

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION

MONTANA UNIVERSITY SYSTEM

October 28, 1977

Bozeman, Montana

The Board of Regents of Higher Education met at 3:05 p.m., Friday, October 28, 1977, in the Ballroom of the Student Union Building, Montana State University, Bozeman, Montana.

The meeting was called to order by Chairman Ted James. Also present were: Mr. Lewy Evans, Mrs. Lola Hansen, Mr. Jeff Morrison, Ms. Mary Pace, Mr. John Peterson, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

On motion of Commissioner Pettit the minutes of the September 12, 1977 meeting were approved.

The Commissioner reported that the collective bargaining contract had just been ratified by the faculty at Western Montana College and should be ratified by the Board of Regents. Mr. Peterson so moved. The motion carried.

The Commissioner reported that Item 18-009-RI077, Inventory and Validation of Fees, Montana University System, had been added to the agenda. He moved that the item be approved. The motion carried.

The Commissioner reported there appeared to be some confusion developing on the University of Montana campus respecting the Regents' intentions on transferring funds between categories. President Bowers reported that decisions would be made about reductions in faculty in time for submission to the December meeting of the Board. Mr. Peterson moved that the Board re-affirm its position that there be no fund transfers from operations and library for the purpose of salaries or retention of faculty. The motion carried.

The Budget Committee had no report to make.

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Mr. Sid Thomas, Chairman of the Policy Committee, reported that the committee recommended approval of Item 17-006-R0777, Athletics;

Conference Participation (Revised), as amended in paragraph 1, line 4, to delete the word "both". He so moved. The motion carried.

Mr. Thomas moved approval of Item 18-002-R1077, Admission Requirements: General Policies; Montana University System, as amended to delete section 4 in its entirety and renumber the remaining sections accordingly, and in paragraph 5, line 9, after the word "setting" to add a period and delete the remainder of the sentence. The motion carried.

Mr. Thomas moved approval of Item 18-003-R1077, Admission Requirements: In-state Undergraduates; Montana University System, as amended under "Definitions", section 1, line 2, to add after the word "credits", the words "at another institution". The motion carried.

Mr. Thomas moved approval of Item 18-004-R1077, Admission Requirements: Out-of-State Undergraduates; Montana University System. The motion carried.

Mr. Thomas moved approval of Item 18-005-R1077, Policy Regarding Fee Waivers, Montana University System, with the following amendments:

On page 2, section 7, line 3, after the word "scholarships" add a comma and the words "fee waivers for faculty and staff, graduate teaching assistants and graduate research assistants".

On page 2, section 8, add to the last line the words "as an undergraduate student".

On page 2 under "Procedures" section 1, paragraph 2, line 3, the words "written notice" should be stricken and the word "authorization" inserted.

On page 3, section 3.(1), line 3, after the word "year", delete the word "with" and add the words "and earns" and after the word "on" add the word "all".

The motion carried and the Commissioner's staff was directed to submit a possible revision at the next meeting to amend the War Orphans Fee

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Waiver section on page 4.

Mr. Thomas moved approval of Item 18-006-R1077, Honor Scholarships, Montana University System, as amended on page 1 under "Procedures" 2.a. lines 3 and 4 to delete the words "has a cumulative grade point average of 3.50 or better". The motion carried.

Mr. Thomas moved approval of Item 18-007-R1077, Invention and patent policy, Montana University System, as amended on page 3, section 5.b.(1) on the last line after the word "rights" to add the words "less any direct costs of development". The motion carried, with Mr. Peterson voting "no".

Item 18-008-R1077, Authorization for Peter Potter Loan Trust Transactions, Montana University System, was approved on motion of Mr. Thomas.

Mr. Thomas moved approval of Item 18-201-R1077, Authorization to Collect Nursing Upper Division Petition Deposit, Montana State University, as amended to add the first sentence of the "Explanation" to the end of the first paragraph of the policy. The motion carried.

Mr. James reported that Attorney General Greeley had arrived. He introduced Mr. Greeley, who addressed the Board with a prepared statement respecting the Law Enforcement Academy. Mr. Greeley stated that a copy of the statement would be submitted to the Board for the record. After Mr. Greeley made his presentation Mr. James thanked him for appearing. Mr. James advised him, however, that the Board had also made a thorough investigation of the matter of the Law Enforcement Academy location. Mr. James acknowledged the fact that the statutes quoted by Mr. Greeley did exist but that the Board felt the Constitutional Convention held in 1972 takes precedent over them. He then entertained

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a motion from the Board. Mr. Morrison asked Mr. Forsell, Chief Legal Counsel for the Commissioner of Higher Education, for his opinion. Mr. Forsell stated that he had furnished the Attorney General an opinion on the matter. He repeated the fact that there is no question that the Board of Regents does have full power, responsibility, and authority to supervise, coordinate, manage and control the University System and if the Board determines that the Law Enforcement Academy cannot remain on the campus of Montana State University it can make that decision; since the existing statutes have been repealed by the constitution. Mr. Thomas asked the Attorney General if he felt it was proper to ask students who are attending Montana State University to pay for remodeling the quarters used by the Academy. Mr. Greeley stated that his feeling was that law enforcement students were no different from any other student and should be entitled to the same consideration as anyone. He said he did not entirely agree with Mr. Forsell's legal conclusion; and in his opinion the real question is whether the Board will cooperate with his office in trying to solve the problem. He said his personal opinion is that if student fees were used it would be all right because all students would benefit. Mr. Peterson stated that nothing had changed his mind that the Law Enforcement Academy presents a burden on Montana State University and that there are ample facilities at another unit of the University System which would allow the Academy to function. He said he felt the Board of Regents could cooperate fully with the Attorney General and the Law Enforcement Academy. He invited the Academy to use the facilities that have been offered at Western Montana College in Dillon. He then moved that the Board re-affirm its action of September 12, 1977 that

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the Law Enforcement Academy be moved from the campus of Montana State University by July 1, 1978. The motion carried, with Ms. Pace voting "no".

Ms. Pace, Chairman of the Curriculum Committee, reported that the committee voted to deny Items 9-211-R0775, Traffic and Safety Education, Teaching Minor, Montana State University, and 9-804-R0775, Teaching Minor in Safety Education, Northern Montana College, but felt they should be considered again by the full Board. She asked Dr. Irving Dayton to explain to the Board the rationale for the Commissioner's recommendation that the items be approved. He did so. Mr. Peterson moved that both items be approved. Dr. Pettit stated he felt it would be a disservice to the students if the Board did not approve these proposals, but the larger problem is the procedures by which the certification standards are devised. Ms. Pace asked if the Commissioner had seen any more evidence of better cooperation from the Department of Public Instruction on this matter. Dr. Dayton reported that he had just sent out invitations to Board members to attend Teacher Education Panel Discussions sponsored by the Office of Public Instruction and the Commissioner's Office, and he hoped as many Board members as possible could attend when these sessions are held in their areas. Mr. Thomas moved that the motion be amended to add the provision that no additional faculty be added to teach these courses without specific approval of the Board. The motion carried.

Ms. Pace moved that the Board of Public Education and the Superintendent of Public Instruction be asked to refer any changes in policy standards concerning teacher certification to the Commissioner's Office for review. The motion carried.

Ms. Pace moved that Item 18-808-R0977, Minor in Theatre Arts, Northern Montana College, be approved. The motion carried.

Ms. Pace moved that the Committee recommendation to deny Item 18-803-R0977, Bachelor of Arts in History with a concentration in Canadian Studies plus an Associate of Arts Degree in Canadian Studies, be accepted and that a substitute item for liberal arts minor in Canadian Studies be approved in accordance with the recommendation of the Commissioner. The motion carried.

Item 18-810-RI077, Minor in Native American Studies, Northern Montana College, was approved on motion of Ms. Pace with the stipulation that it not be used as a teaching minor.

Ms. Pace moved that instead of the timetable for program review approved in October of 1975 the Commissioner's recommendations on guidelines for program review be approved, with the understanding that an initial lateral review of all programs will be conducted. The motion carried.

Ms. Pace reported the Curriculum Committee recommended that the Board meet in Billings for an open forum after the first of the year (possibly in January or February) to discuss the ramifications of a name change for Eastern Montana College. She stated the presidents should be prepared to report on how the change in status for Eastern would affect each unit and how it would affect the entire system as well.

Commissioner Pettit indicated that the Council of Presidents had no report at this time.

Dr. Kenneth Brett, Chairman of the Inter-Unit Faculty Council, reported that the Council had voted to request a meeting with the Board of Regents again this year since they felt the meeting held last year had been very productive. Mr. James asked that such a meeting be arranged by the Commissioner. Dr. Brett reported that the Council had abandoned the effort to have a

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faculty member appointed to the Board, but they had designated a representative to work with each of the Board committees.

Mr. Lewy Evans, Chairman of the Capital Construction Committee, moved the approval of the following items in accordance with the Committee recommendation:

Item 18-103-RI077, Classroom Furniture-Classroom Building, University of Montana

Item 18-104-RI077, Resurface Tennis Courts, University of Montana

Item 18-105-RI077, Planning Fine Arts Facility, University of Montana

Item 18-106-RI077, Forestry Renovation-Science Complex, University of Montana

Item 18-107-RI077, Moving Expense-Classroom Building, University of Montana

Item 18-108-RI077, Renovations-Classroom Building, University of Montana

Item 18-202-RI077, Remodeling of Ground Floor & Lounge Area of Culbertson & Mullan Wings, Lewis & Clark Residence Halls, Montana State University.

Mr. Evans reported that Item 18-501-RI077, Authorization to Request an Architect/Engineer for and to Proceed with Preliminary Planning of Parking Lots and Site Improvements Adjacent to the Dormitory, Montana College of Mineral Science and Technology, was withdrawn and a revised Item 18-501-RI077, Authorization to Request Architects/Engineers for and to Proceed with Preliminary Planning of (1) Parking Lots and Site Improvements Adjacent to the Dormitory; (2) Renovations and Modifications of the Existing Physical Education Building; (3) Renovations and Modifications of the Existing Library Museum Building, Montana College of Mineral Science and Technology was recommended for approval. He so moved. The motion carried.

On motion of Mr. Evans, Item 18-809-RI077, Naming of Women's Residence Hall, Northern Montana College, was approved.

The Board recessed at 4:15 p.m.

The Board reconvened at 4:30 p.m. with the same members present.

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Mr. Taylor Brown, President of the Student Advisory Council, reported that the Council met with Steve Veazie of the Commissioner's legal staff on this date. He said that Jack Noble, of the Commissioner's staff, also met with them to explain the six mill levy and request a financial commitment from the students to help pass the levy. He reported that the Student Advisory Council had adopted a resolution in opposition to the proposed change in the status of Eastern Montana College to a university. He said the Council also recommended that the Curriculum Committee of the Board of Regents formulate standards and guidelines regarding university status for units of the Montana University System.

The following items were approved on motion of Mr. Thomas:

- Item 18-700-RI077, Staff, Eastern Montana College
- Item 18-500-RI077, Staff, Montana College of Mineral Science and Technology
- Item 18-200-RI077, Staff, Montana State University
- Item 18-300-RI077, Staff, Agricultural Experiment Station
- Item 18-400-RI077, Staff, Cooperative Extension Service
- Item 18-800A-RI077, Staff, Northern Montana College
- Item 18-600-RI077, Staff, Western Montana College

Mr. Thomas moved approval of Item 18-900-RI077, Staff, Commissioner of Higher Education. Since some "no" votes were heard, a roll call vote was taken. Mr. Thomas and Ms. Pace voted "yes"; Mr. Peterson and Mr. Morrison voted "no". Mr. James voted "yes" and the motion carried. (Mr. Evans was not at the table when the vote was taken; Mrs. Hansen abstained).

President George Bandy introduced Ms. Laurie Briney, the new student body president at Western Montana College, stating that this was the second time a woman had been elected president of this group at Western Montana College throughout its history.

It was agreed that the next meeting date would be announced by the Commissioner.

Dr. Brut reported that the Council had approved the effort to have a

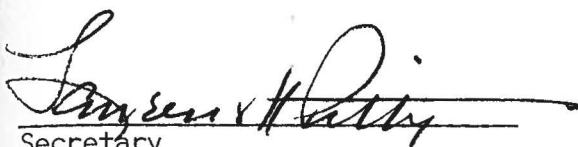
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The meeting adjourned at 4:30 p.m.

APPROVED:



Chairman, Regents of Higher Education,
Montana University System



Secretary

Item 18-009-R1077
INVENTORY AND VALIDATION OF FTES
MONTANA UNIVERSITY SYSTEM
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The foregoing Item No. 18-009-R1077
was approved on October 28, 1977
by the Regents of Higher Education,
Montana University System.



Secretary