

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

DATE: January 21, 1983
TIME: 9:10 a.m.
LOCATION: Conference Room
Montana University System
33 South Last Chance Gulch
Helena, Montana
REGENTS PRESENT: Morrison, Pace, Hurwitz, Keck, Knight, Redlin, Evans
Commissioner of Higher Education Irving E. Dayton
REGENTS ABSENT: None
PRESIDENTS ATTENDING: Bucklew, Tietz, DeMoney, Carpenter, Thomas, Erickson
PRESIDENTS ABSENT: None
COMMITTEE MEETINGS HELD: Budget Committee; Capital Construction Committee;
(January 20, Curriculum Committee; By-Laws and Policy Committee
1983)

The meeting of the Board of Regents of Higher Education was called to order by Chairman Jeff Morrison at 9:10 a.m. on Friday, January 21, 1983. Committee meetings were held on Thursday, January 20, 1983 beginning at 2:15 p.m. An Executive Session on collective bargaining and litigation was also held on January 20.

Chairman Morrison asked for additions or corrections to the minutes of the December 10, 1982 meeting. Professor Archie Alexander, Chairman of the Faculty Association, Montana State University, requested that the minutes be amended on page 13 to include in the report of the Faculty Association that Dr. Don Beuerman, Chairman, Faculty Council, Montana College of Mineral Science and Technology, also made a presentation to the Board and participated in the discussion. With that correction, the minutes of the December 10, 1982 meeting were ordered approved.

January 21, 1983

Regent Darla Keck, Chairman of the By-Laws and Policy Committee, reported the committee received Item 38-1000-R0183, Community College Education Centers for consideration at a future meeting.

Regent Keck reported the Policy Committee recommended the following items be approved:

Item 18-005-R1077, Fee Waivers, Montana University System
(REVISED)

Item 38-301-R0183, Authorization for the Montana Agricultural Experiment Station to Establish an Advisory Council; Agricultural Experiment Station

She so moved. The motion carried.

Regent Burt Hurwitz reported the Budget Committee recommended Item 38-101-R0183, Resolution on Tuition and Budget Changes of the School of Law, University of Montana, be approved. He so moved. The motion carried.

President Tietz, Montana State University, presented a Program Improvement Request for the Water Resources Research Center, Montana State University, with a total biennium budget request of approximately \$260,000. Montana's commitment to water development as evidenced by SB 409 and other newly enacted and proposed legislation will give rise to many water management problems. This problem modification is a joint effort on the part of Montana State University and Montana Tech to address those problems. President Tietz particularly stressed the benefits of the surface water resources data management system which is a new activity proposed by this modification. Ground water data management is the responsibility of the Montana Bureau of Mines and Geology. President DeMoney, Montana Tech strongly endorsed the program modification as to need, and as an example of cooperation among units of the System. After review of the justification and discussion, Regent Keck moved the program modification be approved and submitted to the legislature. The motion carried.

January 21, 1983

Regent Lewy Evans, Chairman of the Capital Construction Committee, reported the committee recommended Item 38-202-R0183, Authorization to Purchase and Install Computer, Television and Security/Energy Cable between Buildings; Montana State University, be approved. He so moved. The motion carried.

Regent Evans reported the Capital Construction Committee recommended the last paragraph of Item 38-102-R0183, University of Montana Stadium, be amended as follows:

"THAT, the Board of Regents approves this project in principle, subject to review of the project proposal and final approval by the Board, and authorizes the University of Montana to seek a Joint Resolution of the Montana Legislature in this regard."

The Committee recommended the item be approved as amended.

Marquette McRae-Zook, President, Associated Students, University of Montana, requested that no action be taken on the item until a vote is held by the students at the University to determine if students support the use of building fees for such a project. She stated both Regents' policy and policy of the University of Montana require such action before committing Regents' building fees to a proposed project.

Regent Knight noted that this had been discussed by the Capital Construction Committee. The item before the Board does not grant any spending authority. The item authorizes the University to seek a Joint Resolution from the Legislature which would grant Legislative approval in the coming biennium for either renovation of the current stadium or construction of a new stadium if either of those is the recommendation of the study committee. The amendment recommended by the Capital Construction Committee would mandate review of any project proposed and final approval by the Board of Regents. In the event a recommendation is made by the study committee that would involve use of Regents' building fees, a vote of the students would be held to ascertain support. At this time, there is no specific proposal on which the students could vote.

January 21, 1983

Regent Lewy Evans moved that Item 28-102-R0183 be approved as amended. The motion carried.

Regent Evans reported the Capital Construction Committee received the following additions to the agenda, and recommended their approval:

Item 38-801-R0183, Authorization to increase spending authority- Parking Lot Construction; Northern Montana College

Item 38-602-R0183, Designation of the William T. Straugh Gymnasium, Western Montana College

He so moved. The motion carried.

Regent Evans reported the Capital Construction Committee received a report from Montana State University on that campus's long range energy planning study.

Regent Mary Pace, Chairman of the Curriculum Committee, reported the committee received the following two items for consideration at a future meeting:

Item 38-701-R0183, Early Childhood Studies Minor, School of Education, Eastern Montana College

Item 38-601-R0183, Review of Role and Scope; Western Montana College

Regent Pace reported the Curriculum Committee recommended that Item 38-701-R1282, Health Education Minor, Eastern Montana College, be approved with the stipulation that if the student's major is Health and Physical Education, then a minor other than Health is required. She so moved. The motion carried.

Regent Pace reported the Curriculum Committee recommended Item 38-702-R1282, Statistics Minor, School of Liberal Arts; Eastern Montana College, be approved. She so moved. The motion carried.

The Collective Bargaining Committee and the Community College and Vocational Educational Committee had no report.

January 21, 1983

Chairman Morrison stated that without objection the order of the agenda would be revised and matters under New Business would be considered next in order that the presentation listed on the agenda under Unfinished Business could be held at the time stated.

The residency appeal of Wyvonne Cooper was presented to the Board for consideration. Commissioner Dayton informed the Board that the appellant was notified of the date and time of the hearing by certified mail. The return receipt was received with the proper signature. It was the consensus of the Board that the appeal be heard.

Chairman Morrison asked if Ms. Cooper or a representative was present, and received no response. Counsel Laurence Weinberg reviewed the documentation on the appeal as set out in the memorandum and supporting material sent to the Regents with the agenda. He recommended the Board uphold the Commissioner's denial of in-state classification for fee purposes.

The Regents discussed at length the grounds on which the appeal was denied, and Regents' policy which sets the qualifications for in-state classification for fee purposes. At the conclusion of the discussion, Regent Pace moved that the Commissioner's decision to deny the appeal be upheld and in-state classification for fee purposes be denied. Regents Knight and Evans voted no. Regents Pace, Keck, Redlin and Hurwitz voted yes. The motion carried.

Commissioner Dayton began his report by calling attention to the still photography exhibit in the conference room. The exhibit is the work of the faculty in the Photography Option of the Department of Film and Television Production at Montana State University. Dr. Dayton expressed appreciation to those faculty members and to the other faculty groups who have provided exhibits in the past two years.

At the Commissioner's request, William Lannan, Director of Special Projects, reported on the meeting held earlier that day of the Board of

January 21, 1983

Directors of the Montana Higher Education Student Assistance Corporation (MHESAC) and the progress that has been made in forming the secondary market for the Guaranteed Student Loan Program. Mr. Lannan presented the revised time table for the bond sale discussed with the Regents at the December 10, 1982 meeting. He reviewed the Commitment Agreement, Student Loan Revenue Bonds Series A among MHESAC, the Board of Regents, and Northwestern National Bank of Minneapolis, and the Guarantee Reserve Agreement between MHESAC and the Board of Regents. Both documents are before the Board for approval under Item 38-901-R0183, Approval of the Commitment Agreement and Guarantee Reserve Agreement and authorizing the Commissioner of Higher Education to sign the agreements and authorizing the Commissioner to negotiate and sign the Bank Guarantee Reserve Agreement on behalf of the Board of Regents of Higher Education (an addition to the agenda).

Mr. Lannan introduced Mr. John Oitzinger, counsel for MHESAC, who responded to Regents' questions on the documents.

On motion of Regent Keck, Item 38-901-R0183 was approved.

Commissioner Dayton reported briefly on legislative matters. Copies of the bill status sheets prepared in the Commissioner's office which show bills followed by the System and staff assigned, were distributed to the Regents. The status sheets are updated daily, and will be sent to the Regents and others on a weekly basis during the legislative session.

Commissioner Dayton also reported that the five student lobbyists are provided space in the Commissioner's office for the duration of the legislative session. He applauded the cooperation among the student lobbyists, and stated his appreciation for their support of the System's concerns.

The Board recessed at 9:50 a.m. and reconvened at 10:05 a.m. with the same members present.

January 21, 1983

Chairman Morrison stated that the next order of business would be the proposal to extend the offering of certain nursing school prerequisites now available only at Montana State University, Bozeman, to other campuses. The proposal was prepared by Mr. Thomas G. Monahan and Ms. Shirley Linderman of Billings, Montana, who requested the matter be placed on the agenda for reconsideration. Mr. Monahan and Ms. Linderman were present.

At its June 1982 meeting, the Board instructed the Commissioner's office and the campuses to conduct no further studies of the System's nursing programs pending the outcome of the review of the Role and Scope statement. The question presented to the Board is whether it wishes to reconsider that action.

Mr. Thomas Monahan presented the proposal on behalf of those persons who wish to have the courses offered at extended campuses (on file). Dr. Carrol Krause, Deputy Commissioner for Academic Affairs, reported on his review of the nursing program. His remarks also addressed questions raised by Mr. Monahan in his presentation. Dr. Krause recommended that the five lower division courses not be offered at any location other than Bozeman.

The Board heard testimony from students at Eastern Montana College and members of the Billings community in support of the proposal.

Testimony in opposition to extending the courses was heard from students from Great Falls and Missoula, and from instructors in the program.

Following the presentations, the Board discussed the feasibility of alternative ways of providing the courses at extended campuses. Costs of providing a "roving summer session" program were discussed. Issues of accreditation of the nursing program, quality, and duplication were discussed.

At the conclusion of the discussion, Chairman Morrison asked if any member of the Board wished to make a motion for reconsideration. No

January 21, 1983

motion was heard. The Chairman stated that lacking a motion to reconsider, the issue would stand as previously decided. Chairman Morrison added that the Board urges President Tietz and Dean Anna Shannon to continue to examine this program, and as it becomes desirable, to make changes.

Commissioner Dayton reported on the legislative status of the budget. He noted that HB 412 has been introduced. This bill includes the supplementals requested by the University System. Hearings on University System budgets will begin in early February.

William Lannan, Director of Special Projects, distributed and reviewed copies of a comparison of the Regents' recommendations and the Executive branch recommendations of the 1983-85 Biennium Long Range Building Program. (on file) No hearings have been scheduled by the Legislature's Long Range Building Committee at this time.

At the conclusion of the review, Commissioner Dayton stated that while the System appreciated the Executive branch recommendation to fund the two buildings which are fundamental to two of the institutions, there is strong disappointment that so little was recommended for remodeling, renovation and improvement of existing space. On many of those requests a relatively small investment now would make a major change in utilization of space involved and quality of instruction and research.

Regent Lewy Evans stated that as this was his last meeting as a member of the Board of Regents he would like to speak to two matters that he felt urgently need attention by the Board. This first was his belief that there should be a serious effort in the next biennium to devise a permanent solution for taking care of major maintenance items throughout the System. These needs grow faster than they are being met and each biennium the System falls further behind in keeping existing space up to standard.

January 21, 1983

The second concern Regent Evans expressed was that of energy costs to the System in the coming years. He suggested exploring use of coal tax funds in some manner to provide for a study and execution of a plan to address energy needs, with a pay-back to the coal tax fund within a stated period of time. Regent Evans said he believed that if plans were made and executed to develop ways to conserve energy and to develop alternative energy sources, the savings would provide the pay-back.

Chairman Morrison concurred, and added this reinforces the System's need for a System Facilities Planner. Funding for such a position is being requested of the Legislature. Commissioner Dayton also endorsed Regent Evans' suggestions.

Commissioner Dayton reported the last meeting of the Council of Presidents was devoted mostly to legislative matters, and the minutes of that meeting have been sent to the Regents. He called attention to the informational booklets distributed by Eastern Montana College and Northern Montana College as part of the System's public-awareness program.

Professor Archie Alexander, Chairman, Faculty Council, Montana State University, reported the Faculty Association is studying ways to pursue matters discussed with the Board at its December 1982 meeting.

Gale Hart, President, Student Advisory Council, introduced the five student lobbyists who will represent the campuses during the legislative session. They are: Lee Purdy and Dennis Wagner, Montana State University; Jean Marie Souvignee and Julie Fosbender, University of Montana; and Joel Hardy representing the coalition of the other four units.

Ms. Hart reported on the students plans to support legislative matters of concern to students, particularly the work-study legislation. A "statewide student lobby day" will be held later in the session. Ms. Hart will keep the Regents advised. Ms. Hart also stated the students strongly support the Regents' budget requests and tuition increase.

January 21, 1983

Ms. Hart thanked Regent Lewy Evans on behalf of the students for his contributions to the System during his ten years' service as a Regent.

Brad Diede, President, Associated Students of Montana State University, reported on ASMSU's budgeting process which is just getting under-way. He extended an invitation to any Regents who are planning to visit Montana State University to stop in the ASMSU office. ASMSU would welcome an opportunity to show the Regents the programs presently funded by ASMSU, and explain other areas ASMSU will be appropriating funds to in the coming year.

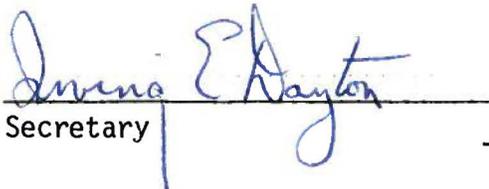
Commissioner Dayton read Item 38-005-R0183, Resolution upon the Retirement of Lewy Evans, Jr., from the Board of Regents of Higher Education into the record, and recommended its approval. The resolution was unanimously approved.

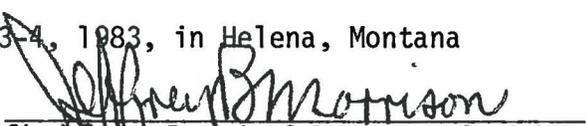
On motion of Regent Darla Keck, the following items were approved.

- Item 38-100-R0183, Staff, University of Montana
- Item 38-200-R0183, Staff, Montana State University, amended on page 2 to delete George F. Shroyer, EdD.
- Item 38-300-R0183, Staff, Agricultural Experiment Station
- Item 38-400-R0183, Staff, Cooperative Extension Service
- Item 38-500-R0183, Staff, Montana College of Mineral Science and Technology
- Item 38-700-R0183, Staff, Eastern Montana College
- Item 38-800-R0183, Staff, Northern Montana College
- Item 38-900-R0183, Staff, Office of Commissioner of Higher Education

The meeting adjourned at 12:05 p.m. The next regularly scheduled meeting of the Board is March 3-4, 1983, in Helena, Montana

APPROVED:


Secretary


Chairman, Board of Regents of Higher Education, Montana University System