

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

DATE: January 21-22, 1988

LOCATION: Conference Room
Montana University System
33 South Last Chance Gulch
Helena, Montana

REGENTS
PRESENT: Lind, Hurwitz, Kehoe, Kaze, McCarthy
Morrison, Redlin
Commissioner of Higher Education Carrol
Krause

REGENTS
ABSENT: None

PRESIDENTS
PRESENT: Carpenter, Easton, Koch, Merwin, Norman,
Tietz

PRESIDENTS
ABSENT: None

Minutes of Thursday, January 21, 1988

Chairman Lind called the meeting to order at 10:10 a.m. Roll call was taken and it was determined a quorum was present.

Chairman Lind stated the first item on the agenda was the personnel appeal of Mr. Russell W. Sylvis. It was determined Mr. Sylvis was present. Also present was Mr. Sylvis' attorney, Mr. Max Anderson. Chairman Lind stated because this was a personnel matter, Mr. Sylvis had the right to request the hearing be closed. Mr. Sylvis declined.

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Chairman Lind then stated Mr. Sylvis' appeal of the Commissioner's decision would be open to the public, and would be held in the manner set out in the Notice of Hearing mailed to Mr. Sylvis and President William J. Tietz, Montana State University, on January 8, 1988. Each side was allowed approximately 15 minutes for its presentation; no new evidence was to be presented; and the parties were requested to restrict themselves to evidence and arguments on the record as previously submitted. The Board was previously supplied with a copy of the Commissioner's decision, the subject of the appeal, and appellant's notice of appeal.

Mr. Sylvis was terminated from his employment as Nursery Specialist with MSU effective August 15, 1987. Mr. Sylvis filed a grievance contesting this termination, and a hearing was conducted on the matter by the Montana State University Personnel Board on October 5th. The conclusions of the MSU Personnel Board, the characterization of the allegations which Mr. Sylvis raised in his grievance, and a description of the employer's position on the grievance as set forth by Dr. Jim Welsh were contained on pages one and two of the Commissioner's Decision.

Mr. Sylvis distributed and reviewed copies of exhibits consisting of various pieces of correspondence between him and the MSU administration. He summarized his presentation by stating at no time prior to June 20, 1986 did he have any indication he would not be made manager of the Controlled Environment Center, stating he worked at the MSU Greenhouse for 33 years, the last 21 years as manager of the greenhouse complex and horticulture garden. Mr. Sylvis disputed

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the allegation he was insubordinate, stating rather that he had not been dealt with fairly and in good faith.

Dorothy Brownlow, Acting Legal Counsel for Montana State University, introduced Cathy Conover, Director of Personnel Services, Montana State University, who presented oral argument on behalf of MSU. She reviewed the facts set out in the material sent to the Regents, citing Mr. Sylvis' refusal to recognize the newly hired manager as his supervisor, and his refusal to carry out responsibilities assigned to him. She reviewed and elaborated on the documentation previously supplied, illustrating how MSU management made every reasonable effort to correct the performance situation before resorting to termination. Ms. Conover summarized, stating the decision to terminate was made only as a last resort after continuing good faith efforts were made by Dr. Welch as well as Mr. Baumbauer, to persuade Mr. Sylvis to accept management's prerogative to assign supervisory personnel; to accept and follow the directions given by his supervisor; and to carry out his job responsibilities. Management's actions were in compliance with all rules, laws, and regulations in place to insure fair treatment is afforded to employees and their due process rights are protected. All peer reviews have supported management's position, and have found Mr. Sylvis' grievance without merit.

Chairman Lind called for questions from the Board before opportunity was provided to Mr. Sylvis for response. Questions were asked concerning the invitation to Mr. Sylvis to apply for the new position; the requirements in the job description and their

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appropriateness. Ms. Conover responded the position description for the classified position of Nursery Specialist, which Mr. Sylvis held, indicated a B.A. was required, which Mr. Sylvis did not have, and a master's degree was preferred for that position. It did not seem surprising then that when a higher level position was established which would be under Regents' contract that a master's degree would be a requirement with no opportunity for an equivalency. Chairman Lind asked for clarification. Was Mr. Sylvis complaining that he did not get the position as manager, or that he was terminated. Mr. Anderson responded Mr. Sylvis took the position that on May 14 the University and Mr. Sylvis entered into a contract under which Mr. Sylvis would be manager of the new facility until at least June of 1987. That contract was broken, and in Mr. Sylvis' view Mr. Baumbauer replaced Mr. Sylvis. Mr. Sylvis took the only position he believed he could take -- that he had a valid contract and could not recognize Mr. Baumbauer as his superior. Lack of good faith was expressed by indicating in writing to Mr. Sylvis that he could apply for the new position, but he would not be qualified and would not be considered. The job description for the Nursery Specialist contained degree requirements, "or their equivalent"; the new description did not include equivalencies.

Chairman Lind asked Mr. Sylvis if he did in fact admit that when Dean Welsh directed him to cooperate with the Plant Manager in performing his duties that he did not do so. Mr. Sylvis replied that was correct.

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Hearing no further questions from the Board, Chairman Lind asked Mr. Sylvis if he or his attorney wished to make concluding remarks. Mr. Anderson replied they had none.

Chairman Lind asked the pleasure of the Board. Regent Morrison moved the Commissioner's decision be upheld. After brief discussion, the question was called. The motion carried, and the appeal was denied.

VOCATIONAL TECHNICAL AGENDA

Vocational-Technical Governance Report

Brady Vardemann, Deputy Commissioner for Vocational-Technical Education, explained that staff and others around the state have been deeply involved for a number of months in a study of the vocational-technical centers, and how they best might be governed. To make that determination is the object of the report before the Board at this time. The impetus for the study lies in House Bill 39 enacted by the 50th Legislative Assembly. Ms. Vardemann touched briefly on the major components of H.B. 39, including duties of the Board of Regents, Board staff, and Center staff. An overall charge of H.B. 39 is there shall be an orderly development of vocational-technical education at the postsecondary level which will include the adoption of standards for programs and courses; review and adoption of policies; establishment of student entrance and graduation requirements; leasing of facilities where bonded indebtedness exists, and purchase of the two centers without such indebtedness; adoption of budgets; plan for appropriate professional faculty development; establishment of uniform policies for record keeping,

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financial management, accounting, maintenance, recruiting, guidance; negotiating faculty contracts; and many other specificities to assure the orderly transition and operation of the centers.

Another section of H.B. 39 speaks to the designation of the Board of Regents as the sole state agency for federal funds. A third component important to this discussion is the section which requires a recommendation be brought to the legislature for funding of the centers. The fourth component which the Board needs to address includes a plan for the reorganization of all postsecondary vo-tech education; a long-term plan to assure high quality programs in the centers, including focusing the centers in specialized areas; the feasibility of closing one or more centers; elimination of low enrollment programs; and planning for consolidation of various functions with other units of the University System.

Deputy Commissioner Vardemann also called the Board's attention to a statement from the Montana Council on Vocational Education titled "Administration of Montana Vocational Technical Centers", dated January 15, 1988 (on file). The statement offered by the Council encouraged the Regents to adopt that structure which has the viability to maintain the centers' missions, enhance their potential to meet state occupational training needs, and promote the centers' role in the social and economic stability and growth of the state.

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Ms. Vardemann then reviewed the report sent with the agenda titled "Vocational-Technical Center Education in Montana: A Search for Optimal Efficiency," (on file). The report contained four proposed models for governance of the vocational-technical centers. The goal is to increase educational opportunities in postsecondary and vo-tech education within a System that is as efficient as possible given the limited resources of the state.

Ms. Vardemann began her review of the proposed models for vo-tech governance by stating it is important that postsecondary vocational-technical education and its unique role and scope be recognized, affirmed, and supported by the Board of Regents regardless of which model is ultimately selected. The missions of the centers should be maintained intact. Separate budgets should be defined for the centers in such a way those budgets are not vulnerable to the units of the University System with which they might be linked, and conversely, so the units' budgets are not vulnerable with regard to the vo-tech centers.

Deputy Commissioner Vardemann then reviewed the material in the report on Model 1, State System Model; Model 2, Multi-Branch Campus Model; Model 3, Affiliation Model; and Model 4, Combination Model. The advantages and disadvantages of each of the proposed models were contained in the report, and were reviewed and discussed. It was pointed out the majority of Center personnel support Model 1, known as the "stand-alone model."

Ms. Vardemann concluded her review with an elaboration and review of the staff recommendation that

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Model 4, a combination model, be adopted as set out on page 17 of the report.

Questions were entertained from the Board. It was agreed funding of the centers is a crucial issue, and that can only be determined by the legislature. Without resolution of the funding of the centers, it is difficult to set a governance model in place. Regent Morrison and others expressed discomfort with the words "affiliated model" in section (2) of Model 4.

In discussing the need to respond to the legislative mandate that governance of the centers be established by the Regents, Regent Redlin suggested an adequate response was the appointment of the Deputy Commissioner for Vocational-Technical Education. How the evolution of governance of the centers will develop is unknown at this time, though Regent Redlin stated she did wish to see Northern Montana College play an integral role in that governance. Planning for postsecondary vocational-technical education has not been done by the state on a regional or statewide basis up to this time. An assessment of the needs of postsecondary vo-tech education is essential to know what should be put in place to meet the needs. It does not appear there will be a major economic savings regardless of which of the four proposed models is adopted.

Commissioner Krause noted there have always been two issues in discussions of the future of postsecondary vocational-technical education. One is governance; another is funding. Governance has been placed under the Board of Regents; what needs to be determined now is an administrative structure that will

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provide parameters to deal with longer term planning, evaluation, role and scope development, and other matters which need Board direction to accomplish. Any of the models could be made to work. It is the belief of the staff that Model 4, the combination model, will provide the administrative organization, efficiencies, and framework to accomplish the necessary "next steps." The studies mandated by HB 39 must be conducted, and a recommendation must be made to the 51st Legislative Assembly on the future direction of postsecondary vocational-technical education in the state.

While a model would not have to be selected to put a number of things in place such as standardized systems of accounting, admissions, finance, etc., Deputy Commissioner Vardemann expressed the difficulty in putting together a transition team without a known framework.

Chairman Lind stated he agreed the Board needed to give direction regarding administrative structure. He had concern also with use of the term "affiliated model." As he understood the combination model, it would establish a "system" to direct sharing and coordination of resources with appropriate units through the Deputy Commissioner in the Commissioner's office. His recommendation was the Board concur in the staff recommendation to proceed under the structure proposed in Model 4, with certain caveats. One would be to replace the words "affiliated model" with "cooperative model." Second, given the history of programmatic changes recently made within the System,

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recognition be given to the focus given to the role and scope of Northern Montana College, and Northern's leadership role in postsecondary vocational-technical education should be assimilated into the model adopted.

Regent Kaze concurred, and asked that the statement "Northern's statewide leadership for vocational-technical education shall be recognized" be made more specific. He believed Northern should play a leadership role in the next year, and the role should be identified. Deputy Commissioner Vardemann agreed. She stated staff in the Commissioner's office and on Northern's campus should enumerate specific goals and timetables to complete the goals. Program articulation tasks were cited as an example, as was a statewide network of placement activities. It was agreed a more complete proposal outlining tasks and delineating Northern's role would be brought to the March 1988 meeting. A funding proposal to take to the 1989 Legislature will also be developed.

President Merwin distributed and discussed a memorandum dated January 20, 1988, containing Northern's response to the staff recommendation regarding vo-tech governance (on file). The response included two recommendations: (1) that the staff recommendation be amended to specify a direct role for Northern Montana College working with Board staff; to develop a five year plan wherein NMC would assume shared administrative oversight of the vo-tech centers along with the Deputy Commissioner of Vocational Technical Education, and (2) that Northern Montana College be given sole responsibility for all vocational/technical degree programs in Montana. President Merwin discussed

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the rationale for the recommendations contained in the memorandum, and distributed a handout (on file) containing excerpts from NMC's Role and Scope Statement in support of the recommendations. He urged the Board to seriously consider the recommendations to abate what he perceived to be the serious erosion of Northern Montana College's role and scope.

After discussion, Chairman Lind asked if any member of the Board felt Northern Montana College should not assume a leadership role in postsecondary vocational-technical education. No member so stated. Chairman Lind then stated by the absence of such response the Board reaffirms its position that Northern Montana College is, and should continue to be, a leader in the area of postsecondary vocational-technical education, and it would be the goal of the Board, working with Deputy Commissioner Vardemann and the Board's Vocational-Technical Education Committee, to further define that role as the governance model is developed.

Chairman Lind then called for comments from the Center Directors. It was the consensus of the Directors that Model 4 would provide the administrative structure necessary to proceed.

Board members then proposed the following changes be made to Model 4. In the opening paragraph, section (1) that the "prescribed period of time" be changed to read "July 1989." Section (2), was amended to change "affiliated model" to "cooperative model." The sentence would be further amended following "material resources", by inserting "and cooperation between all involved institutions, including the

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community colleges."

Regent McCarthy then moved Model 4 be amended as proposed and approved. The motion carried unanimously.

Jack Noble, Deputy Commissioner for Management and Fiscal Affairs, reviewed Item 58-7001-R0188, Inventory and Validation of Fees; Montana Vocational-Technical System. He explained the item authorizes the fees now in existence at the Centers. He noted a Task Force has been initiated that will bring a set of fees effective next Fall Quarter which will modify the fee structures for the Centers, initiate some new fees, and make the fees collected, and their depositories and accounting mechanisms, more uniform. These changes are necessary because of the Centers' conversion to state institutions, and will be brought to the Board for approval probably at the March 1988 meeting. On motion of Regent Kaze, Item 58-7001- R0188 was approved.

Mr. Noble next presented Item 58-7002-R0188, Operating Budget Authority; Montana Vocational-Technical System. The item establishes the authority on which the Centers' budgets will be set next year. The item provides the recommended voted levy amounts for the Centers for next year consistent with HB 39 and the appropriation act. If approved, the Centers will be assumed to be operating under this level of expenditure. If the voted levies pass, the operating budgets for the Centers will be submitted in detail in accordance with the total authority on this schedule.

Commissioner Krause commented some conversations will have to be held with the local

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districts on the amounts of the voted levies. The assumption is now that the same amount will be requested as was provided last year. The counties will also have to be reminded to assess the mandatory levies.

On motion of Regent Hurwitz, Item 58-7002-R0188 was approved.

Funding for Vocational-Technical Centers

Commissioner Krause reviewed the recommendations made in his memo to the Regents dated January 21, 1988 (on file) regarding funding for the Centers. The memorandum recommended staff develop a budget proposal and the necessary legislation to offer the legislature two options: (1) establish a 2-mill statewide levy, and (2) increase the county mandatory levy and general fund in amounts sufficient to replace the local voted levy. In addition, staff should review the future of federal funds, and make recommendations on alternatives to support on-going operations. The memo also addressed the proposal made at a recent Board meeting that the Board support placing a referendum for a 2-mill statewide levy on the ballot in November 1988 to finance vocational-technical education. It was the Commissioner's recommendation that not be done, and that it was more appropriate for the legislature to address the vo-tech funding issue directly in the 1988 session.

After brief discussion, on motion of Regent McCarthy, the Commissioner's recommendations to develop a budget proposal and necessary legislation was approved.

Establish Dates/Locations for Public Hearings to meet Legal Requirements for Carl D. Perkins Vocational Education Act

Deputy Commissioner Vardemann reviewed the

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legal requirements of the Carl D. Perkins Act regarding public hearings on the new 2-year state plan. The State Vocational-Technical Advisory Council is interested in hosting the first hearing in conjunction with its meeting on February 11, 1988 in Helena. Ms. Vardemann recommended the second hearing be held in early March 1988 in Billings. Regent participation in the hearings was discussed. The new state plan will be presented to the Regents for approval at the March 1988 meeting in order to meet the May 1, 1988 deadline for its submission to the federal government.

Ms. Vardemann introduced Mr. Jim Fitzpatrick, newly-appointed Director of the Montana Council on Vocational Education.

On motion of Regent Kaze, the hearing date of February 11 (Helena) was approved. The March hearing date in Billings will be determined by Ms. Vardemann working with members of the Regents' Vo-Tech Committee.

Report on Appointment of Vocational Education Technical Committees

Deputy Commissioner Vardemann reported on the Carl D. Perkins Act mandate that a minimum of at least two technical committees be appointed to work on behalf of vocational-technical education. Ms. Vardemann explained the membership requirements and the involvement of the Vo-Tech Advisory Council and the Office of Public Instruction. Recommendations on the tasks of the committees and their membership will be brought to the Board for approval at the March 1988 meeting. No action was required at this meeting.

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Vocational-Technical Center Lease Agreements

Chief Counsel LeRoy Schramm distributed copies of the proposed lease between the Board of Trustees of High School District A and the Board of Regents to lease the facilities comprising the Great Falls Vocational-Technical Center (on file). The local school districts in both Great Falls and Butte have approved leases with identical terms, other than the property descriptions, and approval is sought for both leases. A lease with the same terms is anticipated to be brought to a future meeting for the Billings Center.

HB 39 authorized the Board of Regents to negotiate with the local school districts for lease or purchase of the Centers. The three Centers having bonded indebtedness received an appropriation approximating the amounts of bond payments to be made over the next biennium. The rent being negotiated for those Centers is equal to the amount of the legislative appropriation, and is approximately \$40,000 short of the bond payments. The districts have agreed to make up that difference. Missoula and Helena have no bonded indebtedness, and those properties will be turned over to the state for a nominal sum. Those transfers and the Billings lease will be brought to the March meeting if negotiations are completed.

Chief Counsel Schramm briefly reviewed the terms of the lease agreements, and responded to Regents' questions. On motion of Regent McCarthy, the lease agreements for the Butte and Great Falls Centers were approved.

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Montana State University Report on Hazardous Waste

President Tietz reviewed legislation designating MSU as the center for disposal of hazardous waste material, and the ensuing establishment of a Central Waste Storage and Transfer Site. Public hearings will be held on the Part B Permit process and is made up of several phases. Presently, a building site has been identified at MSU, just north of the Veterinary Science Building. Site review has been conducted, and transport routes will be reviewed the end of this month, including contingency routes should emergencies arise. An informal public hearing will be held on February 24 which, though not a requirement of the process, will expedite relations with the community. Additional public hearings will be held in April and May.

The Board recessed at 1:45 p.m. and reconvened immediately in executive session. At 3:00 p.m. the Board met with the Legislative Finance Committee and staff for a meeting of the University System Funding Study Committee.

Minutes of Friday, February 22, 1988

The Board of Regents met in executive session from 8:30 a.m. to 10:00 a.m.

Chairman Lind called the meeting to order at 10:10 a.m. Roll call was taken and it was determined a quorum was present.

Chairman Lind called for additions or corrections to the minutes of the previous meeting. None were stated, and the minutes of the December 10-11, 1987 meeting were ordered approved.

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Chairman Lind noted for the record that the residency appeal scheduled to be heard at this time had been withdrawn at the request of the appellant.

Budget Committee

Jack Noble reviewed Item 58-701-R0188, Preliminary Bond Resolution; Eastern Montana College. The item authorizes Eastern Montana College to issue up to \$7.5 million in bonds to restructure its outstanding debt, lowering its annual debt service payments by approximately \$300,000 for the next five years. Mr. Noble also explained EMC's plan to use unexpended proceeds from the 1985 financing available as a result of scaling back project improvements in the student union and residence halls as set out in his memorandum to the Regents dated January 12, 1988 (on file). He noted under present market conditions approval of the bond issue will result in an approximate \$175,000 of net present value savings in addition to restructuring of the debt. On motion of Regent McCarthy, the item was approved.

Item 58-3001-R0188, Increase Building Fee and Add General Fee; Flathead Valley Community College (Amended Copy), was reviewed by Chief Counsel Schramm. The item included a Commissioner's Recommendation which contained background information on the request to add a new general fee at FVCC. The amended item would delete the general fee increase originally proposed, and increase FVCC's building fee by \$6.00 per credit hour up to and including 12 credits in 1988-89, and \$8.00 per credit hour in 1989-90. FVCC intent is to use the increased building fee is to help finance a new campus. Funds raised by the fee will be used as partial security for the issuance of county bonds to be

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used to provide funds for construction of a new campus. Before bonds can be issued, the issuance must be voted on by the electorate. The item makes clear that if an election is not held by the end of the next school year, authority for the fee increase would lapse. The item also clearly states any bonds issued would not be state or University System bonds.

Dr. Schramm reviewed the actions which led to an Attorney General's opinion being sought to determine if authority existed for the financing arrangement proposed; whether the local district could obligate itself by contract to the county, and the county could finance bonds under its name for the school board. That opinion was issued in October 1987 and stated such an arrangement was legal, with the caveat stating the school financing laws must be observed, specifically one analogizing the community college district to a county high school and requiring a vote of the electorate.

President Fryette stated he agreed with the majority of Dr. Schramm's summation, but asked that the final paragraph which would cause the fee to revert back to \$3.00 if the election fails be amended. The intent of Flathead Valley's Board of Trustees was to continue to assess the increased fee regardless of the outcome of the election. If the bond issue fails on the ballot, the intent is to use those dollars directly in the incremental construction of facilities which could include demolition, remodel, or new construction. He spoke specifically to electrical deficiencies and other problems which need immediate attention whether or not

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new facilities are constructed. He urged the Board to revise the final paragraph of the item to allow the campus this flexibility.

Discussion was held on what would occur if the bond election failed. Dr. Schramm pointed out should that occur, if the Regents' approve assessing the increased fee without the restriction that it will revert if the election fails, in effect approval has been given to Flathead to build a new campus entirely with student fees. President Fryette and Dr. Schramm responded to Regents' questions on the timing of placing the bond issue on the ballot, and the Board of Trustees intended uses of the fee monies if the bond issue fails to pass. The Flathead Valley Board of Trustees is asking authority to levy the increased fee. The monies will be used for capital construction, but not limited only to construction of a new campus.

After discussion, it was suggested the first sentence of the final paragraph be amended to read: "The increased fee may be assessed and may be used for capital construction as defined by the building fund." The remainder of the sentence beginning with the words "as security" would be deleted. The last sentence would remain unchanged. With the amendment, the increased fee would continue to be assessed whether or not the local Board of Trustees received approval to issue revenue bonds. Regent McCarthy moved approval of Item 58-3001-R0188 as amended, with Regent Redlin voting no.

Collective Bargaining Committee

Deputy Commissioner Jack Noble referenced previous discussions held with the Regents regarding

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ratification of the tentative agreement between the University Teachers' Union, University of Montana, and the Montana University System, and the material sent to the Regents regarding details of the agreement. He recommended its ratification. On motion of Regent McCarthy, the UTU agreement was ratified.

Chairman Lind stated an addition to the agenda was the requested ratification of the Tentative Agreement between the International Brotherhood of Electrical Workers and Eastern Montana College. Sue Romney, Director of Labor Relations and Personnel, had earlier distributed a memorandum on the agreement to the Regents (on file) and outlined the changes which have been tentatively agreed to. She noted the agreement reflects the two-year wage freeze, and contains only minor changes. On motion of Regent McCarthy, the Tentative Agreement was approved.

Curriculum Committee

Submission Agenda

The following items were received for consideration at a future meeting:

1. Item 58-201-R0188, Change the Name of the Department of Agricultural and Industrial Education; Montana State University
2. Item 58-202-R0188, Change the Name of the Department of Veterinary Science and Veterinary Research Lab; Montana State University
3. Item 58-203-R0188, Authorization To Terminate the Degrees of Bachelor of Arts in Theatre Arts and Bachelor of Science in Film and Television Production and to Grant the Degree of Bachelor of Arts in Media and Theatre Arts; Montana State University

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President Tietz spoke briefly to the reasons the above three items are on the agenda. Number 1 is a change in the name of the department reflecting the addition of technology education. Number 2 reflects the elimination of the department of veterinary science as an academic element, and the concentration of effort on the veterinary research laboratory. Number 3 cleans up the wording in terms of the actual degrees being offered in the department media and theatre arts. All three items will be on the Action Agenda at the March meeting.

Action Agenda

Deputy Commissioner Albrecht reviewed the memorandum to the Commissioner dated January 22, 1988 (on file), which contained the explanation of the change in degree title requested in Item 55-101-R0687, Master of Administrative Sciences; University of Montana (REVISED). The item also asks that the Management Information Science component be added to the degree. Completing his review, Dr. Albrecht recommended the name change be approved, and the MIS component be approved, but brought to the Board for review before implementation. On motion of Regent Redlin, the item was approved.

Report on Conversion From Quarter to Semester Calendar

Chairman Lind referenced the report on conversion to the semester system reviewed by the Board at a previous meeting. At that time the Commissioner's staff was directed to meet with campus representatives to review the Board's previous decision to convert from the quarter to the semester system.

Deputy Commissioner Albrecht reported on the meeting with faculty leaders on January 4. That

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discussion included the issues, and particularly whether there was some way to accomplish the Board's objectives other than by converting to the semester calendar. The results of those discussions are contained in Dr. Albrecht's January 14, 1988 report before the Regents (on file). Dr. Albrecht stated the Commissioner's office is prepared to offer whatever help it can to the faculties to make the conversion. Staff does recommend that with the timing of accreditation visits facing the two universities, a delay of one year in implementation of the semester conversion is warranted. Conversion is recommended then to be moved forward to 1992.

Dr. Albrecht briefly reviewed the contents of his report, concluding that all the information possible on the subject has probably been received, and it is time now when most people would be relieved to have a decision on the issue.

Chairman Lind stated that because the decision to convert to the semester calendar had previously been made by the Board, a request for reconsideration would take a motion by a Board member. He asked if any member wished to make such a motion. Hearing none, he asked if there was a request for a change in the timeframe for the conversion. Regent Redlin stated she had no objection to moving the deadline for conversion forward, but wished to underline that further delays would not be acceptable. Regent Kaze asked for clarification: Is the System to move in unison and convert all units in 1992, if that date is approved, or if earlier conversion is possible, should the units proceed? Chairman Lind responded it is the

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Board's intention that 1992 be the outside limit for conversion. If it is possible to complete conversion earlier, units should be encouraged to do so.

President Koch, UM, stated before the Board closes the book on the issue there were some issues he wished to put forward. There are differing views on this issue around the System, and certainly at the University of Montana the views are held passionately. The Board is probably aware of the strong consensus of faculty and students at UM that UM should remain on the quarter system. Faculty and students believe that in Commissioner Krause's October 1986 report the calendar issue was expressed as something that should be done on the basis of consensus. At UM, the consensus is not to make the conversion. There are some very considerable costs attached to making the conversion. If that money is available, President Koch stated he would rather put it in the library or use it for some academic need. The conversion does depend on faculty and student cooperation. There are also significant collective bargaining issues that should be considered by the Board. In sum, the advice of the University of Montana is, don't do it.

President Tietz stated he would echo many of President Koch's comments. The money that will ultimately be spent on this process could be much more effectively utilized in terms of quality and development of academic programs at Montana State University. But he also asked that the Regents, in their diligence to assure the campuses comply with their timetable on the semester conversion, also assure compliance with the development of a common calendar with equal vigor. As

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the conversions are made, to know what that calendar will be would be a helpful adjunct to the campuses' efforts.

Hearing no further discussion, Regent McCarthy moved the timeframe for the System conversion from the quarter to the semester calendar be extended to 1992. The motion carried unanimously.

Commissioner Krause noted for the record that the motion which adopted conversion to the semester calendar also included adoption of a common calendar. Commissioner's staff will be working on that, but the common calendar cannot be developed until the conversion is completed. Dr. Albrecht noted work has begun on the common calendar, and a draft for the presidents' review is expected to be completed in approximately sixty days.

Chairman Lind commended Commissioner's staff for the report presented on the conversion and the time spent in making the recommendations. With the concurrence of the Board, and in recognition of the concerns expressed by the campuses on the manpower and effort necessary to make the semester conversion, the Board directed Commissioner's staff to consult with the campus administrations to offer whatever assistance the central office can provide to achieve the conversion in an orderly fashion.

Recommendations on University of Montana/Western Montana College Merger Report

Commissioner Krause called attention to his memorandum to the Regents dated January 21, 1988, included with the agenda material, which speaks to the policy issues which require Board consideration and action addressed in the progress report submitted at the December 1987 meeting (on file). After review and

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discussion of each of the policy issues, the following actions were taken:

Change in Statutes: Regent Kaze moved the Commissioner's staff be directed to assist in the development of appropriate legislation to change those statutes that should be changed to reflect the merger of Western Montana College and the University of Montana. The legislation will be presented to the 51st Legislative Assembly for action.

Administrative Organization: Provision shall continue to be made in the administrative structure for sharing resources and services between the University of Montana and Western Montana College. Western will continue to have a separately identified budget within the overall budget of the University of Montana.

Local Advisory Council: Regent Kaze moved that Western Montana College's Local Executive Board be eliminated in statute. Future appointments to Western's Local Advisory Council will be made by the President of the University of Montana upon recommendation of the Provost of Western Montana College. The motion carried with Regents Kaze, Hurwitz, Morrison, and Redlin voting yes. Regents McCarthy and Kehoe voted no.

Undergraduate Academic Programs: One of the stated objectives of the merger is to create "one institution in two locations." Within that context it is still necessary to maintain the primary role and scope of Western in undergraduate teacher education, including offering associate degrees which may be terminal or readily transferable to the University of Montana or other institutions. Upper division courses

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which are not essential for authorized teacher education majors should not be contemplated at the Dillon campus.

Graduate Programs: UM and WMC have developed procedures to accommodate students presently enrolled in WMC's graduate program in teacher education, which is to be phased out by the end of summer 1990. After that time it is proposed the University of Montana offer a master's program at Dillon using faculty from both UM and WMC. The Board concurred the University of Montana/Western Montana College should bring forward a proposal to establish a graduate center at Western Montana College to appropriately record the credit hours for budget purposes. The proposal should include a monitoring process to determine continuing need for the center.

Sharing of Revenues and Expenses: The merger proposal contains a recommended credit hour allocation between the institutions when graduate courses are taught at Western, or when Western's faculty teach at the University. The recommended proposal appears cumbersome. The Commissioner recommended the institutions develop a contractual procedure for allocating costs. At Acting President Easton's request, the issue will be addressed in the Center proposal to be brought to the Board at a future meeting.

Admission Standards: Discussion on this policy issue was deferred to the March 1988 meeting.

Reinstatement of Football at Western Monana College: Acting President Easton made a brief presentation on Western's rationale for asking reinstatement of the football program at WMC, including

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its importance to Western's mission consistent with WMC's preparation of teachers and coaches, and the sports medicine program. The proposal is modest, Montana based, proposes utilizing limited scholarships, is within the existing fee waiver allocation, and within WMC's financial means. In support of his position, President Easton distributed a revised sheet on athletic expenditures dated January 20, 1988 (on file). He cited also community support, alumni support, and local school administrators' support for reinstatement of the football program.

Regent Hurwitz moved the football program at Western Montana College be reinstated.

Discussion on the motion included the importance of Western's football program to the Frontier Conference, and whether it was appropriate to reconsider the action taken which withdrew the program a year ago. The proposed budget for the program is approximately \$51,000. Chairman Lind questioned whether Western would still request reinstatement if a specific limitation prohibiting Western from spending more than \$50,000 in state funds, including operating funds and fee waivers, was placed on the reinstatement. President Easton replied Western could operate the next year at that level, but some recognition would be necessary for inflation. Regent Morrison suggested rather than that restriction the proposal state no more than 20 in-state fee waivers could be allocated to the football program as a cost containment measure. Regent Morrison also asked if WMC intended to implement a student athletic fee, and was told that was not anticipated.

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Chairman Lind stated there was understanding that incrementally the program would grow, but it should be understood the budget as presented at this meeting is the kind of budget the Regents would anticipate seeing next year. It would be their further understanding, based upon Western's presentation, that the \$51,000 figure on the budget handed out today is largely offset in terms of enrollment, auxiliary fees, and other dollars to be generated by the additional students the football program is anticipated to attract.

Regent Morrison then moved to amend the Hurwitz motion to reinstate football by adding that Western Montana College be limited to offering 20 in-state fee waivers.

At the Chairman's request, Mr. Sonny Holland, Chairman of the Frontier Conference, addressed the Board on the effect that action would have on WMC's ability to compete with other schools in the Conference. He did not believe the 20 in-state fee waiver limitation would have a detrimental effect. Mr. Holland stated he believed, however, that eliminating football had a significant negative impact on enrollment at Western. In summary, Mr. Holland stated the Board had the opportunity today to send a positive message to both high school seniors and their parents throughout Montana. He believed reinstatement will be met with enthusiasm by small school administrators who hire teachers for Montana schools who must be capable of performing a variety of functions, including coaching and related sports activities.

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The question was called on the Morrison amendment to limit Western Montana College's total in-state fee waivers to 20. The motion carried.

The question was called on Regent Hurwitz' motion to reinstate the football program at Western Montana College, as amended. The amended motion carried with Regent Redlin voting no.

Board of Regents Standing Committee Assignments

Chairman Lind announced the following membership of standing committees:

Vocational-Technical Education Committee

Regent Kaze; Chair
Regent McCarthy
Regent Hurwitz

University System Funding Study Committee

Regent Lind
Regent Hurwitz
Regent Redlin

Budget Committee

Regent Hurwitz; Chair
Regent McCarthy
Regent Mathers

Telecommunications Committee

Regent Redlin; Chair
Regent Mather
Regent Kehoe

Chairman Lind stated this is a new committee charged with working with the Commissioner's office to determine the role and scope of telecommunications within the System; the role the units will play; and to develop a System approach to telecommunications.

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Membership of the Curriculum, By-Laws and Policy, and Capital Construction Committees will be reviewed and membership assignments made at a future date.

Public Hearings on Admission Standards

April 18-19, 1988 have been selected as the dates for public hearings on admission standards. It has been discussed that the hearings be held in locations in the state other than Helena to provide access to as many interested persons as possible. Locations will be determined and notices sent to local school districts, superintendents, campuses, and all interested parties.

Resolution Upon the Retirement of Jeffrey B. "Jeff" Morrison from the Montana Board of Regents of Higher Education

Chairman Lind stated the next action is performed with great reluctance, -- bidding official goodbye to Regent Jeff Morrison, who is retiring from the Board of Regents. No one present has dedicated more time and effort on behalf of higher education in Montana. He then read the following resolution into the record:

Jeff Morrison is a person who might be stamped "Made in Montana." He matured in the surroundings of a pioneering aviation family, graduating from Helena High School in 1953. After spending a year at Montana State University he served in the US Air Force for three years. Upon his discharge, he returned to Montana State University and graduated with a degree in accounting.

Jeff's early career was spent with a flying service in Havre, and as a corporate pilot. He later joined the bureaucracy, working as Assistant Director of Aeronautics for the state of Idaho.

He returned to Helena to take up the reins of the family flying service which had been started by his

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father, Red Morrison, in the early 1930's.

Jeff met his wife, Jeannie, at Montana State University where all good things happen, and they were married in 1961. Jeff's son, Jack, recently graduated from Montana State University. His oldest daughter, Sara, is currently enrolled at MSU. A second daughter, Rachel, is a high school student in Helena.

Jeff served four years as a member of the Helena School Board before being appointed to the Board of Regents in May 1975 by former Governor Judge. During two of those years he was chair of that board.

Jeff is the only current Regent who served during the formative years of the Montana University System following the adoption of the new state constitution in 1972. He was instrumental in the selection of many campus presidents and commissioners, and participated in the development of all current University System policies. Jeff chaired several board committees during his tenure. As Chairman of the Board's Budget Committee, he guided the financial health of the University System for many years. Jeff was elected Chair of the Board of Regents in 1982, and served in that position for 5 years.

Jeff is respected within the University System by students, faculty, and staff. He is also respected by those in public positions outside the university cloister as an effective and knowledgeable proponent of postsecondary education. At the same time he is viewed by the people of the state as an advocate of the desires of Montanans for a quality and affordable higher education system.

His few failings include an inordinate penchant for unattended railroad tracks, an inability to run a 4-minute mile, and a mean drummer's beat.

As he leaves the public arena of postsecondary education after 13 years, the Board of Regents wishes to acknowledge Jeff Morrison's important contributions to the Montana University System and the State of Montana, and to express its sincere appreciation for his dedicated leadership.

At the same time it acknowledges that from time to time it may call upon him for assistance in the future.

Regent Morrison reiterated his thanks to Regents and staff for their friendship and support over the last several years.

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New Business

Commissioner's Report

Commissioner Krause extended congratulations on behalf of the Board to President Don Kettner, Dawson Community College, on his selection as President of the Northwest Community College Association.

Dr. Krause reported briefly on the status of the Montana Guaranteed Student Loan Program following the callback of \$1.8 million of reserves by the federal government. Figures developed indicate if some leniency is allowed in the timeframe to return the \$1.8 million, the program's sound financial condition should be maintained. Loans are once again being processed, and the program will be closely monitored with the Department of Education. Dr. Krause will keep the Board informed.

Proposed Schedule for Long Range Building Program Tour and Hearings

Commissioner Krause reported a schedule for the long range building program tours has been prepared by Mr. William Lannan. Opportunity will be provided, and has been provided over the past year, for long range building presentations to be made to the Regents when meetings are held on campus. The up-coming tour will include representatives from the Department of Administration, Governor's Budget Office, and the Legislative Fiscal Analyst's office. Any and all members of the Capital Construction Committee are urged to participate in the tours if possible. Every effort will be made to coordinate the tours in such a manner they can be accomplished in as short a time period as is feasible, but Capital Construction Committee members participation is essential to the success of the prioritizing process.

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Mr. Lannan distributed a tentative schedule of campus visits, noting in addition to the six units of the University System, the five vo-tech centers will also be included on the schedule.

Mr. Lannan spoke to the practice in previous years of holding long range building hearings before the Board at a regularly scheduled meeting wherein each campus has an opportunity to present to the Regents its long range building priorities before the Regents' priorities are established. This year the suggestion is to hold a Capital Construction Committee meeting in Helena on May 23, 1988, separate from a Regents meeting, because of the time involved to provide each campus and vo-tech center an opportunity to be heard. Regents' long range building program priorities would be set at the June 16-17, 1988 meeting. The University System Long Range Building Program must be submitted to the Governor on July 1, 1988.

Mr. Lannan asked that conflicts or comments on the proposed schedule be communicated to him as soon as possible.

Item 54-601-R1286, Authorization to Proceed to Bid with the Swim Center; Western Montana College

Commissioner Krause explained a continuing analysis has been carried out over the last two years to determine the feasibility of proceeding with construction of the swim center at WMC. Although the funding is available for the construction, it would create real difficulty in payment of the revenue bonds and maintaining existing facilities if the funds are expended for that purpose. If the project is abandoned, the institutions will have funds for needed maintenance

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and renovation for existing facilities, and still remain in reasonably sound financial shape. The Commissioner recommended the project be abandoned, and the Department of Administration be so notified.

Acting President Easton concurred with the recommendation of the Commissioner. He stated with some repair the present pool is usable. Given enrollment projections and other economic indicators, it is not a financially sound decision to make the kind of long term commitment of funds construction of a new pool would require.

After brief discussion, Regent Kaze moved the swim center construction at Western Montana College be abandoned, and Item 54-601-R1286 be withdrawn. The motion carried unanimously.

Council of Presidents

President Koch reported the Grizzly men's basketball team has been invited to the Big Apple NIT. Stanford University will be coming to Missoula next season for the first round game. He also mentioned the upcoming Lady Griz and Cats game to be played next Saturday in Missoula. Both teams are undefeated, and it promises to be an excellent game.

The Board of Public Education, Office of Public Instruction, Faculty Association, and Montana Associated Students had no report.

Six-Mill Levy Report

Chairman Lind reported the Six Mill Levy Committee will hold a "kick-off" press conference in Great Falls on January 28, 1988. Regents were urged to attend.

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Regular Agenda

On motion of Regent Kehoe, the following items were approved:

- Item 58-100-R0188, Staff; University of Montana
(With Addenda)
- Item 58-200-R0188, Staff; Montana State University
- Item 58-300-R0188, Staff; Agricultural Experiment Station
- Item 58-400-R0188, Staff; Cooperative Extension Service
- Item 58-500-R0188, Staff; Montana College of Mineral Science and Technology
- Item 58-500A-R0188, Staff; Montana Bureau of Mines and Geology
- Item 58-700-R0188, Staff; Eastern Montana College
- Item 58-800-R0188, Staff; Northern Montana College
- Item 58-900-R0188, Staff; Office of Commissioner of Higher Education (ADDITION TO AGENDA)

The meeting adjourned at 12:10 p.m. The next regularly scheduled meeting of the Board of Regents will be held on March 24-25, 1988, in Butte, Montana.

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