

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM
December 11, 1981

Following an executive session of the Collective Bargaining Committee, the meeting of the Board of Regents of Higher Education was called to order by Vice Chairman Mary Pace at 10:00 a.m. in the Conference Room of the Office of the Commissioner of Higher Education, 33 South Last Chance Gulch, Helena, Montana on December 11, 1981. Regents present: Pace, Peterson, Morrison, Redlin, Hopkins and Evans. Regent absent: Chairman Ted James. Also present was Acting Commissioner of Higher Education, Irving Dayton. Vice Chairman Pace explained that Chairman James was absent due to recent surgery, and expressed the Board's best wishes to Chairman James for a speedy recovery.

Vice Chairman Pace stated that without objection the Board committees would not meet, and all matters on the agenda would be heard by the full Board.

Vice Chairman Pace called for additions or corrections to the minutes of the previous meeting. None were stated, and the minutes of the October 30, 1981 meeting were ordered approved as mailed.

At the request of Vice Chairman Pace, Regent Shelley Hopkins chaired the following portion of the meeting.

Item 34-104-R1281, Collection and Remission of Fees for Student Non-Profit Non-Partisan Organization, University of Montana, was placed before the full Board for discussion and action.

Supporters of the proposal explained they have no objection to a suggested amendment limiting the applicability of the item to the University of Montana, rather than the Montana University System.

The following persons spoke in support of the proposal, and specifically in support of MontPIRG:

1. Steve Spaulding, President, Associated Students University of Montana, representing ASUM, Central Board, and the Student Advisory Council, University of Montana.
2. Dr. Richard Vandiver, President, University Teachers Union, University of Montana, representing the Teachers Union, and the Faculty and Staff Senates.
3. Neil Bucklew, President, University of Montana, speaking for the administration.
4. John Motl, extended community support.
5. Bob Anderson, student, University of Montana, student support.
6. Representative Hal Harper, District 30, legislative support.

Eric Johnson, a student at the University of Montana, representing students who oppose the proposal, spoke against the item.

In discussing the item, regent concern centered in two areas: (1) the fee collection mechanism, including the concern that in-coming freshmen and returning students would have no voice in selecting the funding mechanism; and (2) questions of liability, including University of Montana representation on the Board of Directors. It was suggested that the proposal be subjected to a student referendum as is usual with student fee proposals. Proponents argued that the petition circulated last spring in support of MontPIRG and signed by approximately 4,000 students indicated a high level of student support. The difficulty in obtaining a majority of student votes in a referendum was discussed.

Regent Pace moved that the Board amend the item to limit the authorization to the University of Montana. Regent Morrison made a substitute motion to further amend Section 3, line 3, by changing "waivable" fee to "elective" fee, and to add a new Section 8 to add a representative of the University of Montana to the Board of Directors.

After brief discussion of the motion and substitute motion, both were withdrawn.

Regent Jack Peterson moved that three separate motions be considered: (1) a motion to amend the item to limit the authorization to the University of Montana; (2) a motion to change the fee collection mechanism from a

waivable fee to an elective fee; and (3) a motion to add a new Section 8 placing a representative of the University of Montana on the Board of Directors, if motion (1) carried. The motion to separate carried.

Regent Hopkins asked the Board's pleasure on motion (1) to limit the authorization. The motion carried with Regents Peterson and Evans voting no; Regents Pace, Redlin and Morrison voting yes. Staff was instructed to prepare the appropriate language to accomplish the amendment.

Motion (2) to change the funding mechanism was discussed. President Tietz, Montana State University, stated his opposition to the waivable fee, stating that even though the authorization is now limited to the University of Montana, a precedent will be established which will encourage other organizations to bring forward similar fee collecting mechanisms in the System. Montana State University supports the positive check-off method of collection in the belief it is the students' prerogative to make a positive statement about how their money is spent.

Regent Morrison spoke in opposition to the waivable fee, indicating his belief that a precedent would be established which would enable non-campus sponsored groups to collect money through the established fee collection processes.

Proponents of MontPIRG spoke in support of the waivable fee and reiterated their belief that without it, MontPIRG will fail.

Regent Peterson called the question. Regents Pace and Redlin voted no; Regents Morrison, Evans and Peterson voted yes. The motion to change the funding mechanism to an elective fee carried. Staff was instructed to amend the opening paragraph and Sections 3 and 6 to effect the change.

Motion (3) to add to the representation of the Board of Directors was briefly discussed. Chief Counsel LeRoy Schramm commented on questions of liability raised by the Board. Regent Morrison stated he wished to withdraw the motion to add a new Section 8. The motion was withdrawn.

For clarification, Acting Commissioner Dayton explained that the proposal now before the Board is limited to the University of Montana,

and changes the fee collection mechanism to an elective, or positive check-off method. After further discussion on the fee collection amendment, the Chair called for a motion on the proposal as amended.

Regent Lewy Evans moved that Item 34-104-R1281 be approved as amended. The motion carried with Regents Morrison, Peterson and Evans voting yes; Regents Pace and Redlin voting no.

Item 31-106-R0581, Collection and Remission of Fees for Student Non-Profit, Non-Partisan Corporations (WITHDRAWAL) was presented to the Board for action. Staff explained this item was deferred at the May 1981 meeting, and withdrawal of the item is requested to clear the minutes. Regent Pace moved the item be withdrawn. The motion carried.

Vice Chairman Pace chaired the remainder of the meeting.

Regent Jeff Morrison stated that while there are no formal items before the Budget Committee, he wished to clear up some criticism that developed during the special session of the legislature in November. Regent Morrison explained that the criticism arose over whether the University System would revert certain funds or move those funds from one unit to another. Regent Morrison stated in this instance the legislation required that the funds be reverted, and it was never the intention of the Regents to do otherwise. Concern was voiced over whether this intrudes on the Regents' authority to supervise and manage the System. It was requested the issue be placed on the agenda for discussion at a future meeting.

On motion of Regent Jeff Morrison, the following items submitted to the Capital Construction Committee were approved:

- Item 34-102-R1281, Revision of Authorization to add dental facilities to the Dental Clinic, Health Service, University of Montana, Missoula, Montana.
(Authorized by Regents' Board Item 31-105-R0581)
- Item 34-103-R1281, Revision of Authorization to Complete the Parking Lot, University of Montana, Missoula
(Authorized by Regents' Board Item 20-102-R0478)
- Item 34-202-R1281, Authority to Select an Engineer and proceed with improving portions of the Fire/Smoke Detection Systems in the Residence Halls and Family Housing Apartments at Montana State University

Item 34-601-R1281, Authority to Select an Engineer and Proceed with the Electrical Upgrading of Mathews Hall, Western Montana College

Item 34-802-R1281, Authorization to Remodel Lavatory Facilities in Donaldson Hall, Northern Montana College

Acting President William Johnstone, Eastern Montana College, was asked to comment on Item 34-701-R1281. Acting President Johnstone explained that approval of the item would authorize Eastern Montana College to accept assignment of the lease now held by Russell B. Hart and Paul C. Covert of Billings, Montana. He called attention to the lease payment procedure set out in the item, and explained that through this lease assignment, EMC would obtain the right to a valuable piece of land for possible future development of the College. Regent Lewy Evans stated his strong support of the item, and his belief that the property will be a valuable asset to Eastern Montana College in the coming years. Discussion was held on the current high cost of land adjacent to the College, and various future needs of the College that could be met through obtaining the leasehold of the property being considered.

On motion of Regent Morrison, Item 34-701-R1281, Authorization to Accept Assignment of Lease on State Land, Eastern Montana College, was approved.

The Regents instructed Acting Commissioner Dayton to express their appreciation to Mr. Hart and Mr. Covert for their foresight in providing Eastern Montana College the opportunity to obtain this land under such favorable conditions for the College's future use.

On motion of Regent Elsie Redlin, Item 34-702-R1281, Appointment of an Architect to Plan a Parking Lot; Construction of Parking Lot, Eastern Montana College, was approved.

Regent Jack Peterson left the meeting at this time due to another commitment.

Regent Jeff Morrison reported the Collective Bargaining Committee recommended the following contracts be ratified:

1. Contract between the Montana University System and the International Union of Operating Engineers for the period July 1, 1981 to June 30, 1983.

2. Collective Bargaining Agreement between Northern Montana College Federation of Teachers of the American Federation of Teachers, AFL-CIO and The Montana University System for the period July 1, 1981 through June 30, 1983.
3. Collective Bargaining Contract between International Typographical Union No. 277 and the Montana University System for the period July 1, 1981 through June 30, 1983.
4. Collective Bargaining Agreement between Western Montana College Unit of the Montana Education Association and the Board of Regents of Higher Education, Montana University System for the period July 1, 1981 through June 30, 1983.

He so moved. The motion carried.

The following items were received by the Curriculum Committee for consideration at a future meeting:

Item 34-101-R1281, Education Specialist Degree, University of Montana

Item 34-501-R1281, Authorization to Montana College of Mineral Science and Technology to Grant Professional Degrees in the Engineering Programs

Item 34-502-R1281, Approval of the B.S. in Business Administration, Montana College of Mineral Science and Technology

Acting Commissioner Dayton stated that the items on the Curriculum Committee submission agenda would probably not be acted on at the next meeting. Montana State University is preparing a proposal for an education specialist degree, and it will simplify the Board's work to consider both proposals at the same meeting. Also, certain supporting material needs to be distributed on Montana Tech's proposal to grant professional degrees in the engineering programs.

Item 33-701-R1081, Authorization to Grant an Associate of Arts Degree in Early Childhood Studies at Eastern Montana College was presented to the Board from the action agenda of the Curriculum Committee. Vice President Stuart Knapp, Montana State University, stated that MSU is not opposed to the proposal, but he called the Board's attention to the two-year program in child development at MSU. MSU may ask for an associate degree in that program if the Board approves the request from Eastern Montana College.

On motion of Regent Shelley Hopkins, Item 33-701-R1081 was approved.

Commissioner's Report:

Acting Commissioner Dayton reported on the condition of Chairman Ted James who is recuperating from major surgery at his home in Great Falls.

Dr. Dayton also called the Board's attention to the art exhibit on display in the conference room. The current exhibit is work of the faculty at Montana State University. Dr. Dayton added that the next scheduled art exhibit will be presented by the faculty at the University of Montana. Receptions for invited guests are held by the hosting unit, and the exhibits provide an opportunity for the University System to be presented favorably to the Helena community. Exhibits from other units of the System will be scheduled, and the program is intended to be on-going.

Commissioner Dayton also noted that photographs of a uniform size have been requested from each of the campuses, and will be hung in the lobby of the Commissioner's office where they are easily accessible to visitors.

Dr. Dayton reported that the federal grant which funds the Montanans on a New Track for Science (MONTS) program in Montana was renewed for its second year. Montana was the only state in the program to receive full funding for the second year. Dr. Dayton stated this is a tribute to the participating faculty members and the program director, Professor Gary Strobel, Montana State University.

Acting Commissioner Dayton gave a status report on the Montana Guaranteed Student Loan Program. An agreement has been signed with City Bank of New York, Rochester, New York, which provides the program's needed "lender of last resort" to service students who do not have a home town bank.

At the Commissioner's request, Paul Dunham, Director of Planning, reported on System participation in the Washington Library Network (WLN). Mr. Dunham stated the system is operational and in use on each of the campuses in the University System.

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

Vice Chairman Pace reported the Commissioner Search Committee received a total of 67 applicants for the position of Commissioner of Higher Education for the Montana University System. The Search Committee will hold a meeting at the conclusion of the Regents' meeting.

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


- Item 34-100-R1281, Staff, University of Montana
- Item 34-200-R1281, Staff, Montana State University
- Item 34-201-R1281, Retirement of Dr. Robert L. Sanks, Montana State University
- Item 34-300-R1281, Staff, Agricultural Experiment Station
- Item 34-400-R1281, Staff, Cooperative Extension Service
- Item 34-500-R1281, Staff, Montana College of Mineral Science and Technology
- Item 34-500A-R1281, Staff, Montana Bureau of Mines and Geology
- Item 34-600-R1281, Staff, Western Montana College
- Item 34-700-R1281, Staff, Eastern Montana College
- Item 34-800-R1281, Staff, Northern Montana College
- Item 34-801-R1281, Recognition of the Retirement of Clifton W. White, Professor of Health and Physical Education, Northern Montana College, through the award of Emeritus status
- Item 34-901-R1281, Staff, Office of Commissioner of Higher Education (REVISED)

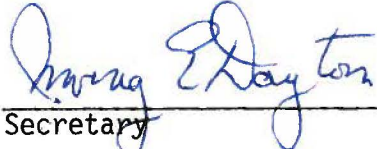
The Western Montana College 1981-82 Faculty Roster was received by the Regents for information purposes only.

Acting Commissioner Dayton introduced Dr. Laurence Weinberg, who was just confirmed as Assistant Chief Counsel for the University System.

The meeting adjourned at 11:30 a.m. The next regularly scheduled meeting of the Board of Regents is January 22, 1982 in Helena, Montana.

APPROVED:


 Chairman, Regents of Higher Education
 Montana University System


 Secretary