

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

February 6, 1976
Helena, Montana

The Board of Regents of Higher Education met at 2:15 p.m. Friday, February 6, 1976 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. Present were: Mr. Ted Heberly, Mr. Jeff Morrison, Mrs. Mary Pace, Mr. John Peterson, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

Commissioner Pettit called attention to a correction in the minutes of the December 15, 1975 meeting on page two, paragraph three, section 3 as follows: the word "money" should be deleted and the words "unpledged funds" inserted in its place. He also pointed out that there should be an addition on page eight as follows: Item 11-104-R1275, Purchase of Real Property, University of Montana, was approved on motion of Mr. Evans, seconded by Mr. Thomas. The minutes were approved, as amended, on motion of Dr. Pettit, seconded by Mrs. Pace.

On motion of Mrs. Pace, seconded by Mr. Thomas the minutes of the December 31, 1975 meeting were approved.

Mr. Ted Heberly, Chairman of the Budget Committee, indicated that the committee had no recommendations at this time. Dr. Pettit advised the Budget Committee members to be on hand for a meeting sometime later this month.

Mr. Sid Thomas, Chairman of the By-laws and Policy Committee, reported that the committee discussed extensively Item 11-201-R0276, Provide Up to \$30,000 From MSU 1954 Bond Indenture Funds (Dormitory-Married Housing Revenue Bonds) to the Department of

Administration for Cost of Expert Witness(es) and Outside Counsel Fees, Montana State University He said that Mr. Phil Hauck, Administrator of the Construction and Maintenance Division, and Mr. Mike Young, Administrator of the Insurance and Legal Division of the Department of Administration, had explained to the committee why this request is being made and some of the complex legal problems involved. Dr. Pettit commented that he had asked these gentlemen if all other sources of funding had been exhausted because he is concerned that releasing these funds to another state agency might set a precedent that should not be established. He pointed out that, in his opinion, contingency funds should be built into appropriations requests in the future to handle emergencies such as this. President McIntosh said he was recommending approval of the request on the basis that if there are liquidated damages to be collected they would be returned to the bond indenture. Dr. Pettit moved approval of the item with the following stipulations:

1. That the legal staff in the Commissioner's office work out language to distinguish this from any other case, pointing out the extraordinary circumstances;
2. That a letter be addressed to the Governor emphasizing that any liquidated damages which might be collected would be returned to the bond indenture, and
3. That the Board of Regents is willing to allow the use of these funds, but it feels this is a general obligation of the State of Montana and Montana State University should be given financial assistance from some other source also.

Mr. Thomas reported that Item 11-004-R0276, Policy Regarding Student Involvement in Departmental Personnel Decisions, Montana University System, was recommended for approval. The item was approved on motion of Mrs. Pace, seconded by Mr. Thomas.

Mr. Thomas reported the Policy Committee recommended that the proposed policy regarding student participation in personnel decisions concerning academic administrative officers, Montana University System, be deferred.

Mr. Thomas reported the Policy Committee recommended approval of Item 11-002-R1275, Vacation Leave for Staff Members on Board of Regents Contract, Montana University System, with the suggested amendments. Mrs. Pace moved that the item be approved by amending line three in paragraph one to delete the word "faculty" and insert the word "those"; to delete sub-section (g) in its entirety, and to change sub-section "(h)" to "(g)". The motion was seconded by Mr. Thomas and carried.

Mr. Thomas reported the Policy Committee recommended that Item 11-003-R0276, Policy Regarding Faculty Exchange Agreements Montana University System, which was an addition to the agenda be deferred in order to give the inter-unit Faculty Council an opportunity to review it. He so moved. The motion was seconded by Dr. Pettit and carried.

Mr. Thomas reported the Policy Committee recommended that the matter of degree-granting authority of Vo-Tech Schools be deferred at this time. He so moved. The motion was seconded by Dr. Pettit and carried.

Mr. Thomas reported the Policy Committee recommended that the Certification of Compliance attesting to the conditional provisions in House Bill 271 which were not addressed by the Supreme Court action be signed by the Chairman of the Board and the Commissioner of Higher Education, but that it be transmitted to the Office of Budget and Program Planning with a letter from the Commissioner pointing out the conditions which are impossible to

comply with. He so moved. The motion was seconded by Mrs. Pace and carried.

It was reported that the Capital Construction Committee did not meet.

It was reported that Items 11-801-R0276, Authorization to Request Appointment of an Architect for the Purpose of Repair and Replacement of the Roofs on the Married Student Housing, and 11-802-R0276, Authorization to Utilize Funds Available from the Parking Facilities Fund for the Purpose of Providing Pavement and Drainage on the Parking Lot Adjacent to the Women's Dormitory, Northern Montana College, had been added to the agenda. Bill Lannan explained a situation which required that Item 11-801-R0276 be amended in the last line to change the estimated project cost from \$100,000 to \$141,000. The item was approved, as amended, on motion of Dr. Pettit, seconded by Mr. Thomas.

Item 11-802-R0276 was approved on motion of Mr. Heberly, seconded by Mrs. Pace.

It was indicated that the Collective Bargaining Committee had no recommendations at this time but a status report on collective bargaining and litigation was distributed.

Dr. Pettit moved that the Curriculum Committee's recommendation that Item 5-006-R0774, Policy Regarding Fee Waivers, Montana University System, be amended on line fourteen of section 2 to delete the period and add a comma, and to add the following: "or to student exchange programs which the Commissioner of Higher Education may designate under the WICHE Fellows or Scholars programs". Mrs. Pace, chairman of the Curriculum Committee, explained that the committee recommended the amendment to the policy in order to permit Montana's participation in a six-western-state program through which out-of-state tuition waivers are given to students who wish to enroll in unique, strong graduate programs unavailable in

their own state. He said the program is designed to reduce unnecessary creation of graduate programs and afford students greater opportunities for regional graduate education, and that designated programs will not include those currently filled to capacity.

The motion was seconded by Mr. Thomas and carried.

Dr. Pettit moved acceptance of a request from President Leach that Item 9-806-R0775, Associate of Science Degree in Nursing Home Administration, be withdrawn. Mr. Thomas seconded the motion and it carried.

Mrs. Pace reported the Curriculum Committee recommended approval of Item 9-107-R0775, Master of Science in Rural, Town and Regional Planning, University of Montana. She moved that the Board approve this proposal. The motion was seconded by Dr. Pettit and carried.

Mrs. Pace reported the Curriculum Committee recommended approval of Item 11-005-R0276, A Proposal for a Collaborative Public Administration Program for the State of Montana - a joint proposal by the University of Montana and Montana State University. She mentioned that surveys of state government workers had shown tremendous demand for the program, which will utilize specialists from both campuses in order to accommodate the special interests of the prospective students with the best available expertise. She moved that the Board adopt the proposal. The motion was seconded by Dr. Pettit and carried. She also moved that, in light of this collaborative degree, Items 9-209-R0775, Masters Degree in Public Administration, Montana State University and 9-109-R0775, Masters of Public Administration Degree Program, University of Montana, be denied. The motion was seconded by Dr. Pettit and carried.

Mrs. Pace reported the Curriculum Committee had requested

that the Commissioner of Higher Education conduct a review of curricular options (under majors and minors) to assure that duplicative programs are not being offered in this way. She moved that the Board direct the Commissioner to conduct this review. The motion was seconded by Mr. Thomas and carried.

Mrs. Pace reported the Curriculum Committee recommended that the water and wastewater option under Item 9-807-R0775, Associate of Science Degree in Environmental Health, Northern Montana College, be approved, since there is an increasing training demand for sewage plant operators, but that the option for a sanitarian technician be denied. She so moved. The motion was seconded by Mr. Thomas and carried.

It was reported that the Council of Presidents had nothing to recommend at this time.

It was reported that the Student Advisory Council had several recommendations with regard to the athletic study.

Mr. James introduced Mr. Edward P. Furlong and requested that he present a status report on his study of intercollegiate athletics. Mr. Furlong reported on some of his activities since he was assigned the task of conducting this study. He reported that after his preliminary investigation the Commissioner of Higher Education had determined that a study of financing intercollegiate athletics in the Montana University System involves a scope of issues which preclude completion of the study by March 1, 1976, as the Regents had directed. Mr. Furlong said he had found it impossible to make viable recommendations to the Commissioner without assistance from financial experts who would be able to spend a considerable amount of time studying the institutions' general budgets, as well as their athletic financing. Mr. James said the Regents feel that this is a study that must be pursued, even though it will take some extra time and expertise to accomplish it. Dr. Pettit said he had outlined

the topics which must be addressed in order for a valid determination on the questions related to financing of intercollegiate athletic programs to be made. He moved that the Board of Regents authorize an extension of time (at least until June 1, 1976) for completion of the study by his staff. Mr. Heberly seconded the motion and it carried. Mr. Furlong was commended for the time and effort he had expended. Mr. James said, however, that it has become obvious that the complexities of financing, the implications of federal regulations and the ramifications of significant changes in the current structure of athletic programs are impossible to clarify without the commitment of additional financial resources and staff. Dr. Pettit requested that the recommendations of the Student Advisory Committee be transmitted to him so that he can take them under advisement as his staff continues conducting the study.

On motion of Mr. Thomas, seconded by Mr. Peterson, the following items were approved:

Item 11-700-R0276, Staff, Eastern Montana College

Item 11-500A-R0276, Staff, Montana Bureau of Mines and Geology

Item 11-501-R0276, To Borrow Money from Unexpended Plant Funds in Order to Change Method of Payment from Lease-Purchase to Outright Single Payment to Digital Equipment Corporation for Newly Purchased PDP 11/70 Computer, Montana College of Mineral Science and Technology

Item 11-200-R0276, Staff, Montana State University

Item 11-300-R0276, Staff, Agricultural Experiment Station

Item 11-301-R0276, Temporary Addition to Greenhouse, Agricultural Experiment Station

Item 11-302-R0276, Construction of a Temporary Greenhouse Addition, Agricultural Experiment Station

Item 11-303-R0276, Retirement of Associate Professor Claude Widecker, Agricultural Experiment Station

Item 11-400-R0276, Staff, Cooperative Extension Service

Item 11-800A-R0276, Staff, Northern Montana College

President McIntosh introduced Dr. Johan Asleson, Director of the Agricultural Experiment Station, who presented members of the Board each with a medallion commemorating the centennial of state agricultural experiment station. Dr. Asleson mentioned that in connection with the 100th anniversary, the Land Grant College Association had produced an excellent film. He stated that possibly within the next year Board members would have an opportunity to see the film. Mr. Thomas moved that the Agricultural Experiment Station be commended for its development over the past century. Mr. Heberly seconded the motion and it carried.

President Short explained a proposed request to the Board to use a portion of land owned by the State of Montana on the Western Montana College campus as a construction site for a public swimming pool.

President Short said he had been discussing the proposal with the Beaverhead County Park Commission representatives and he asked that the Commissioner be authorized to gather further details so that, if possible, a formal request can be presented to the Board of Regents at the next meeting. Mr. James asked the Commissioner to do this.

President Bowers introduced Dave Hill, the new Student Body President at the University of Montana. He also mentioned that another student, Mr. James Murray, was a recent recipient of a Rhodes Scholarship award. Mr. Murray was congratulated, and Dr. Pettit moved that the University of Montana be commended for its record of producing a large number of Rhodes Scholarship recipients. Mrs. Pace seconded the motion and it carried.

On motion of Mr. Peterson, seconded by Dr. Pettit, the Board of Regents' action of November 7, 1975 to increase the Commissioner's housing allowance to \$400.00 per month was rescinded. Dr. Pettit

explained that the intent of the Board was impossible to implement and therefore should be rescinded.

Mr. Peterson asked if the Board should take action to establish presidential search committees to find replacements for the presidents of Western Montana College and Eastern Montana College when the vacancies occur this year. Dr. Pettit reminded him that the Board had made a determination that acting presidents should serve in the instances of any vacancy until the role and scope of all institutions has been redefined. He said Dr. Freeman Wright, Deputy Commissioner for Academic Affairs, should have the role and scope statements submitted to him in the near future, after which time he would formulate his recommendations on role and scope. After Regents' response to the recommendations, presidential search committees will be appointed.

The date and place of the next meeting was left to the discretion of the Commissioner of Higher Education.

The meeting adjourned at 3:05 p.m.