

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

DATE: July 28 and 29, 1983
TIME: 1:00 p.m., July 28; 8:30 a.m., July 29
LOCATION: Conference Room
Montana University System
Helena, Montana
REGENTS PRESENT: Morrison, Pace, Keck, Hurwitz, McCarthy, Knight
Commissioner of Higher Education Irving E. Dayton
REGENTS ABSENT: Redlin
PRESIDENTS ATTENDING: Bucklew, Carpenter, Erickson, Tietz
Vice President Turley attending for President DeMoney
Vice President Hively attending for President Thomas
PRESIDENTS ABSENT: DeMoney, Thomas
COMMITTEE MEETINGS: Budget Committee; Capital Construction Committee;
Curriculum Committee; By-Laws and Policy Committee

Chairman Morrison called the meeting to order at 1:00 p.m. on Thursday, July 28, 1983.

At Chairman Morrison's request, Chief Counsel LeRoy Schramm explained that the Regents would recess immediately and reconvene in executive session to discuss the ramifications to the System of the recent Supreme Court decision which grants absolute hiring preference to veterans, their spouses and to disabled persons (the "Crabtree" decision).

Chief Counsel Schramm noted that because of the Regents' constitutional authority to govern the University System, questions have arisen on how the recent Supreme Court ruling should be applied in the System. Although no legal action is currently pending, the possibility of litigation was deemed sufficient cause for the Regents to discuss the matter in executive session.

Media representatives present protested discussion in executive session since the Montana Open Meetings Act allows no exception for executive session discussion of pending litigation. Chief Counsel Schramm stated that he thought the litigation exception also covered discussion of potential litigation. Chairman Morrison then called the Board into executive session.

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The Regents reconvened in open meeting at 2:30 p.m. Chairman Morrison announced that possible legal actions and options were considered in executive session, but no decisions were made on a definite course of action.

Meetings of the Budget Committee, Capital Construction Committee and By-Laws and Policy Committee were held. The meeting recessed at 5:00 p.m. to reconvene at 8:30 a.m. on Friday, July 29, 1983 for the Curriculum Committee meeting.

Chairman Morrison called the full Board of Regents meeting to order at the conclusion of the Curriculum Committee meeting on Friday, July 29, 1983. Roll call was taken and it was determined that a quorum was present.

Chairman Morrison called for additions or corrections to the minutes of the last meeting. None were stated, and the minutes of the June 14, 1983 meeting were ordered approved.

The Chairman called for committee reports. Regent Mary Pace reported the following items were recommended for approval by the Budget Committee:

Item 40-201-R0783, Educational Service Fee; MPA Program; Montana State University

Item 40-601-R0783, Room and Board Fee Increase; Western Montana College

Item 40-103-R0783, Student Union Fee; University of Montana

Item 40-104-R0783, University Center Operating Fee; University of Montana

Item 40-004-R0783, Resolution Regarding Lease Participation Notes/Telephone System; Montana University System

She so moved. The motion carried.

Regent Pace reported the Budget Committee recommended that Item 40-003-R0783, Resolution Regarding Refinancing of State General Obligation Bonds; Montana University System, be amended in paragraph 1 to strike the

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words "and Montana College of Mineral Science and Technology." The Committee recommended the item be approved as amended. She so moved. The motion carried.

Regent Pace reported that the Budget Committee heard testimony and discussed at length Item 39-001-R0683, Computer Fee, Montana University System. Campus representatives strongly urged postponing action on this item, stating that acting on a fee increase in the summer does not provide adequate opportunity for student participation. Other discussion centered on what the monies collected would be used for, legislative responsibility to provide funds for computer acquisition as opposed to additional student assessment, and establishing a policy review date and review of implementation and use of the monies generated by the fee.

Regent Pace stated that the Budget Committee recommended approval of the computer fee item amended as follows:

AMENDMENT: In paragraph 5, insert the words "on campus" as follows: "10% of all collections shall be reserved on campus for system-wide projects..."

Add to paragraph 5: "The funds may be released by the Commissioner to the individual campuses upon yearly review."

Add new paragraph 7: "7. This policy and the implementation and use of the fee shall be reviewed by July of 1985."

The motion to approve Item 39-001-R0683 as amended carried.

Regent Keck requested further amendment of new paragraph 7 to change "July" to "January, 1985." This would allow review of the policy and its implementation prior to the next legislative session. The motion to approve the computer fee as further amended carried, with Regents Keck and Pace voting no. Chairman Morrison noted that while the fee will aid in acquisition of small equipment and software, the System will continue to actively pursue funding through the legislature for major computer acquisitions.

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Regent Burt Hurwitz, Chairman of Capital Construction Committee, reported the committee recommended the following items be approved:

- Item 40-101-R0783, Naming of the building currently housing the Department of Social Work and Environmental Studies Program; University of Montana
- Item 40-102-R0783, Naming of the Clinical Psychology Building, University of Montana
- Item 40-105-R0783, Resolution authorizing the exchange of real property between the Montana Forest and Conservation Experiment Station (hereinafter referred to as MFCES) and the Lindberg Cattle Company, Champion International Corporation and the State of Montana, Board of Land Commissioners and authorizing the President of the University of Montana and the Director of MFCES to execute all documents and to take all steps necessary to effectuate these exchanges; University of Montana
- Item 40-202-R0783, Authority to select an engineer and proceed with Phase III of the On-Campus Living Fire/Smoke Detection System; Montana State University

The motion to approve all capital construction items carried. Regent Knight abstained from voting on Item 40-105-R0783 because one of the parties involved is his client.

Regent Keck, Chairman of By-Laws and Policy Committee, reported the following item was received for consideration at a future meeting:

- Item 40-001-R0783, Campus Health and Safety; Montana University System

The committee moved the following item to the Action Agenda, recommending approval as amended:

- Item 40-002-R0783, Montana Work Study Program; Montana University System

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AMENDMENT: Page 3, second paragraph of Section V, insert "or the President's designee" as follows:

"In addition, the financial aid administrator or the President's designee shall have the following responsibilities..."

The Montana Work Study Program was approved unanimously as amended.

The By-Laws and Policy Committee recommended the following items be approved:

Item 26-021-R0380, Faculty Receiving Board of Regents' Contracts, Probation and Tenure; Montana University System

Item 39-003-R0683, Restricting Access to Campus Property; Montana University System

Item 39-603-R0683, Authorization to change the academic structure at Western Montana College, (REVISED)

Motion to approve these items carried unanimously.

Regent Knight moved approval of tentative collective bargaining contracts between the Montana University System and:

- (1) Montana Public Employees Association (Systemwide)
- (2) AFSCME Local 2235 (Northern Montana College)
- (3) AFSCME Local 441 (Miles City Experiment Station)
- (4) Missoula Printing Pressmen and Assistants Union, Local 242 (University of Montana)
- (5) International Typographical Union No. 277 (University of Montana)

The motion carried unanimously.

Regent Mary Pace, Chairman of the Curriculum Committee, recommended the following items be approved:

Item 39-601-R0683, Authorization for a Bachelor of Arts Degree in American Studies; Western Montana College

Item 39-602-R0683, Authorization for a Bachelor of Science Degree in Business; Western Montana College

Motion to approve carried unanimously.

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The Curriculum Committee recommended the following item be deferred:

Item 39-502-R0483, Bachelor of Science Degree in Employee Health, Recreation and Fitness; Montana College of Mineral Science and Technology

The motion to defer Item 39-502-R0483 carried unanimously.

Revision of the WAMI contract was discussed under old business. Commissioner Dayton explained that the University of Washington sent changes to the WAMI contract in an addendum. The contract was rewritten incorporating those changes and approved by the Regents at their March 4, 1983 meeting. The University of Washington later indicated the contract did not set forth the original intent and requested additional revision. After a series of discussions, the new version of the revised contract presented for approval today was agreed upon.

The revised contract represents a fundamental shift in the way the financing of the program is approached. After analysis and experience with the program, it has been determined that budgeting should be based on total program cost for a program which will accommodate 20, plus or minus one or two students per year, not on a cost per student basis. Dr. Dayton briefly reviewed the operational consequences of this change as outlined in his memorandum to the Regents dated July 29, 1983 (on file).

Regent Keck moved that the revised WAMI contract be approved. The motion carried unanimously.

Under new business, Regent McCarthy moved approval of the following gubernatorial appointments to local executive boards:

Montana State University

Vernon Westlake, re-appointed to serve a 3-year term

Eastern Montana College

Victor Miller, re-appointed to serve a 3-year term

Western Montana College

Carl Davis, re-appointed to serve a 3-year term

University of Montana

Robert Deschamps III, re-appointed to serve a 3-year term

Northern Montana College

Margaret Moffatt, re-appointed to serve a 3-year term

Montana College of Mineral Science and Technology

Blanche Copenhaver, re-appointed to serve a 3-year term

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The motion carried unanimously.

Commissioner Dayton complimented the Northern Montana Faculty on the quality of the art exhibit currently being displayed in the Regents' conference room.

The Commissioner reported that the University of Montana has received full accreditation for its programs in Physical Therapy and Pharmacy.

Commissioner Dayton reported that a meeting has been scheduled the first week in October to address questions raised in the last legislative session concerning service or payback to the state from WICHE and WAMI students. Dr. Roy Llewallen, past Chancellor of the Oregon System and former Chairman of the WICHE Commission, will act as facilitator/resource person for the meeting. Dr. Dayton will report to the Regents on the results of that meeting when the Board meets in October.

Paul Dunham, Director of Research and Services, presented a report on where the System now stands, and where it should go in the future, in computer acquisitions, usage and education.

Commissioner Dayton elaborated upon the advanced capabilities of text processing now in use, and reported on current usage of the SHEEO communication system.

Under the Council of Presidents' report, President Carpenter, Eastern Montana College, reported that Dr. Samuel H. Rankin, Jr. has been appointed Eastern Montana College's new Academic Vice President. President Carpenter commended Dr. Robert McRae for his outstanding services to Eastern Montana College as Acting Academic Vice President during the interim.

President Tietz, Montana State University, announced the following administrative staff changes. Director of Administration Tom Nopper has resigned that position, and accepted the position of Vice President for University Affairs. Dr. Jim Pickett will serve as Acting Director of

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Administration. Assistant Director of Administration James Ness has resigned, and will be replaced by Lee Nelson. A search is being conducted for a new Dean of Student Services.

No reports were submitted by the Superintendent of Public Instruction, Board of Public Education and the Faculty Association.

David Bollinger, ASUM, expressed concern about comments made by the Regents and Commissioner during committee discussion on the computer fee. He pointed out that summer students represent only 20 to 25% of the average student population. The remaining portion of summer students are usually teachers seeking recertification. Regent Knight responded that it is his belief that University of Montana summer students are average students and that there is opportunity to solicit their opinions for presentation to the Board of Regents.

Chief Counsel LeRoy Schramm announced he had just received a telephone call from the Montana District Council of Laborers indicating settlement of negotiations with the System. Regent Knight moved approval of the tentative agreement between the Montana University System and the Montana District Council of Laborers. Motion carried unanimously.

Regent Knight reported that he, Regent Pace and representatives of the Board of Public Education met with Governor Schwinden yesterday afternoon. The purpose of the meeting was to continue dialogue on the issue of implementing programs that enhance the quality of education. A list of issues was developed. The September meeting will pare the list down to identify needs for common action. A special meeting of the joint board in November is proposed to address those issues specifically.

On motion of Regent Keck, the following items were approved:


Item 40-100-R0783, Staff, University of Montana
Item 40-106-R0783, Resolution Concerning the Retirement of
Harold W. Bockemuehl, Associate Professor
of Geography; University of Montana

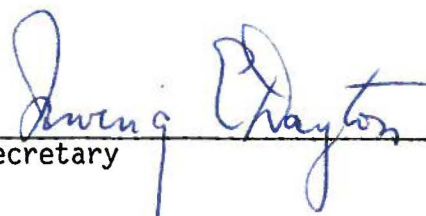
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- Item 40-107-R0783, Resolution Concerning the Retirement of Vera Dersam, Associate Professor, Department of Social Work; University of Montana
- Item 40-108-R0783, Resolution Concerning the Retirement of James L. Faurot, Professor of Forestry; University of Montana
- Item 40-109-R0783, Resolution Concerning the Retirement of William H. Fisher, Professor of the School of Education; University of Montana
- Item 40-110-R0783, Resolution Concerning the Retirement of George H. Millis, Professor of the School of Education; University of Montana
- Item 40-111-R0783, Resolution Concerning the Retirement of Sara Cole Steensland, Professor and Chair of the Department of Home Economics, University of Montana
- Item 40-112-R0783, Resolution Concerning the Retirement of John J. Taylor, Professor of Microbiology, University of Montana
- Item 40-200-R0783, Staff, Montana State University
- Item 40-300-R0783, Staff, Agricultural Experiment Station
- Item 40-400-R0783, Staff, Cooperative Extension Service
- Item 40-500-R0783, Staff, Montana College of Mineral Science and Technology
- Item 40-600-R0783, Staff, Western Montana College
- Item 40-700-R0783, Staff, Eastern Montana College with Addendum
- Item 40-710-R0783, Degrees, Eastern Montana College
- Item 40-810-R0783, Certificates and Degrees; Northern Montana College

The meeting adjourned at 11:15 a.m. The next regulary scheduled meeting of the Board of Regents is September 15-16, 1983, in Helena, Montana.

APPROVED:


Chairman, Board of Regents of Higher Education
Montana University System


Secretary