

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM
February 14, 1977
Helena, Montana

The Board of Regents of Higher Education met at 3:25 p.m., Monday, February 14, 1977 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. Also present were: Mr. Lewy Evans, Mrs. Lola Hansen (a newly appointed member), Mr. Jeff Morrison, Ms. Mary Pace, Mr. John Peterson, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

Mr. James reported that Mr. Robert M. Peregoy, Chairman of the Inter-unit Committee on Native American Studies, was present to report the progress on implementation of the Indian Culture Master Plan in the Montana University System. Mr. Peregoy was introduced and made his presentation. Written copies of the report were distributed.

Mr. James introduced Mrs. Lola Hansen, stating that she had just been appointed to the Board by the Governor. He then reported new committee assignments as follows:

Community College and Vocational Education Committee

- Lola Hansen, Chairman
- Jack Peterson
- Jeff Morrison

Curriculum Committee

- Mary Pace, Chairman
- Sid Thomas
- Lewy Evans

Budget Committee

- Jeff Morrison, Chairman
- Lewy Evans
- Sid Thomas

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Capital Construction Committee

Lewy Evans, Chairman
 Jeff Morrison
 Lola Hansen
 Jack Peterson

By-laws and Policy Committee

Sid Thomas, Chairman
 Mary Pace
 Jack Peterson

Collective Bargaining Committee

Jack Peterson, Chairman
 Lola Hansen
 Sid Thomas

Ted James and Commissioner Lawrence K. Pettit -
 Ex Officio on all committees

Mr. Thomas reported that Diane Rotering, President of the Student Bar Association, was also in attendance and could answer any questions pertaining to Item 15-102-R0277, Authorization for Law School Student Agreement, University of Montana. There were no questions asked. The Board reaffirmed its approval of the item on motion of Mr. Thomas.

Mr. Evans moved that the Commissioner be directed to establish a search and screening committee for the president of Eastern Montana College. The motion carried.

The Board recessed at 3:45 p.m., to reconvene on Tuesday, February 15, 1977 at the call of the chair.

The Board of Regents reconvened on Tuesday, February 15, 1977 at 11:00 a.m. with the same members present.

On motion of Commissioner Pettit the minutes of the December 13, 1976 meeting were approved.

The Commissioner reported that the annual meeting of the Association of Governing Boards is to be held in Williamsburg, Virginia, March 13-15, 1977,

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and anyone who wishes to attend should notify him within a few days so his staff can make the necessary arrangements.

The Commissioner then distributed copies of the Council of Presidents' recommendation on increasing student fees. (Copy attached) He explained the recommendation, and moved that Item 15-002-R0277, Increase in Student Fees, Montana University System, be approved. President Bowers asked that the proposed increase in tuition and fees for out-of-state students be considered separately from the proposal for in-state students. Comments were heard from several students, some of whom objected to the Board's giving consideration to a specific proposal which had not been distributed to the campuses for assessment of student reaction. President Bowers stated that nobody likes to recommend an increase in student fees, but everyone needed to be realistic and realize the necessity for this kind of action. Mr. Thomas said he felt very strongly that the in-state fees should not be increased until it is evident to the Board that the funding is completely inadequate. Mr. Peterson said he takes the opposite view; that if the Board would have to depend on out-of-state fees to generate the necessary revenue it would not be adequate. Mr. Thomas made a substitute motion to consider the proposal for an increase in in-state and out-of-state fees separately. The substitute motion carried. Mr. Peterson made a substitute motion that the recommended in-state fee be increased to \$1.50 per quarter credit hour or \$2.25 per semester credit hour. The substitute motion failed. Chairman James then called for separate votes on the question of a fee increase for in-state students and out-of-state students, in light of the Board's having adopted Mr. Thomas' substitute motion to consider the two proposals separately. The proposal to increase fees for out-of-state students

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carried. The motion to increase fees for in-state students failed, with only Mr. Morrison voting "Aye". Mr. Peterson explained that his negative vote was based on his belief that the proposed increase was too low.

Mr. Sid Thomas, Chairman of the Policy Committee, reported the committee recommendations. He stated the Policy Committee recommended that Item 15-901-R1276, Policy on Filling Vacancies on the Commissioner's Staff, be deferred until the next meeting, at which time the matter of Board of Regents input on hiring the Commissioner's staff will be discussed. He so moved. The motion carried.

Mr. Thomas moved that the Policy Committee recommendation to approve Items 11-901-R1275, Policy Regarding Public Notice and Participation, Board of Regents of Higher Education (Revised), and 15-001-R0277, Administrative Hearings and Appeals, Montana University System, be accepted. The motion carried.

Mr. Thomas moved that in light of adoption of Item 15-001-R0277, the Board of Regents by-laws be amended to delete Article VIII. The motion carried.

The points of agreement on line item appropriations recommended by the Policy Committee for communication to the Joint Appropriations Subcommittee of the legislature were discussed. It was suggested that before the words "budget amendment" in points 2 and 3, the word "Regent" be inserted. Mr. Thomas then moved that the points of agreement be approved by the Board as follows:

1. That the legislature line item only by broad categories, i.e. personal services, operations and capital;
2. That there be transferability between operations and capital through the regular Regent budget amendment process;

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- 3. That all transfers into or out of personal services appropriations shall be made only by Regent budget amendment explaining the reason for such transfers;
- 4. That the legislature not accept for the university system the 4% vacancy rate in the Executive budget;
- 5. That the Regents retain the prerogative to shift moneys among campuses with the understanding that they not violate the stipulations with respect to personal services on any campus.

The motion carried.

The Board recessed at 11:30 a.m., to reconvene at 1:15 p.m.

The Board reconvened at 1:45 p.m. with the same members present.

Mr. Thomas suggested that action on the athletic fee be postponed until after the committee reports.

Mr. Evans moved that the Board reconsider the Council of Presidents' recommendation that in-state registration and incidental fees at each campus be raised \$1.00 per quarter credit hour or \$1.50 per semester credit hour. The motion carried, with Mr. Thomas and Ms. Pace voting "no". Mr. Evans then moved that the recommendation be accepted. The motion carried, with Mr. Thomas and Ms. Pace voting "no", and Mrs. Hansen abstaining. Ms. Pace and Mr. Thomas explained their reasons for voting against the increase in resident fees at this time.

Mr. Thomas presented a proposal for funding intercollegiate athletics. (Item 15-003-R0277). After a short discussion respecting whether or not the proposal would prohibit students from contributing to the support of athletic programs from a portion of their activity fee if they chose to do so, the following proposal was approved on a motion of Mr. Thomas:

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Item 15-003-R0277, Policy for Funding Intercollegiate Athletics, Montana University System

1. Intercollegiate athletics shall be budgeted and funded in the same manner as any other regular program of the university system. It is the intent of the Board of Regents that the operating budgets for intercollegiate athletics not be dependent on funds from the student activity fee, and that the student activity fee should not be used to provide regular support for the operating budgets of intercollegiate athletics. It is not the intent of the Board of Regents to restrict students from using the student activity fee to fund special non-recurring athletic items, intramurals, or club sports.
2. Student governments are encouraged to re-examine the amount and function of the student activity fee in the context of this policy. Student governments are further encouraged to consider a reduction in the student activity fee corresponding to the amount offset by the absorption of athletic funding by the institution operating budget.
3. Each campus shall formulate procedures to insure student participation in decisions concerning the intercollegiate athletic program.
4. This policy shall be effective July 1, 1977.

After some discussion the consensus was that the clear intent of the policy was that intercollegiate athletics be funded out of the regular operating budgets of the institutions and reach the stage as soon as possible where they no longer are dependent in part on an allocation from the student activity fee. Further, that as soon as possible the student activity fee no longer be used to support intercollegiate athletics. It was understood, however, that in the short run it may be necessary on some campuses for support to continue to come from the student activity fee, and that at any time an institution could request an exception to the policy in an emergency situation to provide financial support to intercollegiate athletics from the student activity fee. It was understood that the purpose of the policy in providing full support of the intercollegiate

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athletic program from the regular operating budget was to guarantee stability in the funding of intercollegiate athletics.

Mr. Thomas said he felt the Board had not yet adopted a philosophy with regard to intercollegiate athletic programs on the six campuses. He then moved that the Commissioner, in consultation with presidents, faculty, students and alumni, be directed to formulate for presentation to the Board of Regents, a statement concerning the role and scope of intercollegiate athletics in the Montana University System. After a brief discussion the motion carried.

Mr. Jeff Morrison, newly appointed Chairman of the Budget Committee, reported the committee recommended approval of Item 15-901-R0277, Budget Amendments, Office of the Commissioner of Higher Education. He so moved. The motion carried.

Mr. Morrison also moved that insofar as it is practical, any budget amendments reflecting increased levels of spending be approved by the Board of Regents prior to adjournment of the Legislature, with the exception of self-supporting programs (i.e. sales and services, continuing education, etc.). The motion carried.

Mr. Morrison moved that the Commissioner's office be directed not to spend, without further Regent approval, the \$32,500 which is being held for possible reversion pending appropriation of the \$1.4 million supplemental request. The motion carried.

Mr. Lewy Evans, Chairman of the Capital Construction Committee, reported the committee recommended that Item 15-201-R0277, Remodeling of Ground Floor and Lounge Area of Culbertson & Mullan Wings, Lewis & Clark Dormitory, Montana State University, be deferred until the matter of

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possible relocation of the Law Enforcement Academy could be determined. Mr. Larry Lytle, Director of the Montana Law Enforcement Academy Board, discussed the reasons for the Academy's preference for remaining at Montana State University and their need for additional space. After Mr. Lytle's presentation Mr. Peterson moved that the item be referred back to the Capital Construction Committee to be considered at a meeting on the campus of Montana State University on February 23, 1977. The motion carried.

Mr. Evans reported the committee recommended approval of Item 15-501-R0277, Replacement of Window Units in Dormitory, Montana College of Mineral Science and Technology. He so moved. The motion carried.

On motion of Mr. Evans the Board reaffirmed prior approval of adding to the list of capital construction priorities a \$1,300,000 proposal for the Law School at the University of Montana.

It was indicated that neither the Faculty Council nor the Student Advisory Council had a report at this time.

On motion of Commissioner Pettit the matter of discussing procedures for operation of the Board of Regents' meetings was referred to the Policy Committee.

On motion of Mr. Thomas Item 15-701-R0277, Minor in Scandinavian Studies, Eastern Montana College, was referred to the Curriculum Committee.

The following items were approved on motion of Mr. Thomas:

- Item 15-700-R0277, Staff, Eastern Montana College
- Item 15-500-R0277, Staff, Montana College of Mineral Science and Technology
- Item 15-500A-R0277, Staff, Montana Bureau of Mines and Geology
- Item 15-200-R0277, Staff, Montana State University
- Item 15-400-R0277, Staff, Cooperative Extension Service
- Item 15-800-R0277, Staff, Northern Montana College
- Item 15-801-R0277, Limiting Enrollment in the Nursing Program, Northern Montana College
- Item 15-100-R0277, Staff, University of Montana

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On motion of Commissioner Pettit Item 15-101-R0277, Change of Building Name from Natural Sciences to Botany, University of Montana, was approved.

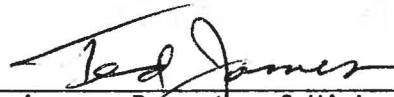
On motion of Commissioner Pettit Item 15-602-R0277, Request to seek annexation of a portion of the Western Montana College campus into Dillon City Limits, was referred to the Capital Construction Committee.

The Board recessed to convene an executive session at 3:35 p.m.

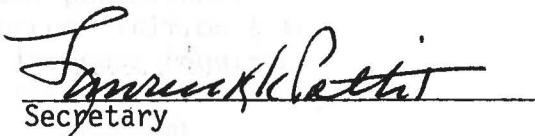
The Board reconvened in open session at 4:05 p.m.

On motion of Commissioner Pettit the Board approved the action of the University of Montana in rescinding a Master's Degree in Anthropology awarded to Dale Fredlund in June of 1970.

The meeting adjourned at 4:10 p.m., the next meeting to be subject to the call of the chair.



Chairman, Regents of Higher Education
Montana University System



Secretary