

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM

December 8, 1980

The meeting of the Board of Regents of Higher Education was called to order by Chairman James at 10:30 a.m. on Monday, December 8, 1980 in the office of Commissioner of Higher Education, 33 South Last Chance Gulch, Helena, Montana. Regents present: Ted James, Mary Pace, Shelley Hopkins, Jeff Morrison, Lola Hansen, Lewy Evans and Jack Peterson. Regents absent: None. Also present was Commissioner of Higher Education John A. Richardson.

Chairman James called for additions or corrections to the minutes of the October 31, 1980 meeting. None were stated, and the minutes were ordered approved as mailed.

Chairman James explained that the Board would have to recess early to meet as the State Board of Education at 11:00 a.m., and therefore the order of the agenda would be revised to allow the Board to act on as many items as possible prior to the recess. It was agreed that the Budget Committee report and the Commissioner's report would be heard when the Board reconvened in the afternoon.

Lewy Evans, Chairman of the Capital Construction Committee, reported the Committee recommended Item 30-501-R1280, Authorization to construct multi-use sports area (tennis courts and playing field) adjacent to the new HPER Complex; provide drainage from HPER Complex, and landscape area, Montana Tech, Butte, at an estimated cost of \$300,000 be approved. He so moved. The motion carried.

The Committee further recommended that Item 29-601-R1080, Approval of the acceptance of the Old Barrett Hospital of Dillon, Montana for Western Montana College be deferred as recommended by the Commissioner, and that the President of Western Montana College and the Commissioner of Higher Education or their designees be authorized to continue discussions with officials of Beaverhead County and the Barrett Hospital Board of Trustees in an effort to secure a satisfactory agreement which could be forwarded to the Board of Regents for review and action. Lewy Eavns so moved. The motion carried.

Jack Peterson reported that the Collective Bargaining Committee recommended the following resolution be adopted by the Board:

WHEREAS, the rate of inflation for the biennium was 23.7 percent, and

WHEREAS, the Montana State Legislature did not anticipate double-digit inflation when funds were appropriated for salaries in the Montana University System, and

WHEREAS, state general fund revenue has also exceeded the original general fund revenue estimates which were used in establishing salaries and appropriations for the current biennium, thus providing a substantial general fund surplus.

THEREFORE BE IT RESOLVED, that the Board of Regents, on behalf of its employees, request the Montana State Legislature to provide a supplementary salary increase to all employees of the Montana University System. The Regents' request for each full-time employee is \$300 plus three percent additional salary adjustment for the current fiscal year.

He so moved. The motion carried.

The By-Laws and Policy Committee and Community College and Vocational Educational Committee had no report.

The following items were received by the Curriculum Committee for consideration at a future meeting. There was no meeting of the Curriculum Committee.

Item 30-101-R1280, Bachelor of Arts Degree in Physics and Astronomy, University of Montana

Item 29-203-R1280, Authorization to grant the degrees of Master of Science and Doctor of Philosophy in Computer Science, Montana State University

The Board accepted a report from the President of the University of Montana on the implementation of the retrenchment plan approved June 2, 1980.

Jack Peterson moved that the gubernatorial reappointment of Blanch A. Copenhaver to the Local Executive Board of Montana College of Mineral Science and Technology for a term ending the third Monday in April, 1983 be confirmed. The motion carried.

The Council of Presidents, Faculty Association, and Student Advisory Council had no report.

On motion of Jeff Morrison, the following items were approved:

Item 30-100-R1280, Staff, University of Montana
 Item 30-110-R1280, Degrees, University of Montana 1979-1980
 Item 29-200-R1280, Staff, Montana State University
 with the following Addendum:

<u>Name, Position and Department</u>	<u>Tenure</u>	<u>Effective</u>	<u>Salary</u>
Duane J. Hoynes, MA Acting Department Head Assoc Prof of Eng English	C	9/1/80	\$26,900(FY)*

Salary includes \$1,200 Administrative Component

*For Less than 1.00 FTE and/or shortened contract period, actual salary will be prorated.

Item 29-201-R1280, Retirement of Mr. Barton Hahn, Montana State University
 Item 29-202-R1280, Retirement of Dr. Harold Watling, Montana State University
 Item 29-300-R1280, Staff, Agricultural Experiment Station
 Item 29-400-R1280, Staff, Cooperative Extension Service
 Item 30-700-R1280, Staff, Eastern Montana College
 Item 30-800-R1280, Staff, Northern Montana College
 Item 30-901-R1280, Staff, Office of Commissioner of Higher Education
 Item 30-204-R1280, Retirement of Earl M. Ringo, Montana State University
 (Addition to Agenda)

The Board recessed at 10:40 a.m. to reconvene at 1:00 p.m.

The Board reconvened at 1:00 p.m. with the same members present.

Jeff Morrison, Chairman of the Budget Committee, reported that the Budget Committee had discussed the proposed tuition increase at some length, and heard testimony from student representatives from several of the campuses. He reported there is no real opposition from the students to the proposed increase with the exception of Montana Tech students who disagreed with the out-of-state portion of the tuition increase. President DeMoney asked the Board to consider spreading the out-of-state increase at Tech over a two-year period. President DeMoney added he did not concur with the rationale in the proposal which singled out Montana Tech for separate treatment in setting out-of-state tuition, stating he felt it was not supportive of Tech.

Jeff Morrison asked how the Commissioner of Higher Education staff felt about spreading the increase at Tech over a two-year period, and

was told that the preference is for the recommendation to stand as presented. Jeff Morrison moved that Item 30-001-R1280, Tuition Increase, 1983 Biennium, Montana University System be approved. Motion carried.

Jeff Morrison reported that the Budget Committee recommended the following items be approved:

Item 27-002-R0480, Authorization for the Commissioner of Higher Education to execute a contract with United Student Aid Funds, Incorporated, for the operation of the Montana Guaranteed Student Loan Program (REVISED)

Item 30-002-R1280, Budget Recommendation on Employee Compensation, Montana University System

He so moved. The motion carried.

Jeff Morrison moved that Item 30-102-R1280, Presentation of Proposed Budget and Fees for the School of Law, University of Montana, be amended as follows and approved, as recommended by the Budget Committee:

Line 3:

Following: "School of Law"

Insert: "to the Commissioner of Higher Education"

Following: "for review and"

Delete: "approval"

Insert" "transmittal"

The motion carried.

Mr. Morrison reported that the Budget Committee received proposed tuition increases for the School of Law, but recommended to the Board that no action be taken until the January meeting to allow affected persons time to respond.

Mr. Morrison reported the Budget Committee received reports on the supplemental appropriation requests and recommends to the Board that the estimated utility deficit and millage revenue deficit reports be approved. He so moved. The motion carried.

Mr. Morrison reported the Budget Committee recommends, on a split vote, Chairman dissenting, that the estimated enrollment supplemental request be amended to add employee benefits to the faculty salary base prior to computing the 30 percent for support costs.

President Thomas spoke in opposition to the methodology used in Western Montana College's enrollment estimate, stating there is a ten percent variance between Western's estimates and those used in the supplemental. President Thomas stated he has corresponded with the

Commissioner's office on this, and that if those estimates will be revised when the winter quarter enrollments are available the problem will be resolved, but if the estimates in the supplemental request are used, Western is being treated unfairly by the methodology.

Regent Morrison stated his belief that the request is adequate and fair, and that attempting to change it now would endanger the good relationship established with the Interim Finance Committee and the Legislative Fiscal Analyst.

Discussion was held on the Budget Committee's recommendation to add employee benefits prior to computing the 30 percent support costs. In response to questions from Regents, Commissioner's staff explained it would not be a problem to amend the calculation in the suggested manner. It was agreed that the general fund portion generated by the suggested amendments should be determined.

Jeff Morrison then moved that the enrollment supplemental be amended to add employee benefits to the faculty salary base prior to computing the 30 percent support costs, and that Commissioner's staff be directed to analyze other revenues and determine the general fund portion. The motion carried with Regents Peterson and Morrison voting no.

In response to a request for clarification on whether there would be changes in the FTE enrollment estimate data used to prepare the supplemental, the Commissioner stated the data would be reviewed.

Jeff Morrison next reported that the Budget Committee had received a preliminary report on the 1983 Biennial Budget Recommendation, and noted that the completed budget report will be submitted to the Regents in early January for their consideration.

The Budget Committee received a report from Dr. Carl Hoffman, Cooperative Extension Service, indicating that the Cascade County and Silver Bow County units of the Expanded Food and Nutrition Education Program (EFNEP) lack funds to continue operation and the phase-out of those two units will begin soon.

Commissioner Richardson reviewed his memorandum of November 19, 1980 to the Regents in which he set out his recommendations on the composition of the search committee for the selection of a president

at the University of Montana, and the procedures for soliciting nominations for search committee members. He explained that the recommendation as outlined does not achieve consensus among the views expressed by the Regents, and requested that the Regents discuss what changes would be agreeable.

Regent Hopkins noted she had been asked to pass on to the Board the concern of the Staff Senate at the University that they are not adequately represented in the make-up of the committee. Also, there are students present who wish to speak to the Board on the composition of the search committee.

After brief discussion, Jeff Morrison moved that the search committee consist of the following:

- 3 Regents
- 4 Community/State Representatives
- 2 UM Administrators
- 2 UM Students
- 5 UM Faculty
- 1 Non-Academic Staff Member
Commissioner of Higher Education (ex-officio, non-voting)

The motion carried unanimously.

Jeff Morrison then moved that the Regents direct the Commissioner to proceed immediately with the solicitation of nominations to the search committee, select a closing date for applications, and place ads in the appropriate publications for the position of president of the University of Montana; the Commissioner of Higher Education will designate the chairman of the search committee, and the chairman of the Board of Regents will appoint the Regent members. The motion carried.

Shelley Hopkins asked if the Chairman would recognize the students who wished to speak to the Board regarding the search committee membership. Chairman James noted that he had called for discussion prior to the vote on each of the two motions and no one had risen. However, if someone wished to address the Board now he would be pleased to recognize them.

Various student representatives spoke to the concern that the search committee as established provides over-representation of the faculty, and under-representation of students and staff. Jeff Morrison responded

that the Board shares some of the concerns regarding the number of faculty, but noted that much of the preliminary work of the committee in sorting, categorizing and interpretation of credentials is appropriately performed by faculty and is very time-consuming. Regent Morrison stated that this does not mean the faculty selects the president; that is the prerogative of the Board.

Commissioner Richardson reported that a letter had been received from Philip H. Hauck, Administrator of the Architecture and Engineering Division, Department of Administration stating that alternatives have been explored to the proposed energy retrofit of the Liberal Arts Building at the University of Montana with the federal Department of Energy and the state Department of Natural Resources, and that under the terms of the existing energy grant no alternative is acceptable. Mr. Hauck suggested that the project proceed immediately as approved unless the Commissioner or the Board of Regents recommend against it. Commissioner Richardson stated it is his recommendation that the project proceed.

President Bowers opposed the recommendation, stating that occupants of the building had no opportunity to participate in the planning, and there is strong opposition on campus to proceeding. He also pointed out that had there been notice this would be on the agenda there would have been a large number of students and faculty present to speak their objections. President Bowers concluded by stating he finds it difficult to fully convey the strength of feeling on this issue on the UM campus.

Dave Curtis, President, ASUM, and Steve Spaulding, Business Manager, ASUM, spoke in opposition to the recommendation, noting the two main objections to the project were that it would seriously reduce the natural light and the ventilation. In addition, alternatives more satisfactory to the users were not considered because there was no discussion between the architects and the users in the planning process.

Mr. van Teylingen agreed there had been extremely poor communication throughout the planning of the project. He outlined the process that led to the present hostility against the project by the users, and stated that

if the project proceeds there will be considerably more hostility on UM's campus. If the project does not proceed, it could impair the System's chances of obtaining additional funds from the legislature for increased utility bills because the System cancelled a project that could save \$21,000 per year of those costs. Mr. van Teylingen suggested that it might be possible to improve the atmosphere in the affected offices with carpeting, more attractive colors, and light fixtures.

In response to questions from Regents President Bowers explained that the LA building was chosen for the project because it was one of the few buildings on campus with the monitoring equipment necessary to produce the data to obtain the grant. He reiterated that Mr. Hauck has made every attempt to develop satisfactory alternatives under the terms of the grant, but the federal government will accept no changes in the proposal. The project proceeds or the money reverts to the federal government.

Chairman James asked who made the original decision to retrofit the LA building, and was told that a retrofit study was conducted which identified University System buildings as those best equipped to produce the data necessary to obtain the grant. The Department of Administration selected the LA building and applied for the grant. The total cost of the project is estimated at \$500,000; \$300,000 of state money and \$200,000 federal money.

Regent Peterson stated the proposal should be considered on its merits as an energy saving measure. Dave Curtis responded that the argument is one of method; what is accomplished will be detrimental to the campus even though the concept is worth support. Mary Pace asked if the Regents could be assured that the planning method will be corrected on future projects, and was assured it would be. Commissioner Richardson pointed out that hearings have been held with users and state officials, but no alternatives acceptable to the Department of Energy could be developed.

Jeff Morrison moved that the Department of Administration be authorized to proceed with the retrofit of the Liberal Arts Building at the University of Montana. The motion carried, with Shelley Hopkins voting no.

The meeting adjourned at 2:00 p.m.

APPROVED:

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Chairman, Regents of Higher Education
Montana University System