

**ITEM 143-101-R0509     Adoption of New and Revised Board of Regents Policies**

**THAT:**                     The Board of Regents of Higher Education revises Policies [103](#), Procedures for Maintenance of Policies; [104](#), Distribution of Policies; [218.1](#), Institutional Organization; UM-Missoula, [218.2](#), Institutional Organization; MSU-B; [802.8](#), Salaries of the Commissioner of Higher Education and Campus Chief Executive Officers; [940.1](#), Residency Policy; [940.14](#), Quality Educator Loan Assistance Program; [940.29](#), Tuition: Post-Baccalaureate Students; [1002.1](#), Vehicle Regulations and Parking; [1009.1](#), Campus Health and Safety Practices; and adopts new Policy [960.1](#), Identity Theft Detection, Prevention and Mitigation.

**EXPLANATION:**             Last fall, the commissioner of higher education initiated a comprehensive board of regents' policy review. This review is intended to bring our policies current, remove out-dated references and provisions, and ensure consistency among policies. The policies in this group contain substantive changes which require Board of Regents' approval:

Policies 103 and 104 – Distribution and Procedures for Maintenance of Policies. These policies have been revised to update the procedures for maintaining and distributing policies. These policies were originally written for those who maintained BOR policies in loose-leaf binders and who were mailed hard copies of each policy change. Now OCHE keeps two hard-copy binders with original documents and distributes by email the web-links to policy changes as needed.

Policy 218.1 – Institutional Organization, UM-Missoula: The commissioner requests that the Board of Regents approve the Institute for Educational Research and Services. The Division of Educational Research and Services (DERS) has operated continuously at The University of Montana campus since its approval by the board of Regents in 1956. This request simply clarifies its status.

Policy 218.2 – Institutional Organization, MSU-B: The commissioner requests that the Board of Regents approve the MSU Billings Center for Applied Economic Research. In 1996 the Center was established as a sub-center within the Urban Institute. Currently the MSU-B Center for Applied Economic Research is an operating entity within the University and is housed in the College of Business. Board of Regents' approval of the Center was either not recorded in 1996 or was not sought due to an oversight.

Policy 802.8 – Salaries of the Commissioner of Higher Education and Campus Chief Executive Officers: The Commissioner recommends the revision of this policy to strengthen regent discretion in the setting of commissioner and campus executive salaries.

Policy 940.1 – Residency Policy: This policy is recommended for revision to require that candidates for our professional schools (WICHE and WWAMI) demonstrate Montana residency in their own right (rather than based on a spouse's or parent's status). The change is recommended due to the increase in applicants for the professional schools, the difficulty of addressing the secondary residency issues of many students who cannot establish residency in their own right, and the fairness of reserving scarce professional slots for students who are clearly Montana residents. This policy reflects current practice.

Policy 940.14 – Quality Educator Loan Assistance Program: HB 46, enacted in 2009 by the Montana Legislature, requires that we change the reporting period for establishing employment eligibility for this program. For this reason, the term "previous school year" is revised to read "current school year."

Policy 940.29 – Tuition: Post-Baccalaureate Students: At the May, 2007 BOR meeting, the regents voted to phase out this policy over a two-year period, beginning July 1, 2009. This policy revision is proposed to comply with that board action.

Policy 960.1 – Identity Theft Detection: This policy is proposed to comply with federal regulations (called "red flag" rules) requiring campus identity theft policies to be promulgated. MUS campuses are implementing compliant "red flag" policies and procedures now, to meet the federal deadline of August 1. This policy supports that effort and requires that the commissioner of higher education oversee the development and administration of the policies at the campus level, including the review campus policies and procedures.

Policy 1002.1 – Vehicle Regulations and Parking: This policy revises the maximum amount which can be charged by campuses for parking fines. Campuses include proposed parking fines in their lists of student fees regularly approved by the board; however board policy has not kept pace with the increased authorizations to the campuses. This revision would correct that.

Policy 1009.1 – Campus Health and Safety Practices: This policy has been revised to utilize the more accurate language of “safety and security” and to reflect the requirements of federal law.

**ATTACHMENTS:**

BOR Policies [103](#), [104](#), [218.1](#), [218.2](#), [802.8](#), [940.1](#), [940.14](#), [940.29](#), [960.1](#), [1002.1](#), [1009.1](#)