

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

April 14, 1975  
Helena, Montana

The Board of Regents of Higher Education met at 9:10 a.m., Monday, April 14, 1975 in the conference room of the Office of the Commissioner of Higher Education, Helena, Montana.

The meeting was called to order by Chairman Ted James. Present were: Mrs. Mary Pace, Mr. Ted Heberly, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

On motion of Dr. Pettit, seconded by Mrs. Pace the minutes of the February 28, 1975 meeting were approved.

It was announced that the State Board of Education would not be meeting this month.

Mr. Thomas reported the Policy Committee recommended that the following item be added to the agenda and moved its approval:

Item 8-001-R0475, Policy Regarding the Selection of Academic Administrators, Montana University System

The Board of Regents of Higher Education, recognizing that all academic administrators, department chairmen, department heads, academic deans, and academic vice presidents are appointed by the president and serve at his pleasure, hereby establishes a policy that the selection of such academic administrators be made in consultation with the affected faculty and, if possible, with the involvement of students.

EXPLANATION: Sound academic practice dictates that a president should not choose a person over the reasoned opposition of the faculty.

Mrs. Pace seconded the motion and it carried. Dr. Pettit reported the Council of Presidents had considered this policy and it was unanimously accepted.

Mr. Thomas reported that several recommendations from the

Faculty Council were considered by the Policy Committee. He said the committee did not feel any action was necessary with regard to future changes in the faculty contract, but he assured the Faculty Council that the committee agreed no further changes would be made without the faculty being informed.

Mr. Thomas reported the committee did not feel the resolution to establish a budget and liaison committee from the campuses should be adopted since faculty do have input at the unit level.

Mr. Thomas reported the committee did not take action on the resolution regarding fee waivers for faculty spouses but recommended that it be held for further consideration at a later date.

Mr. Thomas reported that a working paper on the final recommendations of the Commission on Academic Tenure was discussed and the committee recommended that each institution be required to submit a staffing pattern at the time the appointments are made for the following year. He so moved. Mrs. Pace seconded the motion and it carried. Mr. Thomas said the Board wanted to look at staffing patterns to determine such things as the percentage of tenure appointments at each of the institutions etc.

Mr. Thomas said the committee also considered recommendations from the Student Advisory Council. He said Item 7-003-R0175, Resolution Regarding Student Participation in Collective Bargaining Negotiations, Montana University System, was recommended for approval as amended in paragraph four, line two, to delete the words "an appropriate elected student representative" and insert the words "the student president or his designate". He so moved. Mrs. Pace seconded the motion and it carried. Mr. Thomas said this resolution was consistent with the bill passed by the current legislature.

Mr. Thomas said the proposed policy providing for refunds to students in the event of work stoppages, strikes, or other disruptions of normal academic processes caused by professional educational employees was withdrawn by the students.

Mr. Thomas said the committee did not feel it had enough data on which to make a decision on the resolution requesting that the University of Montana be relieved from the mandate of the Board to remain competitive in the Big Sky Conference. He said the committee recommended that the matter be held for consideration at a later date. Dr. Pettit said that one of the concerns of students is that the Board is not on record requiring that institutions be competitive academically but it goes without saying that the Board does require this and it will do everything in its power to provide the necessary resources.

Dr. Pettit reported that the Council of Presidents had reviewed the same items considered by the Policy Committee and the position taken by the committee was fairly congruent with the positions of the presidents. He said legislation was reviewed with the presidents and the ramifications discussed, e.g. the problems to be faced in trying to implement the current year's appropriation, legal problems related to possible reduction of faculty positions etc.

The chairman asked Dr. Samuel Davis, Chairman of the Faculty Council, if he had anything to present. Dr. Davis reminded the Board that the Faculty Council had submitted a resolution regarding sabbatical leaves in November, 1974 and asked what disposition had been made of this request. Dr. Pettit reported that the matter was referred to the Budget Committee which had not met for quite some time. He said he would see that it is considered at the next

meeting. Dr. Davis spoke in behalf of the resolution submitted by the Faculty Council requesting input into the budget planning process. Dr. Pettit said it was the unanimous feeling of the Policy Committee that faculty should have some input at the local level and the Faculty Council as a whole could address itself to budgetary matters without the Board creating another committee for this purpose. Dr. Davis said it is not the intention of the Faculty Council to create any feeling of antagonism but faculty members who had some expertise in this area had a sincere desire to assist in the planning process.

Dr. Pettit said everyone agreed that the faculty had a role to play and he suggested that Faculty Council representatives meet with members of his staff to try to determine where faculty input would be most helpful in the budgetary process. Mr. James asked the Commissioner to request that his staff meet with the Faculty Council to try to work something out.

Dr. Davis spoke in favor of the Faculty Council request for a fee waiver for faculty spouses. He reviewed the history of requests for fee waivers as a fringe benefit for faculty and urged that the matter be considered favorably by the Board.

Dr. Pettit said that some Board members feel the entire faculty is not in accord with this request as opposed to using the cost to attempt to achieve more adequate salaries. He said at the Council of Presidents' meeting there was considerable opposition to granting this fee waiver because of the fiscal impact it would have on the campuses. He said that many institutions nationwide have been abandoning this waiver, although there are also good arguments in favor of such a benefit in light of the inadequacy of salaries.

Mr. Heberly said he would be opposed to granting this kind of

benefit until the Board knows which direction the collective bargaining effort will take.

Mr. Thomas said the Policy Committee felt this matter should be deferred since the whole fee waiver structure might have to be reconsidered in light of budgetary constraints. He said the committee also felt the matter should receive more campus discussion before any action is taken by the Board.

Mr. James suggested that the matter be tabled at this time with the hope that some definite recommendation can be made by the committee before too long a time.

Dr. Davis reported that the Executive Committee of the Faculty Council agreed to request that the Board appoint a search committee with the same basic format as that of the presidential search committee to review applicants for the position of Deputy Commissioner for Academic Affairs.

The chairman said that since the Deputy Commissioner would be employed by the Commissioner and would be working very closely with him, the Commissioner should make the decision. Dr. Pettit said his office is not subject to the affirmative action requirements but he would certainly welcome advice from any of the faculty. He said he had planned to involve at least the academic vice presidents in deliberations over this position.

The chairman asked if the Student Advisory Council had anything to present. Mr. Steve Rovig reported that with the exception of the request that the University of Montana and Montana State University be relieved from the athletic mandate which was already discussed, the students had nothing further to report. Newly elected student body officers were introduced to the Board.

Dr. Pettit read Article VIII of the Board of Regents' by-laws with the proposed amendment. On motion of Mr. Heberly, seconded by Dr. Pettit this section was approved as amended on line four after the word "commissioner" to add the words "except in cases of non-renewal of appointment of non-tenured faculty when Institutional resolution shall constitute final administrative review." Dr. Davis thanked the Board for allowing the Faculty Council to review this amendment before action was taken.

On motion of Mr. Thomas, seconded by Mrs. Pace the following resolution was adopted:

WHEREAS, Mr. Gary Gallagher has served on the Board of Regents of Higher Education since 1973, and

WHEREAS, Mr. Gallagher has evidenced exceptional dedication in this capacity, and

WHEREAS, Mr. Gallagher's professional expertise has been invaluable in many situations which confronted the Board during his term of office, and

WHEREAS, Mr. Gallagher's contribution to the Board of Regents has resulted in many expressions of appreciation and respect from fellow Board members, Presidents and faculty of units of the Montana University System, and the Commissioner of Higher Education and his staff, and

WHEREAS, we recognize that a formal expression of thanks can only partially convey our gratitude and appreciation,

NOW THEREFORE BE IT RESOLVED:

That the Board of Regents of Higher Education wish to commend Mr. Gallagher for his service to the State of Montana. His unique capabilities provided an added dimension to the composition of the Board. This resolution is rendered with deep regret and with sincere appreciation for Mr. Gallagher's conscientious and productive efforts to improve higher education in Montana.

On motion of Mr. Heberly, seconded by Mrs. Pace the following resolution was adopted:

WHEREAS, Mr. John French has served on the State Board of Education and consequently on the Board of Regents of Higher Education for a term of twelve continuous years, and

WHEREAS, Mr. French's dedicated public service in that capacity represents the longest continuous term of any Board member, and

WHEREAS, Mr. French has incurred the respect of his fellow Board members, the Commissioner of Higher Education and his staff, and the Presidents and faculty of units of the Montana University System, and

WHEREAS, we recognize that a formal expression of thanks can only partially convey our gratitude and appreciation,

NOW THEREFORE BE IT RESOLVED:

That the Board of Regents of Higher Education wish to acknowledge the great contribution of Mr. John French to education in the State of Montana through his many years of conscientious, dedicated service. He has served with distinction and richly deserves the appreciation expressed in this resolution.

The residency appeal of Mr. Craig C. Coover was considered.

Dr. Pettit called the pertinent facts to the attention of the Board and moved that the recommendation for non-resident status be re-affirmed. The motion was seconded by Mr. Heberly and carried.

The residency appeal of Ms. Christine E. Shinn was considered. Dr. Pettit called the pertinent facts to the attention of the Board and moved that the recommendation for non-resident status be re-affirmed. The motion was seconded by Mrs. Pace and carried.

The Board recessed at 10:05 a.m.

The Board reconvened at 10:30 a.m.

The chairman announced the new committee assignments as

follows: Community College and Vocational Education Committee

Ted Heberly, Chairman

Mary Pace

John Peterson

Curriculum Committee

Mary Pace, Chairman

Sid Thomas

Lewy Evans

Budget Committee

Ted Heberly, Chairman  
Lewy Evans  
Sid Thomas

Capital Construction Committee

Lewy Evans, Chairman  
New member (not yet appointed to Board)  
Ted Heberly  
John Peterson

By-laws and Policy Committee

Sid Thomas, Chairman  
Mary Pace  
John Peterson  
New member (not yet appointed to Board)

Dr. Pettit said the Budget Committee should meet briefly on adjournment of the Board.

Item 6-005-R1174, Policy Regarding Inter-Unit Projects, Montana University System (Revised), was discussed and Dr. Pettit moved its approval as amended on the last line to delete the words "out-of-state" and to add the word "other". The motion was seconded by Mr. Heberly and carried.

Dr. Pettit moved that Item 5-006-R0774, Policy Regarding Fee Waivers, Montana University System (Amended), be withdrawn for consideration at a later time. Mrs. Pace seconded the motion and it carried.

Item 8-700-R0475, Staff, Eastern Montana College, was approved on motion of Mrs. Pace, seconded by Mr. Thomas.

Item 8-701-R0475, Authorization to Remove Residence, Eastern Montana College, was approved on motion of Dr. Pettit, seconded by Mr. Heberly.

Item 8-702-R0475, Authorization to Construct Parking Lots, Eastern Montana College, was approved on motion of Mr. Thomas, seconded by Mr. Heberly.

The chairman requested that a report be made to the Board on the matter of a replacement of the roof at a considerable cost on one of the buildings on the Eastern Montana College campus which is only four or five years old. Mr. Heberly so moved. The motion was seconded by Dr. Pettit and carried.

There was considerable discussion regarding Item 8-500-R0475, Staff, Montana College of Mineral Science and Technology, as to whether or not these people should remain on the tenure track. President DeMoney said he felt he should have some guidance on how to handle situations of this kind. Dr. Pettit moved that this item be deferred until the next meeting of the Board. Mr. Thomas seconded the motion and it carried.

President DeMoney distributed copies of Item 8-500A-R0475, Staff, Montana College of Mineral Science and Technology, as an addition to the agenda. The item was approved on motion of Mr. Thomas, seconded by Mr. Heberly.

President DeMoney said that in response to the Curriculum Committee request for a review of the Humanities Department at Montana College of Mineral Science and Technology he had distributed copies of a report to Commissioner Pettit.

Mrs. Pace asked President DeMoney why the legislative request for a new library for Montana Tech had been separated from the Regents' long range building program request. President DeMoney said the Butte legislative delegation decided to introduce the bill even though it was not included in the Regents' priorities.

President McIntosh pointed out the following amendments on Item 8-200-R0475, Staff, Montana State University:

On page one the salary designation for June C. O'Hanlon

should have the following added - "Rate (.50 FTE)"

On page five the designation "(T)" should be added to the effective date for Gary A. Refsland

The Item was approved as amended on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 8-201-R0475, Authorization to Request Appointment of Architect and Remodel a Portion of the Library, Montana State University, was approved on motion of Mrs. Pace, seconded by Mr. Heberly.

President McIntosh requested that Mr. Rovig comment on Item 8-202-R0475, Authorization to Request an Increase of \$90,000 in the Budget of the Running Track, Montana State University. Mr. Rovig stated that students had been working for the past year to resolve the problem of financing and they now feel they can proceed with the track with the funds available at this time. He said this project had been endorsed by the Associated Students of Montana State University and he therefore recommended approval. The item was approved on motion of Mr. Heberly, seconded by Mrs. Pace.

Dr. Pettit moved that Item 8-203-R0475, Request Approval of Fee Schedules for the Academic Year 1975-76 and Summer Quarter 1975, Montana State University, be deferred until after the meeting for discussion of the budgets. The motion was seconded by Mr. Heberly and carried.

Item 8-204-R0475, Authorization to Increase the Residence Hall's Social Fee, Montana State University, was approved on motion of Dr. Pettit, seconded by Mr. Thomas.

Item 8-205-R0475, Increase in Board and Room Rates for the Residence Halls, Montana State University, was deferred on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 8-206-R0475, Increase in Rental Rates for Family and Faculty Housing, Montana State University, was deferred on motion of Dr. Pettit, seconded by Mrs. Pace.

President McIntosh requested that Mr. Rovig comment on Item 8-207-R0475, Authorization to Collect the Student Activity Fee from all Graduate and Undergraduate Students Unless Otherwise Exempted, Montana State University. Mr. Rovig explained that there had been a poll of students on this matter and that 56.9% were in favor of it. The item was approved on motion of Mr. Thomas, seconded by Mrs. Pace.

Item 8-208-R0475, Authorization to Exempt Those Students of Montana State University Living or Attending Classes Outside of a 50 Mile Direct Road Distance from the MSU Campus from Paying the Student Activity Fee, Montana State University, was approved on motion of Dr. Pettit, seconded by Mr. Thomas. It was reported that this item was also a recommendation of the student body.

President McIntosh thanked the Board for its support for the University System budget request during the legislative session. He said in light of the time frame constraints presidents would not be able to force terminations consistent with current Board policy for the coming year since if contracts were not to be issued to faculty for next year, notification should be made immediately. He said in light of the appropriation which is evident at this time the presidents would need some guidelines from the Board on how to handle the funds available. Mr. James said the Board would have to meet in the near future.

Item 8-300-R0475, Staff, Agricultural Experiment Station, was approved on motion of Mrs. Pace, seconded by Mr. Heberly.

Item 8-400-R0475, Staff, Cooperative Extension Service, was approved on motion of Mrs. Pace, seconded by Mr. Heberly.

Item 8-100-R0475, Staff, University of Montana, was approved on motion of Mr. Thomas, seconded by Mr. Heberly.

Copies of Item 8-101-R0475, Yellow Bay Sewage Treatment Plant Budget Amendment, University of Montana, were distributed as an addition to the agenda. The item was approved on motion of Mr. Heberly, seconded by Dr. Pettit.

President Bowers reported that after being heard by the National Collegiate Athletic Association the University of Montana was given a private reprimand on five technical matters. He said that the committee now recognized that these matters have been taken care of and that none of them were intended.

President Bowers also reported that his budget situation was the same as that described by President McIntosh.

The next meeting of the Board was left to the discretion of the Commissioner of Higher Education.

The meeting adjourned at 11:15 a.m.