

TENTATIVE MINUTES OF THE
BOARD OF REGENTS OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM
December 10, 1973
Helena, Montana

The Board of Regents of Higher Education met at 9:00 a.m., Monday, December 10, 1973 in the conference room of the Office of the Commissioner of Higher Education, Helena, Montana.

The meeting was called to order by Chairman Ted James. The roll was called by the secretary. Present were: Mr. Lewy Evans, Mr. Gary Gallagher Mr. Ted Heberly, Mr. Wayne O'Brien, Mrs. Mary Pace and Dr. Lawrence Pettit.

The minutes of the October 19, 1973 meeting were approved on motion of Mr. Heberly, seconded by Mr. Gallagher.

The chairman announced that later in the day the administrators of the WAMI medical education project would be making a presentation. He also reported that at 3:00 p.m. the State Board of Education was scheduled to meet in the Governor's reception room. He then called for committee reports.

Mr. Heberly, Chairman, reported that the Community College Committee met on November 19 and discussed the relationship of the Board of Regents to the boards of trustees for the community colleges. He said that under the law the Board of Regents is directed to provide a coordinator but the legislature had not funded the position. He said his committee's recommendation to the Board would be to seek an appropriation for a coordinator for the next biennium.

Mrs. Pace, Chairman, reported that the Curriculum Committee endorsed a recommendation of the Community College Committee that the Board of Regents approve the Dawson College program in human resources for the duration of its present federal grant, re-assess the program at the end of that time, and ask the college to re-word its promotional and descriptive materials immediately so as not to make unrealistic claims respecting transferability of credits to four-year programs in social work. She then moved that this recommendation be

accepted. Mr. Heberly seconded the motion and it carried.

Mrs. Pace then reported the Curriculum Committee had recommended the following action regarding the medical technology program at Montana Tech; (1) that the Board of Regents affirm it does not authorize a degree or non-degree program in medical technology at Montana Tech; (2) that it allow them to continue the program as it now exists within the chemistry department, with a modest explanation in the catalogue that with 12 months of additional hospital training medical technology is a career option for chemistry majors; and (3) that the Board request that the institution immediately revise its promotional and descriptive material to avoid the implication that a medical technology degree or program exists within the college's curriculum. She then moved that this recommendation be accepted. Mr. Gallagher seconded the motion and it carried.

Mrs. Pace stated the Curriculum Committee further recommended that a Board policy statement be developed requiring that agreements of affiliation of the kind between Montana Tech and St. James Hospital involving any unit of the Montana University System be approved by the Board, and she so moved. Mr. Gallagher seconded the motion and it carried.

Mr. Gallagher, Chairman, reported the Budget Committee met for the first time on December 9 and discussed the approach and format for the presentation of the 1975-77 biennial budgets. He said another meeting was to be scheduled in January, after which time some recommendations would be made.

Mr. Evans, Chairman, reported that the Capital Construction Committee had an organizational meeting on December 9 and identified some areas which need to be studied. He said they planned to meet in January and invite a representative from each institution to provide input with regard to capital investments. He then moved that the Board of Regents resolve that conservation of energy be pursued with vigor at all institutions and that any remodeling or any endeavor relative to changing the physical plants be viewed from the point of

creating maximum flexibility in the future. Mr. O'Brien seconded the motion and it carried.

It was reported that the Policy Committee had not met as yet.

Dr. Pettit reported that the Presidential Search Committee held an organizational meeting and adopted a set of criteria for the new president and a second set of desirable characteristics; that a statement describing the position had been developed and an advertisement placed in The Chronicle of Higher Education with the expectation of following this up with an advertisement in some minority journals. He said nominees had been solicited from the leadership of American higher education and at least 100 letters had been sent to the leaders of different ethnic groups, so a variety of applications were expected. He said the committee would probably be meeting two or three times in January and would probably visit the campuses of the finalists. He said to satisfy the requirements of HEW, the cost of the search would be more than normally expected. He recommended that in the future, as presidents are approaching retirement age, funds be built into the budgets to cover these kinds of expenses.

It was reported that the following items were added to the agenda:

Item 3-901-R1273, Authorization for Commissioner of Higher Education to Cooperate with State Personnel Bureau, an addendum to Item 3-300-R1273, Staff, Agricultural Experiment Station, and Item 3-500-R1273, Staff, Montana College of Mineral Science and Technology.

Item 3-001-R1273, Student Registration Fee and Per Credit Hour Tuition Charge for Instruction, Montana University System, was approved on motion of Mr. Heberly, seconded by Mr. O'Brien.

Item 3-002-R1273, Uniform Fee Refund Schedule for Students Withdrawing from School, Montana University System, was approved on motion of Mr. O'Brien, seconded by Mr. Gallagher.

Item 3-003-R1273, Policy on Activity and Athletic Fees, Montana Univer-

city System, was approved on motion of Mr. Heberly, seconded by Mr. Evans.

Item 3-004-R1273, Student Fee Deferment Policy, Montana University System, was approved on motion of Mr. O'Brien, seconded by Mr. Gallagher.

Item 3-005-R1273, Providing for Submission of Annual Consolidated Schedules of Per Credit Hour Fee Charges, Montana University System, was approved on motion of Mrs. Pace, seconded by Mr. O'Brien.

Item 3-006-R1273, Providing for Submission of an Annual Inventory and Validation of Miscellaneous Fees and Charges, Montana University System, was approved on motion of Mr. Gallagher, seconded by Mr. O'Brien.

Item 3-007-R1273, Policy on Building Fees, Montana University System, was approved on motion of Mr. O'Brien, seconded by Mrs. Pace.

Item 3-008-R1273, Policy on Procedure for Purchase of Real Property, Montana University System, was approved on motion of Mr. Heberly, seconded by Mr. Gallagher.

Item 3-009-R1273, Permitting Letter of Appointment for Summer Session Staff to Serve as Contract, was approved on motion of Mr. Gallagher, seconded by Mr. O'Brien.

Item 3-010-R1273, Policy Regarding Summer Session Salaries, Montana University System, was approved on motion of Mrs. Pace, seconded by Mr. O'Brien.

Item 3-011-R1273, Policy Regarding Charter Flights, Montana University System, Dr. Pettit reported that this had been discussed and approved by the Council of Presidents. He said there is a question of who has the authority to sign a contract for these flights and if they were coordinated by the Commissioner's office, faculty and students from all units could participate. Mr. Gallagher suggested that the item be amended on line two by deleting the word "charter" and adding the words "special scheduled and group tour". He then moved its approval, as amended. Mr. O'Brien seconded the motion and it carried.

Item 3-012-R1273, Submission of Annual Financial Statements Endowment Research Foundations, was approved on motion of Mr. Gallagher, seconded by

Mr. Heberly.

Item 3-013-RI273, Submission of Annual Financial Reports, Montana University System, was approved on motion of Mr. Gallagher, seconded by Mr. O'Brien.

Dr. Pettit explained that Item 3-014-RI273, Qualification and Classification of Students for Fee Purposes, Montana University System, is the result of the work of the registrars and is designed to eliminate the requirement that a student work in the state for one year before he can establish residency. On motion of Mr. Evans, seconded by Mr. O'Brien, action was deferred until the afternoon session.

On motion of Mr. Heberly, seconded by Mr. O'Brien the following old policy items were rescinded:

- Item 212-001, Authorization for Interim Payment of Architects and Engineers, Montana University System
- Item 214-004, Establishment of Uniform Fee for Part-time Students, Montana University System
- Item 214-005, Elimination of Miscellaneous Fees, Montana University System
- Item 218-003, Issuance of Letters of Intent to Employees, Montana University System

On motion of Mrs. Pace, seconded by Mr. Gallagher, Item 2-007-R0973, Increase in Extension and Continuing Education Fees, Montana University System, as revised, was approved.

Dr. Pettit reported he had submitted Item 3-901-RI273, Authorization for Commissioner of Higher Education to Cooperate with State Personnel Bureau, because he felt the manner in which the University System cooperates with the Department of Administration should be at the direction of the Board. The item was approved on motion of Mrs. Pace, seconded by Mr. Gallagher.

Item 3-700-RI273, Staff, Eastern Montana College, was presented by President Heywood and approved on motion of Mr. Heberly, seconded by Mr. O'Brien.

Item 3-701-RI273, Purchase of Real Property, Eastern Montana College, was approved on motion of Mr. Heberly, seconded by Mr. O'Brien.

President Heywood reported he had a request from the Staff Senate at

Eastern Montana College that in the interest of conservation, the institution be closed on December 24, 1973. He said he did not feel he could respond to the request without some direction of the Board. President McIntosh stated he had the same request except that it included December 31 also. After a short discussion it was agreed that this matter would be deferred until the afternoon session.

Item 3-200-RI273, Staff, Montana State University, was presented by President McIntosh and approved as amended on page one to change the salary factor on Charlene Greene from .06 to .6 on motion of Mr. O'Brien, seconded by Mr. Gallagher.

Item 3-201-RI273, Authorization to Enter into a Lease Agreement with Montana Power Company for Space on Roof of Cobleigh Hall and in one Room of Cobleigh Hall, Montana State University, was approved on motion of Mr. O'Brien, seconded by Mrs. Pace.

Item 3-202-RI273, Retirement of Dean of Students Max Worthington, Montana State University, was approved on motion of Mr. Heberly, seconded by Mrs. Pace.

Item 3-203-RI273, Retirement of Dean of Students Valery G. Glynn, Montana State University, was approved on motion of Mrs. Pace, seconded by Mr. Evans.

Regarding Item 3-204-RI273, Report--Family Housing Project, Montana State University, President McIntosh explained that this is a report on a project which is behind schedule. He said the university will lose approximately \$10,000 a month income as a result of the delay and since the bonds had been sold under the name of the Regents he felt they should be made aware of the situation. Mr. Evans stated these are the kinds of problems the Capital Construction Committee would be working on. Dr. Pettit moved that the item be referred to the Capital Construction Committee with a request for them to express the

Board's concern. Mr. Gallagher seconded the motion and it carried.

Regarding Item 3-205-R1273, Financial Aid, Montana State University, President McIntosh said he felt the new Regents should have the background information on how financial aid for MSU students has been funded. The report was accepted on motion of Mr. O'Brien, seconded by Mr. Gallagher.

Item 3-206-R1273, Report--Ten Years of Contract Conversions, Montana State University, was explained by President McIntosh. After a short discussion Mr. Heberly moved that the report be accepted and placed on file. The motion was seconded by Mrs. Pace and carried.

Item 3-300-R1273, Staff, Agricultural Experiment Station, including the addenda, was approved on motion of Mr. Gallagher, seconded by Mr. O'Brien.

Item 3-400-R1273, Staff, Cooperative Extension Service, was approved on motion of Mr. Heberly, seconded by Mr. O'Brien.

Item 3-100-R1273, Staff, University of Montana, was presented by President Pantzer and approved on motion of Mr. Evans, seconded by Mrs. Pace.

Item 3-101-R1273, Resolution Concerning the Death of Dr. Michael J. Fisher, University of Montana, was approved on motion of Mr. Heberly, seconded by Mr. Evans.

Item 3-600-R1273, Staff, Western Montana College, was approved on motion of Mr. Heberly, seconded by Mr. O'Brien.

Item 3-500-R1273, Staff, Montana College of Mineral Science and Technology, was approved on motion of Mr. Evans, seconded by Mr. O'Brien.

The Board recessed at 10:15 a.m.

The Board reconvened at 10:30 a.m.

The chairman asked Dr. Pettit to report on the indemnification study. Dr. Pettit stated that since there were conflicting views of the adequacy of the insurance coverage for indemnification of legal fees or expenses to administrators in the University System and Board members he had solicited in-

formation from other states on how they handle this problem. He said he had met with the staff of the Attorney General's office and the Legislative Council and representatives of the Department of Administration and it is still not clear how severe the problem really is. He said the Board might want to direct a further study on the matter.

Mr. James asked President Pantzer to comment, since his institution was faced with the problem. President Pantzer stated that the broad question is a grievous one nationally. He said if individuals are performing a function on behalf of an institution, certainly they are entitled to indemnification. He said he felt the Board should go on record stating that indemnification should be allowed in cases where, by law, individuals would be indemnified. Mr. James stated it was his feeling that the Board should take some action at the January meeting insofar as the University of Montana problem is concerned.

The chairman then called for budget presentations from the institutions and President Pantzer introduced Professor John Lawry, President of the AFT, Professor James Talbot, President of the AAUP, and Professor Stanley Grossman, of the AFT Legislative Committee. He said these gentlemen were not coming before the Board to present a conflict with the administration but to impress upon the Board the seriousness of the budget situation with emphasis on academic problems and the morale at the University of Montana, which they stated is at an all-time low at the present time. Each of these gentlemen made presentations regarding the difficult situations the faculty would be faced with the next biennium.

Budget presentations were made by the presidents of the University of Montana, Montana State University, Eastern Montana College and Montana College of Mineral Science and Technology.

The Board recessed at noon.

The Board reconvened at 1:30 p.m. with the same members present except Mr. Heberly.

President McIntosh introduced Dr. M. Roy Schwarz, Assistant Dean of

the University of Washington Medical School, Dean Richard McBee, Professor John Jutila and Marshall Cook, of Montana State University, who made presentations on the status of the program and how they viewed its future. The chairman thanked them for the presentation.

Budget presentations were made by the presidents of Northern Montana College and Western Montana College.

Mr. Evans moved that the presidents be given the authority to close the institutions on December 24 and December 31, 1973. Mr. O'Brien seconded the motion. Dr. Pettit pointed out that the Board does not have the authority to declare a holiday, and after some further discussion and comments by the presidents he made a substitute motion that the institutions not be allowed to close on those days. The motion died for lack of a second. It was agreed that the Board should have some consensus from the presidents before taking any action and the matter was deferred until later in the day.

The Board recessed at 2:50 p.m. to attend the State Board of Education meeting in the Governor's Reception Room.

The Board reconvened at 4:15 p.m. with the same members present.

The chairman called attention to the fact there was a motion before the Board to allow the presidents to close their institutions on December 24 and 31. Mr. Evans withdrew the motion and Mr. O'Brien withdrew his second.

Mr. Evans then moved that the following resolution be adopted:

WHEREAS, the six units of the University System are under advisement to observe the state statutory holidays and,

WHEREAS, energy could be saved by closing the institutions on December 24 and December 31, 1973,

THEREFORE, in the event such action should be authorized for various state agencies, the Regents authorize the presidents of the Montana University System institutions of higher education to take similar action.

Mr. Gallagher seconded the motion and it carried.

Mr. Evans then moved that the Regents of the Montana University System,

consistent with applicable law, approve full indemnification of University System personnel for all expenses incident to any defense or litigation resulting from matters incident to their authorized employment. Mr. Gallagher seconded the motion and it carried.

On motion of Mr. Gallagher, seconded by Mr. O'Brien, Item 3-014-R1273, Qualification and Classification of Students for Fee Purposes, Montana University System, was approved, the effective date to be Spring Quarter of 1974 for five institutions and summer session 1974 for Montana College of Mineral Science and Technology.

Mr. Evans requested that a memo be sent to all student body presidents explaining that their voices on the Board of Regents could best be heard through Mr. Wayne O'Brien, who is their official representative. He so moved. Mr. Gallagher seconded the motion and it carried.

Dr. Pettit said he would like a directive from the Board to prepare a study on the possibility of tuition and increased fees to be presented at the January meeting. Mrs. Pace so moved. Mr. Gallagher seconded the motion and it carried.

Dr. Pettit moved that the Board transmit the supplemental budget requests as approved in October to the State Board of Education and the Governor. Mr. Gallagher seconded the motion and it carried.

The Board recessed at 4:25 p.m. to convene in executive session to discuss a personnel matter with a representative of the Attorney General's office.

The Board reconvened in open session at 5:15 p.m. and the chairman requested that the Board's legal counsel review the action taken on the indemnification of employees to see how it might specifically apply to the situation of the administrators at the University of Montana and make some recommendation at the January meeting.

It was reported that the Board heard a report on the status of the

James Leland case from Mr. John Atkins, of the Attorney General's staff during the executive session.

The next meeting was scheduled on Monday, January 14, 1974 at the University of Montana in Missoula.

On motion duly made and seconded the meeting adjourned at 5:30 p.m.