

MINUTES OF SPECIAL CALL MEETING  
BOARD OF REGENTS OF HIGHER EDUCATION  
MONTANA UNIVERSITY SYSTEM

DATE: November 9, 1990

LOCATION: Sapphire Room B  
Park Inn  
Lewistown, Montana

REGENTS Mathers, Redlin, Schwanke, Topel, Kaze,  
PRESENT: Musgrove, Johnson  
Acting Commissioner of Higher Education John M.  
Hutchinson

REGENTS None  
ABSENT:

PRESIDENTS Dennison, Carpenter, Norman, Tietz, Daehling  
PRESENT: Provost Easton

PRESIDENTS None  
ABSENT:

OTHERS Center Directors; Vice President Michael Malone,  
PRESENT: MSU; Staff of the Commissioner's Office; Pat  
Sullivan of The Missoulian

Chairman Mathers called the special call meeting of the Board of Regents to order at 9:25 a.m. Roll call was taken and it was determined a quorum was present.

Chairman Mathers stated at this time it was the desire of the Board to address two salary issues.

Regent Topel moved the salary of recently appointed Commissioner of Higher Education John Hutchinson be set at \$90,000 per year effective November 1, 1990. The motion carried unanimously.

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Next Regent Topel moved the salary of Dr. Michael Malone be set at \$86,000 per year during the period he serves as Acting President of Montana State University, commencing January 1, 1991. The motion carried unanimously.

Chairman Mathers stated the next order of business would be discussion of the proposal to waive tuition for foreign students discussed at the October 1990 meeting of the Board. At the Chairman's request, Dr. Schramm reviewed the presentation made to the Board at its October 1990 meeting requesting waiver of tuition for South African refugee students who have taken a stand against apartheid. The request was brought to the Board by various legislators and Mr. Bob Fitzgerald, of Helena, Montana, who is organizing Archbishop Tutu's visit to Helena on December 8, 1990. Mr. Fitzgerald's hope was that some form of tuition waiver for South African students could be developed and a presentation made during the Archbishop's visit. After discussion, it was the consensus that reservation of tuition waivers for such a limited constituency would not be the best policy for the Regents to adopt.

Chief Counsel Schramm distributed and reviewed a revised draft of the resolution which meets most of the concerns raised in previous discussion. He explained the resolution provides fee waivers to an unspecified number of refugee students (number needs to be decided at this meeting) who are registered with the United Nations High Commissioner of Refugees. This stipulation would allow exiled refugee students from a variety of countries to avail themselves of the tuition waivers, rather than limiting recipients to South African students.

Two conditions of the waivers should be noted: Waivers for up to an unspecified number of students annually

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are provided by the Montana University System, provided (1) the students are registered with the United Nations High Commissioner of Refugees, and (2) that the student has firm assurance that the remaining costs of his or her education will be provided from private sources. The Tutu scholars are eligible to receive these tuition and incidental fee waivers, as are a broad category of other disadvantaged students. Dr. Schramm noted the resolution is before the Board for action at this special call meeting so that in the event the Regents approve the resolution, a presentation can be made to Dr. Tutu, whose visit to Montana will occur before the next regularly scheduled Regents' meeting.

Regents discussed the resolution at length. It was agreed the number of tuition waivers should be limited to six per year. The language related to remaining costs was amended to read that it should be provided from "some source outside the University System. The wording of the resolution which stated the recipients would be eligible for the waivers for "up to four continuous years of study" was amended to delete the word "continuous".

Commissioner Hutchinson noted for the record that if a unit of the Montana University System accepts a student under the terms of the proposed resolution, the waiver would be one of those within the unit's existing statutory limitation. Approval of this resolution would not expand the number of tuition waivers a unit is authorized to provide.

With those changes, on motion of Regent Kaze, the following resolution was adopted:

WHEREAS, Archbishop Desmond Tutu of South Africa was awarded the Nobel Peace Prize in 1984; and

WHEREAS, Archbishop Tutu is a symbol of the struggle to redress political and social inequality throughout the world; and

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WHEREAS, Archbishop Tutu is visiting Montana in December of this year; and

WHEREAS the Montana Board of Regents of Higher Education wishes to take action recognizing the visit of Archbishop Tutu and acknowledging the responsibility of all to foster understanding among the people of the world; and

WHEREAS, The United Nations High Commissioner for Refugees for four decades has been registering and assisting persons who, owing to fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion, are outside the country of their nationality and are unable or unwilling to avail themselves of the protection of that country:

NOW THEREFORE, BE IT RESOLVED: That the Montana Board of Regents annually waives all incidental and registration fees for up to six students registered with the United Nations High Commissioner of Refugees for attendance at any of the six campuses of the units of the Montana University System, provided the student has firm assurance that the remaining costs of his or her education will be provided from some source outside the University System. Each recipient shall be eligible for such waiver for up to four years of study.

The authority of the University System to award waivers under this resolution shall expire at the end of the academic year 2000-2001, but all recipients in attendance at that time shall continue to be eligible for the waiver for the full four years noted above.

The Commissioner of Higher Education is authorized to do anything necessary to properly implement the fee waivers established herein and to coordinate and administer such fee waivers.

ADOPTED by the Montana Board of Regents of Higher Education meeting in Lewistown, Montana on the 9th day of November, 1990.

Chairman Mathers stated the next order of business would be to address the request of Montana State University to approve \$6,000 for an engineering study of the gas leaks recently discovered on MSU's campus, and to authorize \$150,000 for repair and replacement of pipe.

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President Tietz explained the problem with the gas lines which serve the institution. When the severity of the situation was discovered an appeal was made for emergency assistance to the Executive Branch. Montana Power was approached, and agreeing to the gravity of the situation, agreed to accept responsibility of the pipes and the delivery system up to the edge of the campus. The funds Montana State University is requesting authorization to spend at this meeting is to repair the lines that lead from the Montana Power Company's substation onto the campus, and to the first delivery site on the campus. As the pipes have been uncovered, the degree of gravity of the situation and the threat to health and safety has increased. MSU is requesting opportunity to expend approximately \$150,000 to be taken from existing energy sources. The money is available from this source in anticipation of a relatively mild winter. If the winter is harsh, the Board will be asked to authorize the request of a supplemental appropriation from the legislature to pay the unanticipated heating costs.

Chairman Mathers spoke to the gravity of the situation. The method proposed to pay for the immediate repairs that must be made is the best resolution anyone can devise in this emergency situation. The Governor has been apprised, he concurs the situation poses a very real threat to both students and buildings, and supports using the money from the energy savings account. The Governor assured Chairman Mathers that if the winter is severe he will support the supplemental appropriation request.

Chairman Mathers further noted it must be clear, particularly to the public, that this is not a situation that occurred overnight. Repeated requests have been made to the legislature to address this type of maintenance. The requests

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have been ignored. Unfortunately, similar situations could arise at any time in steam lines, electrical systems, etc., on any of the campuses as a result of the state's policy on deferred maintenance.

Hearing no further discussion, Chairman Mathers called for separate motions on the two requests.

On motion of Regent Redlin, the expenditure of \$6,000 for the an engineering study requested by Montana State University was approved.

On motion of Regent Schwanke, the request of Montana State University to expend \$150,000 from the energy savings account to replace the gas main was approved.

President Tietz requested an additional matter be placed before the Board. He referenced a tour taken by the Regents on MSU's campus for review of facilities. During that tour the plans of the City of Bozeman to develop a performing arts center were presented to the Regents. Sites were pointed out to the Regents that the citizen group was considering for location of the performing arts center. The center would have significant influence and opportunity for the theatre as well as MSU's visual communications teams, and would provide a major public service for the state. MSU had determined that the center's benefits to Montana State University would be reasonable compensation for the cost of the site. President Tietz noted that during that tour, it was proposed to the Regents that MSU be granted authorization to continue discussions with the site team with the understanding that MSU would be in a position to contribute the land the center would occupy.

President Tietz reported the site committee is now at the point of considering one site on MSU's campus and two in the city as final. On Tuesday of this week the site visit team

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Commissioner Hutchinson referenced the Board's request made at the September 1990 meeting that campuses supply to the Commissioner's office the plans being developed to reduce and eliminate negative fund balances. Those campuses that have not responded should do so immediately so a report can be prepared to be brought to the Board at its December 1990 meeting.

Commissioner Hutchinson next reported on a workshop on student health insurance held in the Commissioner's office on November 1, 1990. The workshop was requested by President Dennison, University of Montana. Dave Evenson, Director of Benefits, conducted the workshop with the help of representatives of the student health insurance industry and the campuses. The consensus of that group was that a provisional, state or systemwide student health plan should be developed. It is very much in the exploratory stage of development, but the Regents should be informed that step has been taken, and a report and recommendation may be forthcoming on a student health insurance plan.

President Dennison reported briefly on a request for proposals process being developed on the University of Montana campus to provide a self-funded insurance program at the University. Mr. Evenson is working closely with the University in this process. No commitment has been made; the purpose of the rfp's will be to determine if it is appropriate to conduct a pilot study on campus. He explained the matter is being considered at this time because if any program is to be offered to students next fall, the process has to begin now.

Commissioner Hutchinson noted Regents' approval would be necessary prior to letting of any contract. No formal Board action is required to implement the rfp procedure.

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There being no further business to come before the special call meeting, the meeting adjourned at 10:08 a.m.

The next regularly scheduled meeting of the Board of Regents will be held on December 13-14, 1990, in Helena, Montana.