

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

December 12, 1977
Helena, Montana

The Board of Regents of Higher Education convened an executive session at 9:00 a.m., Monday, December 12, 1977, in the Office of the Commissioner of Higher Education, Helena, Montana for the purpose of reviewing the Evaluation Committee report on the Commissioner of Higher Education.

The Board convened in open session at 10:30 a.m., Monday, December 12, 1977, 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. 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 October 28, 1977 and November 3, 1977 meetings were approved.

There was no report from the Capital Construction Committee, the Council of Presidents or the Faculty Council.

The Commissioner reported that Dr. Irving Dayton, Deputy Commissioner for Academic Affairs, had been working on several projects which were of significant interest to the Board. He asked Dr. Dayton to report. Dr. Dayton presented a status report on the Title VIII Coal Laboratories, the Ford Foundation proposal respecting facilities siting, the UAF satellite facility dealing with the area of developmental disabilities in Montana, and the teacher education panel, which was designed to develop better relationships and coordination between the University System and the Office of the Superintendent of Public Instruction.

Commissioner Pettit read the following statement and moved that the Board adopt it:

The Board of Regents acquiesces in and endorses the proposed action of the Board of Public Education to amend, transfer, or repeal portions of Title 10 of the Montana Administrative Code and grants to the Board of Public Education all necessary authority vested in

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the Board of Regents for such transfer, amendment or repeal. This action is taken in recognition of the fact that many of the provisions in Title 10 have been invalidated by the subsequently adopted 1972 Montana Constitution, and since they assumed an administrative structure under a Department of Education which was abolished in 1974, and since the Board of Regents is not now subject to the provisions of the Administrative Procedures Act, the Montana Administrative Code or the Administrative Rules of Montana, the Board of Regents supports the Board of Public Education's efforts to clarify the applicability of Title 10, MAC.

The motion carried.

The Student Advisory Council reported they had a meeting to establish their by-laws and they also adopted the following resolution:

WHEREAS, the Student Advisory Council has a singular concern for the high quality of education in Montana University System, and

WHEREAS, the academic quality of one institution, the University of Montana, is jeopardized by an over simplistic approach to faculty reductions, and

WHEREAS, the only realistic approach to reducing faculty without destroying academic quality is a program review process which examines the merits of faculty who may be tenured or nontenured,

THEREFORE BE IT RESOLVED that the Student Advisory Council requests the Montana Board of Regents of Higher Education to perform everything in its power to insure that a just and equitable process of faculty reductions is administered at the University of Montana.

FURTHER, the Regents must protect the university system of Montana from any process of faculty reductions that threatens the system's academic quality.

On motion of Sid Thomas, the following items were approved:

Item 19-700-R1277, Staff, Eastern Montana College
 Item 19-701-R1277, Addition to the Physical Education Building, Eastern Montana College
 Item 19-202-R1277, Increase in Special Fee for Skiing, Montana State University
 Item 19-300-R1277, Staff, Agricultural Experiment Station
 Item 19-400-R1277, Staff, Cooperative Extension Service
 Item 19-101-R1277, Law School Activity Fee Waiver, University of Montana

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Mr. Thomas then moved that Item 19-200-R1277, Staff, Montana State University, be approved. Mr. Peterson asked President Tietz to explain the duties of the new position of Legal Counsel/Special Assistant to the President at Montana State University. President Tietz explained that the position had been authorized by the Board during his predecessor's tenure, that he had just hired the man and that it was understood he would be responsible to the chief attorney in the Commissioner's office. Commissioner Pettit explained the history of the Board's actions respecting legal counsel for the University of Montana and Montana State University. The motion carried.

Chairman James explained the manner in which the remainder of the meeting would be conducted. He stated he would ask Commissioner Pettit to discuss the matter of the financial problem at the University of Montana with respect to the necessity for reducing its teaching staff. Mr. James indicated that following Dr. Pettit's statement President Bowers and each of the other presidents would be asked to comment, after which time comments from the audience would be heard.

The comments made by Commissioner Pettit are appended as Attachment I.

The comments made by President Bowers are appended as Attachment II.

On concluding his presentation President Bowers mentioned that Professor Walter Hill, Chairman of the Faculty Senate at the University of Montana, wished to make some comments.

Chairman James called a recess at 11:40 a.m. and stated that when the Board reconvenes at 1:15 P.M. Professor Hill would be heard.

The Board reconvened at 1:15 p.m. with the same members present.

The presidents from Montana State University, Montana Tech, Northern Montana College and Eastern Montana College explained the extent to which program reviews were being carried out on their campuses and the processes used. Commissioner Pettit explained what was being done in the area of systemwide program review.

The chairman called a recess at 2:10 p.m. The Board reconvened at 2:40 p.m.

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The comments made by Professor Hill are appended as Attachment III. Professor Hill called attention to a petition that had been circulated and signed by 270 University of Montana faculty members and a resolution which had been adopted by the Faculty Senate at the University of Montana and one which was adopted jointly with the students.

Mr. Greg Henderson, Student Body President at the University of Montana, made a presentation, stating that the students could not support any plan for reducing faculty beyond what was recommended by the Academic Program Review Committee.

A lengthy discussion followed, with a number of members from the Students for Justice and various faculty members from the University of Montana commenting.

There was a request from the audience that members of the Board comment on the situation. Ms. Pace pointed out that the dilemma the Board is facing is what to do about the short-range problem. She stated that all of the concerns and suggested long-range plans pointed out by people in the audience made sense but they did not solve the problem of having to notify faculty members in two days that it is necessary that they be terminated in order for the University of Montana to meet its budget in the next year. Mr. Thomas replied that he agreed with Ms. Pace that the Board would be willing to do anything necessary to assist with any long-range problems at the University of Montana. He said he felt that administrators' salaries had been cut to a bare bones status, that cutting faculty salaries would not leave the Board in a tenable position at this time, that he was surprised that under the circumstances the number of people to be dismissed was only nineteen. Mr. Thomas explained that the Board was given a very clear message that it should not transfer any funds from capital or library for the purpose of retaining faculty beyond the recommended ratio. Mr. Peterson expressed his feeling that going into deficit spending, as some had suggested, would be the most tragic course the Board could take since there would be no assurance that a supplemental appropriation to cover the deficit would be forthcoming. Mr. Morrison state this position would not enhance the Board's credibility in the State. Mr. Thomas stated that a more serious question the Board is facing is whether or not it should

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declare a state of financial exigency so that termination of tenured faculty could be given serious consideration by the Board. He moved that this matter be referred to the Policy Committee for discussion at the next meeting.

Mr. James asked Judy Rippingale, who is a member of the staff of the legislative fiscal analyst, to comment on her assessment of the attitude of the interim finance committee to assist with this situation. Ms. Rippingale hesitated to speak for the committee, but did state she felt the committee would point out that there are many other programs in the state which are in financial difficulty and members of the committee would probably be very cautious in supporting any agency for deficit spending. Mr. Peterson moved that the Board accept President Bowers' recommendations outlined in his report as follows:

1. Reduce FTE faculty by 60.64 from the base number of positions in 1977-78
2. Cancel temporarily all sabbatical leaves except where prior commitments have been made to individual faculty members.
3. Reduce the summer session budget by \$40,000.
4. Impose a one-year moratorium on promotions and merit salary increases, not to preclude less-than-normal increases.
5. Create a reserve of approximately \$90,000 by temporarily freezing all administrative salaries.

The motion carried.

The meeting adjourned at 4:30 p.m.

APPROVED:



Chairman, Regents of Higher Education,
Montana University System


Secretary