student exchange programs which the Commissioner of Higher Education may designate under the WICHE Fellows or Scholars programs.

e. **Montana Senior Citizen Waiver.** Tuition may be waived for resident students who are at least 65 years of age. Students who were recipients of this waiver and enrolled during the 2006-07 academic year retain the waiver so long as they remain continuously enrolled.

f. Allocation. Campuses may authorize waivers on the basis of superior academic achievement, service to the campus or meritorious accomplishment.

8. Rules Applicable to all Waivers.

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Issued: June 1, 2007

Approved:

a. Financial Need. All waivers, except Honor Scholarships for National Merit Scholarship semi-finalists, **MUS** Honor Scholarships, Community College Honor Scholarships, and waivers for graduate teaching assistants and graduate research assistants shall include financial need as a criterion whenever possible.

b. Continued eligibility for waiver. Students are eligible for continuation of a waiver, from year to year, unless otherwise limited, provided reasonable academic progress is maintained in accordance with the campus's satisfactory progress policy generally used in administering federal financial aid. This provision does not apply to senior citizens and faculty and staff waivers.

c. Waiver Amount Limit. **No combination of waivers can exceed the total tuition charged by the campus.**

B. Procedures:

1. Authorizing official. The Financial Aid Director at each campus shall be the official authorized to award financial assistance, including tuition waivers and scholarships, to any student. No notice or authorization of financial assistance including tuition waivers and scholarships shall be communicated to a student except by authorization from the Financial Aid Director.

2. Reporting and review:

a. Each unit of the Montana University System will report annually to the Commissioner of Higher Education concerning waivers on forms provided.

b. The president or chancellor of each campus, with the assistance of the financial aid director, shall annually review financial aid practices to insure that waivers are allocated in accordance with applicable policy.

c. The administration of this policy will be reviewed periodically by the Commissioner of Higher Education to insure that no inequities, misinterpretations or misapplications have occurred and to assist in alleviating any problems.

3. Effective Date. **This policy will be effective for fall semester, 2007.**

History:

Item 5-006-R0774, Policy Regarding Fee Waivers, Montana University System, as amended June 7, 1976 (Rescinded); Item 18-005-R1077, October 28, 1977, as revised January 16, 1978, April 11, 1978, January 21, 1983, January 30, 1984, November 4, 1988, June 21, 1989, April 26, 1990, July 31, 1990, November 9, 1990, March 22, 1991, July 30, 1992, November 11, 1993, July 7, 1994, November 20, 1997, May 21, 1998, November 18, 1999 (Item 104-103-R0999), November 16, 2001 (Item 113-109-R1101), January 18, 2002 (ITEM 114-103-R0102), March 22, 2002 (Item 113-108-R1101), May 24, 2002 (Item 114-101-R0302), March 20, 2003 (Item 118-103-R0303) and as revised by the Task Force on Fees Report approved by the Board of Regents on March 24, 2000 with an effective date of Academic Year 2002.

May 30 – June 1, 2007

ITEM 135-2701-R0507

Authorization to Relocate a Soccer Field; Montana State University – Billings

THAT:

Consistent with the Provisions of MCA 18-2-102 [* (c) the Regents of the Montana University System, with the consent of the Governor, may authorize the construction of a building that is financed wholly with federal or private money if the construction of the building will not result in any new programs. *], the Board of Regents of Higher Education authorizes Montana State University – Billings to relocate an existing Soccer Field to meet NCAA standards and the Main Entrance to facilitate a signalized intersection. The estimated cost is \$1,225,000.

EXPLANATION:

- 1) The scope of this project includes:
 - a. infrastructure and associated landscaping to meet NCAA standards; and
 - b. realignment of the main entrance to facilitate a signalized intersection and replace the failing existing entrance road.
- 2) The project will be completed using private funds (\$725,000) for the Soccer Field and a combination of Parking/Building Fees (\$500,000) for the Main Entrance.
- 3) Continued operations, and maintenance funds will be provided from within existing programs.
- 4) The project will result in no new programs.
- 5) MSU-Billings will seek an INTERCAP loan in the amount of \$725,000.
- 6) The project requires the authorization of the Board of Regents and the consent of the Governor.

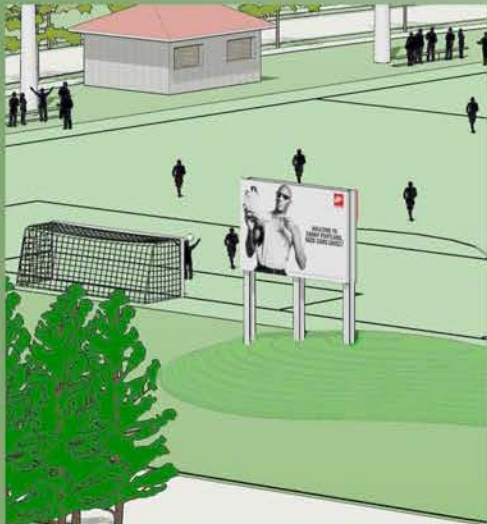
ATTACHMENT:

Rendering of Soccer Field along with amenities



MSU BILLINGS COLLEGE OF TECHNOLOGY
SOCCER FIELD IMPROVEMENTS

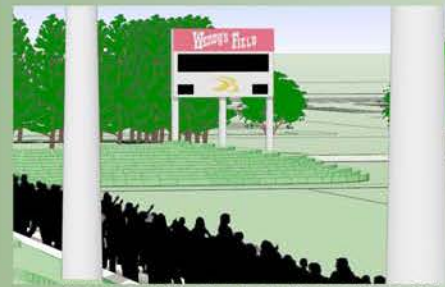
Land Design, Inc.
LANDSCAPE ARCHITECTS



VIEW OF SCOREBOARD FROM CENTRAL AVE.



VIEW OF SOCCER FIELD SIGN FROM CENTRAL AVE.



VIEW OF SOCCER FIELD FROM BLEACHER SEATING



VIEW OF SOCCER FIELD FROM CAMPUS



VIEW OF FIELD FROM ROOF OF EXISTING COT BUILDING

May 30 – June 1, 2007

ITEM 135-2006-R0507

**Western Transportation Institute Lease of Property for
Cold Regions Transportation Research Facility**

THAT:

The Board of Regents of Higher Education authorizes MSU-Bozeman to negotiate and enter into a lease for land to develop the Western Transportation Institute Cold Regions Transportation Research Facility in Lewistown, Montana.

EXPLANATION:

1. Since 2003, the Western Transportation Institute of MSU-Bozeman has been looking at portions of the Lewistown Municipal Airport as an ideal location to conduct rural and cold weather transportation research.
2. In 2006, a 4-year federal grant became available for the planning, design, and building of the research facility in Lewistown, Montana. The granting agency is the US Department of Transportation – Research and Innovative Technology Administration – Office of Research, Development, and Education.
3. Phase III of the project is to ensure long-term sustainability of the research facility; thus it is desirable to negotiate a long-term lease (10 years with 10 year option to renew).
4. MSU-Bozeman will negotiate and enter into a long-term lease for runways and adjacent land for development of the new research facility. The lessor is the Lewistown Municipal Airport. The lease terms and conditions will be reviewed and approved by university legal counsel.

Memorandum of Understanding

THIS AGREEMENT, entered into as of this ____ day of _____, 2007 by and between the Board of Regents of the Montana University System (the "BOR") on behalf of The University of Montana (the "University") and The University of Montana Foundation (the "Foundation").

RECITALS

The BOR is responsible for supervising, coordinating, managing and controlling the Montana University System, including overseeing the mission, leadership, and operations of the University. As part of its responsibilities the BOR is responsible for the employment, compensation, and evaluation of all University employees including the president of the University

The Foundation was organized and incorporated in 1951 for the purpose of stimulating voluntary private support from alumni, parents, friends, corporations, foundations, and others for the benefit of the University and provide opportunities for students and a margin of institutional excellence unavailable with state funds.

The Foundation is dedicated to assisting the University in the building of the endowment and in addressing, through financial support, the long-term academic and other priorities of the University.

As stated in its articles of incorporation, the Foundation is a separately incorporated 501 (c) (3) organization and is responsible for identifying and nurturing relationships with potential donors and other friends of the University, soliciting cash, securities, real and intellectual property, and other private resources for the support of the University and acknowledging and stewarding such gifts in accordance with donor intent and its fiduciary responsibilities.

Furthermore, in connection with its fund-raising and asset-management activities, the Foundation retains personnel experienced in planning for and managing private contributions and works with the University to assist and advise in such activities.

In consideration of the mutual commitments herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

Section 1 Foundation Name, Seal and Logotype

Consistent with its mission to help to advance the plans and objectives of the University, the Foundation is granted the use of the name The University of Montana Foundation; however, the Foundation will operate under its own seal and logotype and shall not use the University seal or other identifying marks in the promotion of its business and activities.

Section 2 The Foundation's Relationship to the University

The Foundation's board of directors is responsible for the control and management of all assets of the Foundation, including the prudent management of all gifts consistent with donor intent.

The Foundation is responsible for the performance and oversight of all aspects of its operations based on a comprehensive set of bylaws that clearly address the board's fiduciary responsibilities, including expectations of individual board members based upon ethical guidelines and policies.

The Foundation is responsible for the employment, compensation, and evaluation of its employees, including the Foundation president and chief executive officer.

The Foundation may earmark a portion of its unrestricted funds to a discretionary fund for the President of the University and will either transfer a percentage of those funds annually to the institution in compliance with state law and University policies or reimburse appropriate presidential expenditures. All such expenditures must comply with the I.R.S. 501 (c) (3) code and be consistent with the Foundation's mission. Such funds will be audited as part of the Foundation's annual independent audit.

Section 3 The University's Relationship to the Foundation

The University President is responsible for communicating the University's priorities and long-term plans, as approved by the BOR, to the Foundation.

The BOR and the University recognize that the Foundation is a private corporation with the authority to keep all records and data confidential consistent with the law.

The President and Chief Executive of the Foundation shall be included as a member of the University President's cabinet and senior administrative team.

The University shall include the Foundation as an active and prominent participant in the strategic planning for the University.

The President of the University shall serve as an ex-officio, non-voting member of the Foundation board and shall assume a prominent role in fund-raising activities.

The University shall establish and enforce policies that support the Foundation's ability to respect the privacy and confidentiality of donor records.

Section 4 University Responsibilities

4.1 Direct Compensation. In consideration for Foundation services including but not limited to the responsibilities listed in Section 5 (Foundation Responsibilities), the University will provide the Foundation with fair and reasonable compensation or payment for services. The amount of compensation will be negotiated on a triennial basis (or more frequently if so agreed by both parties) by the end of March prior to the fiscal year in which the compensation is to be paid. The compensation and payment dates for each of the fiscal years immediately subsequent to the date of this agreement are included as Attachment A.

4.2 Development Officer Cost Sharing. The University shall share, generally on an equal basis, the salary and cost of employment benefits of development officers assigned to serve particular units of the University. The cost sharing arrangement for each such development officer position shall be funded from funds held by the Foundation for use at the discretion of the unit served (or if necessary, the President of the University). The arrangement shall be evidenced by an Development Officer Cost Sharing Memorandum of Understanding in the form included as Attachment B.

4.3 Office Space. The University shall lease adequate office space to the Foundation under the terms of a separately negotiated, fair market Lease Agreement on mutually acceptable terms.

4.4 In-kind Services. In consideration of Foundation services, the University will also provide the following in-kind support, including but not limited to the following.

The University will store the data related to the BANNER database containing both (a) the Foundation's donors and prospective donors and (b) the alumni records maintained by the University of Montana Alumni Association (the UMAA). This data will be stored by the University' Information Technology Office on University-owned hard drives used exclusively by the Foundation and UMAA. The BANNER application forms will be stored on a Foundation-owned server housed and maintained by the University.

The University will store the data [and related operating system] related to the BANNER data mart used by the Foundation to provide reporting on its own operations as well as UMAA's database related activities. This data will be stored on a Foundation-owned hard drives used exclusively by the Foundation housed and maintained by the University.

The University will provide database management services related to the above. The Foundation reserves the right to contract third-part database administration or programming services.

The University will upgrade Banner and Oracle software upgrades to the databases supporting the Foundation and UMAA in a reasonable timeframe after these upgrades become available.

The University will provide the Foundation with access to the BANNER and BANNER data mart data, as well as internet access and use of the University email system.

The University will provide regular maintenance, data backups, security and recovery related to these databases in accordance with accepted industry best practices.

It is understood that the Foundation may request services in addition to those listed above and that the University may elect to charge the foundation for those services at a mutually agreed upon rate.

4.5 Alumni Records. The University shall provide the Foundation with access to the alumni records as maintained by UMAA. The Foundation shall not release or otherwise use these records for any purpose outside of that expressly outlined in this Memorandum of Understanding.

4.6 Confidentiality. All data related to the Foundation's donors and prospective donors, as well as all data related to any aspect of the Foundation's operations including but not limited employee records, accounting data, investment records and all management information are the exclusive property of the Foundation. The University shall not share this information with any other party without the express written permission of the Foundation. To the extent permitted by applicable law, the University will support and honor the policies established by the Foundation to protect the privacy and confidentiality of donor and prospective donor records.

Section 5 Foundation Responsibilities

5.1 Fund-Raising.

In a coordinated and cooperative effort with the University, the Foundation shall create an environment conducive to increasing levels of private support for the mission and priorities of the University, each as established by the University.

The Foundation, in consultation with the University president, is responsible for planning and executing comprehensive fund-raising and donor-acquisition programs in support of the institution's mission. These programs include annual giving, major gifts, planned gifts, special projects, and campaigns as appropriate.

The Foundation will establish, adhere to, and periodically assess its gift-management and acceptance policies. It will promptly acknowledge and issue receipts for all gifts on behalf of the Foundation and the University and provide appropriate recognition and stewardship of such gifts.

The University recognizes that the Foundation bears major responsibility for fund-raising. University representatives will coordinate fund-raising initiatives including major gifts solicitations with the Foundation.

The University President will work in conjunction with the leadership of the Foundation board and the Foundation president to identify, cultivate, and solicit prospects for private gifts.

The Foundation shall not accept grants from state or federal agencies, except in special circumstances that are approved by the Foundation board of directors and the governmental agency.

The Foundation shall establish and enforce policies to protect donor and prospective donor confidentiality and rights.

5.2 Asset Management.

The Foundation will establish asset-allocation, disbursement, and spending policies that adhere to all current and future applicable federal and state laws including the Uniform Prudent Investor Act (UPIA) and the Uniform Management of Institutional Funds Act (UMIFA) as amended or modified from time to time.

The Foundation will receive, hold, manage, invest, and disperse contributions of cash, securities, and other forms of property, including immediately vesting gifts and deferred gifts that are contributed in the form of planned and deferred-gift instruments.

5.3 Fund Administration and Distribution.

The Foundation is the primary depository of private gifts and will transfer funds to the designated entity within the University in compliance with applicable laws, University policies, and gift agreements.

The Foundation's disbursements on behalf of the University must be reasonable business expenses that support the institution, are consistent with donor intent, and do not conflict with the law.

When distributing gift funds to the University, the Foundation will disclose any terms, conditions, or limitations imposed by donor or legal determination on the gift. The University will abide by such restrictions and provide appropriate documentation.

5.4 Foundation Funding and Administration

The Foundation is responsible for establishing a financial plan to underwrite the cost of Foundation programs, operations, and services.

The Foundation has the right to use a reasonable percentage of the annual unrestricted funds, assess fees for services, or impose gift taxes, to support its operations.

Except as outlined in Paragraph 4.2 above, the Foundation, at its own expense, will provide office space (pursuant to the terms of the Lease Agreement referenced in Paragraph 4.3 above), computer and telephone systems, utilities, adequate personnel, office supplies, and other such services that may be necessary or required to fulfill its responsibilities and obligations.

The Foundation shall maintain, at its own expense, copies of the plans, budgets, and donor and alumni records developed in connection with the performance of its obligations.

The Foundation will provide access to data and records to the University on a need-to-know basis in accordance with applicable laws, Foundation policies, and guidelines. The Foundation will provide copies of its annual report, and other information that may be publicly released.

5.5 Other Responsibilities.

The Foundation will engage an independent accounting firm annually to conduct an audit of the Foundation's financial and operational records and will provide the University with a copy of the annual audited financial statements.

With the explicit approval of the Foundation board, the Foundation may from time to time serve as an instrument for entrepreneurial activities for the University including but not limited to the purchasing, developing, or managing real estate for University, or University-related expansion.

The Foundation may hold licensing agreements and other forms of intellectual property, borrow or guarantee debt issued by their parties, or engage in other activities to increase Foundation revenue with no direct connection to a University purpose.

Section 6 Other Matters

This Memorandum of Understanding is intended to set forth policies and procedures that will contribute to the coordination of their mutual activities. To ensure effective achievement of the items of the agreement, the University and the Foundation officers and board representatives shall hold periodic meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities.

Consistent with provisions appearing in the Foundation’s bylaws and its articles of incorporation, should the Foundation cease to exist or cease to be an Internal Revenue Code 501 (c) (3) organization, the Foundation will transfer its assets and property to the University.

The Recitals are incorporated into this Memorandum by this reference.

IN WITNESS WHEREOF, THE PARTIES HAVE CAUSED THIS Memorandum of Understanding to be executed by their duly authorized offices as of the day and date first above written.

BOARD OF REGENTS OF THE MONTANA
UNIVERSITY SYSTEM

THE UNIVERSITY OF MONTANA FOUNDATION

President
The University of Montana

President & Chief Executive Officer
The University of Montana Foundation

Date: _____

Date: _____

Attachment A

Memorandum of Understanding Dated _____, 2007

Direct Compensation Agreement per Section 4 (University Responsibilities)

Further to Section 5 of the Memorandum of Understanding of _____, 2007 between the Board of Regents of the Montana University System on behalf of The University of Montana (the “University”) and The University of Montana Foundation (the “Foundation”), the direct compensation to be paid by the University to the Foundation shall be as follows:

<u>Fiscal Year Ending June 30, 2008</u>		<u>Fiscal Year Ending June 30, 2010</u>	
Due on July 1, 2007	\$100,000	Due on July 1, 2009	\$ 90,000
Due of October 1, 2007	100,000	Due of October 1, 2009	90,000
Due on January 1, 2008	100,000	Due on January 1, 2010	90,000
Due on April 1, 2008	100,000	Due on April 1, 2010	90,000
Total for FY 2008	\$400,000	Total for FY 2010	\$360,000

<u>Fiscal Year Ending June 30, 2009</u>	
Due on July 1, 2008	\$ 95,000
Due of October 1, 2008	95,000
Due on January 1, 2009	95,000
Due on April 1, 2009	95,000
Total for FY 2009	\$380,000

AGREED this day by;

BOARD OF REGENTS OF THE MONTANA
UNIVERSITY SYSTEM

THE UNIVERSITY OF MONTANA FOUNDATION

President
The University of Montana

President & Chief Executive Officer
The University of Montana Foundation

Date: _____

Date: _____

Attachment B

Cost Sharing Memorandum of Understanding
Development and Constituent Alumni Relations Positions
[DATE]

The University of Montana Foundation is an independent, non-profit, tax-exempt organization organized to support The University of Montana through private support. The UM Foundation employs and directly supervises all development personnel who are responsible for raising funds for the benefit of the University. In order to dedicate a UM Foundation staff member (DOD) to provide fund raising, advancement and/or constituent alumni relations to a particular unit within the University, the UM Foundation, The University of Montana, and the [UNIT TO BE SERVED] agree to the following terms.

1. The University will reimburse the UM Foundation for ½ of the salary and benefits of the wage line dedicated to the constituent alumni relations or advancement portion of a particular school or program on campus. In addition, the University will reimburse the UM Foundation for development personnel travel and travel-related expenses when such expenses are incurred on behalf of the program along with paying other direct expenses such as phone, office space, supplies, and reasonable clerical support for these activities. Memoranda of understanding will be signed between the programs and the Foundation and are attached to this document.
2. In all cases, constituent alumni activities will be coordinated with the [DEAN OR PROGRAM OR DEPARTMENT HEAD], which has responsibility for the overall institutional alumni relations for the campus.
3. The UM Foundation will pay, solely with UM Foundation resources, for the fund raising portion of the DOD's salary, which is ½ of the DOD's salary and benefits for the wage line dedicated to this program. The UM Foundation will assume direct responsibility for paying the full cost of the DOD's salary and benefits, as well as DOD fund raising activities, subject to the reimbursement obligation by the University, through the program, set forth in Paragraph 1 above.
4. The DODs will report to the UM Foundation VP for Development, with a strong dotted reporting line to the dean/director or vice president of the unit in which they are operating. In addition, the Foundation VP for Development will coordinate with the Executive Director of the UM Alumni Association. The DOD will reside within the unit or within the Foundation depending on the circumstances of the unit. The dean/director will be involved in the hiring of the DOD and the formulation and approval of the annual plan and related budget to be executed by the DOD. The dean/director will also participate in the yearly written performance evaluation of the DOD, with comment from the Executive Director of the Alumni Association. In the event that other personnel actions involving the DOD are required in between yearly evaluations, the VP for Development will consult with the dean/director and the Executive Director of the Alumni Association prior to taking action.
5. This MOU will be renewed annually, subject to mutually agreeable terms, conditions and modifications. Termination of the agreement can be made with a 30 day notice in writing by either party.

President & CEO
UM Foundation
Date:_____

President
The University of Montana
Date:_____

DEAN OR PROGRAM DIRECTOR
[UNIT SERVED]
Date:_____

May 30 – June 1, 2007

ITEM 135-1504-R0507

Proposed acquisition of approximately 56 acres of land adjacent to the west side of the north campus of Montana Tech of The University of Montana by donation from ARCO Environmental Remediation L.L.C. (AERL)

THAT:

The Board of Regents of Higher Education approves the acquisition, by donation from AERL to Montana Tech of The University of Montana, of approximately 56 acres of land adjacent to the west side of Montana Tech's north campus.

EXPLANATION:

The September 2006 Board of Regents meeting included a conceptual review of this proposed land acquisition, resulting in board encouragement for Montana Tech to proceed with trying to obtain the real property described in this item because of the property's location as the most viable site for Montana Tech's future north campus expansion. The AERL property is part of a superfund site subject to federal Environmental Protection Agency (EPA) jurisdiction. EPA and the Montana Department of Environmental Quality (DEQ) have both reviewed the proposed AERL property transfer to Montana Tech, and both agencies have collaborated with Montana Tech and UM legal counsel in assessing the proposed site's environmental risks. As seen in the attached letter, both agencies have approved the proposed site remediation plan and have no objection to the transfer or future construction and development at the site.

Montana Tech performed an environmental scan of the property using sampling methods approved by DEQ and the EPA, with results showing relatively high arsenic and lead contamination in seven of 20 small soil mounds on the site's extreme western edge. The EPA advised Montana Tech that returning the contaminated soil to the holes from which it was excavated and covering the contaminated soil with at least 18 inches of clean fill will constitute adequate remediation. There appear to be no other environmental conditions requiring post-acquisition remediation under applicable EPA or DEQ standards. The proposed quitclaim deed and gift agreement contain covenants requiring the Montana University System to assume all liabilities for environmental harm at the site as a non-negotiable condition for the site's donation by AERL. These covenants in turn are contained in the recorded property deed as part of federal superfund requirements requiring superfund site owners to

condition site transfers on transferee assumption of environmental remediation obligations and liabilities. Moreover, AERL will not donate the site absent transferee's assumption of site liability and covenant not to seek legal relief against transferor for any post-transfer site-related claim. As noted herein, Montana Tech does not consider the risk of such liability high or unreasonable based upon the environmental sampling plus subsequent discussions with EPA and DEQ.

ATTACHMENT:

1. EPA Letter approving site remediation plan and expressing no objection to the transfer (4/24/07)

ITEM 135-1504-R0507



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

April 24, 2007

President Frank Gilmore
MT Tech of the U of M
1300 W. Park Street
Butte, MT 59701

Re: BP/AR Land Transfer West of MT Tech

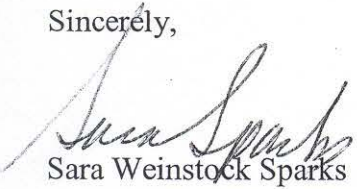
Dear President Gilmore:

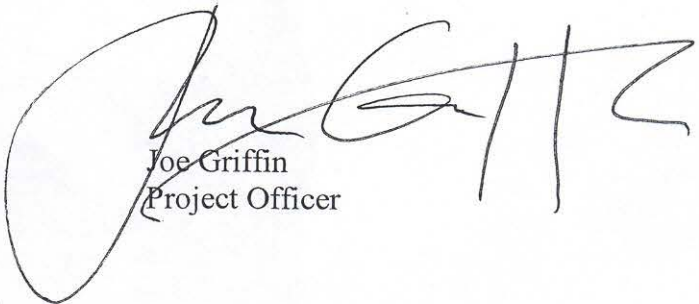
This letter is a follow up to the U. S. Environmental Protection Agency and Montana Department of Environmental Quality discussion with MT Tech concerning the BP/AR land transfer west of MT Tech. The Agencies have reviewed the analytical data submitted by MT Tech associated with the lands west of MT Tech and have also reviewed the plans for addressing mine waste associated within this area. The Agencies believe that your remediation plans are consistent with the Butte Priority Soils Operable Unit's Record of Decision and will address Agency's concerns with potential health and environmental issues associated with the properties.

It is the Agencies' understanding that MT Tech may build on part of these lands in the future. The buildings and/or parking lots will act as additional caps to any mine waste that may be present on the properties.

If you have additional questions or concerns as you acquire this property from BP/AR, please call me at (406) 782-7415 or Joe Griffin at (406) 841-5042.

Sincerely,


Sara Weinstock Sparks
Remedial Project Manager


Joe Griffin
Project Officer

cc: Henry Elsen; 8MO (e-mail only)
Brad Smith; MDEQ (e-mail only)



May 30 - June 1, 2007

ITEM 135-1017-R0507 **Increase in Project Authorization for an East Addition to Washington Grizzly Stadium; The University of Montana-Missoula**

THAT: Consistent with the provisions of MCA 18-2-102, the Board of Regents of Higher Education authorizes The University of Montana-Missoula to increase the project budget to construct an East Addition to Washington Grizzly Stadium. This original request for authority was in the amount of \$5,000,000., this request is for an increase the project authority to \$5,500,000.

EXPLANATION: The design process revealed that an option with a lower profile would be more accessible, desirable and aesthetically pleasing. However, the cost associated with this new plan would be higher due to the structural implications and other design issues. This request is to increase the project authority to cover these additional costs.

Financial Analysis:

The additional funding needed for the project will come by extending the repayment period of project from 5 years to 6 years thereby making an additional \$400,000 available and by allocating \$100,000 of Washington Grizzly Stadium Suite revenue to the Eastside Expansion Project. All other funding and repayment plans remain the same.

This authority request is for an amount greater than \$150,000, which requires the following additional information:

(a) Project Description:

The work performed under this authority encompasses the construction of additional seats, concessions, restrooms and circulation systems on the east side of Washington Grizzly Stadium. This expansion will add approximately 2000 seats.

(b) Cost estimate and Funding Sources:

Construction	\$4,500,000.00
Architectural Fees and Administrative Costs	500,000.00
Printing and Bidding Costs	5,000.00
Utilities	45,000.00
Contingency	400,000.00
Equipment	50,000.00
PROJECT TOTAL	\$5,500,000.00

This project will be financed with revenues from the sale of tickets club revenues and concessions.

(c) Programs served, enrollment data, projected enrollments:

Due to the success of the UM football program, there is a high demand for additional seating in Washington Grizzly Stadium.

(d) Space Utilization Data:

The work completed under this authority will provide space that is not currently available on campus.

(e) Projected use for available residual space:

(Not applicable to this request)

(f) Projected O&M Costs and proposed funding sources:

O&M costs for the new facilities are projected to be \$5,000 annually and are fully borne by Intercollegiate Athletics.

May 30 – June 1, 2007

ITEM 135-2008-R0507

Authorization for Conversion of Continuing Education (CE) Self Support FTE and Associated Tuition Revenues and Expenses to State Support

THAT:

The Montana University System Board of Regents authorize the conversion of courses from self to state support at Montana State University, and that the Board approve the revised tuition/fee matrices and course fees developed as a result of the conversion process.

EXPLANATION:

MSU recognizes that many distance courses and programs initially developed with self-support funds have become an integral part of MSU resident student enrollment patterns, and as self-support courses the FTE generated in those courses were not counted toward the MSU enrollment for state appropriations. In an effort to institutionalize these courses and programs, MSU is converting to state support previously self-support academic credit programs and courses, that can be used by students admitted to MSU towards a degree program.

Spreadsheets include the following and can be viewed at the following link:

<http://bor.montana.edu/board/meetings/meetings.asp>

- Spreadsheet showing projected FTE, revenue and expenses from conversion.
- Additional tuition and fee matrices to be used for distance education.
- New course fees to accompany courses moving to state support model.

ITEM 135-2008-R0507 (continued)

Conversion of Self Support Courses to State Support

Projected FYFTE

Resident	76
WUE	6
Non-resident	7

Total	89
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Projected Revenue

Resident	425,462
WUE	47,298
Non-resident	79,779

Total	552,539
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Projected Expenses

Personal Services	442,031
Operations	110,508

Total	552,539
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MONTANA STATE UNIVERSITY
Inventory and Validation of Fees
Semester - On-Line Only Undergraduate

Unit Name: Montana State University - Bozeman

Regents' Item No. 135-107-R0507

Effective Date: Fall 2007

Course Credit	Registration Fee	Tuition Fee	Building Fee	SFEP Fee	Computer Fee	Activity Fee	Health Fee	SU Fee	Equipment Fee	Information Technology Fee	Athletic Fee	Resident Total	Nonres. Building Fee	Nonres. Tuition Fee	Nonres. Total	Course Credit
1	30.00	189.95	0.00	0.00	3.05	0.00	0.00	0.00	0.00	0.00	0.00	223.00	0.00	189.95	412.95	1
2	30.00	379.90	0.00	0.00	6.10	0.00	0.00	0.00	0.00	0.00	0.00	416.00	0.00	379.90	795.90	2
3	30.00	569.85	0.00	0.00	9.15	0.00	0.00	0.00	0.00	0.00	0.00	609.00	0.00	569.85	1,178.85	3
4	30.00	759.80	0.00	0.00	12.20	0.00	0.00	0.00	0.00	0.00	0.00	802.00	0.00	759.80	1,561.80	4
5	30.00	949.75	0.00	0.00	15.25	0.00	0.00	0.00	0.00	0.00	0.00	995.00	0.00	949.75	1,944.75	5
6	30.00	1,139.70	0.00	0.00	18.30	0.00	0.00	0.00	0.00	0.00	0.00	1,188.00	0.00	1,139.70	2,327.70	6
7	30.00	1,329.65	0.00	0.00	21.35	0.00	0.00	0.00	0.00	0.00	0.00	1,381.00	0.00	1,329.65	2,710.65	7
8	30.00	1,519.60	0.00	0.00	24.40	0.00	0.00	0.00	0.00	0.00	0.00	1,574.00	0.00	1,519.60	3,093.60	8
9	30.00	1,709.55	0.00	0.00	27.45	0.00	0.00	0.00	0.00	0.00	0.00	1,767.00	0.00	1,709.55	3,476.55	9
10	30.00	1,899.50	0.00	0.00	30.50	0.00	0.00	0.00	0.00	0.00	0.00	1,960.00	0.00	1,899.50	3,859.50	10
11	30.00	2,089.45	0.00	0.00	33.55	0.00	0.00	0.00	0.00	0.00	0.00	2,153.00	0.00	2,089.45	4,242.45	11
12	30.00	2,279.40	0.00	0.00	36.60	0.00	0.00	0.00	0.00	0.00	0.00	2,346.00	0.00	2,279.40	4,625.40	12

MONTANA STATE UNIVERSITY
Inventory and Validation of Fees
Semester - On-Line Only Graduate

Unit Name: Montana State University - Bozeman

Regents' Item No. 135-107-R0507

Effective Date: Fall 2007

Course Credit	Registration Fee	Tuition Fee	Building Fee	SFEP Fee	Computer Fee	Activity Fee	Health Fee	SU Fee	Equipment Fee	Information Technology Fee	Athletic Fee	Resident Total	Nonres. Building Fee	Nonres. Tuition Fee	Nonres. Total	Course Credit
1	30.00	227.95	0.00	0.00	3.05	0.00	0.00	0.00	0.00	0.00	0.00	261.00	0.00	227.95	488.95	1
2	30.00	455.90	0.00	0.00	6.10	0.00	0.00	0.00	0.00	0.00	0.00	492.00	0.00	455.90	947.90	2
3	30.00	683.85	0.00	0.00	9.15	0.00	0.00	0.00	0.00	0.00	0.00	723.00	0.00	683.85	1,406.85	3
4	30.00	911.80	0.00	0.00	12.20	0.00	0.00	0.00	0.00	0.00	0.00	954.00	0.00	911.80	1,865.80	4
5	30.00	1,139.75	0.00	0.00	15.25	0.00	0.00	0.00	0.00	0.00	0.00	1,185.00	0.00	1,139.75	2,324.75	5
6	30.00	1,367.70	0.00	0.00	18.30	0.00	0.00	0.00	0.00	0.00	0.00	1,416.00	0.00	1,367.70	2,783.70	6
7	30.00	1,595.65	0.00	0.00	21.35	0.00	0.00	0.00	0.00	0.00	0.00	1,647.00	0.00	1,595.65	3,242.65	7
8	30.00	1,823.60	0.00	0.00	24.40	0.00	0.00	0.00	0.00	0.00	0.00	1,878.00	0.00	1,823.60	3,701.60	8
9	30.00	2,051.55	0.00	0.00	27.45	0.00	0.00	0.00	0.00	0.00	0.00	2,109.00	0.00	2,051.55	4,160.55	9
10	30.00	2,279.50	0.00	0.00	30.50	0.00	0.00	0.00	0.00	0.00	0.00	2,340.00	0.00	2,279.50	4,619.50	10
11	30.00	2,507.45	0.00	0.00	33.55	0.00	0.00	0.00	0.00	0.00	0.00	2,571.00	0.00	2,507.45	5,078.45	11
12	30.00	2,735.40	0.00	0.00	36.60	0.00	0.00	0.00	0.00	0.00	0.00	2,802.00	0.00	2,735.40	5,537.40	12

MONTANA STATE UNIVERSITY
Inventory and Validation of Fees
Semester - On-Line Only Western Undergraduate Exchange Program

Unit Name: Montana State University - Bozeman

Regents' Item No.

135-107-R0507

Effective Date: Fall 2007

Course Credit	Registration Fee	Tuition Fee	Building Fee	SFEP Fee	Computer Fee	Activity Fee	Health Fee	SU Fee	Equipment Fee	Information Technology Fee	Athletic Fee	Nonres. Building Fee	WUE Total	Course Credit
1	30.00	284.90	0.00	0.00	3.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	317.95	1
2	30.00	569.80	0.00	0.00	6.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	605.90	2
3	30.00	854.70	0.00	0.00	9.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	893.85	3
4	30.00	1,139.60	0.00	0.00	12.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,181.80	4
5	30.00	1,424.50	0.00	0.00	15.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,469.75	5
6	30.00	1,709.40	0.00	0.00	18.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,757.70	6
7	30.00	1,994.30	0.00	0.00	21.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,045.65	7
8	30.00	2,279.20	0.00	0.00	24.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,333.60	8
9	30.00	2,564.10	0.00	0.00	27.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,621.55	9
10	30.00	2,849.00	0.00	0.00	30.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,909.50	10
11	30.00	3,133.90	0.00	0.00	33.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,197.45	11
12	30.00	3,418.80	0.00	0.00	36.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,485.40	12

May 30 – June 1, 2007

ITEM 135-2009-R0507 **Annual Status Report of Regents Authority; Montana State University-Bozeman**

THAT: Consistent with the provision of Regent’s Policy, MSU-Bozeman hereby reports the status of existing project authority approved by the Board of Regents, for MSU-Bozeman and its affiliated campuses.

EXPLANATION: 1. Regent’s Policy 1003.7, Procedures, 2,(b) requires each University to “report and update annually to the Board of Regents regarding existing authority” relating to building projects.

2. The attached documents meet reporting requirements mandated in 1003.7.

ATTACHMENTS: Board of Regents Authority – Montana State University – May 2007

BOARD OF REGENTS AUTHORITY STATUS

BOR ITEM#	AUTH DATE	EXPIRE DATE	DESCRIPTION	GOV AUTH		BOR ITEM FUND SOURCE	BOR AUTH AMOUNT	ANNUAL PROJECTED O&M		BUDGET	EXPENDED TO DATE	STATUS
				Y/N	DATE			AMT	FUND SOURCE			
MSU- BOZEMAN												
EPS CLEAN ROOM			PPA#03-0106 INDEX 464330									
121-2007-R1103	Nov-03	Nov-06	Construct a clean room in the Engineering Complex	Y	2/9/04	Federal Grant	2,000,000		Non State OCD funds	2,208,000	1,266,917	Construction
126-2003-R0105	Jan-05	Jan-08	Increase/Extend authority	Y	6/26/06	LRBP	1,500,000					
				N					State Funds	2,419		
TOTAL							3,500,000	-		2,210,419	1,266,917	
EPS LOBBY RENOVATION			PPA#04-0002 INDEX 453405									
121-2004-R1103	Nov-03	Nov-06	Renovate the Engineering Physical Sciences Atrium	Y	3/15/04	Donations	2,500,000		N/A	2,500,000	130,615	Construction
			Secure Intercep Loan from St of MT Board of Investments (loan limit 1,200,000);									
130-2010-R0306	Mar-06	Mar-09	Extends authority to 2009	N								
TOTAL							2,500,000	-		2,500,000	130,615	
FIRE SUPPRESSION SYSTEMS			PPA #05-0137 INDEX 464A38									
120-2015-R0903	Sep-03	Sep-06	Install Fire Suppression System in Residence Halls	N		Aux Op Rev	2,496,000		Non State			
131-2005-R0506	May-06	May-09	Extend Authority for Johnstone Center Fire Sprinklers									
			Langford Hall PPA#03-0053 Ind#464031							260,000	196,936	Complete
			Hapner Fire Sprinkler System PPA#04-0107 Index 464029							270,000	288,315	Complete
			Johnstone Center Fire Sprinklers PPA#05-0137 Index 464A38							621,000	235,523	Construction
TOTAL							2,496,000	-		1,151,000	720,773	
AUXILIARIES PAINTING			PPA# 04-0031 INDEX 464037									
122-2009-R0104	Jan-04	Jan-07	Paint existing Auxiliaries facilities	N		Aux Op Rev	950,000		N/A	950,000	733,490	Complete
133-2004-R1106	Nov-06	Nov-09	Authority extension									
TOTAL							950,000	-		950,000	733,490	
MARSH LAB			ST OF MT A&E PROJECT PPA#05-0150 INDEX 453555									
128-2004-R0905	Sep-05	Sep-08	Construct BSL-2 Large Animal Research Facility	Y	2/2/05	Non State	2,500,000		Non State	2,690,875	46,104	Design
133-2011-R1106	Nov-06	Nov-09	Increase/Extend Authority			Non State	1,000,000					
134-2004-R0307	Mar-07	-	Finance Plan Approved									
TOTAL							3,500,000	-		2,690,875	46,104	
CHEM/BIO RESEARCH BUILDING			ST OF MT A&E PROJECT PPA#04-0040 INDEX 453361									
122-2005-R0304	Apr-04	Apr-07	Construct a new Chem/Bio Research Lab Facility	Y	4/14/04	Federal / Res Funds	24,500,000	550K - 775K	Non State OCD funds	24,500,000	17,997,089	Construction
133-2005-R1106	Nov-06	Nov-09	Authority Extension									
131-2006-R0506	May-06	-	Name the Auditorium "Harlan & Terri Byker" Auditorium									
TOTAL							24,500,000	-		24,500,000	17,997,089	
STUDENT FAC ENHANCEMENT PROJ			PPA #'S 04-0050, 04-0055, 04-0060 INDEXES 453376-453378									
123-2002-R0504	May-04	May-07	Student Facilities Enhancement Project	N		Aux Op Rev	28,000,000		Non State			
134-2007-R0307	Mar-07	Mar-10	Increase/Extend Authority to 31.75M	N			3,750,000					
			Black Box Theatre PPA#04-0055 Index 453377							4,154,012	2,331,183	Construction
			H&PE Fitness Center PPA#04-0060 Index 453378							14,840,402	7,844,061	Construction
			SUB Renovation PPA#04-0050 Index 453376							12,650,062	1,217,631	Design
TOTAL							31,750,000	-		31,644,476	11,392,876	
NATIVE AMERICAN STUDENT CTR			ST OF MT A&E PROJECT PPA# 04-0051 INDEX 453620									
126-2004-R0105	Jan-05	Jan-08	Auth to request 59th Legis for construction of a Native American Ctr						Non State			Fundraising Complete
TOTAL							-	-		-	-	
COOLEY LAB RENOVATION			PPA#05-0119 INDEX 453580									
129-2005-R1105	Nov-05	Nov-08	Renovate a portion of Cooley Lab to modernize lab facilities	Y	12/27/05	Grant	5,000,000		Non State	5,000,000	153,573	Design
TOTAL							5,000,000	-		5,000,000	153,573	
COBLEIGH HALL			PPA#04-0141 INDEX 464326									
130-2004-R0306	Mar-06	Mar-09	Install subzero Cold Chambers	Y	5/3/06	Grant	2,000,000		Non State	1,887,000	110,391	Construction
TOTAL							2,000,000	-		1,887,000	110,391	
HEDGES NORTH AREA LANDSCAPING			PPA#04-0116 INDEX 464023									
132-2003-R0906	Sep-06	Sep-09	Improve rec area near the Hedges/Roskie Hall complex; 6 phases/5 years	N		Aux Op Rev	750,000		Non State		44,716	Design
TOTAL							750,000	-		-	44,716	

STADIUM SKY BOXES

N/A

133-2007-R1106	Nov-06	Nov-09	Plan & design new Sky Suites; Total estimated cost 7M	N	Private & Non State	400,000	-	Non State	-	-	Pre Design
TOTAL						400,000	-		-	-	

ITC RENNE LIBRARY

PPA# 06-0140 INDEX 464R42

133-2008-R1106	Nov-06	Nov-09	Upgrade ITC Electrical Systems in Renne Library	N		370,000		Non State	351,000	47,683	Construction
TOTAL						370,000	-		351,000	47,683	

PARKING/STREET ACCESS FACILITIES N/A

134-2006-R0307	Mar-07	Mar-10	Construct, maintain, repair, and replace new and existing parking facilities	N	Aux Ops & Non State Revs	2,000,000	-	Non State	2,000,000	-	Pre Design
TOTAL						2,000,000	-		2,000,000	-	

TOTAL MSU BOZEMAN

77,216,000 - 70,384,770 32,513,613

MSU BILLINGS

121-2703-R1103	Nov 03	Nov 06	Install fire suppression systems in various Residence Halls	N	Plant R&R	450,000	-	N/A	450,000		Construction
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TOTAL MSU BILLINGS

450,000 - 450,000

May 30 – June 1, 2007

ITEM 135-118-R0507

Annual Status Report of Regents Authority; University of Montana-Missoula

THAT:

Consistent with the provision of Regent's Policy, UM-Missoula hereby reports the status of existing project authority approved by the Board of Regents, for UM-Missoula and its affiliated campuses.

EXPLANATION:

1. Regent's Policy 1003.7, Procedures, 2,(b) requires each University to "report and update annually to the Board of Regents regarding existing authority" relating to building projects.
2. The attached documents meet reporting requirements mandated in 1003.7.

ATTACHMENTS:

Board of Regents Authority – University of Montana – May 2007

TO: Montana Board of Regents

FROM: Roger Barber
Deputy Commissioner for Academic & Student Affairs

RE: Policy 940.29, Tuition: Post-Baccalaureate Students

DATE: May 30 - June 1, 2007

The Montana Board of Regents asked the Office of the Commissioner of Higher Education to prepare a recommendation on the above-referenced policy. This memorandum contains that recommendation, and is intended to provoke. . .and focus. . .discussion on the future of that policy.

The recommendation is as follows:

- the policy should remain in effect for the 2007 – 2009 biennium.
- the tuition authorized by this Policy should be phased out over a two-year period, beginning July 1, 2009.
- the repeal of the policy should be effective on June 30, 2011.
- the campuses of the Montana University System should be authorized to set tuition for graduate programs at a rate not to exceed 120% of the resident undergraduate tuition, before and after the repeal of this policy.
- the Office of the Commissioner of Higher Education should prepare a policy amendment for the May 2009 Board of Regents' meeting that reflects these recommendations.

The Academic and Student Affairs Committee of the Board of Regents has discussed this policy for more than a year. During that time period, the Committee has received information on the number of post-baccalaureate students on each campus and their programs of study, the financial aid opportunities available to post-baccalaureate students, and the potential revenue loss for the campuses if this policy is repealed. That revenue loss varies from \$50,000/year to approximately \$350,000/year on the two largest campuses.

The Office of the Commissioner of Higher Education believes that the policy has outlived its usefulness, however.

- It was adopted at a time when the Board enacted several policies to move students through the Montana University System quickly, and to penalize students for accruing credits. Most of those policies have been repealed.
- It no longer makes sense, particularly in a world where people change careers often, new job skills are important to a successful lifetime of work, and many professions. . .like teaching and healthcare. . .could benefit from the talents of people who have already had a successful career in some other field.

The Commissioner's office believes it would be unfair to change the policy in the next biennium, since the campuses would have no time to prepare for its fiscal impact. Hopefully, Governor Schweitzer's CAP program will also be enacted by the 2007 Legislature. But if that happens, the campuses would have no way to recover the tuition loss associated with this policy repeal.

By postponing the repeal for two years, and by phasing it out over the next two years, the campuses of the Montana University System will have time to adjust to the revenue loss.

**The University of Montana
Board of Regents Authority
Annual Status Report
May 2007**

ITEM 135-118-R0507

Line #	BOR Item #	Auth Date	Expire Date	BOR Item Title	Authority Amount	Governor's Consent		Funding Source	Fund Raising Yes/No	Annual Projected O&M Costs		Architect	Status
						Req. Y/N	Date			Amount	Funding Source		
UM- Missoula													
	134-1001-C0307	Mar-07	Mar-10	Remodel Testing Center - Lommasson Center	\$220,000	N	N/A	Auxiliary & Campus	No	N/A	N/A		Suspended
	134-1007-R0107	Jan-07	Jan-10	Expansion to Washington-Grizzly Stadium (MCA 20-25-441 & MCA 20-25-442) (as amended)	\$5,000,000	N	N/A	Auxiliary & Private	Yes	\$5,000	Campus	OZ Architects	Under Design
	132-1002-R0906	Sep-06	Sep-09	Construction & Renovation of Academic Facilities (Redirect \$5,750,000 from OCHE/MGSLP to Various Campus Projects)	\$5,750,000			Bonds	No	N/A	N/A		
	132-1006-R0906	Sep-06	Sep-09	Increase in Project Authorization for the Inter-Disciplinary Science Building	\$13,800,000 (\$1,800,000 incr.)	Y	08/15/05	Bonds	No	\$672,520	Campus	Studio Forma	Bidding May 9, 2007
	132-1006-R0706	Jul-06	Sep-09	Increase Authority to Repair/Replace the HVAC System in the Curry Health Service Building (\$450,000 previously authorized by BOR 128-1001-R0905)	\$600,000 (\$150,000 incr.)	N	N/A	Auxiliary & InterCap Loan	No	N/A	N/A	JM Engineering	Complete
	128-1012-R0905	Sep-05	Sep-08	Executive Education Building Construction - Gilkey Planning Authorization BOR 124-1004-R0904)	\$5,100,000	Y	11/02/05	Private	Yes	\$98,000	Campus	LPW Architects	Fundraising - \$2,000,000 to Date
	128-1009-R0905	Sep-05	Sep-08	Planning for an Addition to the School of Education Building	\$75,000	N	N/A	Private	Yes	N/A	N/A	OZ Architects	\$3,000,000 to Date
	128-1001-R0905	Sep-05	Sep-08	Repair/Replace the HVAC System in the Curry Health Service Building	\$450,000	N	N/A	Auxiliary & InterCap Loan	No	N/A	N/A	JM Engineering	Design
	128-1004-R0705	Jul-05	Jul-08	Helena COT Multi-Purpose Building (Planning Authorization BOR 127-124-R0505, May 2005) (Series J)	\$5,000,000	N	N/A	Bonds	No	\$155,000	Campus	ThinkOne	Project Cancelled
	128-1004-R0705	Jul-05	Jul-08	Avian Research Center (Series J)	\$750,000	N	N/A	Bonds	No	N/A	N/A	MMW Architects	Design
	128-1004-R0705	Jul-05	Jul-08	Dormitory Sprinklers (Series J)	\$750,000	N	N/A	Bonds	No	N/A	N/A	Sprinkler Technology	Bid
	128-1004-R0705	Jul-05	Jul-08	School of Journalism Renovation (Series J)	\$750,000	N	N/A	Bonds	No	N/A	N/A	Schutz Foss	Design
	128-1004-R0705	Jul-05	Jul-08	Auxiliary Portion of Steam & Condensate Line Replacement (Series J)	\$1,800,000	N	N/A	Bonds	No	N/A	N/A	3 Rivers	Phase I Start 4/25/07
	128-1004-R0705	Jul-05	Jul-08	Interdisciplinary Research Facility (max) (Series J)	\$12,000,000	Y	08/15/05	Bonds	No	\$431,000	Campus	Studio Forma	Bid May 19, 2007
	127-124-R0505	May-05	May-08	OCHE & The University of Montana to Plan the Financing & Construction of an Office Building to House OCHE & MGSLP	Planning	N	N/A	Bonds	No	N/A	N/A		Project Cancelled
	127-1008-R0505	May-05	May-08	Native American Studies Building - Additional Authority Construction of New Research Lab Facility - Authority for Additional Floors	\$6,000,000	N	N/A	Private & University Unrestricted Funds	Yes	\$165,000	State	LA Olsen	Schematics Complete - Fundraising
	126-1012-R0105	Jan-05	Jan-08	Additional Floors	\$3,000,000	N	N/A	Private	Yes	\$80,000	Campus	Paradigm	HHP Lab \$1.5 million
	124-1001-R0704	Jul-04	Jul-07	Skaggs Addition Increase (\$2.5ML Budget Amendment)	\$14,000,000	Y	12/3/04	Bonds, Grant & Private	Yes	\$555,000	Campus	Schutz/Foss	Complete
	122-1015-R0304	Mar-04	Mar-07	Series I Bonds	\$3,000,000	N	N/A	Bond	No	N/A	N/A	N/A	75% Complete
	122-1010-R0304	Mar-04	Mar-07	Futures Park Planning	\$750,000	N	N/A	Grant & Private	Yes	N/A	State	OZ Architects	Suspended
UM- Butte													
	134-1501-R0107	Jan-07	Jan-10	HPER Building Bleacher Project	\$412,000	N	N/A	Private & University Unrestricted Funds	Yes	N/A	N/A		Bid
	132-1503-R0906	Sep-06	Sep-09	Replace HPER Building Gymnasium Hardwood Floor	\$250,000	N	N/A	Campus	No	N/A	N/A		Bid
	124-1503-R0704	Jul-04	Jul-07	Chemistry/Biology Building Renovation for National Center for Health Care Informatics (Increase to original authority Item# 118-1501-R0303)	\$225,000	N	N/A	Grant	No	N/A	N/A		Complete
UM- Dillon													
	130-1605-R0306	Mar-06	Mar-09	Wood-fired Boiler Project (Authorized in HB12) (\$400K Fuels for Schools Grant & \$1.2ml DEQ SBEP Bonds)	\$1,600,000	N	N/A	Grant/SBEP	No	N/A	N/A		Complete
UM- Helena COT													

May 30 – June 1, 2007

ITEM 135-2702-R0507

Authorization to Expend Student Computer Fee
Allocation: Montana State University-Billings

THAT

Consistent with the provisions of Board of Regents' policy 940.23, the Board of Regents authorizes Montana State University-Billings to expend Student Computer Fee funds for the following projects that exceed the local approval threshold: purchase laptop and desktop computers, multi-media classroom equipment, and a content management system for both campuses. Total = \$400,000

EXPLANATION:

Board of Regents' policy 940.23 requires Board approval of all purchases over \$25,000. The Student Computer Fee Committee, whose membership includes 50 percent students as required by Board policy, endorses this proposal.

May 30-June 1, 2007

ITEM 135-1502-R0507

**Authorization to Expend Student Computer Fees;
Montana Tech of The University of Montana**

THAT:

The Board of Regents authorizes, in accordance with Montana University System Policy 940.23, the expenditure of student computer fee money for the following:

4-Year Campus –

Upgrade and replace academic labs (58 computers)	\$ 82,360
Network servers, switches and maintenance	\$ 55,750
Network Plenum Wiring Loan Payment	\$ 50,000
Microsoft licenses and specialty software licenses (estimate)	\$ 32,177
Paper, toner and lab printers	<u>\$ 17,000</u>
TOTAL	\$237,287

2-Year Campus (COT) –

Upgrade and replace student computer lab (25 computers)	\$ 32,500
Microsoft licenses and specialty software licenses (estimate)	\$ 16,244
Paper and toner	<u>\$ 2,500</u>
TOTAL	\$51,244

EXPLANATION:

In accordance with Montana University System Policy 940.23, this plan was developed in cooperation with student leadership and was approved by a Computer and Network Advisory Committee at both campus locations.

May 30 – June 1 2007

ITEM: 135-1014-R0507 Student Computer Fee Employment Allocation; The University of Montana

THAT: Consistent with the provisions of Board of Regents' Policy 940.23, the Board of Regents authorizes The University of Montana to expend Student Computer Fee funds for the following projects that exceed the local approval threshold:

Student Employment

- 1) College of Arts and Sciences (\$91,649);
- 2) Information Technology (public labs) (\$56,265);
- 3) School of Business (\$37,551);
- 4) College of Technology (\$30,943);
- 5) Student Technical Assistant Program (STAP) (\$30,000);
- 6) Mansfield Library (public labs) (\$25,319);
- 7) Information Technology (Help Desk) (\$25,000);
- 8) Information Technology (Web Development) (\$25,000).

EXPLANATION: Board of Regents' policy 940.23 requires Board approval of all purchases over \$25,000. The Student Computer Fee Committee, whose membership includes 50 percent students as required by Board Policy, endorses this proposal.

May 30 – June 1, 2007

ITEM 135-1015-R0507

Student Computer Fee Equipment Allocation; The University of Montana

THAT:

Consistent with the provisions of Board of Regents' Policy 940.23, the Board of Regents authorizes The University of Montana to expend Student Computer Fee funds for the following projects that exceed the local approval threshold:

- 1) College of Arts and Sciences equipment (\$128,141);
- 2) fund student access point charge (\$102,000);
- 3) Information Technology equipment \$80,000);
- 4) Mansfield Library equipment (\$34,000);
- 5) Pharos Uniprint software – ASUM proposal (\$31,900);
- 6) fund Academic Affairs for Blackboard (\$25,000);
- 7) set aside Information Technology contingency fund (\$25,000).

EXPLANATION:

Board of Regents' policy 940.23 requires Board approval of all purchases over \$25,000. The Student Computer Fee Committee, whose membership includes 50 percent students as required by Board Policy, endorses this proposal.

May 30-June 1 2007

ITEM 135-1503-R0507

Authorization to name the Montana Tech Basketball Floor the “Kelvin Sampson Court”; Montana Tech of The University of Montana

THAT:

Consistent with Board of Regents Policy 1004.1, Naming of Buildings, the Board of Regents of the Montana University System authorizes Montana Tech to name the current HPER Basketball Floor the “Kelvin Sampson Court”.

EXPLANATION:

In an attempt to make the arena in the HPER complex a *First Choice* facility, it is Montana Tech’s desire to honor former Oredigger Coach and current University of Indiana Head Men’s Basketball Coach Kelvin Sampson.

Coach Sampson started his collegiate head-coaching career as an Oredigger in 1982. Coach Sampson has twice been named NCAA National Coach of the Year. For the past twenty years, Coach has one of the highest winning percentages in NCAA Men’s Basketball. Currently, Coach Sampson is the head coach at the University of Indiana, one the most prestigious basketball programs in the country. He has consistently maintained the ability to win college basketball games at the highest level.

Coach Sampson’s endorsement of our facility will provide Montana Tech the ability to raise the capital needed to complete “Project Dreams”. It will provide unprecedented corporate partnerships, strong affinity donning and national media exposure to the parties involved. *Kelvin Sampson Court* will become an immediate landmark and will be a prime factor in recruiting top-tier athletes to our *First Choice Programs*.

Coach Sampson has made a generous initial donation and is ready to help the Digger Athletic Association raise the additional funding needed to complete the project. On May 19, 2007, Coach Sampson will announce his leadership gift to “Project Dreams”. The event will be the tip-off to our fund raising effort. Highly-supportive individuals will attend the fundraiser for an up close and personal evening with Kelvin. Coach Sampson will be involved in all aspects of the project from floor design to donor solicitation.

May 30 – June 1, 2007

ITEM 135-2005-R0507

**Authorization to Paint Existing Auxiliaries Facilities;
Montana State University Bozeman**

THAT:

Consistent with the provisions of MCA-18-2-102(b), the Board of Regents of Higher Education authorizes MSU-Bozeman to paint various areas of the Auxiliaries Facilities at MSU-Bozeman. The estimated cost for this project is \$375,000.

EXPLANATION:

1. The Auxiliaries facilities under this project are distributed throughout the campus at MSU-Bozeman.
2. The facilities under the responsibility of Auxiliary Services are in need of maintenance painting to protect surfaces and prevent deterioration of the underlying materials.
3. This project will be financed with maintenance funds from Auxiliary Operations Revenue (Renewal and Replacement Budget) in excess of debt service obligations.

Board of Regents Policy: Physical Plant B Section 1003.7

This Authority request is for an amount greater than \$150,000, which requires the following additional information:

(a) Project Description:

This project will provide maintenance painting to various Auxiliaries Facilities at MSU-Bozeman. This painting will protect underlying materials.

(b) Cost Estimate and Funding Sources:

Estimated Cost	
Design/Construction Admin 15%	\$56,250
Construction	\$300,000
<u>Contingency 5%</u>	<u>\$18,750</u>
Total estimate	\$375,000

Funding Source: This project will be financed with maintenance funds from Auxiliary Operations Revenue (Renewal and Replacement Budget) in excess of debt service obligations.

(c) Programs Served, Enrollment Data, Projected Enrollments:

The Auxiliaries Services program provides housing, food services, sports, music and other performances for students, staff, faculty and the public.
(Enrollment data is not applicable to this authority request.)

(d) Space Utilization Data

Residence facilities occupancy rates are consistently above 90%. Other Auxiliaries Facilities are heavily utilized. Annual utilization will not be impacted by this major maintenance project.

(e) Projected use for available residual space

(Not Applicable to this request)

(f) Projected O&M Costs and proposed funding sources

Historic O&M costs are not expected to be significantly impacted by this maintenance project, since facilities will not be expanded or significantly modified.

May 30 – June 1, 2007

ITEM 135-1002-R0507

Authorize Request for Employee Participation in Company Under Regents Policy 407; The University of Montana – Missoula

THAT:

The Board of Regents of Higher Education approves UM-Missoula employee Donald E. Kiely for ownership of an equity interest in, and service on the governing board of, and part-time employment with Montana Renewable Alternatives, Ltd., a Montana corporation, in accordance with board policy and state law.

EXPLANATION:

Dr. Donald E. Kiely, Professor of Chemistry is an employee of UM-Missoula. Dr. Kiely seeks approval to hold equity in, to serve as a part-time employee of, and to serve on the governing board of Montana Renewable Alternatives, Ltd., a corporation which will commercially disseminate and utilize intellectual property developed by Kiely as part of his authorized work for the university. The corporation will operate in accordance with a license agreement with UM-Missoula. Kiely will work in accordance with a conflict management plan developed by UM-Missoula. Under Policy 407 and MCA 20-25-109, university employees must have Board of Regent approval to serve as a director, officer, or board member of a business entity; to be employed by a business entity; or to hold equity in a business entity which has an agreement with, or shares ownership of intellectual property with, the university, relating to the development, licensing or commercial exploitation of that intellectual property.

UM-Missoula benefits from this approval. UM-Missoula-developed technology will be licensed and commercialized with the potential for resulting royalties; useful knowledge will be disseminated to the public and to other researchers around the country; and learning and research opportunities will be available to university students. A new Montana-based business will be created.

ATTACHMENTS:

407 Submission Form

EQUITY INTEREST/BUSINESS PARTICIPATION SUBMISSION FORM
MUSP 407

This form is to be submitted with any Board of Regents item when a campus seeks the approval of an agreement with or arrangement regarding an employee pursuant to 20-25-109 MCA and Regents Policy 407.

If any submission concerns matters of trade secrets or confidential business information, or any other matter entitled to privacy under state or federal law (e.g., the federal statute known as Bayh/Dole) the submitting campus may request consideration of the submission, in whole or in part, in executive session.

1. Summarize the nature of the intellectual property that was developed by the employee(s) seeking approval.

Patents have issued to and been filed by The University of Montana on methods to generate commercially valuable sugar acids from carbohydrates. These sugar acids, alone, have inherent commercial value or they can be used as building blocks for commercially valuable polymers. Continuing work at UM is resulting in new inventions to improve the processes or which result in other commercial products; patents will be filed on these inventions. These products represent alternative carbon compounds generated from renewable resources as alternatives to petroleum-based chemicals. The materials may find uses as anticorrosives, packaging materials, or as films possessing antibacterial activities.

2. a. Name(s) of the university employee(s) involved.

Donald E. Kiely

2. b. Name(s) of business entity(ies) involved and its relationship with the university or other public agency.

Montana Renewable Alternatives, Ltd., a Montana Corporation

3. The university and employee(s) are seeking approval for (check as many as appropriate):

- a. The employee *has or will* be awarded equity interest in the Business Entity.
- b. The employee who is serving or may serve as a member of the board of directors or other governing board of the business entity.
- c. The employee to accept employment from the Business Entity.
- d. Other. Please explain.

4. How will approval of this relationship contribute to the objectives of the university's technology transfer and intellectual property development programs?

Montana Renewable Alternatives, Ltd. (MRAL) is a Montana corporation with business operations in Montana. It will continue to perform research and development on the proprietary materials and methods, will be involved in scale-up activities for producing the sugar acids and the polymers. However, ultimate mass production of the materials and conversion into finished products will be performed under sub-licenses to major chemical companies, which have world-wide presences.

The benefits to U of M and the State of Montana arising from activities of MRAL are:

- a) **Generation of revenues, which will be shared with UM;**
- b) **Employment opportunities for U of M graduates.**
- c) **As MRAL grows, its tax-base will also increase.**
- d) **Stronger research ties between MRAL and The University of Montana will be created and will ensure MRAL's continued growth in its Montana operations with the consequent benefits for the economy of the State of Montana.**

By allowing this University-private sector relationship to be established, intellectual property developed by University faculty can be used to grow a Montana-based company, will set an example for other entrepreneurs from the University looking for opportunities for commercialization of their innovations and creations, and will generate goodwill for University employees and the private sector. The University will incur no net cost by entering into any arrangements covered by this agreement.

May 30 – June 1, 2007

ITEM 135-1016-R0507

Authorize Request for Employee Participation in Company Under Regents Policy 407; The University of Montana- Missoula

THAT:

The Board of Regents of Higher Education approves UM-Missoula employee John M. Gerdes for ownership of an equity interest in, and service on the governing board of, and part-time employment with GT Neuropharma, Inc., a Montana corporation, in accordance with board policy and state law.

EXPLANATION:

Dr. John M. Gerdes, Associate Professor of Chemistry is an employee of UM-Missoula. Dr. Gerdes seeks approval to hold equity in, to serve as a part-time employee of, and to serve on the governing board of GT Neuropharma, Inc., a corporation which will commercially disseminate and utilize intellectual property developed by Gerdes as part of his authorized work for the university. The corporation will operate in accordance with a license agreement with UM-Missoula. Gerdes will work in accordance with a conflict management plan currently under development by UM-Missoula. Under Policy 407 and MCA 20-25-109, university employees must have Board of Regent approval to serve as a director, officer, or board member of a business entity; to be employed by a business entity; or to hold equity in a business entity which has an agreement with, or shares ownership of intellectual property with, the university, relating to the development, licensing or commercial exploitation of that intellectual property.

UM-Missoula benefits from this approval. UM-Missoula-developed technology will be licensed and commercialized with the potential for resulting royalties; useful knowledge will be disseminated to the public and to other researchers around the country; and learning and research opportunities will be available to university students. A new Montana-based business will be created.

ATTACHMENTS:

407 Submission Form

EQUITY INTEREST/BUSINESS PARTICIPATION SUBMISSION FORM
MUSP 407

This form is to be submitted with any Board of Regents item when a campus seeks the approval of an agreement with or arrangement regarding an employee pursuant to 20-25-109 MCA and Regents Policy 407.

If any submission concerns matters of trade secrets or confidential business information, or any other matter entitled to privacy under state or federal law (e.g., the federal statute known as Bayh/Dole) the submitting campus may request consideration of the submission, in whole or in part, in executive session.

1. Summarize the nature of the intellectual property that was developed by the employee(s) seeking approval.

Two patents have been filed by The University of Montana on structures, methods of preparation, and uses of specific radioligands. GT Neuropharma, Inc. wants to license these, and other patents forthcoming, in order to continue development, to create manufacturing procedures, and to test, and license marketing rights for a new generation of diagnostic radioactive drug agents (radioligands) that significantly enhance the utility of Positron Emission Tomography brain scanning technology. The brain scanning radioligands are used to monitor discrete protein markers; quantitative determination of these markers can result in clinical diagnosis of serious diseases. Also, these procedures can be used to assess the efficiency of drug treatments.

2. a. Name(s) of the university employee(s) involved.

John M. Gerdes

2. b. Name(s) of business entity(ies) involved and its relationship with the university or other public agency.

GT Neuropharma, Inc., a Montana Corporation

3. The university and employee(s) are seeking approval for (check as many as appropriate):

- a. The employee *has or will* be awarded equity interest in the Business Entity.
- b. The employee who is serving or may serve as a member of the board of directors or other governing board of the business entity.
- c. The employee to accept employment from the Business Entity.
- d. Other. Please explain.

4. How will approval of this relationship contribute to the objectives of the university's technology transfer and intellectual property development programs?

GT Neuropharma, Inc. (GTNI) is a Montana corporation with business operations in Montana. It will continue to perform research and development on the proprietary materials and methods, will be involved in scale-up activities for producing the ligands, which can be radiolabeled for clinical use. GTNI, through its network of contacts and collaborations, including the University of California, Schering AG, Seimens, and GE, is in a position to facilitate the rapid market introduction of these radioligands. This will enhance transfer of technology from The University of Montana to benefit humankind, and will generate revenues through royalty payments for The University of Montana.

The benefits to U of M and the State of Montana arising from activities of GTNI are:

- a) **Generation of revenues, which will be shared with UM;**
- b) **Employment opportunities for U of M graduates.**
- c) **As GTNI grows, its tax-base will also increase.**
- d) **Stronger research ties between GTNI and The University of Montana will be created and will ensure GTNI's continued growth in its Montana operations with the consequent benefits for the economy of the State of Montana.**

By allowing this University-private sector relationship to be established, intellectual property developed by University faculty can be used to grow a Montana-based company, will set an example for other entrepreneurs from the University looking for opportunities for commercialization of their innovations and creations, and will generate goodwill for University employees and the private sector. The University will incur no net cost by entering into any arrangements covered by this agreement.

May 30 – June 1, 2007

ITEM 135-1003-R0507

Authorize Request for Employee Participation in Company Under Regents Policy 407; The University of Montana - Missoula

THAT:

The Board of Regents of Higher Education approves UM-Missoula employee Edward Rosenberg for ownership of an equity interest in and part-time employment with Purity Systems, Inc., a Montana corporation, in accordance with board policy and state law.

EXPLANATION:

Dr. Edward Rosenberg, Professor of Chemistry is an employee of UM-Missoula. Dr. Rosenberg seeks approval to hold equity in Purity Systems, Inc., a corporation which commercially disseminates and utilizes intellectual property developed by Rosenberg as part of his authorized work for the university. The corporation has operated in accordance with a license agreement with UM-Missoula for the last ten years. During that time period, Dr. Rosenberg has not held a “significant financial interest” in Purity Systems, Inc. In 2007, Purity Systems, Inc. anticipates generating significant revenues, some of which will be shared with the University and directly with Dr. Rosenberg. Rosenberg will work in accordance with a conflict management plan currently under development by UM-Missoula. Under Policy 407 and MCA 20-25-109, university employees must have Board of Regent approval to serve as a director, officer, or board member of a business entity; to be employed by a business entity; or to hold equity in a business entity which has an agreement with, or shares ownership of intellectual property, with the university, relating to the development, licensing or commercial exploitation of that intellectual property.

UM-Missoula benefits from this approval. UM-Missoula-developed technology is licensed and commercialized with the potential for resulting royalties; useful knowledge is disseminated to the public and to other researchers around the country; and learning and research opportunities are available to university students. The personal benefits realized by Dr. Rosenberg will serve as an example to encourage other faculty to look for commercial applications for their research.

ATTACHMENTS:

407 Submission Form

EQUITY INTEREST/BUSINESS PARTICIPATION SUBMISSION FORM
MUSP 407

This form is to be submitted with any Board of Regents item when a campus seeks the approval of an agreement with or arrangement regarding an employee pursuant to 20-25-109 MCA and Regents Policy 407.

If any submission concerns matters of trade secrets or confidential business information, or any other matter entitled to privacy under state or federal law (e.g., the federal statute known as Bayh/Dole) the submitting campus may request consideration of the submission, in whole or in part, in executive session.

1. Summarize the nature of the intellectual property that was developed by the employee(s) seeking approval.

An extremely stabile carrier resin has been developed , along with the chemical means to attach ligands (receptors) thereto. These receptor-coated resins can be used under specified conditions to bind selectively heavy metals like lead, chromium, or copper. This allows removal of these metals from industrial waste streams or from mine leachings, before the water is returned to the environment. Also, the capacity of the resins have been increased so that they can now be used to concentrate and recover the metals as a mining technique.

2. a. Name(s) of the university employee(s) involved.

Edward Rosenberg

2. b. Name(s) of business entity(ies) involved and its relationship with the university or other public agency.

Purity Systems, Incorporated, a Montana Corporation

3. The university and employee(s) are seeking approval for (check as many as appropriate):

- a. The employee ***has or will*** be awarded equity interest in the Business Entity.
- b. The employee who is serving or may serve as a member of the board of directors or other governing board of the business entity.
- c. The employee to accept employment from the Business Entity.
- d. Other. Please explain.

4. How will approval of this relationship contribute to the objectives of the university's technology transfer and intellectual property development programs?

Purity Systems Inc. is a Montana corporation with business operations in Montana. Currently the company rents research space in MonTEC, which is jointly owned and operated by The University of Montana and the Missoula Area Economic Development Corporation.

It has taken PSI over 10 years to develop its product line, establish cost-effective manufacturing methods, and to market its products. Much of this has been accomplished in collaboration with The University of Montana. This year, 2007, PSI expects to start generating significant sales of its products and revenues. The University will share in these through terms in our licensing agreements.

The benefits to U of M and the State of Montana arising from activities of PSI are:

- a) **Generation of revenues, which will be shared with UM;**
- b) **Employment opportunities for U of M graduates. Several graduates of U of M have already been employed by PSI in Montana. As sales of the resins grow, PSI is expected to hire more graduates, both from the sciences, but also business majors.**
- c) **As PSI grows, its tax-base will also increase.**
- d) **Stronger research ties between PSI and The University of Montana will be created and will ensure PSI's continued growth in its Montana operations with the consequent benefits for the economy of the State of Montana.**

By allowing this University-private sector relationship to be established, intellectual property developed by University faculty can be used to grow a Montana-based company, will set an example for other entrepreneurs from the University looking for opportunities for commercialization of their innovations and creations, and will generate goodwill for University employees and the private sector. The University will incur no net cost by entering into any arrangements covered by this agreement.

STAFF AND COMPENSATION
Miles Community College
Room 106
Thursday, May 31, 2007
8:15 - 9:30 AM

8:15 AM ROLL CALL and REVIEW OF MINUTES [Link](#)

ACTION

8:20 AM Employee benefits program staffing; revisions to Policy 804.1 MUS Insurance). [ITEM 135-112-R0507](#)

INFORMATION

- 8:30 AM
- a. Insurance Affordability Plan.
 - b. Recruitment and Retention Task Force update.
 - c. Collective bargaining update.

CONSENT

9:15 AM Staff Items

- a. Office of Commissioner of Higher Education. [ITEM 135-100-R0507](#)
- b. UM-Missoula. [ITEM 135-1000-R0507](#)
- c. UM-Western. [ITEM 135-1600-R0507](#)
- c. MSU-Billings. [ITEM 135-2700-R0507](#)
- d. MSU-Northern. [ITEM 135-2800-R0507](#)
- e. Title of Professor Emeritus of Art: Marilyn C. Bruya; UM-Missoula. [ITEM 135-1004-R0507](#)
- f. Title of Professor Emeritus of Arts and Humanities: Richard D. Barrett, Professor of Economics, College of Arts and Sciences, UM-Missoula. [ITEM 135-1005-R0507](#)
- g. Title of Professor Emeritus of Arts and Humanities: Dennis J. O'Donnell, Professor of Economics, Colleges of Arts and Sciences; UM- Missoula. [ITEM 135-1006-R0507](#)
- h. Title of Professor Emeritus of Library Sciences: Erling Oelz; UM-Missoula. [ITEM 135-1007-R0507](#)

- i. Title of Professor Emeritus of Arts and Humanities: Thomas Michael Power, Professor of Economics, College of Arts and Sciences; UM-Missoula. [ITEM 135-1008-R0507](#)
- j. Title of Professor Emeritus of History: Frederick W. Skinner; UM-Missoula. [ITEM 134-1011-R0107](#)
- k. Title of Professor Emeritus of German: Dennis McCormick; UM-Missoula. [ITEM 134-1012-R0107](#)
- l. Title of Professor Emeritus of Psychology: David A. Strobel; UM-Missoula. [ITEM 135-1013-R0507](#)
- m. Title of Professor Emeritus of Art: Barney P. Brienza; UM-Western. [ITEM 135-1601-R0507](#)
- n. Title of Professor Emeritus of Business/Economics: William C. O'Connor; UM-Western. [ITEM 135-1602-R0507](#)
- o. Title of Professor Emeritus of Architecture: Ferdinand S. Johns; MSU-Bozeman. [ITEM 135-2001-R0507](#)
- p. Title of Professor Emeritus of Economics: Charles H. Rust; MSU-Bozeman. [ITEM 135-2002-R0507](#)
- q. Title of Professor Emeritus of Engineering Mechanics: Robert L. Brown; MSU-Bozeman. [ITEM 135-2003-R0507](#)
- r. Title of Professor Emeritus of Mechanical Engineering: Jay Conant; MSU-Bozeman. [ITEM 135-2004-R0507](#)

Labor Agreements

- a. International Union of Operating Engineers covering employees in Missoula, Dillon, Butte, and Bozeman. [ITEM 135-116-R0507](#) [Memo Agreement](#)
- b. Teamsters Union Local 2 covering employees in Bozeman. [ITEM 135-117-R0507](#) [Memo Agreement](#)

9:20 AM PUBLIC COMMENT

9:30 AM ADJOURN

Other than the meeting starting time, the times listed are approximate. In addition, agenda items may be rearranged unless an item is listed as having a "time certain."

Action may be taken on any item listed on the Board or Committee Agendas. Public comment is welcome on all items.

The Board of Regents will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate. Persons requiring such accommodations should make their requests to the Office of the Commissioner of Higher Education as soon as possible before the meeting to allow adequate time for special arrangements. You may call or write to: ADA Coordinator, P. O. Box 203201, Helena MT 59620-3201, 406-444-6570, 1-800-253-4091 (TDD)



MONTANA UNIVERSITY SYSTEM
Office of the Commissioner of Higher Education

46 N Last Chance Gulch ♦ PO Box 203201 ♦ Helena, Montana 59620-3201
(406)444-6570 ♦ FAX (406)444-1469

MINUTES

STAFF AND COMPENSATION COMMITTEE MEETING

Thursday, March 1, 2006

The Committee convened at 8:30 A.M.

Committee Members Present: Heather O'Loughlin, Regent Steve Barrett, Regent Clayton Christian, and Regent Todd Buchanan.

Also present: Alex Capdeville, Bob Duringer, Bruce Marks, Dan Carter, Dave Dooley, Frank Gilmore, Geoff Gamble, George Dennison, Karl Ulrich, Kevin McRae, Maggie Peterson, Mick Robinson, Ron Sexton, Rosi Keller, Sara France, Shannon Taylor, Susan Briggs, Terry Iverson, Tom Gibson, Tom McCoy, Tyler Trevor

ACTION

a. Discussion of employee compensation issues for Fiscal Years 2008 and 2009

- Update on Legislative Bills
- Update on Bargaining Agreements – all expire June 30, 2007.
- High Priority Problems in recruiting and retention
 - Campus Security officers
 - Food service employees
 - Custodial positions
 - Administrative associates (4 levels)
 - Accounting associates
- Positions addressed
 - Campus Security officers at MSU-Bozeman - \$3 / hour increase
 - Food service employees

b. Discussion of Recruitment and Retention Task Force

Charge to the committee:

Examine and recommend ways to improve ability of campuses to hire and keep capable employees at all levels. Recruitment in this context is defined as the ability to hire qualified employees in a competitive job market, and retention is the ability to remain as employer of choice when competition offers desirable wages, benefits, and working conditions.

- Analyze recruitment and retention needs
- Don't base strictly on dollars
- Examine non-economic improvements
- Use creativity
- Examine how recruit
- Research solutions and make recommendations

Members of Committee:

Doug Abbott, Montana Tech; Elizabeth Nichols, MSU; Erik Burke, MEA-MFT; Gerald Fetz, UM-Missoula; MaryEllen Baukol, MSU-Great Falls CoT; Quinton Neiman, MPEA; Rob Gannon, UM-Missoula; Sara

France, classified staff; Shannon Taylor, faculty member; Susan Alt, MSU-Bozeman. Committee will provide update at the May, 2007 Board meeting, with a finished document to be presented at the September, 2007 meeting.

CONSENT

Staff Items

- a. Authorization to Confer the Title of Professor Emeritus of Social Work Upon John Spores; The University of Montana - Missoula – ITEM 134-1002-R0307
- b. Authorization to Confer the Title of Professor Emeritus of Economics Upon Richard L. Stroup; Montana State University-Bozeman – ITEM 134-2001-0307
- c. Authorization to Confer the Title of Professor Emeritus of Horticulture upon Dr. Nancy Callan; Montana State University-Bozeman – ITEM 134-2002-0307
- d. Authorization to Confer the Title of Professor Emeritus of Architecture upon Jerry Bancroft; Montana State University – Bozeman – ITEM 134-2003-0307
- e. Authorization to Confer The Title of Professor Emeritus of Sociology upon Professor Joe W. Floyd; Montana State University – Billings – ITEM 134-2705-0307
- f. Authorization to Confer The Title of Professor Emeritus of Finance and Economics upon Professor Farzad Farsio; Montana State University – Billings – ITEM 134-2706-0307
- g. Staff; MSU Northern – ITEM 134-2800-0307

Regent Christian indicated the Committee will recommend approval for all staff items.

Labor Agreements / Other

- a. Approval of tentative Agreement with Montana Tech Faculty Association ITEM 134-106-R0307 (Full Contract)

Approval of this item will provide faculty with retroactive raises for 2005 and 2006, each in the amount of 3.5%.

Regent Christian indicated the Committee will recommend approval for all staff items.

- b. Approval of University System/Employee Joint Venture Under MUSP 407 - Thompson; The University of Montana – ITEM 134-1005-R0307
Item b. was deferred to the full Board.
- c. Approval of University System/Employee Joint Venture Under MUSP 407, Babbitt; MSU Bozeman – ITEM 134-2009-0307

Regent Christian indicated the Committee will recommend approval for all staff items.

Public Comment

There was no public comment.

The Committee adjourned at 9:20 a.m.

Other than the meeting starting time, the times listed are approximate. In addition, agenda items may be rearranged unless an item is listed as having a "time certain."

Action may be taken on any item listed on the Board or Committee Agendas. Public comment is welcome on all items.

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ITEM 135-112-R0507

Approval of revised BOR Policy 804.1; Self-insured group insurance plan

THAT:

The number of full-time equivalent employees authorized for self-insured group benefits administration in the Commissioner's Office be increased from 4.0 to 5.0 (an increase of 1.0).

EXPLANATION:

An increase of 1.0 FTE would allow the Montana University System group benefits plan to support these recent initiatives:

- The program can now achieve direct provider negotiations, efforts that have led to and will lead to millions of dollars saved.
- The program has launched into more aggressive risk management activities to control premium increases.
- The program is transforming to centralize and standardize our eligibility process, thus leading to decreased administrative expenses.
- The program is aggressively pursuing better coordination of benefits and subrogation activities with other payers to limit our claims exposure while keeping plan members whole.

With one additional position, the MUS benefits program staffing will be comparatively lean in relation to similar organizations. The reorganization to 5.0 FTE, if approved, would provide for 1.0 staff FTE for every 3,500 health plan member served. The State of Montana central group benefits division has 1.0 staff FTE for every 3,200 health plan members served, and those program staff members do not handle the additional pension issues the MUS benefits staff do for the Optional Retirement Program.

ATTACHMENTS:

Policy language

ITEM 135-112-R0507

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION

Policy and Procedures Manual

SUBJECT: COMPENSATION

Policy 804.1 - Self-insured group insurance plan

Board Policy:

The Board of Regents hereby authorizes the Commissioner of Higher Education and the respective administrations of the six campuses to establish a self-insured (Administrative Services only) group insurance plan. The plan will be administered by the Commissioner of Higher Education with the assistance of recommendations from an inter-unit advisory committee. The plan will be administered as an enterprise fund in the state fund structure contingent upon the group plan reserves being allowed to retain interest earnings.

All costs associated with the administration of the plan shall be paid from insurance premiums collected and interest earned on reserve balances. All other interest earned plus premium tax savings shall be credited to the plan reserves. Reserve balances shall be retained and carried over from year to year.

The Commissioner of Higher Education shall be authorized up to ~~4.0~~ **5.0** full-time equivalent employees to provide administration of the plan. In no case shall administrative costs exceed the amount of premium tax savings that would be incurred under a conventional group plan plus any interest earned on reserves. It is the intent that the plan be more cost efficient than conventional insurance.

ITEM 135-100-R0507 - Staff; Office Commissioner of Higher Education

May 31-June 1, 2007

NAME (Last, First)	Title/Rank	Dept.	SALARY BASE (Based on 1.0 FTE, FY unless noted)		Stipend		(N)ew or (R)eplacement & Date/Hire	% Change	Actual FTE	Effective (Indicate end date if temp)	Reason	Special Conditions	Tenure (Change Only)
			From:	To:	From:	To:							
I. NEW HIRES													
A. Administrators/Professionals/Coaches													
NONE													
B. Faculty													
NONE													
II. CHANGES													
A. Administrators/Professionals/Coaches													
MUFFICK, Ron	FR: Dir of Business Relations & Programs TO: Associate Director	GSL	64,520	75,000				16.24%		5/1/07	O restructuring and assignment of added responsibilities		NT
		TOTALS	64,520	75,000				16.24%					

III. ONE TIME BONUS ONLY

A. Administrators/Professionals/Coaches

NONE

C. Post-Retirement

NAME (Last, First)	TITLE/RANK	Dept.	SALARY (Based on .33FTE) (AY unless noted)	TERM OF HIRE
NONE				

III. End of Employment / Leaves (Report only non-renewals per 711.1 and Leaves of Absence)

NAME (First, Last)	Title/Rank	Dept.	Effective Date	REASON (If Leave of Absence)
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A. Administrators/Professionals/Coaches

NONE

LEGEND

TENURE:
 NT = Nontenurable
 P = Probationary
 T = Tenured

*IMPORTANT NOTE: Additional Comp is reported annually in September

^ Subject to continuation of federal funds, proprietary funds and/or grants.

SALARY ADJUSTMENTS:
 P = Promotion
 L = Lump Sum Bonus
 M = Merit
 R = Retention
 N = Normal
 O = Other/Specify

EXTRA COMPENSATION:
 T = Teaching
 R = Research
 G = Grant Administration
 O = Other (provide brief explanation)

ITEM 135-1000-R0507, Staff; The University of Montana - Missoula **FINAL 5/14/07** May 30th - June 1st, 2007

NAME (Last, First)	Title/Rank	Dept.	SALARY BASE (Based on 1.0 FTE, AY unless noted)		Stipend		(N)ew or (R)eplacement & Date/Hire	% Change	Actual FTE	Effective (Indicate end date if temp)	Reason	Special Conditions	Tenure (Change Only)	
			From:	To:	From:	To:								
I. NEW HIRES														
A. Administrators/Professionals/Coaches														
Engstrom, Royce	Provost and Vice President for Academic Affairs, Professor, Chemistry	Academic Affairs		165,000			R - Muir 8/1/2007		1				T	
II. CHANGES														
A. Administrators/Professionals/Coaches														
Aronofsky, David	FR: Legal Counsel TO: No Change	President's Office	91,800	91,800	0	3,700			1	12/11/06 - 1/19/07	AT - Additional Teaching			
						10,451					2/14/07- 7/27/07	AT - Additional Teaching		
						4,566						6/1/07- 7/31/07	AT - Additional Teaching	

I. NEW HIRES

A. Administrators/Professionals/Coaches

NAME (Last, First)	RANK	Department	SALARY BASE (Based on 1.0 FTE, FY unless noted)	STIPEND	FTE	(N)ew or (R)eplacement	DATE OF HIRE	Special Conditions
Keller, Steve	Men's Head Basketball Coach	Athletics	37,500		0.5	R (Durham)	8/1/2007	

II. CHANGES

A. Administrators/Professionals/Coaches

NAME (Last, First)	TITLE		DEPARTMENT		SALARY BASE (Based on 1.0 FTE, FY unless noted)		STIPEND		% CHANGE	Actual FTE	Effective (Indicate end date if temp)	Reason	Additional Comp Prior FY/AY*	Reason
	From:	To:	From:	To:	From:	To:	From:	To:					Amount	
Durham, Mark S.	Men's Head & JV Basketball Coach; Head Golf Coach; Instr of HHP	Athletic Director; Head Golf Coach; Instr of HHP; Mgr, PE / Athletic Complex	Athletics/HHP	Athletics/H HP	49,993	62,000			24%	1	7/1/2007	N		

III. END OF EMPLOYMENT

A. Administrators/Professionals/Coaches

NAME	RANK	Department	Effective Date	Reason
Yahraes, Thomas R.	VC for Institutional Advancement; University Associate VP	University Relations	5/18/2007	Retirement

TENURE:

- NT = Nontenurable
- P = Probationary
- T = Tenured

SALARY ADJUSTMENTS:

- P = Promotion
- L = Lump Sum Bonus
- M = Merit
- R = Retention
- N = Normal
- O = Other/Specify

EXTRA COMPENSATION:

- T = Teaching
- R = Research
- G = Grant Administration
- O = Other (provide brief explanation)

***IMPORTANT NOTE: Additional Comp is reported annually in September**

ITEM 135-2700-R0507, BOR Staff; Montana State University Billings

May 30 - June 1, 2007

NAME (Last, First)	Title/Rank	Dept.	SALARY BASE (Based on 1.0 FTE, FY unless noted)		Stipend		(N)ew or (R)eplacement & Date/Hire	% Change	Actual FTE	Effective (Indicate end date if temp)	Reason	Special Conditions	Tenure (Change Only)
			From:	To:	From:	To:							

I. NEW HIRES

NAME (Last, First)	Title/Rank	Dept.	Effective Date	REASON (If Leave of Absence)								
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A. Administrators/Professionals/Coaches

Schaub, Sara	Head Women's Volleyball Coach	Intercollegiate Athletics	36,000		N 2/12/2007		1.0	6/30/2007					NT
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ITEM 135-2800-R0507, Staff; MSU-Northern **May 30-June 1, 2007**

NAME (Last, First)	Title/Rank	Dept.	SALARY BASE (Based on 1.0 FTE, FY unless noted)		Stipend		(N)ew or (R)eplacement & Date/Hire	% Change	Actual FTE	Effective (Indicate end date if temp)	Reason	Special Conditions	Tenure (Change Only)
			From:	To:	From:	To:							

I. NEW HIRES

A. Administrators/Professionals/Coaches

Callahan, Joseph Ed.D.	Prov/Vice Chanc for Acad Affairs/Prof of Ed	Provost		107,500			(R)-Jimeno 107,120		1.0	6/15/2007			NT
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II. CHANGES

Samson, Mark BA	FR: Head Football Coach TO: Head Football Coach/Athletic Dir	Athletics	60,000	80,000			(R)-Gantt 78,000	33.33%	1.0	4/1/2007	O Assumed Athletic Director duties in addition to coaching duties		NT
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FACULTY - Changes in Promotion and Tenure effective 8/1/07

Scheresky-O'Neil , Lisa MSN	FR: Asst Prof of Nursing TO: Assoc Prof of Nursing	CEASN	42,247	47,051				11.37%	1.0	8/1/2007			FR: P TO: T
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Foley, John B Ph.D.	Asst Prof of Counselor Education/Grad Prog	CEASN	43,279	43,279				0.00%	1.0	8/1/2007			FR: P TO: T
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TOTALS AND AVERAGE INCREASE			145,526	170,330				17.04%					
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(III) END OF EMPLOYMENT

(A) NON-ACADEMIC EXECUTIVES, ADMINISTRATORS & PROFESSIONALS

Resignations	Effective Date
Jimeno, Cheri Ph.D. Prov/Vice Chanc for Acad Affairs Provost	5/8/2007

LEGEND

TENURE:	*IMPORTANT NOTE: Additional Comp is reported annually in September ^ Subject to continuation of federal funds, proprietary funds and/or grants.
NT = Nontenurable	
P = Probationary	
T = Tenured	
SALARY ADJUSTMENTS:	
P = Promotion	
L = Lump Sum Bonus	
M = Merit	
R = Retention	
N = Normal	
O = Other/Specify	
EXTRA COMPENSATION:	
T = Teaching	
R = Research	
G = Grant Administration	
O = Other (provide brief explanation)	

May 30-June 1, 2007

ITEM 135-1004-R0507

Authorization to Confer the Title of Professor Emeritus of Art upon Marilyn C. Bruya; The University of Montana

THAT:

Upon the occasion of the retirement of Professor Marilyn C. Bruya from The University of Montana-Missoula, the faculty of the Department of Art wishes to express its appreciation for her twenty-five years of dedicated and valued service to the School of Fine Arts.

EXPLANATION:

Marilyn C. Bruya earned her baccalaureate degree in Art from Holy Names College, Spokane, Washington, in 1962; her Master of Arts in Art from Mills College, Oakland, California, in 1965; and her Master of Fine Arts in Art (a terminal degree in her field) from Bard College, Annandale-on-Hudson, New York, in 1985, while also teaching at The University of Montana-Missoula. In addition, she pursued graduate studies in the California State University Summer Arts Program in 1987 and 1993, attended Schumacher College, Devon, UK, while on sabbatical leave in 1997, and was a student at the Rocky Mountain School of Photography, Missoula, in 2003.

She began her employment with The University of Montana-Missoula in 1982 as a Visiting Assistant Professor with the Department of Art and, after being appointed to a tenure-track position the following year, earned promotions to Associate Professor in 1986 and Professor in 1991. She received a merit increment in 1993. During her twenty-five years on the faculty, she was awarded three Sabbaticals, four Mini-Sabbaticals, and seven University Research Grants. In addition, she obtained Faculty Development Grants on six occasions to bring visiting scholars to campus.

During her tenure, Professor Bruya has exhibited her creative work in local, national, and international venues, in both solo and group exhibitions. These include shows in Mexico, West Germany, and China. Nationally, her work has been shown in Ohio, Pennsylvania, Michigan, Kansas, Alaska, Washington, South Dakota, Idaho, Colorado, and California. On the local level, her creative works can be viewed on campus, in entryways to the Davidson Honors College building and the Adams Center, and at First Bank Western, the Western Sports Medicine and Fitness Center, and the Center for the Rocky Mountain West.

In addition to her teaching and responsibilities at The University of Montana-Missoula, Professor Bruya is known for her commitment to providing service to both her University and community. She served for more than fourteen years as both chair of the Curriculum Committee in the Department of Art and as a member of the Faculty Evaluation Committee. Her interest in social issues inspired several projects involving photo-documentation of the homeless and of nursing home residents. She organized a “Caring for Creation” conference in 1988, served on the Mayor’s Public Art Committee and numerous other university and community committees.

As stated in the faculty’s letter of support, “students and colleagues have praised her dedication as a teacher, citing her expertise in her field, her enthusiasm, and her care and concern for their progress and welfare.”

The faculty and staff of the School of Fine Arts strongly support this request in honor of a distinguished career of service. With this recommendation go sincere thanks for twenty-five years of invaluable service to the State of Montana, The University of Montana-Missoula, the School of Fine Arts, and the Department of Art. Congratulations and best wishes for the future.

May 30-June 1, 2007

ITEM 135-1005-R0507

Authorization to Confer the Title of Professor Emeritus of Arts and Humanities upon Richard N. Barrett, Professor of Economics, College of Arts and Sciences; The University of Montana

THAT:

Richard Barrett, Professor of Economics, in his thirty-seven years of dedicated and valued service to The University of Montana and the people of Montana, has merited the appreciation and Commendation of the Board of Regents of the Montana University System, and has earned recognition as Professor Emeritus.

EXPLANATION:

On the occasion of his retirement from the Department of Economics at The University of Montana, the faculty wishes to express its appreciation and recommend Professor Richard N. Barrett for emeritus status.

Professor Barrett joined the Economics Department in 1970 as an Assistant Professor, having completed his Ph.D. at the University of Wisconsin-Madison. His strong performance record in teaching, scholarship, and service led to his promotion to Associate Professor in 1979 and to Professor of Economics in 1984. He received four merit awards between 1982 and 2002.

Professor Barrett was an innovative teacher committed to inter-disciplinary learning and student engagement. He team taught courses across the breadth of the campus: in Environmental Studies (environmental economics), Spanish Literature (social and economic themes), Political Science (tax policy), Forestry and Education (environmental conflict resolution), Law (imperfect competition), and Geography (world hunger). He also received a federal grant to explore the development of an international component to environmental studies. He did not limit his teaching to the classroom. He helped plan and carry out a dozen public conferences dealing with important public policy questions both in Missoula and across the state.

Professor Barrett was also one of the early leaders in international education on campus. He won three Fulbright Lectureship awards that took him to Mexico (1974 and 1981) and Uruguay (2004). He also spent 1977 at the Latin American Monetary Studies Center in Mexico City and 1987 in Lima, Peru.

Professor Barrett has also been a productive scholar, publishing articles in the *Journal of Money Credit and Banking*, *Journal of Developing Areas*, *Journal of Economics, Growth and Change*, *Monetaria*, *Western Wildlands*, and the *Montana Business Quarterly*. In addition he co-authored one book, *Post-Cowboy Economics: Pay and Prosperity in the New American West* (2001), and edited another, *International Dimensions to the Environmental Crisis* (1981). He also wrote many professional papers for delivery at scholarly meetings and reports for government agencies.

Professor Barrett was one of the most important faculty leaders in the history of The University of Montana. During 1975-1977 he served as President of the University Teachers Union (later University Faculty Association). This was the period immediately before and immediately after the union became the collective bargaining agent for The University of Montana faculty. He served on the Executive Board of that faculty organization continuously from 1973-2000. He also served on the Executive Committee of the College of Arts and Sciences for seven years as well as numerous years as a member of the University's Strategic Planning and Budget Committee. He put his technical skills to work on the issue of gender discrimination at The University of Montana, authoring several quantitative analyses of gender differences in pay. In recognition of his commitment to the University service, he was awarded the University's Distinguished Service Award in 1987 and the Faculty Service Award in 1993.

Professor Barrett also lent his technical skills to the State of Montana, serving on the Governor's Economic Development Council from 1983 to 1987, during which time he regularly authored working papers and recommendations for changes in public economic policy.

During his many years on The University of Montana faculty, Professor Barrett was an outstanding faculty leader, a productive scholar, an innovative teacher, and an active and dedicated citizen of the State of Montana.

May 30-June 1, 2007

ITEM 135-1006-R0507

Authorization to Confer the Title of Professor Emeritus of Arts and Humanities upon Dennis J. O'Donnell, Professor of Economics, College of Arts and Sciences; The University of Montana

THAT:

Dennis Jay O'Donnell, in his 30th year of dedicated service to The University of Montana, has merited the commendation of the Board of Regents of the Montana University System, and earned the title of Professor Emeritus of Arts and Humanities.

EXPLANATION:

Dr. Dennis O'Donnell earned his Ph.D. at Pennsylvania State University where he also taught for two years. Upon joining the Department of Economics at The University of Montana in 1974, Professor O'Donnell rose rapidly to the rank of Associate Professor and then Professor. During the 1993-94 academic year, Professor O'Donnell served as the Professor of Modern Asian Studies at the Mansfield Center at The University of Montana.

Professor O'Donnell was a very successful and popular teacher. Through his experience as an active economic consult, Professor O'Donnell was well-known for sharing real-world, up-to-date information with his students. This work was recognized with the John Ruffatto Memorial Award, which is awarded to The University of Montana faculty member who best imparts practical, applicable principles into their classroom presentation.

Dr. O'Donnell's teaching, research, and consulting interests were wide-ranging. He constantly integrated his research into his teaching and he had a deep interest in Eastern and Central Asia. He traveled widely and worked hard to promote international education on campus. He served as co-director of the Central Asian and Caspian Basin Project. In recognition of his outstanding record of service, he was awarded The University of Montana's Distinguished Service to International Education.

The faculty and staff of the Department of Economics are pleased to recommend and strongly support this request for Emeritus Status for Professor Dennis J. O'Donnell.

May 30-June 1, 2007

ITEM 135-1007-R0507

Authorization to Confer the Title of Professor Emeritus of Library Sciences upon Erling Oelz; The University of Montana

THAT:

Erling Oelz, Professor of Library Services, in his thirty-five years of dedicated service to The University of Montana and to the State of Montana, has merited the appreciation and Commendation of the Board of Regents of the Montana University System and has earned recognition as Professor Emeritus of Library Services.

EXPLANATION:

The faculty of the Maureen and Mike Mansfield Library wishes to recommend Professor Erling Oelz for Emeritus status. Professor Oelz retired in December of 2006 after 35 years of teaching at this institution.

Professor Oelz earned his B.A. degree (1963) from Western Michigan University and his M.S. degree in Library Science (1969) from the University of Illinois. He joined the faculty of the Maureen and Mike Mansfield Library at The University of Montana in 1971.

During his years of service at the Mansfield Library, Professor Oelz was committed to offering exceptional service to the campus community and provided leadership in the public service division, as well as leading the library in his role as interim dean, most recently from 2005-2006. Through his work and leadership, he gained the respect and friendship of the faculty and students he served. His professionalism and many contributions to the University are documented in letters of praise, gratitude and congratulations. Professor Oelz received commendations for his success in student advising and was chosen by his faculty peers to serve on the Executive Council of the Faculty Senate. A quote from a colleague describes Professor Oelz as follows: "The combination of Erling Oelz's knowledge and his helpfulness in imparting it, embody the highest standards of librarianship. His scholarship enhances the University's intellectual community."

He is a person that has represented the University and the library profession well throughout his career and will no doubt continue to do so in retirement.

For these accomplishments and for his truly remarkable commitment to students and scholars at The University of Montana in order that they might thrive, the faculty of the Maureen and Mike Mansfield Library recommend without equivocation, the commendation of the Board of Regents and the title of Professor Emeritus of Library Sciences for Erling R. Oelz.

May 30-June 1, 2007

ITEM 135-1008-R0507

Authorization to Confer the Title of Professor Emeritus of Arts and Humanities upon Thomas Michael Power, Professor of Economics, College of Arts and Sciences; The University of Montana

THAT:

Thomas M. Power, Professor of Economics, in his thirty-nine years of service to The University of Montana, has merited the appreciation and commendation of the Board of Regents of the Montana University System, and has earned recognition as Professor Emeritus of Arts and Humanities.

EXPLANATION:

On the occasion of his retirement from the Department of Economics at The University of Montana, the faculty wishes to express its appreciation to Professor Thomas Michael Power for his thirty-nine years of dedicated and valued service to the Economics Department, the University and the people of Montana by recommending that the rank of Professor Emeritus be conferred upon him by the Board of Regents of the Montana University System.

Thomas Power joined the Department of Economics as a lecturer in 1968 and upon completion of his doctorate (at Princeton University), was appointed Assistant Professor in 1971. In 1978, he was promoted to Associate Professor, and in 1980 to Full Professor. Also in 1978, Professor Power was named the Chair of the Economics Department, a position which he continued to occupy through this, his final year. In addition to his leadership in the Economics Department, he served on numerous University committees, taught legions of students in innovative instructional programs such as the Round River Project and the Wilderness Institute, and published extensively. Since 1978, Professor Power has been recognized by the University with nine merit awards acknowledging the quality of his teaching, service, and scholarship.

Throughout his career, Professor Power served as a public intellectual of the highest caliber. He was intensely engaged in contemporary issues of public importance, in particular those involving regional, state and local economic development; natural resources and the environment; and the regulation of public utilities. He published numerous articles on these topics in professional journals and other media, consulted with many organizations involved with these

issues, and provided a widely respected weekly commentary on Montana Public Radio. He also authored four books in which he offered a new and unconventional interpretation of the role of natural resource exploitation and environmental protection in the development of the economy of the American West. These works have been widely read and have transformed public understanding of the economics of a number of vital public policy issues. Although his views have at times raised hackles, his work has been rigorous, outspoken and accessible.

Professor Power brought the same talent and energy to his teaching. Over the years he was involved in a number of innovative courses and teaching experiences. Most notable, perhaps, is his course on the Montana Economy. This is a course for which there is no textbook or template; Professor Power developed the entire content on his own by amassing impressive piles of statistical information, graphs, charts, and texts, constantly updating as the need arose. In the process, he created the most complex and sophisticated understanding of the state's economy available.

January 18-19, 2007

ITEM 134-1011-R0107

Authorization to Confer the Title of Professor Emeritus of History upon Frederick W. Skinner; The University of Montana-Missoula

THAT:

Frederick W. Skinner, Professor of History, in his 33 years of dedicated service to The University of Montana and to the State of Montana, has merited the appreciation and commendation of the Board of Regents of the Montana University System, and has earned recognition as Professor Emeritus of History.

EXPLANATION:

Professor Frederick W. Skinner graduated from Cheyenne Mountain High School in Colorado Springs, CO in 1956. He served four years in the United States Navy as a Communications Technician where he learned the Russian language. In 1964 he graduated Magna Cum Laude with a Bachelor of Arts in History from the University of Colorado. He earned a Masters of Art in History and a Certificate from the Russian Institute at Columbia University in 1966. For two years he was Associate Foreign Affairs Editor at Facts on File, Inc., in New York. In 1968 he began doctoral studies at Princeton University and ultimately wrote a dissertation entitled "The Building of Odessa: Urban Modernization in Tsarist Russia, 1789-1892."

Dr. Skinner received his Ph.D. from Princeton in 1973 and joined the faculty of the UM History Department the same year. He taught Russian history, Eastern European history, "The City as History," and Modern European history. Students responded warmly to his comprehensive presentations complete with sights, sounds, and artifacts from his many travels in the area. Skinner became an Associate Professor in 1977, received tenure in 1979, and was promoted to Full Professor in 2005.

Professor Skinner served on all departmental and many university committees. He is most proud of his service on the Montana Committee for the Humanities (1996-99; Chair, 1999), and as a member of its Speakers Bureau. Most recently, he has focused his scholarly activities on the study of the reception of music (Beethoven) throughout history, offering a course "Beethoven: Man and Music."

Professor Skinner has provided significant contributions to the Department of History, The University of Montana, and the profession. He warrants recognition for his accomplishments and service with the title of Professor Emeritus of History.

January 18-19, 2007

ITEM 134-1012-R0107

Authorization to Confer the Title of Professor Emeritus of German upon Dennis McCormick; The University of Montana-Missoula

THAT:

Dennis McCormick, Professor of German, in his 34 years of dedicated service to The University of Montana and to the State of Montana, has merited the appreciation and commendation of the Board of Regents of the Montana University System, and has earned recognition as Professor Emeritus of German.

EXPLANATION:

Professor McCormick received his baccalaureate degree in German from Portland State University in 1964 and his Masters of Art in Foreign Languages from Washington State University in 1966. He studied German Language and Literature at the Freie Universität of Berlin (1967-8) before the award of his Ph.D. in Germanic Languages at the University of Texas, Austin in 1972.

Dr. McCormick joined the faculty of The University of Montana in 1972. He served as Head of the German Section, Department Chair for five years, and as a member of the Faculty Senate, the Faculty Senate Executive Committee, and as Chair of the Faculty Senate. Dr. McCormick has been actively involved in the Missoula Cultural Council's subcommittee on German sister-city relations, the Montana Committee for the Humanities, the Pacific Northwest Conference on Foreign Languages, the Montana Association of Language Teachers, the American Association of Teachers of German, and the German Studies Association.

Professor McCormick has been the technology consultant and liaison for the Department of Modern and Classical Languages and Literatures since 1997 and has also directed the International Language Laboratory.

Professor McCormick has provided significant contributions to the Department of Modern and Classical Languages and Literatures, The University of Montana, and the profession. He warrants recognition for his accomplishments and service with the title of Professor Emeritus of German.

ITEM 135-1013-R0507

Authorization to Confer the Title of Professor Emeritus of Psychology upon David A. Strobel; The University of Montana

THAT:

David A. Strobel, in his thirty-fourth year of dedicated service to The University of Montana, has merited the appreciation and commendation of the Board of Regents of the Montana University System and has earned the title of Professor Emeritus of Psychology.

EXPLANATION:

Professor David A. Strobel earned his Ph.D. in 1972 from the University of Montana—Missoula. He joined the faculty of the Department of Psychology in 1973. Over the next 24 years, Professor Strobel taught a wide variety of undergraduate and graduate courses in experimental psychology that focused primarily on his specialization in comparative psychology and behavioral biology. Throughout this period, Professor Strobel also served as the Director of the University of Montana's Primate Laboratory, an important research facility that housed over a hundred Rhesus monkeys at any one time. He was a dedicated teacher and mentor to scores of undergraduate and graduate student researchers, many of whom obtained their advanced degrees under his guidance, and are now professors in their own right. Dr. Strobel is well-known for his dynamic teaching style and his innovative accomplishments in research.

Professor Strobel also served as the Chair of the Department of Psychology for nine years (1980-1989), a period in the history of the department that was marked by constant change and improvement. Professor Strobel's effectiveness in leading and administering this large and central department led to his appointment as Associate Graduate Dean in 1990, and as the University's Graduate Dean in 1997. Over these past sixteen years, Dean Strobel has focused on expanding the University's graduate offerings, on upgrading the functioning of the Graduate School itself, and on insuring the health and vitality of all graduate programs. Dean Strobel has also been very effective in establishing the University's innovative interdisciplinary graduate programs that lead to advanced degrees.

Over the past thirty-four years, Professor Strobel has continuously shown his dedication to his discipline, to the causes of quality education and diversity, and to the University of Montana as a whole.

The Department of Psychology is pleased to recommend that Professor David A. Strobel be awarded Emeritus status.

May 30 – June 1, 2007

ITEM 135-1601-R0507

Authorization to Confer the Title of Professor Emeritus of Art upon Barney P. Brienza; The University of Montana-Western

THAT:

Upon the occasion of the retirement of Professor Barney P Brienza from the faculty of The University of Montana-Western, the faculty wishes to express its appreciation for his thirty-six years of dedicated and valued service to the University by recommending that the rank of Professor Emeritus of Art be conferred upon him by the Board of Regents of the Montana University System.

EXPLANATION:

Professor of Art Barney Brienza joined the faculty at The University of Montana Western in 1971. He received his B.A. and M.A. in Art at Western New Mexico University.

During his long and distinguished career at Montana Western Mr. Brienza has served his students, campus, and profession in a variety of ways. Mr. Brienza was hired to teach Sculpture, Clay, Crafts, and Art History. In addition, and under his own initiative, Mr. Brienza introduced and taught Glass Blowing, Stained Glass, Artist Blacksmithing, and Jewelry, building many of the tools and equipment himself. He has led numerous art study tours for students to Europe, Mexico, and the American Southwest. Mr. Brienza has served on countless campus committees, including General Education, Tenure and Promotion, and as an elected member of the Faculty Senate. In addition Mr. Brienza has served terms as the Chair of the Division of Humanities, the Chair of the Fine Arts Department, and as the program trustee for the Mary Baker Emerick Art Endowment. Outside of the Montana Western campus Mr. Brienza has served as an Art Program reviewer for regional accrediting organizations. He has given numerous workshops and demonstrations in Clay, Glass Blowing, and Blacksmithing throughout the Western United States. In 1989 he participated in a faculty exchange with Sturt University in Wagga Wagga, Australia. In the arts Mr. Brienza has exhibited his artwork widely in both juried and invitational exhibits and sells his work at commercial galleries in Wyoming and Utah. In 1997 he was invited to exhibit in the prestigious Montana Governor's Culture Foundation Art Show in Helena.

Throughout his career at The University of Montana Western Mr. Brienza has served the campus and the community with distinction. His dedicated service has earned him the respect of his students, colleagues, and professional associates.

May 30 – June 1, 2007

ITEM 135-1602-R0507

Authorization to Confer the Title of Professor Emeritus of Business/ Economics upon William C. O'Connor; The University of Montana-Western

THAT:

Upon the occasion of the retirement of Professor William C. O'Connor from the faculty of The University of Montana-Western, the faculty wishes to express its appreciation for his thirty-one years of dedicated and valued service to the University by recommending that the rank of Professor Emeritus of Business/Economics be conferred upon him by the Board of Regents of the Montana University System.

EXPLANATION:

William O'Connor received his bachelor's degree from Montana State University in 1958. He then accepted a position as a civil engineer with the Montana Highway Department where he worked until 1963. His interest in economics then led him to complete a Master's degree at The University of Montana in 1964, where he held the Gordon S. Watkins Graduate Fellowship. He later accepted a YPO Fellowship in Economics Education at the University of Minnesota before completing his Ph.D. at the University of Colorado in 1974.

Dr. O'Connor came to The University of Montana-Western (then Western Montana College) in 1976 after working for Emporia State University, the Colorado Department of Education, the University of Minnesota, and the University of Missouri-Columbia.

Throughout his 31 year career at The University of Montana-Western, William O'Connor has served UMW and the community with distinction. His dedicated service has earned him the respect of his students, colleagues and professional associates. Dr. O'Connor has always been a team player, putting the welfare of the University and his department ahead of his own aspirations. Bill always sees the best in others, working hard to mentor and support his colleagues, not only personally, but through campus committees such as tenure and promotion and the faculty senate.

True to his training in economics, finance and quantitative analysis, he pursues a vision of continual quality improvement, focusing on strengthening those around him in

a quiet, but persistent fashion. The research he has conducted has contributed to a number of fields: city and regional planning, economic education, effectiveness of teaching, and service learning, to name a few. He has been honored with three meritorious teaching awards from The University of Montana - Western.

Dr. O'Connor is a quiet leader. He was instrumental in developing the business and technology department at UMW and has made the business internship program, required of all business students, an integral component of the business degree program. He is also active in the community through his many volunteer commitments and as a result he has become very well known in the region and the State, all of which reflect so positively on the University.

May 30 – June 1, 2007

ITEM 135-2001-R0507

Authorization to Confer the Title of Professor Emeritus of Architecture upon Ferdinand S. Johns; Montana State University- Bozeman

THAT:

Upon the occasion of the retirement of Ferdinand S. Johns from the faculty of Montana State University, the Board of Regents wishes to express its appreciation for his service to the University, the Montana University System, and the people of the State of Montana.

EXPLANATION:

Professor Ferdinand S. Johns joined the faculty at Montana State University in fall, 1992. He had previously taught at the University of Maryland and the University of Oklahoma. Professor Johns has an undergraduate degree from Hamden Sydney College, a professional degree from the University of Virginia and a graduate degree from Columbia University. He is a registered architect in four states and has been recognized for numerous professional accomplishments. These include fifteen design awards from the American Institute of Architects, three national design competition awards, two first place awards for invited competitions and numerous other community and governmental citations for design excellence. Since arriving at the School of Architecture at Montana State University, Professor Johns has won numerous teaching awards. These include the President's Excellence in Teaching Award, the President's Award for Excellence in Service Learning Award and the highest award offered by the Association of Collegiate Schools of Architecture: the ACSA Distinguished Professor Award.

Professor Johns initiated outstanding and innovative curricular programs throughout his tenure at Montana State University. These included areas in studio design, urban design and service learning. His initiatives have been suggested as national models and been recognized for excellence by both the profession and the academy. However, Professor Johns is most noted for his passion and commitment to excellence in both architecture and education.

He won the AIA National Honor Award for Regional and Urban Design in 2006, has placed well in major national urban design competitions, has presented scholarly papers internationally, has had several articles and book chapters published and has been elected to the International Making Cities Livable Board of Directors. He and others lead the design and production team for a new Master Plan for Montana State University.

Professor Ferdinand S. Johns has clearly demonstrated his commitments to quality in teaching, research, administration and public service. He has served as an outstanding faculty member and leader within the School of Architecture and Montana State University.

For these and other contributions, the Board of Regents of Higher Education is pleased to confer upon Ferdinand S. Johns the rank of Professor Emeritus of Architecture at Montana State University and wishes him well for many years in the future.

May 30-June 1, 2007

ITEM 135-2002-R0507

Authorization to Confer the Title of Professor Emeritus of Economics Upon Charles H. Rust; Montana State University-Bozeman

THAT:

Upon the occasion of the retirement of Charles H. Rust from the faculty of Montana State University, The Board of Regents wishes to express its appreciation for his service to the University, the Montana University System, and the people of the State of Montana.

EXPLANATION:

Beginning in 1963, Professor Rust has worked as Extension Economist and Agricultural Economist in the Department of Agricultural Economics, as Associate Director of Extension, and as Interim Dean and Director of Extension at Montana State University in Bozeman. Dr. Rust retired in 1998. In addition to his work at MSU, he has also served on special assignments for the Extension Service in Poland and Bulgaria. His work on the Polish/American Extension Program earned him an ES/USDA Award for Service in 1992. From 1970-1987, Dr. Rust was the State Program Coordinator for Agriculture and Natural Resources for the Extension Service at MSU. He was also a Grain Marketing and Transportation Specialist for the Federal Extension Service during 1969-1970. He has been listed in *Who's Who in Finance and Industry* (1977) and *Who's Who in the West* (1972).

Professor Rust is a widely published author and speaker on agricultural economics issues. He has written 69 extension and research bulletins, 89 articles in agriculture journals and magazines, and 67 newsletters and conference proceedings. He is also the author of 3 books. In 2005 he published "No Money, No Postage, No Secretary: An Early History of the Montana Grain Growers Association and The Montana Wheat Research and Marketing Committee." He published "Agricultural Extension in Central and Eastern Europe" in 1995, and in 1994 he contributed to a chapter of the book, "Privatization of Agriculture in New Market Economies: Lessons from Bulgaria."

In summary, Charles Rust served Montana State University well by combining his excellent knowledge of agricultural economics issues with his skill in Extension administration as a means to increase understanding of critical agricultural

ITEM 135-2002-R0507 Continued

issues and to communicate his unique knowledge to stakeholders in Montana. His work ranges from the local to the national and international, and he continues to be actively involved in communicating his knowledge through his volunteer work in Ethiopia, Kenya, and Macedonia.

For these and other contributions, the Board of Regents of Higher Education is pleased to confer upon Charles H. Rust the rank of Professor Emeritus of Economics at Montana State University and wishes him well for many years in the future.

May 30-June 1, 2007

ITEM 135-2003-R0507

Authorization to Confer the Title of Professor Emeritus of Engineering Mechanics upon Robert L. Brown; Montana State University – Bozeman

THAT:

Upon the occasion of the retirement of Robert L. Brown from the faculty of Montana State University, the Board of Regents wishes to express its appreciation for his service to the University, the Montana University System, and the people of the State of Montana.

EXPLANATION:

Dr. Brown received his Ph.D. in Theoretical & Applied Mechanics from the University of Illinois in 1969. Prior to earning his PhD, he earned BS and MS degrees in Aeronautical and Astronautical Engineering from the University of Illinois. He began work at MSU as an Assistant Professor advancing to the rank of Associate Professor in 1975, and Professor in 1980.

Dr. Brown, along with Dr. Ted Lang, built a graduate and research program in mechanics at MSU. The research program investigated snow, ice and avalanche mechanics. This program, in conjunction with Drs. Charles Bradley and John Montagne from Earth Sciences, quickly acquired an international reputation. Over 30 years this research group was awarded more than 40 research grants and published over 300 papers. In addition, 10 PhD students and numerous MS students graduated under this program. This research program is still actively moving forward at MSU.

In addition to serving MSU in an instructional and research capacity, Dr. Brown served as the Graduate Dean at MSU from 1991 to 1997.

For these and other contributions, the Board of Regents of Higher Education is pleased to confer Robert L. Brown the rank of Professor Emeritus of Engineering Mechanics at Montana State University and wishes him well for many years in the future.

ATTACHMENTS:

May 30 – June 1, 2007

ITEM 135-2004-R0507

Authorization to Confer the Title of Professor Emeritus of Mechanical Engineering upon Jay Conant; Montana State University – Bozeman

THAT:

Upon the occasion of the retirement of Jay Conant from the faculty of Montana State University, the Board of Regents wishes to express its appreciation for his service to the University, the Montana University System, and the people of the State of Montana.

EXPLANATION:

Professor R. Jay Conant has had a distinguished career as an engineer in the aerospace industry and in engineering education. He received his BS degree in Aircraft Maintenance Engineering from Saint Louis University's Parks College of Aeronautical Technology (1967), and MS (1972) and Ph.D. (1981) degrees in Mechanical Engineering and Applied Mechanics, respectively, from The University of Connecticut. He held engineering positions at The Boeing Company in Seattle, WA (1967-1968) and Pratt & Whitney Aircraft in East Hartford, CT (1968-1976) prior to joining the Mechanical Engineering faculty of Montana State University in 1981.

During his 25 year career at MSU, Dr. Conant rose through the academic ranks to the position of Professor of Mechanical Engineering. While at MSU, Dr. Conant was actively engaged in teaching, research, and service. He is author or co-author of 24 refereed journal articles or conference papers and is the co-author of the book *Advanced Mechanics of Materials* (Oxford University Press, 2003). He also served as Interim Department Head in the Department of Mechanical & Industrial Engineering.

Dr. Conant has been named Mechanical Engineering Professor of the Year twice, and has been honored to receive nine MSU and Bozeman Chamber of Commerce Awards for Excellence. Students working with Dr. Conant have received several awards for their work. At the national level these include a first place award in the ASME Old Guard Contest, and three Easter Seal Design Contest winners; at the university level these include, the Sigma Xi Undergraduate Research Award, and the Undergraduate Scholars Conference College of Engineering winner.

For these and other contributions, the Board of Regents of Higher Education is pleased to confer upon Jay Conant the title of Professor Emeritus and wishes him well for many years in the future.

May 30 – June 1, 2007

ITEM 135-116-R0507

Approval of Tentative Agreement with International Union of Operating Engineers

THAT:

The Montana Board of Regents approves the labor agreement between the Montana University System and the International Union of Operating Engineers covering employees at Montana State University, University of Montana, Montana Tech, and University of Montana – Western.

EXPLANATION:

See attached memo from Kevin McRae, director of labor relations and human resources.

ATTACHMENTS:

Memo and Agreement

ITEM 135-116-R0507

TO: Montana Board of Regents

FROM: Kevin McRae, Director
Labor Relations and Human Resources

RE: Approval of Tentative Agreement with International Union of Operating Engineers

DATE: May 30 – June 1, 2007

Attached is a summary of the tentative agreement reached with the International Union of Operating Engineers. This bargaining unit consists of facilities maintenance staff at the campuses in Missoula, Dillon, Butte, and Bozeman.

The agreement includes:

- Wage increases averaging no greater than 3.6% in October 2007 and October 2008.
- Annual increases of 6% in the employer's contribution toward health insurance.
- Improved language for recruitment pay exceptions.
- Term: The agreement expires June 30, 2009.

I recommend approval of the tentative agreement.

ITEM 135-116-R0507

Agreement between the Montana University System and International Union of Operating Engineers covering certain employees at MUS campuses in Missoula, Dillon, Butte, and Bozeman

The parties agree to revise the labor agreement in the following manner:

Compensation:

Effective July 2007, the 10-year longevity increment shall increase from 1.5% of base salary to a new rate of 2% of base salary, consistent with the state employee compensation statute.

Effective October 1, 2007, members of the bargaining unit hired on or before September 30, 2007, shall receive a base wage increase of 3.6%.

Effective October 1, 2008, members of the bargaining unit hired on or before September 30, 2008, shall receive a base wage increase of 3.6%.

For insurance-eligible employees, an increase in the employer's premium contribution from the current rate of \$557 per month to a new rate of \$590 in July 2007; and from \$590 to \$626 in July 2008.

Term:

Revise the dates in the contract to reflect the new term ending June 30, 2009.

Pension letter:

Same language as IUOE's letter with the Department of Administration.

Prescription safety glasses:

The director of labor relations will coordinate a review of current procedures for reimbursements and replacement of prescription safety glasses.

Bozeman:

- Review of position descriptions to ensure accuracy.
- BANNER system computation of leave – verify that leave is computed at the correct accrual rate.
- Any local-level letters of understanding jointly signed by MSU and management members to be reviewed by the bargaining agents.

Missoula:

- MOU stipulating that if Maintenance Supervisor IV position is reinstated, management will notify labor, and the parties will confer. If both parties agree the

position is appropriate for inclusion in the bargaining unit, the position shall be included. If the parties do not reach agreement, the appropriate remedy for a final determination shall be the unit clarification process before the Board of Personnel Appeals.

Butte:

- Resolution on protective clothing / uniform issue (two shirts per year).
- Reclassification of Stationary Engineer I to Maintenance Engineer I; Maintenance Engineer I to Maintenance Engineer II; contingent upon understanding that engineers shall work independently, where appropriate.

Dillon:

- Reclassification of Maintenance Engineer I to Maintenance Engineer II, effective July 1, 2007.

May 30 – June 1, 2007

ITEM 135-117-R0507

**Approval of Tentative Agreement with Teamsters Local 2;
MSU-Bozeman**

THAT:

The Montana Board of Regents approves the labor agreement between the Montana University System and the Teamsters Union Local 2 covering employees at Montana State University in Bozeman.

EXPLANATION:

See attached memo from Kevin McRae, director of labor relations and human resources.

ATTACHMENTS:

Memo and Agreement

ITEM 135-117-R0507

TO: Montana Board of Regents

FROM: Kevin McRae, Director
Labor Relations and Human Resources

RE: Approval of Tentative Agreement with Teamsters Union Local 2

DATE: May 30 – June 1, 2007

Attached is a summary of the tentative agreement reached with the Teamsters Union. This bargaining unit consists of support staff at Montana State University in Bozeman.

The agreement includes:

- Wage increases averaging no greater than 3.6% in October 2007 and October 2008.
- Annual increases of 6% in the employer's contribution toward health insurance.
- Improved language for recruitment pay exceptions.
- Term: The agreement expires June 30, 2009.

I recommend approval of the tentative agreement with the Teamsters Union.

ITEM 135-117-R0507

Agreement between the Montana University System and Teamsters Union Local 2 covering certain employees at Montana State University in Bozeman

The parties agree to revise the labor agreement in the following manner:

Term

The contract runs July 1, 2007, through June 30, 2009.

Assignment to higher classification

Article XIII, Section H

Replace the last two sentences with this language: "When an employee is assigned the duties and responsibilities of the higher graded position for eight (8) or more consecutive hours the employee will receive the higher wage. The employee will return to his or her former position and salary at the end of the temporary promotion."

General pay raises

All members of the bargaining unit shall receive:

- A base wage increase of 3.6% effective October 1, 2007; and a base wage increase of 3.6% effective October 1, 2008.
- For eligible employees, an increase in the 10-year longevity increment from the current rate of 1.5% of the base wage to a new rate of 2%.
- For insurance-eligible employees, an increase in the employer's premium contribution from the current rate of \$557 per month to a new rate of \$590 in July 2007; and from \$590 to \$626 in July 2008.

"Me-Too" provision

If any other bargaining unit of the Montana University System settles for general pay raises of larger than 3.6% in either year of the term of this agreement, the Employer agrees to negotiate similarly with the Teamsters over the subject of wages.

Pay exception memo

A current memorandum of understanding says: "It is understood a recruitment exception may be implemented under the pay plan rules which allow the Employer to hire a new employee in the bargaining unit at a salary higher than the entry rate. In such an event, all existing employees in the same classification and grade shall receive the same cent per hour increase."

The employer proposes the following language to replace the language above: "It is understood that adjustments for recruitment and retention may be implemented under the guidelines of the Montana University System Staff Compensation Plan. The Employer shall consult the bargaining agent prior to the implementation of proposed pay adjustments in accordance with the pay plan guidelines."