

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

DATE: December 11-12, 1986

LOCATION: Lewis & Clark Conference Room
Student Union Building
Eastern Montana College
Billings, Montana

REGENTS PRESENT: Morrison, Birkenbuel, Hurwitz, Kaze, Lind,
McCarthy, Redlin
Commissioner of Higher Education Carrol
Krause

REGENTS ABSENT: None

PRESIDENTS PRESENT: Koch, Carpenter, Merwin, Norman, Treadway
Tietz

PRESIDENTS ABSENT: None

Minutes of Thursday, December 11, 1986

Chairman Morrison called the meeting to order at 10:00 a.m. Roll call was taken and it was determined a quorum was present.

Chairman Morrison called for additions or corrections to the minutes of the previous meeting. It was reported a motion made and approved in the Budget Committee was inadvertently omitted. The following paragraph should be inserted on page 18 of the October 23-24, 1986 minutes, at the conclusion of the Budget Committee report:

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"Mr. Noble stated the Governor's Budget Office had been informed a supplemental request of approximately \$4,500 would be made to provide money to pay the statutory per diem of the Regents for this fiscal year. Regents' authorization is requested. On motion of Regent Hurwitz, the supplemental request was approved."

With that addition, the minutes of the October 23-24, 1986 meeting were approved.

Election of Officers

Regent Hurwitz moved that Regent Dennis Lind be elected Chairman of the Board of Regents, to serve in that capacity under the terms of the By-Laws of the Board of Regents. Hearing no other nominations, the nominations were closed. The motion electing Regent Dennis Lind Chairman carried unanimously.

Newly-elected Chairman Lind stated he would be calling on the Regents to be a more visible, stronger, participatory Board. He expressed his respect for the individual and collective judgment of the members of the Board. He stated it was his hope that he would be able to provide responsible leadership for the coming legislative session. Chairman Lind expressed his own, and the Board's, appreciation to retiring Chairman Jeff Morrison for his years of service to the Board of Regents and to the state.

Nominations were opened for Vice Chairman. Regent McCarthy moved that Regent Hurwitz be elected Vice Chairman of the Board of Regents. Hearing no other nominations, the nominations were closed. The motion electing Regent Hurwitz Vice Chairman of the Board carried unanimously.

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Discussion of Continuing Education Task Force Report

Mr. William Lannan, Director of Special Projects, distributed a revised copy of the report of the Task Force on Extended Education. He explained the report sent with the agenda contained errors that were not substantive, but would make review more difficult.

Mr. Lannan briefly reviewed the actions of the Regents which led to the appointment of the Task Force, and the charge given to them by the Regents, which was to make recommendations on the role of extended and continuing education in providing educational opportunities to citizens of Montana. Mr. Lannan noted the confusion that often exists in the definitions of "extended education" and "continuing education", and called the Regents' attention to the definitions of those terms on page 2 of the report.

Mr. Lannan reviewed the principal recommendation of the Task Force, which was that a Regents' degree program in general liberal arts be created as the first statewide extended degree program. He then responded to Regents' questions. The Task Force believes the program would have sufficient numbers to be cost effective, and that the program is one which the University System has the available capacity to offer beyond the campus boundaries. Regents' authorization is sought to allow the Commissioner's office to proceed in the development and implementation of the Task Force recommendation. The Commissioner's office, working with the presidents, would "put meat on the skeleton," but authorization to proceed with the two-year degree outlined in the report is essential.

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Commissioner Krause asked that before decisions are made on the Task Force report, the Regents hear a report by Dr. Stuart Knapp, Montana State University, on linking resources and needs in the Northwest through information technologies. Dr. Knapp recently attended a regional meeting on that subject, sponsored by WICHE and the Northwest Academic Planning Forum. The discussion at that meeting has important implications for Montana and surrounding states for the delivery of educational programs.

Dr. Knapp distributed copies of the report (on file), and reviewed the discussions of the regional group on the ten western states' exploration of a multi-state approach for strengthening higher education's use of information technologies. The long-range goal of the meeting of the interstate committee was to gain information about state telecommunications and networks, the ways in which those might be utilized on a regional basis, and the needs that could be met through such regional interconnections. A draft letter was included in the report which set out the next steps recommended by the participants at the Simplot/Micron Center meeting. Those included development of a multi-state structure whose purpose would be to foster regional use of telecommunications, distribute existing resources, and design regional responses to common academic needs in the region. The initial efforts of the cooperative would establish the organization structure; demonstrate the value of the concept through a pilot project or projects; and develop a cooperative regional approach to "faculty development" with respect to the use of telecommunications for instructional purposes.

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At the conclusion of Dr. Knapp's report, presidents were asked if they supported the concept, and in general the consensus was they did, with certain specificities noted. Dr. Knapp responded to Regents' questions concerning the anticipated next steps in the proposal. He explained that if approval of the concept is received among the participating states from their statewide higher education governing and coordinating boards, the intent is to seek authorization for the proposed cooperative from the Northwest Academic Planning Forum at its spring meeting, and from the WICHE Commission at its June 1987 meeting.

Chairman Lind proposed the Board adopt the following motion: The Board directs the Commissioner of Higher Education and Dr. Stuart Knapp to continue participation in the planning and development of a multi-state structure to foster development of regional use of telecommunications. A report should be made to the Board at the July 1987 meeting of the Board. The motion carried.

Chairman Lind then called for a motion on the recommendation of the Task Force on Extended Education that a Regents' degree program in general liberal arts be created as the first statewide extended degree program. Regent Kaze moved that the Commissioner's office and the Task Force continue working toward development of such a degree, expanded to include skills enhancement. A proposal for implementation should be brought to the Board for Regents' review no later than July 1987. The proposal should include anticipated costs of implementation. The motion carried.

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Information Processing Report

The remainder of the morning's meeting was devoted to a review of the "Information Processing Operations of the Montana University System", a report to the Board of Regents by the Commissioner of Higher Education, October 1986, (on file) presented by Mr. Paul Dunham. Mr. Dunham briefly noted the several activities that fall under the classification of information processing operations within a modern university. The report, however, dealt principally with the two more important of these activities: libraries and computing. The report was prepared in response to the Regents' request at its April 1986 workshop that library and computing operations in the Montana University System be reviewed.

At the conclusion of the review, Commissioner Krause noted the recommendations in the report will be discussed with the Council of Presidents, and a report will be brought back to the Board. No action was requested on the report at this time.

The meeting recessed at 11:55 a.m., and reconvened at 1:00 p.m. with the same members present.

Informational Report on Telecommunications - University of Montana

President Koch, University of Montana, reviewed the information item (on file) on the University's discussions with Eagle Communications concerning joint acquisition of a satellite uplink transmission facility. President Koch explained the proposal provides a remarkable opportunity because of the financial arrangements, and that the University's share would be provided through private funds. The

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University anticipates all units would be able to access the facility, with January 1988 being the earliest date a university course could be distributed by means of the uplink. The University's first choice for such a course at this point would be one related to the University's MBA program.

President Koch responded to Regents' questions on eventual replacement of equipment, compatibility with the regional telecommunications concept presented earlier by Dr. Knapp, and the potential application for extended education. He explained what is needed now is Regents' encouragement and approval for going forward with the proposal as presented. Any documents requiring signature relating to the joint acquisition would be brought to the Board for approval.

Hearing no further discussion, Chairman Lind called for a motion. Regent McCarthy moved the University of Montana be encouraged to proceed with the joint acquisition by the University and Eagle Communications to obtain a satellite uplink transmission facility as outlined by President Koch, with the understanding it would be a cooperative project involving other units in the System. The motion carried.

Pending Legislation

Chief Counsel LeRoy Schramm presented proposed legislation to continue the six-mill levy. He explained the legislature could adopt a statewide six-mill levy without the referendum called for in the proposed legislation. The System has found in the past that taking the referendum to the voters has been a good means of showing citizen support for higher education.

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There is no change in the proposed language from that adopted in 1978. Dr. Schramm stated the Board should note the wording of the last sentence of Section 1, which states "all revenue from this levy shall be appropriated for support, maintenance, and improvement of the Montana University System and other public educational institutions subject to Board of Regents' supervision." In light of recent actions of the legislature, the Board should decide if it wishes that language to remain the same, or be revised. Dr. Schramm noted there is no impediment to the levy called for in the legislation because it would be a continuation of an existing tax. If it is to be placed on the ballot for approval by the citizens of the state in 1988, the legislation must be enacted by the 1987 Legislative Assembly.

After discussion, Regent Hurwitz moved the language be approved as presented, and the Commissioner be authorized to seek a legislative sponsor. The motion carried.

Jack Noble, Deputy Commissioner for Management and Fiscal Affairs, reviewed the TIAA/CREF optional retirement program legislation. He referenced the November 22, 1986 memorandum (on file) sent to the Regents and others. The memorandum included a copy of the bill draft, and two schedules showing the minimal impact on the Teachers' Retirement System. Mr. Noble explained that in drafting the legislation, every effort was made to allay the fears of faculty who were concerned that providing the option would jeopardize the TRS. It is believed being able to provide the optional retirement program will be a real asset in recruitment

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and retention of both faculty and administrators. The report was for information purposes only, and no action was needed because of previous approval by the Regents of the proposed legislation.

William J. Lannan, Director of Special Projects, reviewed his memorandum to the Commissioner dated December 3, 1986 (on file) on building projects requiring legislative authority. Statute requires the legislature consent to the construction of buildings in excess of \$25,000. At this time, the System has two projects that would not be included in the omnibus Long Range Building Program appropriations bill, and would require authorization by a joint resolution of the legislature. These projects are the Energy Management Control System at Montana State University, and the indoor firing range at Western Montana College. Mr. Lannan will monitor the projects during the 1987 session, and report back to the Board.

On motion of Regent Hurwitz, Commissioner's staff was authorized to monitor System building projects requiring legislative authorization, request legislative authorization as needed, and report back to the Board.

Budget Committee

W. J. Lannan, Community College Coordinator, presented the three community colleges' revised operating budgets for 1986-87 for the Regents' approval as required by statute. Mr. Lannan explained the budgets before the Regents include the two percent reduction called for by the Governor, and have been approved by the local community college boards of trustees.

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Before discussion of the budgets, Mr. Lannan distributed copies of the community colleges' budget analysis for the years 1982-83 through 1986-87. Mr. Lannan noted the June 1986 Special Session of the Legislature shifted the burden of budget authorization to the local districts and put it on the property tax. As a result, the community college budgets did not experience the dramatic reduction in budgets other units of the System experienced.

Mr. Lannan also distributed copies of a schedule showing county taxable values for 1985-86 for the state community college districts, and a schedule showing the cost of attending each of the community colleges for 1985-86. The latter schedule included tuition and fees for in-district, out-of-district, and out-of-state students (on file).

Don Kettner, President, Dawson Community College, spoke to the burden on the local taxpayers created by the erosion of state support for the community colleges. He urged the Regents' continued support for increased general funds for the community colleges.

On motion of Regent Morrison, Item 54-2001-R1286, Operating Budgets, 1986-87; Dawson Community College (REVISED) was approved.

On motion of Regent Kaze, Item 54-3001-R1286, Operating Budgets; 1986-87; Flathead Valley Community College (REVISED) was approved.

On motion of Regent McCarthy, Item 54-4001-R1286, Operating Budgets; 1986-87; Miles Community College (REVISED) was approved.

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Item 54-201-R1286, Computer Fees; Montana State University, was reviewed by Paul Dunham. The item authorizes Montana State University to expend approximately \$350,000 of student computer fees to develop and equip micro-computer laboratories. Mr. Dunham reviewed the explanation set out on the item, noting the proposal was developed in conjunction with MSU students, and was unanimously approved by the Instructional Computer Committee as required by Regents' policy 940.23. On motion of Regent Hurwitz, the item was approved.

Item 54-206-R1286, Authorization for Fee Increase of \$4.50 Per Student for Winter Quarter, 1987, and thereafter \$3.00 Per Student Per Quarter to Operate a Student Bus System; Montana State University, an addition to the agenda, was reviewed by Nancy Korizek, President, Associated Students, Montana State University. The item requests Regental authorization to ASMSU to purchase, service, and operate a student bus system within Bozeman and the surrounding area. Additional material was supplied indicating student support for the fee and details of the proposed student transit system. Ms. Korizek and others involved in the project responded to Regents' questions, including whether there had been ample publicity on the proposal so there would not be a referendum in opposition at a later date; whether issues of liability had been addressed; and the condition of the buses to be purchased, and provisions for repair and replacement of the buses.

At the conclusion of the discussion, Regent Kaze questioned whether there were any persons

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who wished to speak in opposition. Hearing no response, the question was called. Regent Hurwitz moved that Item 54-206-R1286 be approved. The motion carried, with Regent Morrison voting no.

System Budget Update: Campus Reports

Jack Noble introduced Ms. Sib Clack, Governor's Budget Analyst, and Dori Nielson, Legislative Fiscal Analyst, who will be working with the University System budgets during the 1987 Legislative Session.

The president of each unit, and the community college presidents, presented their plans to meet the 2 percent budget reduction called for in the Governor's Amended Order of November 19, 1986. Copies of those reports are on file in the Commissioner's office. All units reported the reduction is not the 2 percent announced by the Governor and reported in the media, but rather is a 2.5 percent reduction. All presidents reported that the 2.5 percent reduction, placed on top of the 5 percent reduction experienced by units of the System in the June 1986 Special Session, significantly impacts the units' ability to attract and retain quality students, faculty, and staff, and will result in the elimination of programs. Western Montana College noted the enrollment increase experienced at that institution, and stated the cuts reported at this meeting were based on WMC's assumption it will be successful in receiving a budget amendment for the increased enrollments.

All presidents reported the devastating effect these additional reductions would have on their campuses. Widespread reductions were necessitated throughout the System in library hours, equipment

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expenditures, operating expenditures, and elimination of preventative maintenance. Hiring freezes have been implemented. Administrative and classified positions which had already been reduced to the minimum will now be further reduced. Financial exigency by program is being considered on some campuses. Programs will be eliminated, and not only those that are viewed as duplicative, but also those the institutions believe are essential. To save money, it is necessary to reduce options in offering courses to students.

Regents' policy on financial exigency, and requirements of units' collective bargaining agreements on retrenchment were discussed. Also discussed were notice requirements to contract administrative staff.

Regent Morrison stated he believed that if they are not already planning to do so, each campus should be taking steps to put contract employees on notice in order to give flexibility to the presidents to manage the remaining resources. Notice requirements for various categories of employees were reviewed. Presidents expressed concern with any requirement to endorse "blanket notifications." Program eliminations scheduled for discussion on tomorrow's agenda were referenced. Presidents' requested those discussions be held before formal direction is received from the Board. Chairman Lind concurred with that recommendation, but noted that given the present executive budget, it is apparent the Board would want the presidents to provide themselves with as much flexibility as possible. Plans should be made by the presidents to address the realities created by the proposed executive budget, and presidents should take whatever steps are necessary in order to do that.

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Jack Noble spoke to the danger inherent in blanket notification policies. Montana has experienced serious problems in the recent past in hiring qualified faculty and administrators. When "blanket culling" is implemented, the System will lose its best people. Those people will not wait to find out what will occur on July 1 of next year. They will go back on the market, and they will leave Montana. The System will be faced with trying to replace the position, and the cost of replacing the position. The programmatic costs and the management implications of such a policy should be seriously weighed.

President Norman stated no amount of planning can deal with a 28 percent budget reduction which is what has been experienced by Montana Tech in the last year. If it is the desire of the Board he make those types of reductions, he would like to be so ordered by the Board to do so. The Board should understand such action will require taking out not just "a" program, but the total engineering program. Such action would completely change what has been the role and mission of Montana Tech since 1896.

At the conclusion of the discussion, Chairman Lind stated the Board would defer action on the matters discussed until after the reports are heard tomorrow on low enrollment programs, and program eliminations.

Executive Budget Recommendations

Jack Noble referenced his memorandum to the Commissioner dated December 3, 1986, on the executive budget recommendations (on file). Using biennium figures, the base will be reduced approximately

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\$12.4 million over the next biennium. In that same period, the general fund will increase by only \$1.8 million. Reductions in the 6 mill levy account, problems with redirection of anticipated revenues from indirect cost recoveries on organized research, the legislative appropriation of nearly \$1 million of projected fund balance from the Education Coal Tax Trust, and declining tuition and fee revenue set out in the memorandum were reviewed by Mr. Noble, as were other factors impacting the projected level of the System budget. In summary, the System would require approximately \$9.6 million next biennium to reach the original effort of last session's H.B. 500, and approximately \$12.9 million to reach the 100 percent formula levels.

Mr. Lannan presented a similar recap of the community college funding. The community colleges also experienced the 5 percent rescission called for by the executive branch. Mr. Lannan briefly explained the formula by which the community colleges are funded. During the first year of the biennium, the state's share of the funding was 53 percent. The Governor's recommendation reduced that to 49 percent, with the local mandatory level expected to pick up the reduction. It was explained the problem with backfilling with the local levy is that the budget was in place and the levy set when the shortfall occurred. There is no opportunity to backfill with the local levy in such a situation.

By-Laws and Policy Committee

Submission Agenda

A revision of Item 54-001-R1286, Sick Leave Fund Policy; Montana University Sytem, was

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distributed to replace that sent with the agenda. The revised item was received for consideration at a future meeting.

Action Agenda

Item 54-204-R1286, Plan for Administrative Consolidation of the Agricultural Experiment Station and the Cooperative Extension Service; Montana State University was presented by President Tietz, Montana State University. He explained hearings on the consolidation had been held and attended by approximately 600-800 people in the last month and a half. As many people as possible were included in the process. President Tietz outlined the principal features of the administrative consolidation of the two agencies. The advantages include better coordination and communication between the two organizations; more efficient information delivery to the people of the state; and dollar savings which can be invested in existing telecommunications options to get more timely research-based information to Montanans. Details of the merger are more fully explained in the material submitted (on file). Regent authorization is sought to proceed with the merger.

Regent Morrison asked how the proposal was received throughout the state. President Tietz responded that generally it was received favorably.

Regent Kaze stated he concurred with that evaluation. He believed the meetings held by President Tietz and his staff had done much to dispel the rumors and previous discontent with the concept. Based on that belief, he moved that Item 54-204-R1286 be approved. Chairman Lind asked if anyone was present who wished to

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speak in opposition to the consolidation. Hearing no response, the question was called. Regent Kaze's motion to approve carried unanimously.

Curriculum Committee

Submission Agenda

The following two items were received for consideration at a future meeting. Commissioner Krause noted they would be discussed, and he would present written recommendations on the items when they are on the Action Agenda:

Item 54-205-R1286, Authorization to Reorganize the College of Education; Montana State University

Item 54-202-R1286, Authorization for Approval of Center for Excellence in Adult Learning Research; Montana State University

Capital Construction Committee

Item 54-203-R1286, Sale of Greek Way Lot to Farmhouse Association; Montana State University was reviewed by James Isch, Director of Administration, MSU. The Information Report submitted with the item contained the previous Regental authorization for the creation of a subdivision on the MSU campus. The lots in that subdivision were to be sold exclusively as residential sites for fraternities, sororities, or other formally organized student groups engaged in cooperative housing arrangements. The item before the Board authorizes the sale of a lot in that subdivision to be used for the purpose of constructing a fraternity house, and sets out the terms and conditions of the sale. On motion of Regent Morrison, the item was approved.

Item 54-601-R1286, Authorization to Proceed to Bid with the Swim Center; Western Montana

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College was discussed. Commissioner Krause reviewed the Regental and legislative authorizations to construct the Swim Center, and the bond sale to produce the revenues. He stated he had discussions with President Treadway as to whether it was wise to proceed with the project at this time. The Regents should have a clear sense of the future of Western Montana College before proceeding with this project. A discussion on possible merger of Western with the University of Montana is scheduled on tomorrow's agenda, and that could cloud the decision on this item. The Regents could delay action on the item until the close of the 1987 Legislative Session if they chose to do so. He recommended action be deferred at least to the January 1987 meeting.

President Treadway noted two things: (1) He agreed with the Commissioner's sentiments that action on this item should not be clouded by tomorrow's discussion, or by discussion in January, and (2) the factors of timing. The January meeting would be the outside point of decision for bid and construction of this project. Construction of the swim center must begin no later than May 1987. After that time, irrigation of lands adjacent to the proposed site raise the water table to a point that construction is prohibited. Also, the best construction price will be obtained if the bids are let in February. The project has already been delayed a year after the bonds were sold. The guaranteed funding of \$1 million may not hold another year. President Treadway stated his recommendation followed the Commissioner's, but is pointed to the January meeting.

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Chairman Lind stated that without objection, based on the recommendations of the Commissioner and President Treadway, action on Item 54-601-R1286 would be deferred to the January 1987 meeting.

Item 54-701-R1286, Authorization for Easement, Eastern Montana College, was reviewed by President Carpenter, and recommended for approval. Details of the purpose of the easement are set out in the explanation on the item. On motion of Regent Kaze, the item was approved.

A Property Purchase Progress Report, University of Montana, an addition to the agenda, was presented by Mr. Lannan. Under previous Regental authorization, the University of Montana was authorized to negotiate up to the appraised price for certain pieces of real property. When any of the purchases were consummated, a report to the Board was required. The University has taken action to acquire two of these parcels of real estate. The first property is located at 638 South 6th East. Authorization for purchase was granted in Item 46-105-R1284. Two appraisals were obtained, indicating an average price for the property of \$82,000. The property was purchased for \$68,000.

The second property is located at 737 Keith Avenue. Authorization for purchase was granted in Item 11-104-R1275. Two appraisals were obtained, indicating an average price for the property of \$48,000. The property was purchased for \$38,900. Both properties were acquired within the parameters previously established. No action was required.

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The meeting recessed at 4:00 p.m. The Board of Regents reconvened immediately in executive session. The regular meeting of the Board of Regents reconvened on December 12, 1986, at 8:30 a.m.

Minutes of Friday, December 12, 1986

Chairman Lind called the meeting to order at 8:30 a.m.

Chairman Lind stated the first order of business would be an addition to the agenda, the report of the Legislative Auditor to the Legislative Audit Committee on Montana Nursing Education Programs. The report was discussed by the Audit Committee at its meeting on December 9, 1986.

Mr. James Pellegrini of the Legislative Auditor's Office was present, and presented the concern expressed with the difficulty of transferability of credits between nursing programs and the corresponding lack of accessibility to the baccalaureate program. He reported that when testimony was heard by the Audit Committee from representatives of Montana State University, Miles Community College, and Northern Montana College concerning their nursing programs, there were some perceived contradictions in the testimony relating to communication among the three units. That Committee would like the Board of Regents to report back to them on what has been addressed on these concerns in the past, and if the Board intends to address this in the future.

Commissioner Krause responded that both problems identified by the Committee emanate from the structure of the nursing programs in the state. One is

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a generic program, and the other is the two-year RN program at two institutions. The basic problem is the nursing programs at the different units are structured differently. Barring the possibility that another four-year nursing program is established in the System, which under the present fiscal constraints is unlikely, it is probably not possible to provide the answers people asking the questions would like to hear.

President Tietz stated he would like the Audit Committee to be more specific in its request for additional information on transferrability of credits. President Merwin also spoke to the different views raised at the meeting. He noted that perhaps because the programs are different types of programs, confusion arises on issues of transferrability. The requirement that a student from Northern or Miles who wishes to pursue the baccalaureate degree has to sit for the State Board. These are given only once a year, which is not a problem created by MSU. Paul Dunham also reviewed testimony given on the degree of communication among MSU and the other two schools having nursing programs.

After some discussion, Chairman Lind asked Mr. Pellegrini to inform the Audit Committee that on behalf of the Board of Regents he would instruct the Commissioner to work with the presidents of the three affected institutions and prepare a response to the Legislative Audit Committee on the concerns expressed, and the perceived contradictions in testimony. The response will be given to the Audit Committee at its January 1987 meeting.

Continuation of Discussion of Proposed Changes in the Montana University System

Chairman Lind stated following yesterday's review of the proposed executive budget, and the

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enormous problems associated with the continuation of the administration of the System given those financial restrictions, he had comments he wished to make. The magnitude and the impact of the problems faced by the reduction of funds is not adequately addressed by what is before the Board today. If all the program considerations on today's agenda were completely eliminated, it would not begin to address the proposed \$12.4 million reduction in funds proposed by the executive budget. Chairman Lind stated he personally believed the presidents and the system have responded and managed their units very well in the face of a \$10 million cut over the past year and a half. Perhaps the System has managed too effectively, because what has happened is the public does not perceive how difficult it is for the System to continue under the present financial restrictions. The System has been reduced to the point it can provide at best basic services. There is no question the quality of education in Montana has been seriously impacted by the reductions in funds and by the proposed executive budget.

Chairman Lind stated it would not be prudent for the Board to consider the elimination of the programs on today's agenda and give the public the impression the problems will be solved, because they will not be. It is apparent that across the board cuts are no longer appropriate or possible. The System is faced with the wholesale elimination of programs at the university and college level. It is time to face that, to "grapple with the bear", and propose the elimination of programs throughout the System to meet what is presently perceived as the budget that will come out of the 1987 Legislative Session. Resources will have to be marshalled, institutions will have to be effectively managed, and essential programs will have to be cut

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because the System can no longer afford to offer them. This will have to be done to maintain quality in the basic educational programs that remain.

Because of the circumstances cited above, and with the concurrence of the Board, Chairman Lind proposed the following:

Action on the programs on today's agenda will be deferred. The January meeting of the Board will be rescheduled to be held on January 8-9, 1987, in Helena, Montana.

The Board directs the presidents to prepare a plan for presentation to the Board at the January 8-9, 1987 meeting for specific program eliminations and/or consolidations which would adjust institutional expenditures to the proposed executive budget. In doing so, the plan should assure enhanced quality of the academic programs that remain. The presidents should carefully consider their institution's role and scope in determining which programs should be terminated. This plan is to be presented to the Board at its meeting scheduled January 8-9, 1987.

It is very important the public and the legislature understand there is no "quick fix" to the financial problems the System faces. Regardless of whether institutions are closed tomorrow or a wholesale restructuring is proposed -- community college or some other avenue -- the money will not be available over the next biennium to operate the existing System. The System has contractual obligations and student obligations. There has to be some sort of transitional period to meet the drastic demands called for by the recent reduction of funds. It can't be done overnight.

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It has to be understood there will be wholesale elimination of programs throughout the System in order to meet the proposed executive budget. The presidents are asked to develop their plans with the understanding that those plans will be implemented by this Board to meet the executive budget should it be enacted by the legislature.

The University System has been in some respects the scapegoat for the economic condition of the state. This University System did not create the economic plight the state is in, but it is part of the solution, and it is willing to accept responsibility for assisting with the economic revitalization of this state. We have to be a part of the solution for economic recovery. These difficult times present a challenge and an opportunity for us to redesign the System, or to focus our resources under the existing System so we are better able to meet the state's expectations of higher education.

Given that programs will be eliminated, and that the intent of the System is to deliver the kind of education students and the people of the state of Montana deserve, the Board will defer action on the community college proposal until the January 8-9, 1987 meeting. This will allow time for sufficient information to be gathered to enable the Board to make a reasoned and rational decision as to whether restructuring is the appropriate way for this System to progress, or whether attention should be focused on adjustments within the present System.

The actions taken today and in January will chart the course of higher education in the state

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of Montana for years to come. With the support of the presidents and this board, with help from the legislature and the governor, the University System can make important contributions to the state of Montana. Higher Education in Montana cannot continue along the lines it has been following.

In summary, the Board is asking for: 1) a plan from each president providing for elimination of programs to meet the executive budget, and 2) serious consideration of the restructuring of the existing System. Whatever the outcome, it is imperative we preserve the best educational system possible with the resources available.

Chairman Lind called for comments on the above proposal.

Regent Morrison stated his wholehearted agreement with what had been said. In addition, he stated he did not believe this statement should be viewed as any kind of attempt to "blackmail" either the public or the legislature into action for the University System. It is a response to what the Regents perceive to be the circumstances that must be faced. Resources in this state are at best tenuous at this time. Even if the executive budget is adopted as presented, drastic actions will have to be taken. This Board is not seeking alternatives or other ideas; this plan of action will be implemented.

Presidents individually voiced their support for Chairman Lind's statement. Presidents of units with collective bargaining agreements noted they would comply with what has been stated, but the Board should be aware that other steps will be necessary in

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situations of financial exigency or retrenchment. Support was also voiced for the model which would place the onus of responsibility at the campus where the programs would have to be cut. The costs of any program are in placing faculty before groups of students. If there are ways in which those programs can in some way be consolidated to continue to provide those services for students at high quality, the presidents and the institutions should know how that can best be accomplished. Time is also needed to work with the various faculties to achieve these reductions. Some campuses have processes in place to do that now, and asked that flexibility be allowed, within the dollar restraints facing the System, to allow that process to culminate.

Chairman Lind cautioned the System cannot afford the luxury of not being prepared to present the problems facing the System to the Legislature. In recognition of the difficulties that creates on campuses and within the collective bargaining units, the Board is hopeful the faculties of the various units will join with the Board in attempting to present to the Legislature an opportunity to preserve as much of the state's educational system as is possible.

President Tietz asked for clarification. He asked if he was correct in his understanding that what is being requested by the Board is a plan, and will be accepted by the Regents as a plan. Should the final execution result in termination of tenured faculty, it would be carried out in accordance with Regents' policy which is already in place. This might mean some modifications over the course of that process. Chairman

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Lind stated that clarification was correct. Existing contractual obligations with faculty will be met in considering program eliminations.

President Tietz asked that the current policies on retention of faculty be retained, but as a System, consideration be given to the notification requirements for administrators. He also requested there be discussion on the System's ability to handle the budget for the next biennium as a biennium budget, as opposed to an annual budget so there would be some ability to carry past the June 30/July 1 deadline both in the cases of achieved assets as well as debts. It was the consensus this is not possible under present statute, but would be explored by the Commissioner and the presidents.

President Treadway stated his support of the Board's direction to prepare responses to the proposed executive budget. He asked also that the recently completed report prepared by the Commissioner not be placed in the status of a "shelf document." Many questions were raised in the report which could offer the presidents and the institutions opportunity to collaborate more effectively. Collaboration should be given support equal to reduction. He also appealed to the Board to reach a definite decision in January to close the issue of restructuring as it relates to the existing System. It is essential the Board reaffirm or redirect the role and scope of the six units and the three community colleges currently under the Board's governance. It is critical to campus morale to have that decision made in January. President Treadway also stated for the record his strong support of encouraging

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a comprehensive way to provide community college services across the state, particularly to underserved areas. He believed it is an extremely important long-range concept to be considered in the future, but the present financial structure of the state prohibits its effective implementation at this time.

Chairman Lind responded it was his intention, and he believed it was the intention of the rest of the members of the Board, to come to some conclusion as to what will be done with restructure or focusing assets in the existing System at the January 1987 meeting. The comments made today were in no way intended to be interpreted as allowing the programmatic considerations before the Board to be disregarded. Those should be included in the presidents' consideration in preparation of the January reports.

At the conclusion of the discussion, Regent Morrison moved that a special meeting be scheduled on January 8-9, 1987, and that the presidents be directed to bring a plan of action for each campus to meet the guidelines set out in the executive budget. The plans should be directed to program elimination, not across-the-board cuts. The motion carried unanimously.

Regent McCarthy moved that discussion of restructuring postsecondary education in Montana with emphasis upon community college development be deferred to the January 8-9, 1987 meeting.

Regent Kaze stated in line with that motion he would like to direct the presidents of the units and the community colleges, the Regents, and others who have concerns with the community college mode of delivery to consider that it is not entirely a "black

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and white" issue. There may be a mode of delivery that lies somewhere in between and would not be viewed as such a drastic change. He would be willing to listen to any input in that regard that might be available.

The question was called on Regent McCarthy's motion to defer discussion of the community college development proposal. The motion carried unanimously.

Chairman Lind stated for clarification that the recommendations proposed and the actions taken are premised upon the Board's good faith effort to have the Governor and the legislature join with the Regents in not applying the enrollment-driven formula to the next biennium budget, and in establishing a committee to work jointly to study the funding formula for higher education.

Commissioner Krause distributed additional information on the restructure of higher education and on the merger of WMC and the University of Montana for the Regents' consideration which had been prepared for today's anticipated discussion. That information will be reviewed at the January meeting, together with any other information interested persons may wish to submit on those proposals.

Admission Standards for Institutions in the Montana University System

Regent Morrison moved the following motion, which was mailed to the Regents by letter of December 5, 1986, be adopted:

- A. Effective fall quarter/semester 1987, all first-time entering freshmen students will be required to take the ACT and submit the results to the institution before entrance.

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- B. Effective fall quarter/semester 1990, first-time entering freshmen will be required to have completed the college preparatory program now recommended in Board Policy 301.7.
- C. By fall quarter/semester 1988, minimum entrance requirements in addition to the college preparatory program will be established for implementation Fall 1990. These requirements will be based on:

- 1. Minimum ACT scores (perhaps 18 for universities and 14 for colleges); or
- 2. Minimum high school grade point average (perhaps 2.5 for universities and 2.0 for colleges).

- D. A limited number of exemptions to the requirements in B and C may be allowed (perhaps 8 percent) for "conditional admission" of:

- 1. minority students
- 2. students with limited access to preparatory courses in high school
- 3. non-traditional students (to be defined)
- 4. strong recommendation from high school principal
- 5. students with special talents

The exemption policy will be finalized by Fall 1988, and may vary between universities and colleges.

"Conditional admission" will require attainment of specific academic standards (to be defined) during the entire freshman year for continued enrollment.

- E. The admissions policy on transfer students will be reviewed and modified by Fall 1988 for consistency with the goal of maintaining academic quality.
- F. The current policy on admission of out-of-state students will be reviewed and modified to assure admission of students prepared for college level work.
- G. The Commissioner's office will establish a policy for monitoring performance of all students based on:

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1. ACT score
 2. high school GPA
 3. age
 4. high school standing
 5. course of study
- H. The Commissioner will develop a policy statement on the transfer of courses meeting general education requirements or core courses as well as a catalog of transferability of courses and two-year programs within the System and the state's community colleges.
- I. Students enrolled in "remedial courses" (to be defined) will pay a surcharge (to be determined) effective Fall 1989.

Discussion was held on the timing of the various implementations proposed in the motion. Regent Morrison explained that adoption of the motion would put students and parents on notice of what would be required of high school students who planned to pursue a higher education degree. Details would have to be worked out by the Commissioner, staff, and presidents of the units.

Regent Redlin voiced her concern with admission standards. That is, they tend to become a barrier or an exclusive mechanism. If the guidelines set out in Regent Morrison's motion are interpreted as a motivational tool, that would be acceptable.

A more serious concern of Regent Redlin's was that by adoption of admission standards, the implication would arise that one institution produced, for instance, better teachers than another institution with higher admission requirements. Admission standards could be acceptable, but not for certain programs.

Various other questions concerning the motion were addressed. Commissioner Krause commented he believed the motion is written in such a manner that it

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is clearly intended to provide guidelines for his office and the presidents to work together to establish minimum admission standards by Fall 1988, for implementation Fall 1990. It would also immediately put the high schools on notice that the college preparatory program would be a mandatory requirement effective Fall 1990, and that additional requirements will be developed.

All sections of the motion were discussed at length. It was agreed that Section A be amended at the end of the second line to add "SAT" following "ACT", and to delete the final two words of line 3. The sentence would read "students will be required to take the ACT/SAT and submit the results to the institution.

The question was called on the motion. The motion on admission standards proposed by Regent Morrison was approved as amended, with Regent Birkenbuel voting no.

Reduction in the Number of Fee Waivers Granted by the System and Elimination of Fee Waivers in Statute

Copies of a draft revision of Regents' Policy 940.13, Fee Waivers, showing what fee waivers would be eliminated in Board policy was distributed. The recommendation is that all fee waivers that are in statute be removed from statute. The Indian Student Fee Waiver would be maintained in Board policy. What is being considered is a request to the legislature to eliminate from statute the veterans' fee waiver, war orphans fee waiver, dependents of prisoners of war fee waiver, Native American fee waiver, senior citizen fee waiver, and custodial students fee waiver. Faculty and staff fee waivers are not in statute, and would be considered separately.

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Regent Redlin objected to the removal of the Indian Student fee waiver from statute. She moved the Board follow the recommendation to request the elimination of all fee waivers from statute except the Native American fee waiver.

Commissioner Krause elaborated on his recommendation to remove all fee waivers from statute. First, every fee waiver granted drives up the cost of the students paying tuition. Second, recent court action abolished the right to limit these fee waivers to Montana residents. If they are removed from statute, they may more easily be restricted to Montana residents without a court test.

Chairman Lind stated that while he respected that court decision, Native Americans have a special place in Montana; it is recognized in the constitution. They deserve the recognition, and he would support Regent Redlin's motion to give special recognition to Native Americans.

The question was called on the motion to request the legislature to remove from statute the listed fee waivers with the exception of the Native American Fee Waiver. The motion carried.

Conversion from Quarter to Semester System

Commissioner Krause reported there has been extensive discussion of this proposal. The savings, while not dramatic, offer the possibility of utilizing the common calendar and closing some facilities between the two semesters. There may be advantages to the students in that they can enter the job market earlier, but that may be cancelled out by the required August start-up of classes. It may negatively

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impact the tourist industry because employers prefer the students remain as employees through the Labor Day weekend. There are legitimate pros and cons. The principal cost is in faculty time in converting courses.

The presidents were polled. Endorsement was not unanimous for the proposal. Serious questions were raised whether the conversion could be successfully completed with the burdens the reduced administrative staff is facing. Some presidents supported the concept, and agreed to a move in that direction, but requested a longer time frame for implementation.

Regent Morrison moved that the four schools now on the quarter system convert to the semester system by 1991.

Regent McCarthy asked the motion be amended to make the effective date 1990.

The Chairman called for further discussion. Hearing none, he stated the Board would vote on the amended motion to convert the units not on the semester system to the semester system by 1990. The motion failed, with Regents Morrison, Hurwitz, Kaze and Redlin voting no.

The question was called on Regent Morrison's motion to convert to the semester system by 1991. Regent Hurwitz voted no; Regent Kaze abstained; Regents McCarthy, Redlin, Birkenbuel, and Morrison voted yes. The motion carried.

Chairman Lind noted it is understood passage of the above motion contemplates there will be a common calendar for the system.

Intercollegiate Athletics

Chairman Lind noted a motion was submitted

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by letter to the Board by Regent Morrison on intercollegiate athletics. He would entertain that, or any other motion.

Regent Morrison asked that his proposed motion be amended to indicate that the 10 percent reduction called for in section 1 relate to the budget level established in the June 1986 Special Session of the Legislature. With that amendment, he moved the following motion be approved:

1. All campuses shall reduce their state support for intercollegiate athletics (including fee waivers) by 10 percent for the next biennium.
2. The University of Montana and Montana State University shall continue their efforts within the Big Sky Conference to reduce the cost of football.
3. Montana Tech and Western Montana College will further evaluate the possibility of eliminating football.

Interim progress reports on items 2 and 3 above will be provided to the Commissioner and the Regents by the respective campuses.

Regent Redlin expressed the difficulty she had with the seeming ability of the System to consider removal of entire programs from institutions, but the seeming inability to lower a football team one division. Recognizing the importance of athletics, when funds are not available for essential programs, the System can not afford athletics on the scale it has supported in the past. She spoke also to past inequities in funding of women's and men's athletics. If athletics are to be reduced by 10 percent, a principal of equity would be applicable not only to that 10 percent, but also must

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take into consideration the previous inequities between men's and women's sports.

At Chairman Lind's request, President Koch reported on a recent meeting he had attended of the Big Sky Conference. He reported no action was taken at that meeting to reduce support or costs of athletic programs, but it appears there will be a series of motions at the May meeting of the Conference. The Commissioner of the Conference has been requested to present data on reductions at the May meeting. It is not clear if there is consensus on cost containment measures, although they are supported by the University of Montana.

Presidents Carpenter, Treadway, and Norman noted special hardships the motion would impose on smaller campuses.

The question was called on Regent Morrison's motion that all campuses reduce their state support for intercollegiate athletics as stated in the amended motion. The motion carried as amended.
WICHE/WAMI PAYBACK PROPOSAL (Response to SJR 1)

Commissioner Krause referenced the report prepared by the Commissioner's office in response to SJR 1 requiring that office submit a plan to the coming legislature for a service/payback provision for WICHE, WAMI, and MRD (on file). Draft legislation to implement two forms of payback provisions are also before the Board. He noted the payback issue has been before the legislature many times. While it has not been strongly endorsed by legislators in the past, there is serious interest in such a proposal at this time. Commissioner Krause

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stated his deep philosophical objection to such a service/payback requirement. He stated he would encourage the Board not to approve the requirement. Montana pays its fair share of the costs of the medical education of the students in the program, but it does not pay a premium.

Regent Morrison made the following motion:

The Board of Regents reaffirms its opposition to any form of service/payback requirement for the WICHE/WAMI related programs. If the legislature deems it necessary to reduce the cost of the program, the Regents favor an up-front payment of a portion of the support fee in lieu of the costly administrative approach of a service/payback requirement. The alternate that would be preferable to a service/payback requirement would be a reduction in the number of positions funded.

Costs of the program were reviewed. Commissioner Krause noted most of the money that supports these programs comes from the Educational Trust Fund generated by the coal tax. The general fund portion has been reduced each year. The report before the Board indicates that every year, because of limited funds, the number of students served by these programs has been reduced.

The question was called on the Regent Morrison's motion. The motion carried unanimously.

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The Board further directed that the report entitled "Overview of Proposed Service/Payback Requirement for WICHE, WAMI, and Minnesota Rural Dentistry Programs, December 1986," prepared by the Office of Commissioner of Higher Education be submitted to the 1987 Legislature as the response to SJR 1.

Reduction in Law School Enrollment

Chairman Lind stated that this matter could be acted on at this time, even though it is a programmatic consideration, unless President Koch preferred to wait to the January 1987 meeting. President Koch responded the question of Law School enrollments is connected to questions of the formula, and perhaps to increased tuition. It is difficult to know if that decision could be made now or in January. It would require an enormous tuition increase to make up the dollars lost under the formula if enrollment in the Law School were dropped from 75 to 60 students each year. He preferred action be delayed until those issues are resolved.

Chairman Lind asked if action could be premised on the condition that the enrollment driven formula would not apply, and resources realized through the reduced enrollment be retained by the University of Montana. President Koch agreed that would be satisfactory.

Regent Kaze moved enrollment of the Law School be reduced from 75 students to 60 students for each entering class beginning Fall 1987, with the following conditions: 1) This reduction in enrollment will not be implemented if the Law School

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is funded by the 1987 Legislature on the present enrollment-driven formula, and 2) the resources realized through such reduction in enrollment are to be retained by the University of Montana and not considered a replacement of general fund dollars by the legislature. In the event either of those two conditions is not met, the motion becomes invalid, and the Law School enrollment reduction will not occur.

NEW BUSINESS

Chairman Lind stated the appointment of a Legislative Liaison Committee consisting of Jeff Morrison, Chairman; Elsie Redlin; and Burt Hurwitz to develop and implement the Board's legislative strategy for the coming session. He requested the committee work with the System presidents and the Commissioner in preparing a strategy outline.

Regent Redlin commented on the tremendous value of the Tax Forum jointly sponsored last fall by the two universities. She asked if the legislature could be requested to jointly sponsor such a forum with the University System biennially. Regent Morrison requested President Norman obtain copies of the Governor's Transition Task Force Report for the Regents and the presidents prior to the January meeting. Chairman Lind stated action on Regent Redlin's request would be taken at either the January or March meeting.

Report to the Legislature: Senate Joint Resolution 1

Copies of SJR 1 sent with the agenda set out the matters that need response. The WICHE/WAMI report is completed, and the report

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prepared by President Tietz on the administrative merger of the Agricultural Experiment Station and the Cooperative Extension Service will be submitted as the response to action on those two agencies mandated in SJR 1. A response to the remaining charges will be made as quickly after the January 8-9, 1987 meeting as possible. A draft report of the report will be sent to the Regents for their review prior to its submission to the Legislature.

Commissioner's Report

Commissioner Krause reported the Interim Committee on Vocational/Technical Education will submit a proposal to the legislature to place the vo-tech centers under the aegis of the Board of Regents. No specific structure has been suggested.

The group studying placement of the Law Enforcement Academy has recommended the Academy be located in Dillon. If that goes forward, a firing range will have to be constructed, and that should be included in the legislation effecting the transfer. Mr. Lannan will monitor that legislation during the session. There is no certainty the Interim Committee's recommendation will be accepted by the legislature.

Commissioner Krause referenced discussion among the Governor and the presidents in which the Governor indicated an interest in a prepaid tuition plan based on the proposal adopted in the state of Michigan. Material on that plan has been obtained, including the legislation authorizing establishment of a prepaid tuition plan. There are some real concerns, but a response was made to the

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Governor. Copies of that response have been sent to the presidents.

At the Commissioner's request, Paul Dunham reported he will be distributing the University System's Annual Enrollment Report for Fall 1986. Mr. Dunham presented highlights of the report.

Council of Presidents

President Koch, University of Montana, reported the MBA program offered by the University since 1968 at Malmstrom Air Force Base is being phased out. The Air Force has indicated they are interested in a different kind of degree program because of the length of time needed to complete the MBA program. The Air Force has asked the University to submit a bid by January 15, 1987, for a shorter program in general management or administration. With the Board's consent, the University will do so. The University would then come to the Board through the normal channels for approval of that new degree. There will be substantive competition, but the University is anxious to compete for the new program and continue its excellent relationship with Malmstrom Air Force Base.

On motion of Regent Kaze, the University of Montana was authorized to engage in the competitive process for the new degree program at Malmstrom Air Force Base.

The Board of Public Education and the Superintendent of Public Instruction had no report.

Keith Parker, member of the Faculty Association of Western Montana College, endorsed the previous cooperation experienced among the Board, the

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Council of Presidents, and the Faculty Association, and encouraged a continued cooperative attitude among the various constituencies in these more difficult times the System is experiencing.

Paul Tuss was recognized and spoke on behalf of the students he represented as President of the Associated Students, University of Montana. He presented a prepared statement (on file) in opposition to the University Center Renovation Fee recently enacted by the Board of Regents. The students are requesting the Board reverse its decision approving the fee. The project still has support. The students ask they be allowed to work with the University Center administration in seeking alternative ways to fund the renovation. The results of a referendum vote participated in by 13 percent of the activity fee paying students was presented to the Board. Mr. Tuss responded to Regents' questions.

Commissioner Krause stated he had strong concerns with reconsideration of the fee, and certainly did not believe it should be deferred to a future meeting. Implementing the fee was not an easy decision for the Board to make. At the time the fee was approved, the Board believed it had the support of the students. Student bodies do change, but the project has moved forward in good faith. He believed it would be an error to reconsider the fee.

Regent Morrison asked how the students would propose funding the project. Mr. Tuss responded the building fee account was suggested as a revenue source. Regent Redlin reiterated her previous stand taken when reconsideration was

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requested of the Board's action on funding of MontPIRG. Decisions made and acted upon can not be changed because a few days or months later they do not look as favorable as they did at the time they were made. While she did not vote in favor of the fee, she would not support reversing the decision that was made.

Hearing no further discussion, the Chairman called for a motion. Regent Redlin moved the Board not reconsider its previous action on the University Center Renovation Fee. The motion carried with Regent Birkenbuel voting no.

Greg Anderson presented a prepared statement on behalf of the Montana Associated Students opposing the actions taken by the Board on admission standards, fee waivers, and intercollegiate athletics (on file).

President Treadway asked to speak to the addendum to the University of Montana's staff item which he just received, granting continuous tenure to President Koch. He stated he applauded the action, but asked if the Board would comment on this exception to policy. Regents' policy precluded those presidents more recently hired from being granted tenure. Commissioner Krause responded policy does allow tenuring of administrators, including presidents, that go through the normal review process of the departments. In this case, the number of years required for tenure was waived by the Board as part of the employment conditions Dr. Koch was hired under. Chairman Lind stated Regents' policy does not preclude application for tenure by any of the

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presidents through the regular process, including faculty review.

Regular Agenda

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

Item 54-100-R1286, Staff; University of Montana
with Addendum
Item 54-200-R1286, Staff; Montana State University
Item 54-300-R1286, Staff; Agricultural Experiment
Station
Item 54-400-R1286, Staff; Cooperative Extension Service
Item 54-600-R1287, Staff; Western Montana College
Item 54-700-R1286, Staff; Eastern Montana College

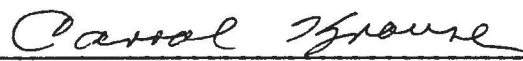
The meeting adjourned at 11:40 a.m. The Regents were hosted at a luncheon by the students of Eastern Montana College. Following the luncheon, the Regents participated in a campus tour. An open forum for Regents, Faculty, Students, and interested persons was held from 2:30 to 3:30 p.m.

The Board of Regents' meeting scheduled on January 22-23, 1987 is cancelled, and a special meeting scheduled to be held on January 8-9, 1987, in Helena, Montana.

APPROVED:


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

ATTEST:


Secretary

0795w