

Amended

MINUTES OF THE BOARD OF REGENTS  
OF HIGHER EDUCATION  
MONTANA UNIVERSITY SYSTEM  
July 12, 1976  
Helena, Montana

The Board of Regents of Higher Education met at 1:45 p.m., Monday, July 12, 1976 in the House of Representatives, State Capitol, Helena, Montana.

The meeting was called to order by Chairman Ted James. Also present were: Mr. Lewy Evans, Mr. Ted Heberly, Mr. Jeff Morrison, Mrs. Mary Pace, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

On motion of Mr. Thomas, seconded by Dr. Pettit the minutes of the June 7, 1976 meeting were approved.

On motion of Mr. Thomas, seconded by Mr. Morrison the minutes of the June 11, 1976 meeting were approved as amended on page two, at the end of paragraph two, to add the following statement: The Board re-affirmed its position that it is not in favor of allocating rebate funds to only one institution.

Mr. Thomas moved that the By-Laws and Policy Committee recommendation to defer action on Items 2-016-R1073, Authorization for Use of Building Fees, 8-001-R0475, Policy Regarding the Selection of Academic Administrators and 12-005-R0676, Policy on Alcoholic Beverages, Montana University System be accepted. The motion was seconded by Mr. Morrison and carried.

Mr. Thomas moved that the Committee recommendation to approve Item 6-004-R0974, Policy Regarding Search and Screening Committee for Presidents, Montana University System (Revised), as

amended in paragraph two, line five to remove the word "and" after the word "faculty"; add a comma and after the word "administrators" to add the words "and students", be accepted. The motion was seconded by Mr. Morrison and carried.

Mr. Thomas moved that the Committee recommendation to approve Item 2-014-R1073, Policy for Naming Buildings, Montana University System, (Revised) be accepted. The motion was seconded by Mrs. Pace and carried.

Mr. Thomas moved that the matter of establishing comprehensive language competency requirements be placed on the agenda for Curriculum Committee discussion. The motion was seconded by Mrs. Pace and carried.

Mr. Thomas reported the Policy Committee requested that each president submit an inventory of all consulting activities of faculty and recommended that the Commissioner work with the presidents to establish guidelines to be included in a comprehensive policy relating to such activities which will be reviewed by the Committee in the fall and subsequently presented to the Board of Regents for approval. He so moved. Mrs. Pace seconded the motion and it carried.

Mr. Thomas reported that Mr. Dave Hill, Student Body President at the University of Montana, reviewed the student proposal for contracting for legal services. He said Mr. Hill stated the contract specifically provides that the attorney hired by the students will not be involved in <sup>any criminal or fee generating</sup> ~~controversial fee matters~~ ~~or any litigation against the Board of Regents.~~ <sup>matters.</sup> Mr. Thomas pointed out that no action was required but the Committee felt the Board should be aware of what the students are doing.

Mr. Thomas reported the Committee recommended that Item 13-001-R0776, Policy on Management of Computing Equipment, Montana University System, be added to the agenda. He moved that the item be approved. The motion was seconded by Mrs. Pace and carried.

Mr. Thomas reported the Committee discussed the continuing education recommendations and it was the consensus that they be presented to the Board. Commissioner Pettit asked Bill Lannan to review the recommendations and he did so. A question was asked about the effective date for implementation of the recommendations and it was agreed that the recommendations should be implemented on July 1, 1977. Mr. Thomas moved that the recommendations be accepted, to become effective July 1, 1977. The motion was seconded by Dr. Pettit and carried.

Mr. Lewy Evans reported that the Capital Construction Committee had requested that the Commissioner of Higher Education, in conjunction with the Division of Construction and Maintenance, examine the feasibility of pre-qualifying bidders prior to the acceptance of a bid on capital construction projects.

Mr. Evans reported the Committee considered a number of items on the agenda which he would mention as they are presented.

Mr. Evans stated the Committee deferred action on a request from Dr. Donald Lindahl, President of Flathead Valley Community College for the Regents to seek funds from the Legislature to provide partial support for the construction of academic facilities on the Flathead Valley Community College campus. He said the Committee asked Commissioner Pettit to research the legality of such assistance and report at the next meeting.

Mr. Evans indicated the Committee had requested that Mr. Andy van Teylingen submit a proposal relative to a university system facilities planner at the next meeting.

Mr. Evans reported that the Committee discussed briefly the continual problem of energy conservation on the campuses. He said the Committee supported the effort to reduce energy loss from state building. He said it had been suggested that the Legislature be requested to appropriate a special fund for each agency to be used for improving energy efficiency in existing buildings. He expressed the support of the Committee for this concept but stated no action was taken.

It was reported that neither the Collective Bargaining Committee nor the Community College and Vocational Education Committee had any recommendations at this time.

Mrs. Pace reported that the Curriculum Committee had accepted several new curriculum proposals for consideration at a later date. She stated the Committee also discussed Dr. Freeman Wright's teacher education report and Commissioner Pettit's recommendations in detail and that the Committee would probably make a recommendation at the September meeting.

Commissioner Pettit distributed copies of a report on out-of-state travel for his staff for the period of January 1, 1976 through June 30, 1976. He also distributed a report on recent developments in the areas of litigation, collective bargaining and administrative proceedings.

Dr. Pettit presented the following resolution and moved its adoption:

WHEREAS, President Stanley J. Heywood has elected to return to the faculty at Eastern Montana College; and

WHEREAS, Dr. Heywood has served as President of Eastern Montana College for eleven years; and

WHEREAS, he has served in such capacity with distinction and dedication;

IT IS HEREBY RESOLVED:

That the Board of Regents of the Montana University System wishes to acknowledge the many contributions made by Dr. Heywood, both to Eastern Montana College and to higher education in the state and nation. He has performed his duties in a manner which has engendered the respect and gratitude of faculty and students. He has represented Eastern Montana College with a concern for its traditions and, at the same time, an understanding of its potential development. He has exhibited leadership which has ensured the continuing support of the community. Throughout his term he has maintained his academic interests and furthered his professional reputation.

The Board of Regents, therefore, is pleased to commend Dr. Stanley Heywood, to express its appreciation for his many years of service, and to extend its best wishes for his future pursuits.

The motion was seconded by Mr. Thomas and carried. Mr. James presented President Heywood with a gift from the Board of Regents as a token of appreciation.

Dr. Pettit also presented the following resolution and moved its adoption:

RESOLUTION

Upon the death of Dr. D. Harold McCleave, former Academic Vice President at Eastern Montana College, the Board of Regents of the Montana University System extends its condolences to his family and friends. His death results in a great loss, both personally and professionally. His integrity and gentle nature served for many years as an example and a comfort for all who knew him. He enriched our lives; he will be missed.

Mr. Thomas seconded the motion and it carried.

Dr. Pettit reported that a progress report covering the three-year period of operation of his office since his appointment was being prepared and probably would be ready for presentation by the next meeting. He said he would also be reporting on a time frame within which he and his staff expected to achieve certain goals during the next year.

Mr. Heberly reported that the Budget Committee had reviewed Item 13-102-R0776, Approval of Computer Replacement and Funding, University of Montana, and Transfer of Computer to Eastern Montana College, and recommended approval of the item. He so moved. The motion was seconded by Mr. Evans and carried.

Mr. Heberly reported the Budget Committee reviewed a legal brief from Barry Hjort regarding the University Millage Account but no action was taken.

Mr. Heberly reported the Budget Committee recommended approval of an \$8,900 budget amendment for Northern Montana

College to provide for the expenditure of extension fee revenues for the Public Service Program as a result of greater student demand than anticipated.

Mr. Heberly reported that the Budget Committee reviewed correspondence from the Governor's Office regarding the financial crisis at Flathead Valley Community College and recommended that the Regents endorse the first of three alternatives contained in correspondence from Mr. Michael Billings, Director of Budget and Program Planning, which states:

Alternative I. Reference is made to my memo to Governor Judge dated May 8, and the associated memo from me to Larry Pettit, dated May 11. This is still, in my mind, a highly reasonable approach to take. It is my understanding that Custer and Dawson community colleges have succeeded in securing voter acceptance of the special levy required to fill out their approved budgets. I also understand that the first attempt to pass such a levy for Flathead Valley Community College failed narrowly, indicating that a second or even a third try might be successful.

As I emphasize in these attachments, if the course of action suggested is followed, and FVCC is not successful in passing the voted levy, I feel there is a good possibility that the Legislature can be persuaded to provide additional funding for the unit. The arguments are strong, and this Office will definitely support the Regents' efforts in this matter.

*Also moved. The motion was seconded by Mr. Evans & carried*

Mr. Heberly reported the Committee discussed a budget request proposal from Dr. Mac Rugheimer, Chairman of the Inter-unit Committee on Energy Consumption and Conservation, and recommended that the Board of Regents seek \$200,000 from the next

Legislature to fund an engineering study to determine the optimum way of space heating in buildings on the Montana University System campuses. He so moved. Dr. Pettit seconded, and the motion carried. He stated that in addition, the Budget Committee recommended that the Board re-affirm its commitment to provide state support for research activities and FTE positions in the Montana University System, and further that the Commissioner review the possibility of dedicating a portion of the coal tax revenues to research with special emphasis on energy research. He so moved. Dr. Pettit seconded, and the motion carried.

Mr. Heberly reported the Committee reviewed the scheduled time-table for submission of the FY 1977 operating budget, as well as the biennial budget request and recognized that the time framework for submitting the executive budget by September 1 was unrealistic. He said the Committee agreed, however, that the campuses should proceed with a good faith effort.

Dr. Pettit reported that an appeal from Mr. Timothy D. Geizzler relating to his residency determination had been received and added to the agenda. He mentioned that Mr. Geizzler was present and he asked Catherine Swift, his staff attorney, to present the pertinent facts. Ms. Swift stated the reasons why Mr. Geizzler felt he would like to address the Board. Mr. James recognized Mr. Geizzler and he presented his case. Dr. Pettit advised the Board that Mr. Geizzler's circumstances did not meet the Regents guidelines; therefore the question before the Board is whether to exercise its discretionary power to make a special



concession in this case. Dr. Pettit stated the rules were being revised at this time and that in doing so his staff needed to be cognizant of the court rulings in this state, as well as nationally. Mr. James stated the matter would be taken under consideration and a decision would be made later in the day.

Dr. Pettit moved that the Board ratify the lease for new quarters for the Office of the Commissioner of Higher Education. Mr. Thomas seconded the motion. Mr. Morrison asked if the procedure relating to the lease had been cleared through the Department of Administration. Dr. Pettit explained that it had. Mr. Evans was asked to comment on the proposed building insofar as the cost is concerned. Mr. Evans noted that the cost of this building was in line with what is being built in other areas of the state, that there were some buildings under construction at this time in Billings which were being built at a higher cost. The motion carried.

President Heywood introduced Dr. Jay Kirkpatrick, the new Acting Dean of the School of Liberal Arts at Eastern Montana College.

Item 13-700-R0776, Staff, Eastern Montana College, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 13-701-R0776, Increase in Authorization to Construct Tennis Courts, Eastern Montana College, was approved on motion of Mr. Evans, seconded by Mr. Heberly.

Item 13-702-R0776, Purchase of Real Property, Eastern Montana College, was approved on motion of Mr Evans, seconded by Mr. Thomas.

Item 13-710-R0776, Degrees, Eastern Montana College, was approved on motion of Mr. Thomas, seconded by Mrs. Pace.

An addendum to Item 13-500-R0776, Staff, Montana College of Mineral Science and Technology, was distributed. On motion of Mr. Thomas, seconded by Mrs. Pace, the item, including the addendum was approved.

Mr. Evans moved that the Capital Construction Committee recommendation to approve Item 13-501-R0776, Installation of Air Conditioning Unit in Student Union Building, Montana College of Mineral Science and Technology, as amended in paragraph one, line six to change the cost figure from \$40,000 to \$45,000, be accepted. The motion was seconded by Mr. Thomas and carried.

Mr. Evans moved that the Committee recommendation to approve Item 13-502-R0776, Replacement of Window Units in Dormitory, Montana College of Mineral Science and Technology, be accepted. The motion was seconded by Mr. Thomas and carried.

Mr. Evans reported that Item 13-503-R0776, Purchase of Real Property, Montana College of Mineral Science and Technology, had been added to the agenda and the Capital Construction Committee recommended its approval. He so moved. The motion was seconded by Mrs. Pace and carried.

Item 13-510-R0776, Degrees, Montana College of Mineral Science and Technology, was approved on motion of Mrs. Pace, seconded by Mr Thomas.

Item 13-200-R0776, Staff, Montana State University, was approved on motion of Mr. Thomas, seconded by Dr. Pettit.

Mr. Evans moved that the Capital Construction Committee recommendation to approve Item 13-201-R0776, Use of Unallocated Student Building Fee Reserve Funds to Help Finance Completion of the 7th and 8th Floors, Leon Johnson Hall, Montana State University, be accepted. The motion was seconded by Mrs. Pace and carried.

Mr. Thomas moved approval of the following items:

Item 13-202-R0776, Retirement of Professor Charles C. Bradley, Montana State University

Item 13-203-R0776, Retirement of Associate Professor Mollie Jean Wimmer Hatch, Montana State University

Item 13-204-R0776, Retirement of Librarian Marjorie F. Brister, Montana State University

Item 13-205-R0776, Retirement of Professor Richard H. McBee, Montana State University

The motion was seconded by Mr. Heberly and carried.

Item 13-206-R0776, Use of a Tract of Land of Approximately 50,000 Square Feet for an Insect Laboratory, Montana State University, was approved on motion of Mr. Evans, seconded by Mr. Morrison.

Item 13-210-R0776, Degrees, Montana State University, 1975-76, was approved on motion of Mrs. Pace, seconded by Mr. Thomas.

Items 13-300-R0776, Staff, Agricultural Experiment Station and 13-400-R0776, Staff, Cooperative Extension Service, were approved on motion of Mr. Thomas, seconded by Dr. Pettit.

An addendum to Item 13-800-R0776, Staff, Northern Montana College, was distributed. On motion of Dr. Pettit, seconded by Mrs. Pace, the item, including the addendum was approved.

Mr. Evans reported that Item 13-801-R0776, Authorization to Increase Amount of Funds to be Utilized from the Parking Facilities Fund for the Purpose of Providing Pavement and Drainage on the Parking Lot Adjacent to the Women's Dormitory at Northern Montana College, had been added to the agenda and the Capital Construction Committee recommended approval. He so moved. The motion was seconded by Dr. Pettit and carried.

Item 13-810-R0776, Degrees and Certificates, Northern Montana College, was approved on motion of Mr. Thomas, seconded by Mrs. Pace.

An errata page was distributed as an addendum to Item 13-100-R0776, Staff, University of Montana. The item, including the addendum, was approved as amended on page two to delete the information pertaining to Donald W. Hyndman, Ph.D., on motion of Dr. Pettit, seconded by Mr. Evans. President Bowers introduced Dr. Arnold Bolle, stating that he would serve as Acting Academic Vice President at the University of Montana.

Item 13-110-R0776, Degrees, University of Montana 1975-76, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

It was reported that Item 13-601-R0776, Amend Salary for Frank Busch, Western Montana College, was added to the agenda.

Mr. Thomas moved approval of the following items:

Item 13-600-R0776, Western Montana College Merit Pool Distribution

Item 13-601-R0776, Amend Salary for Frank Busch, Western Montana College

Item 13-610-R0776, Degrees, Western  
Montana College,  
1975-76

Item 13-4000-R0776, Authorization for  
Increase in Building  
Fees, Miles Community  
College

Mr. James entertained a motion that the provision in Mason's rules to dispense with having motions seconded be adopted by the Board. Dr. Pettit so moved. He reported that Article XII of the current by-laws would be amended accordingly. The motion was seconded by Mr. Thomas and carried.

The Board recessed to convene an executive session at 2:50 p.m.

The Board reconvened in open session at 3:50 p.m.

Mr. Heberly moved that the Commissioner's recommendations on administrative salaries be approved and that the staff items submitted June 7, 1976 be amended accordingly. The motion was seconded by Mrs. Pace and it carried, with Mr. Thomas voting, "no." President McIntosh remarked that the minutes of the June 11, 1976 meeting indicated that the salary freeze applied to vice presidents and deans, but Montana State University felt it was the intention of the Board that it be applied to any rank above that of a department head. He asked that the minutes reflect that Montana State University had responded accordingly. Dr. Pettit so moved. The motion carried.

Dr. Pettit reported that after discussing the matter in the executive session the Board agreed to amend its action of June 11, 1976 with respect to the salary for the President of

Eastern Montana College to provide that on September 1, 1976 it be increased to \$31,000. The motion carried, with Mr. Morrison voting "no."

Mrs. Pace moved that the Commissioner's determination that Mr. Timothy D. Geizzler be classified as a non-resident for fee purposes be re-affirmed and his residency appeal be denied. The motion carried.

The next meeting was scheduled on the statutory date of September 13, 1976 on the Northern Montana College campus in Havre.

The meeting adjourned at 3:45 p.m.