

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

DATE: May 4-5, 1989

LOCATION: Lewis & Clark Room
Student Union Building
Eastern Montana College
Billings, Montana

REGENTS PRESENT: Hurwitz, Mathers, McCarthy, Kaze, Riley,
Redlin
Commissioner of Higher Education Carrol
Krause

REGENTS ABSENT: Lind

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

PRESIDENTS ABSENT: None

Minutes of Thursday, May 4, 1989

The Board of Regents met in informal session at the Billings Vocational Technical Center at 1:00 p.m.. The Regents, students, and faculty met briefly for a presentation by the President of the Vocational Technical Student Government Association. Following the discussion, Regents and interested persons toured the facility.

At 3:00 p.m., the Regents met in Executive Session in the Bridger Room, Eastern Montana College.

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Minutes of Friday, May 5, 1989

In the absence of Chairman Lind, Vice Chairman Hurwitz chaired the meeting. The meeting was called to order at 9:00 a.m. Roll call was taken and it was determined a quorum was present.

Vice Chairman Hurwitz called for additions or corrections to the minutes of the previous meeting. None were stated, and the minutes of the March 16-17, 1989 meeting were ordered approved.

On behalf of the Board, Commissioner Krause introduced and welcomed the attendance of Superintendent of Public Instruction Nancy Keenan. Superintendent Keenan attended the meeting in her capacity as an Ex Officio member of the Board of Regents.

Vocational-Technical Committee

Deputy Commissioner for Vocational-Technical Education Brady Vardemann presented a series of policies relating to day to day operation of the vo-tech centers. She explained the policies are driven off System policies already established. A revised copy of Item 63-7007-R0589, Holiday Exchanges; Montana Vocational-Technical System, was substituted for the item sent with the agenda materials.

Deputy Commissioner Vardemann explained the vo-tech centers are working on a number of activities relating to the governance transition, as well as to the work for which they are established -- the teaching and learning process in vo-tech education. She briefly referred to the extensive internal institutional assessment and other activities occurring at all of the vo-tech centers. Collective bargaining is underway; conversion from the quarter to the semester system has

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begun, as well as curricula revision, evaluation of student learning, review and renegotiation of the existing contract between the Office of Public Instruction and the centers for K-12 vocational-technical education; and the foundation has been laid to engage in a major marketing campaign. A specific document providing update on all transition activities will be presented to the Regents at their June 1989 workshop.

Returning to the policies before the Regents, Ms. Vardemann responded to Regents questions, and recommended all the items be approved. On motion of Regent McCarthy, the following items were approved:

- Item 63-7001-R0589, Non-discrimination; Montana Vocational- Technical System
 - Item 63-7002-R0589, Labor Negotiations; Montana Vocational- Technical System
 - Item 63-7003-R0589, Labor Negotiations; Classified Personnel; Montana Vocational-Technical System
 - Item 63-7004-R0589, Department of Administration Personnel Policies; adoption; Montana Vocational- Technical System
 - Item 63-7005-R0589, Department of Administration; Personnel Policies Adopted; Montana Vocational- Technical System
 - Item 63-7006-R0589, Employment contract; professional and administrative employees; Montana Vocational-Technical System
 - Item 63-7007-R0589, Holiday Exchanges; Montana Vocational- Technical System (CORRECTED ITEM SUBMITTED)
 - Item 63-7008-R0589, State Pay Plan; Montana Vocational- Technical System
 - Item 63-7009-R0589, Indemnification; Montana Vocational- Technical System
 - Item 63-7010-R0589, Leaves; administrative personnel; Montana Vocational-Technical System
- Report on Item 59-7002-R0588; Indirect cost Allowance;

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Carl Perkins Projects; Montana Vocational-Technical System

Commissioner Krause explained the item was before the Board under a mandate from the Board when the item was originally passed. Concerns were expressed by two of the units of the System on the allocation of indirect costs on federal vocational grants contained in the item. Those concerns have been resolved to accommodate the perceived problems. It was also explained that the Carl Perkins Act is under reauthorization in Congress and it appears it will emerge a considerably changed document. The final document will not be available until the Fall at which time a full report on changes to the Carl Perkins Act will be brought to the Board. For these reasons, staff recommends no changes to its previous recommendations adopted by the Board on item 59-7002-R0588 in May, 1988. The Board concurred with the staff recommendation.

Capital Construction Committee

Commissioner Krause noted that Mr. William Lannan, who normally presents Capital Construction items, had a conflict with another meeting and was not available today. In his absence, Dr. Krause asked that each campus address its own Capital Construction item.

President Koch, University of Montana, reviewed Item 63-102-R0589, Plaza Repair, Washington-Grizzly Stadium, University of Montana. Six months after the stadium went into operation, leaks developed on the west side of the stadium. It was not possible to determine exactly whether repair was the responsibility of the construction firm, the architect, or the University under the terms of upkeep. The item

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before the Board essentially divides the costs of repair among those three entities. On motion of Regent Kaze, the item was approved.

President Tietz, Montana State University, reviewed Item 63-201-R0589, Authorization to Pave a Portion of the Marsh Laboratory Road and Parking Lot; Montana State University, explaining in inclement weather the present lot is a mud hole and extremely difficult to maintain. The estimated cost of the project is \$32,850, and will be funded through MSU Parking Services revenue. Additional details of the project are set forth on the item. On motion of Regent McCarthy, the item was approved.

Next President Tietz presented Item 63-202-R0589, Authorization to Remodel a Portion of the Huffman Building; Montana State University, an addition to the agenda. The item proposes remodel of the Huffman Building financed by the Foundation with nonappropriated funds and donor contributions. Because the project is estimated to cost approximately \$85,000, it requires both Regental approval and concurrence by the Governor. The proposed project would renovate more than 60 percent of the facility to expand and improve offices of the Alumni/Foundation operation. Details of provisions for maintenance costs were explained by President Tietz. Maintenance will be prorated on a square footage basis, with the Foundation paying its share; the rest will be determined by occupancy. On motion of Regent Redlin, the item was approved.

President Carpenter reviewed the terms and conditions of Item 63-704-R0589, Purchase of Real Property; Eastern Montana College. The property is

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located within EMC's authorized purchase zone; appropriate appraisals were submitted; the conditionally negotiated price for which approval is requested is \$66,000. After brief discussion, on motion of Regent McCarthy, the item was approved.

Item 63-9001-R0589, Donaldson Building Parking Lot; Helena Vocational-Technical Center, and Item 63-9002-R0589, Poplar Street Building Parking Lot; Helena Vocational-Technical Center were presented by Center Director Capdeville.

Commissioner Krause noted also this is the final opportunity to utilize voted mill levy money at the vo-techs. There are questions of carry-over of those funds which are not entirely clear. During this transition period Dr. Krause stated he believed this use of the money to be appropriate.

After review of need and funding sources, on motion of Regent McCarthy, Item 63-9001-R0589 was approved.

On motion of Regent Kaze, Item 63-9002-R0589 was approved.

Curriculum Committee

Submission Agenda

Commissioner Krause explained Item 63-801-R0589, Affiliation of Northern Montana College and Great Falls Vocational Technical Center is on the Submission Agenda to serve as notice the proposed affiliation will be acted on at the August 1989 meeting, and to provide appropriate response time for other System institutions. Full discussion of the proposal will be held when the item is presented for action.

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Action Agenda

Commissioner Krause reviewed Item 62-501-R0189, 2+2 Transfer Program in Business Administration; Montana College of Mineral Science and Technology. The proposal is consistent with the direction of the Board to campuses not offering a business major that two-year transfer programs should be developed, articulated with the existing programs in the System. The proposal has been widely circulated and reviewed by potential receiving institutions. It should effectively serve students interested in business who wish to take the first two years at Tech, and transfer to another institution to complete their business degree. Commissioner Krause recommended the item be approved.

Vice President Toppen, Montana Tech, spoke to the Board's previous removal of Tech's authorization to grant the baccalaureate degree in business. At that time (January 1987) the Board directed Tech to develop a two-year transfer curriculum that would enable Tech students to obtain a full two years of credit for such a degree at another unit of the System. A report on the core curriculum that would evolve in providing such an offering was also mandated by the Board. Dr. Toppen explained how Montana Tech will coordinate that curriculum development in concert with the conversions from the quarter to the semester system, and how cross checking with potential receiving institutions will occur. Dr. Toppen responded to Regents' questions on details and need of the offering.

On motion of Regent Redlin, Item 62-501-R0189 was approved.

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Item 62-502-R0189, Bachelor of Science degree in Technology and Business Development; Montana College of Mineral Science and Technology was reviewed by Commissioner Krause. He referenced the January 1987 decision of the Board to eliminate the business major at Montana Tech, and the reasons for that decision. Part of that decision involved consideration of role and scope issues. Dr. Krause noted the Board has scheduled a workshop in June 1989 to discuss role and scope of the institutions in depth. For that reason, he recommended action on this item be deferred to the June 1989 regularly scheduled meeting of the Board to allow those discussions to occur.

President Norman concurred with the Commissioner's recommendation of deferral. He read a statement into the record (on file) explaining this degree submission is in response to the continuing needs of the College and constituent industries for relevant business training coupled with a technologic awareness of today's minerals and energy business. The degree does not seek to restore the previous business administration degree. Rather it proposes to strengthen Tech's accreditation, assist its efforts to accommodate a 2+2 program in business administration, and serve Tech's critical constituents.

After obtaining President Norman's assurance that deferral would not cause Tech particular problems, Regent Redlin moved action on Item 62-502-R0189 be deferred as recommended by the Commissioner. The motion carried.

Item 62-205-R0189, Authorization for Montana State University to establish a separate Department of Biochemistry and Molecular Biology within the College of Letters and Science; Montana State University was

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reviewed by Acting Deputy Commissioner for Academic Affairs Don Habbe. He referenced his memorandum to the Commissioner dated April 20, 1989 (on file) which provides a full discussion of the proposal. The proposal is basically an academic reorganization; proposes no new programs; has been reviewed by external consultants and considered by a campus faculty committee. MSU is prepared to accommodate any costs through reorganization. A similar proposal by the University of Montana involving the BioChem program was approved approximately a year ago. After further brief review, Dr. Habbe recommended the proposed organizational change be approved.

President Tietz requested amendment of the item to strike the phrase "within the College of Letters and Science" wherever it appears within the title or the item. As the proposal evolved, the possibility that it will be located within the College of Agriculture has increased. MSU would like that flexibility through the requested amendment.

After brief discussion, on motion of Regent Redlin Item 62-205-R0189 was approved as amended.

Follow-up Report on the Montana University System Core Curriculum

Acting Deputy Commissioner Habbe reported that at the January 1989 meeting the Board received a report on the development of the core curriculum from Deputy Commissioner Bob Albrecht. The core curriculum is intended to facilitate transfer of general education credits among the six units and the community colleges. A staff report was requested to be presented at this meeting on potential implementation.

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Dr. Habbe referenced his memorandum comprising that report dated April 20, 1989 (on file). In summary, discussions have been held among System vice presidents, the MUS Faculty Advisory Committee, and the community college presidents. All are ready to implement the proposed core consisting of approximately 24 semester hours with a 1991 implementation date. A draft of the proposed academic core is attached to the April 20, 1989 memorandum and was distributed with the agenda.

Regent Kaze questioned if there were any major blocks to the implementation date of Fall 1991. Dr. Habbe responded he did not believe there were. Dr. Habbe also noted that all transfer of credit questions raised by individual students or parents will not be laid to rest by the core's implementation. Because of specific accrediting requirements, some courses may not be recognized for a particular degree if they were taken at a lower division level at a community college. It will, however, resolve a great many of the issues and provide students a sense of currency and assurance that if they took the general education program at any of the units offering the core, those hours will be given full faith and credit at all units of the System and the community colleges.

President Flower, Miles Community College, and President Kettner, Dawson Community College, endorsed the review and comments of Dr. Habbe on the core curriculum, and stated appreciation to the Board for the directive given which provided this result.

By-Laws and Policy Committee

Submission Agenda

Chief Counsel Schramm reviewed Item 18-005-

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R1077, Fee Waivers; Montana University System (REVISED). He noted the change would implement the fee waiver legislation passed by the 51st Legislative Assembly. The major focus was to remove "shall waive" and changed that language to "the Board of Regents may waive" specific fees. This should reduce the potential for litigation on exactly which fees must be waived, and make the statutes consistent with practice. No change in present practice is contemplated. Other minor changes include expansion of veterans' eligibility; dependents of surviving spouse or child of Montana fire fighters or peace officers killed in the course and scope of employment will be eligible for waiver of registration and incidental fees.

Dr. Schramm expressed his and the Board's appreciation to Senator Pat Regan for carrying this legislation to its successful conclusion.

The item was received for consideration at the June 1989 meeting.

Action Agenda

Proposed Revisions in Policy Items on Admissions Standards and College Preparatory Curriculum

Commissioner Krause noted meetings have been held by the Curriculum Committee, with most members of the Policy Committee also in attendance, since the last meeting in response to Chairman Lind's directive at the March meeting. Deputy Commissioner Habbe was asked to report.

Dr. Habbe reviewed the background and discussions which have occurred on the two proposed policy revisions. The revisions before the Board are recommendations of the Curriculum Committee.

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At the March meeting, Chairman Lind asked the Curriculum Committee to review implementation of the college preparatory curriculum and the admissions standards policies, and recommendations be made on any changes if they were believed to be needed. Commissioner's staff has been working to implement the Board's policy decisions on those two matters which were made in May and June, 1988. Implementation of both the college prep curriculum and admission standards is scheduled in the Fall of 1990. That decision was reached by the Board after extensive discussion and lengthy public hearings.

Questions and issues have been raised regarding those two policy decisions. Some of those have led staff, and the Curriculum Committee, to believe that changes or clarifications are needed; others require simply determination of Regents' intent. Dr. Habbe explained the procedure of communication with the high schools in the state to determine if courses qualify under the college prep programs. Lists of approved courses will be given to each of the six units so when admissions officers make decisions on admitting students they will know if the college prep curriculum has been satisfied by each student.

Dr. Habbe spent some time elaborating on the major policy issues and questions. These included that categorical exemptions for in-state students were not included in the statement for out-of-state students; the issue of GED students -- how would they meet admission standards; and the third and largest set of questions relates to interpretation of the college preparatory curriculum, i.e., should there be exemptions; how to

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handle out-of-state students who did not know the requirements. Other issues needing clarification are Regents' intent on the science requirements, and how resource room courses should be recognized in terms of the college prep curriculum. At the meeting of the Curriculum Committee, it was the consensus that if the high school indicated a particular resource room course was equivalent to a regular high school course, it should be accepted as meeting the requirements.

This portion of the meeting was chaired by Regent McCarthy, Chairman of the Curriculum Committee. It was agreed the two issues would be separated for discussion -- admissions standards and the college preparatory program.

Admission standards were considered. At Regent Redlin's suggestion, two issues were clarified. Language should be added to the admission standards to let out-of-state students know how they can meet the requirements; language regarding the 15 percent exemption under the section relating to out-of-state students should be clarified to make clear there is no separate 15 percent exemption allowed for that category of students.

President Tietz asked if the college preparatory set of courses is a requirement for out-of-state high school graduates seeking admission to the Montana System. If that is the case, a paragraph should be added to the admission requirements so stating. Regents concurred with this clarification.

Staff was instructed to clarify the language in the out-of-state undergraduate admissions policy, in effect extending the same exceptions to out-of-state

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students already provided for in-state students, in line with today's discussion. With that understanding, on motion of Regent Kaze, the out-of-state undergraduate admissions requirements were approved.

College Preparatory Curriculum

Regent McCarthy introduced State Superintendent of Schools Nancy Keenan. Ms. Keenan stated her pleasure at being at today's meeting. She noted for the record that she would look forward to attending more meetings in her capacity as an ex officio member, and asked that coordination occur when possible so meetings of the Board of Public Education and Board of Regents are not scheduled on the same date.

Ms. Keenan spoke specifically to two issues of the Regents' college prep program - the science issue and the individual needs of a special population, the resource area.

Ms. Keenan read a position paper into the record stating her position and that of her office that the basic disciplines of life science, physical science and general science are survey courses that prepare students for more serious work in the four basic science disciplines of earth science, biology, chemistry and physics. These basic disciplines should make up the core curriculum for a basic secondary science education for all students regardless of their future vocation. The college preparatory program requirements for science should come from only the four disciplines listed above. Survey courses such as life science and physical science should be the core science curriculum for the middle schools and the junior high programs. Specialty science courses should be extra to, or outside of, the core science curriculum.

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Ms. Keenan noted the Regents requirements in the science disciplines have not been consistent. The national trends are strongly supportive of the earth sciences in high schools. Standardized tests for the science and general knowledge now request a focus and national standardized exams for each of the four sciences. Those are being strongly promoted across the nation. In consistency with Project Excellence, Ms. Keenan submitted that the Regents seriously consider her position as they make the final decision and go back to what she believed was the Regents original intent.

Ms. Keenan introduced Mr. Bob Briggs from her office, who spoke at some length on the impact the college prep program has had particularly in the science area across the state. The recommended college prep program adopted in 1983 required two years of science from biology, chemistry or physics. Earth science was not concluded. Extensive discussion resulted in earth science being added as a requirement in the Board's recommended curriculum. This information was widely disseminated throughout the high school community, and assurances were given to those schools that those requirements would not change. The teachers in the schools developed a curriculum to meet the suggested requirements, and SAT scores of Montana students began to improve dramatically, particularly in the science area. Mr. Briggs stated the Office of Public Instruction and the high schools believe they are now sending to the University System the kinds of students the System wants and has asked for. He urged the standards not be changed, particularly that physical science be accepted as meeting the standards, citing support for this position from teachers, administrators, science organizations and others.

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Regent Mathers, agreeing with a suggestion made by President Flower, moved that Section 1. (d) of the College Preparatory Program be amended to read "Two years of laboratory science: one year must be earth science, biology, chemistry, or physics; the other year can be one of those sciences or another approved college preparatory laboratory science. Commissioner's staff will work with the Office of Public Instruction and other interested parties to develop guidelines to interpret what is meant by "another approved college preparatory" course. With that one exception, the policy will remain as recommended.

Discussion was held on the motion.

Regent Kaze spoke to the extreme pressure exerted by various elements that the Regents, in revising and making mandatory the college prep program, not make the words earth science, biology, chemistry, and physics as the only descriptions of what constitutes college preparatory laboratory science. Language was adopted which stated there may be other kinds of names applied to courses which are in fact college preparatory laboratory science whether the name be physical science, or soil science. The issue is, is the course a college preparatory laboratory science.

Dr. Habbe noted the original Regent recommended college prep program was very narrow and concise. The mandatory program is more ambiguous, and it is for that reason it is important to know the Regents' intent. To date, the Commissioner's office has not allowed any physical science courses to qualify as meeting the college prep requirements, and a series of schools are appealing. The science education community

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is insistent the requirements should be met only by the four basic science courses listed by Superintendent Keenan. Other voices have been heard. The issue is how the Regents wish to interpret their requirement.

Commissioner Krause, summarizing comments and concerns heard in discussion, stated his recommendation to the Board would be to work with OPI staff to develop guidelines which would interpret the words "another approved college preparatory course." If the course meets certain criteria, whether it is called physical science or something else, it would meet the requirement.

Regent Redlin noted the lack of a "track record" of students who have completed the recommended program, and now the mandatory one. Part of the mandate is that data be gathered, and changes may have to be made again in the future. It is very difficult for the Regents to establish rigid guidelines with no documentation to back up those guidelines. The policy will be reviewed, and changes will undoubtedly be made.

Superintendent Keenan spoke to the difficulty the person will have, whoever it may be, who has to decide on a case by case basis if any science course having a lab is truly college preparatory.

Regent Kaze spoke to Ms. Keenan's concern, and others heard today. He stated when the Curriculum Committee met on these issues, it concluded unanimously no change in policy should be recommended to the Board on the science issue. The Curriculum Committee felt the Board of Regents could not decide if a particular science course meets the requirements of the college preparatory program. Someone with the proper background should make that decision. The Committee said in

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questionable cases high schools may be asked to submit evidence that there is a significant laboratory component to their educational course, whatever that may be. If the people in the System who have that knowledge and expertise agree it meets the equivalent under this policy, then it qualifies. If they do not, the course will not quality.

Dr. Habbe recommended those guidelines be developed without delay in order that students can determine if they have met the requirements. He also spoke to Superintendent Keenan's concern on how intrusive the Regents and the Commissioner's office should be in the internal operations of all of the high schools in Montana. The goal, as stated by Ms. Keenan, should be to work mutually toward some system that does not put the University System in the position of trying to look over the shoulders of high school teachers and districts throughout the state as they attempt to preform their functions.

The question was called on Regent Mather's motion to amend Section 1. (d) to add "another approved college preparatory laboratory science." The motion carried.

Further discussion was held on all aspects of the suggested changes and clarifications to the college preparatory program. The following changes and clarifications were agreed upon:

Non-traditional, summer, extended degree and part-time students will be exempted from meeting the college prep requirements; procedures will be established to meet the needs of notice of the requirements to out-of-state students and provide a

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remedy to meet that requirement, and providing the same categorical exemptions to out-of-state students allowed in-state students; clarified that students with deficiencies could make up such deficiencies through summer school work, attendance as a part-time student, or by attending a community college. It was also decided that from Fall 1990 to Summer 1992, students could qualify under the old recommended college preparatory program (1984), or the 1988 policy.

Discussion was held on the question of whether the courses offered in the resource room for learning disabled and special education fulfill college prep requirements. Regent McCarthy stated it was the recommendation of the Curriculum Committee that the high school will be asked to certify that the resource room course is equivalent or parallel to the content of the expected course. If the high school so certifies, the course will be accepted. Commissioner Krause noted it is important that it be known the System acknowledges the importance of the legitimate educational functions dealing with learning disabled students, and those courses will be recognized. For the record, Superintendent Keenan stated her office preferred use of the word "parallel."

Commissioner's staff was directed to work with representatives of the Office of Public Instruction to clarify the science requirement and the acceptability of resource room courses as meeting the requirements of the college prep program.

Paragraph 1 under "Board Policy" was amended in line three to read "following College Preparatory Program for all full-time first-time freshmen students who wish to enter . . .".

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Regent McCarthy then moved the College Preparatory Program be adopted as amended, including the earlier amendment amending Section 1. (d) adopted on motion of Regent Mathers. The motion carried.

Item 63-103-R0589, Authorization to Establish KUFM Translator Site in Whitefish, Montana; University of Montana was presented by President Koch. He explained the proposal is made in response to area listeners of KUFM who have had to build large antenna systems or connect to cable tv system to receive KUFM's signal from Missoula. Funding for the construction and operation of the translator will be from private gifts and donations. On motion of Regent Kaze, the item was approved.

Commissioner Krause called attention to the corrected By-Laws and Policy Committee agenda sent the Regents and others which added two items to the action agenda which were inadvertently omitted.

Dr. Krause explained Item 62-101-R0389, Authorization for Educational Institutions Under the Authority of the Board of Regents to Provide Limited Printing Services; University of Montana was on the submission agenda at the March meeting. The item restricts the printing operations at UM to printing only those documents which are related to the needs of the University System and restricts other outside printing activities. He recommended the item be approved. On motion of Regent McCarthy, the item was approved.

Commissioner Krause next reviewed Item 31-004-R0681, Holiday Exchange; Montana University System (Revised). The item provides for the designation by the Governor of July 3, 1989 as Heritage Day. The

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Friday following Thanksgiving was previously designated as Heritage Day. On motion of Regent Kaze, the item was approved.

Budget Committee

Deputy Commissioner Noble briefly reviewed a handout (on file) providing a summary of the System's appropriation contained in H.B. 100. Mr. Noble noted the \$20,404,137 (8.28%) increase in general fund provided for the next biennium, and explained in addition to that there will be an additional \$3.6 million of general fund distributed to the campuses and vo-tech centers through the statewide pay plan. However, there is not enough money in the pay plan bill to provide the 2.5% increase to the campuses. Mr. Noble also reviewed the schedules in the handout covering the University System, vocational-technical system, and community college FY90-91 budgets. In reviewing funding sources, Mr. Noble stated a particular concern is the System's group insurance plan. Even with the additional increase provided by the Legislature the employees' out-of-pocket costs will have to be increased, and benefits reduced. The statewide millage account is anticipated to be down approximately \$1.7 million. Tuition and fees will provide a biennial increase of approximately 17.29%

Mr. Noble called attention to the relatively insignificant increase received by the vo-tech centers. To accomplish this however required a 51.85% increase in state general fund because of the conversion of the centers from local control to state agency status.

In review of the community college schedule, Mr. Noble noted to attain the approved budget levels, tuition at the community colleges will have to increase substantially.

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NEW BUSINESS

Legislative Final Status

Dr. Krause distributed and briefly reviewed the final status of bills passed in the 51st Legislative Assembly that affect the System. He called particular attention to the bill which transferred the Fire Services Training School to the control of the Board of Regents effective July 1, 1989, and reported on meetings to which have been held to affect the transfer. Various options for the school's physical location and administrative structure are being studied. The Board will be kept advised. A status report on the bill passed reducing the Regents' terms from seven to five years was also provided. The bill was vetoed by the Governor, but is subject to a ballot override by the legislature.

Commissioner Krause concluded the legislative report stating that while the System by no means received sufficient revenues to significantly improve its position relative to its peers, the tone of the Legislature towards the System was certainly more positive than it has been in the past. Every effort will be made to continue that positive relationship.

Commissioner's Report

Commissioner Krause introduced Ms. Carroll Ferris, the newly-appointed Human Resource Development Officer on the Commissioner's staff.

Dr. Krause also called the Board's and the System presidents attention to a proposal which will be submitted next week to the Montana Science and Technology Alliance in the amount of \$230,000 to continue the Centers of Excellence. The proposal will

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be submitted on behalf of the System, but the presidents of the units having such centers will certainly continue to have access to specific activities on the individual campuses as they relate to those centers.

Dr. Krause commented on the invitations received by presidents, center directors, and community college presidents to join the Western Interstate Telecommunications Cooperative. WICHE has been working towards development of a cooperative venture which would allow telecommunications capabilities to be shared on an interstate basis. He urged the institutions to consider favorably joining the cooperative. While there are membership costs, the benefits to the participating institutions appear to be exceptional.

Concluding his report, Commissioner Krause stated a request has been received to move the June meeting forward one day. After brief discussion, it was agreed the meeting would be moved to Wednesday and Thursday, June 21 and 22, 1989. The meeting will be held in Helena.

Confirmation of Gubernatorial Appointments to Local Executive Boards

On motion of Regent Redlin, the following gubernatorial appointments to local executive boards were confirmed:

Helena Johnson to the Montana State University Local Executive Board to replace Vernon L. Westlake for a term ending April 17, 1990.

Ms. Pat Blade to the Western Montana College of the University of Montana Local Executive Board for a term ending April 16, 1992.

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Council of Presidents

President Tietz reported on the on-going efforts made by the Plant Research Center at MSU, working with various federal agencies, to move a biotechnology laboratory from Albany, California onto MSU's campus. That facility is working closely with MSU personnel in control of insect pests using biotechnical systems. As an extension of that effort, in cooperation with the federal government and creating a center of plant science research using the most sophisticated technical resources available, Representative Pat Williams has put together a matching program of approximately \$6 million. This will require some effort to match the federal appropriation on the part of the next legislative assembly. It is anticipated the federal source, and the amount of the federal appropriation, will be identified prior to the 1991 session of the Montana legislature. The proposal is part of a major project put forward by Representative Williams promoting development of international trade and regional information exchange.

President Tietz also noted that MSU's Institute for Process Analysis was selected, along with six others nationally, to be reviewed by the National Science Foundation for an engineering center of excellence. This has been a sponsored program of the NSF for some time. MSU considers itself fortunate to be one of the few institutions in this cycle of funding to be site visited. Cooperating entities in the project include Montana Tech and the University of Idaho and the Idaho National Engineering Laboratory in Idaho Falls. It is a regional program providing tremendous potential for Montana. President Tietz will keep the Board informed.

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President Koch, University of Montana, reported UM's Department of Art has received accreditation from the National Association of Schools of Art and Design for all of its programs and all of its areas, bachelor's through master of fine arts. He also commented how well the cooperative MBA program offered jointly by UM and EMC on EMC's campus is working, and reported receiving favorable comments from both faculty and students.

President Merwin, Northern Montana College, introduced the newly-elected student government officers of the Associated Student, Northern Montana College.

Commissioner Krause noted for the record that President Merwin has officially accepted a presidency in New York state. He will be leaving August 1st of this year. Because of the timeframe, a search could not be concluded prior to President Merwin's depart and Dr. Krause recommended an acting president be selected to serve in the interim. On motion of Regent Redlin, Commissioner Krause was instructed to take appropriate steps, including campus input, to recommend a candidate to the Board to serve in the capacity of acting president of Northern Montana College until a search can be concluded to select a president.

The Board of Public Education and Superintendent of Public Instruction had no reports.

Commissioner Krause stated a retired faculty member had requested an opportunity to speak on the matter of salary levels of retired faculty. Mr. Jim Cox, retired Professor of Chemistry and Education, University of Montana, stated he was one of

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approximately forty post-retirement service faculty on the Missoula campus who are upset with what they understand to be the recent System decision to withhold from post-retirement contract faculty the six percent salary increase to be given to other faculty at UM. He stated his belief the System has a contractual obligation to provide the same increase to post-retirement faculty, and that the statute governing the issue is clear and unambiguous on the matter, stating post-retirement service people will continue to receive normal pay raises determined annually by their unit. He urged the Board reconsider its position as put forward by staff that the six percent increase is a catch-up increase and not subject to this interpretation.

Commissioner Krause assured Professor Cox the Board does indeed have to deal with the issue of who will receive salary increases and who will not, and the statutes and post-retirement policies will be carefully scrutinized. No decision has been made at this time, and the Board agrees the position put forward by Professor Cox is one that will have to be addressed in that decision-making process.

Montana Associated Students

The Vice-Chair of the MAS introduced Tom Upton, President, Associated Students, Montana State University, who introduced Ken Peterson, president-elect of ASMSU, and two candidates for student representative on the Board of Regents. Mr. Upton next introduced Kerry Padgett, representing the American Association of Architects, who presented written testimony (on file) on behalf of the affected students against the concept of the "super tuition" imposed on the architecture program

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at MSU and other professional programs in the System. The testimony listed reasons for the students' position, and presented two proposals for the elimination of the fee. Those proposals are: (1) Complete elimination of super tuition in fiscal year 1992, and (2) Two-year phase-out of super tuition beginning in fiscal year 1991. A further caveat was that should super tuition continue in any form, MAS would request all funds generated by the fees be placed in a designated account where students can see how the money is spent.

At the conclusion of the presentation, Commissioner Krause accepted the student proposal to eliminate the tuition, but explained that given the current budget constraints it was highly unlikely any action such as that recommended by the students could be enacted in the present biennium. He assured the students the proposal would be considered at a future time by the Board as a policy matter. The tuition was imposed as a last resort measure to keep the architecture program alive at MSU. Unfortunately, the fiscal position has not changed significantly since its imposition.

At Regent Redlin's request, President Tietz commented on the proposal, noting it is not new, and has been presented to MSU administration. While there is no disagreement with the students' position that the super tuition presents a problem to students in the program, particularly in light of the tuition increases for all students recently imposed by the Regents, President Tietz stated he did disagree with several of the points made in the Associated Students' presentation relative to the intent and other reactions and responses to the

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tuition. He agreed a system should be established under which such programs are funded appropriately and equitably through fee payments by students and the state.

President Koch agreed with President Tietz' statements, but noted that without an absolute and unconditional guarantee of additional general fund, these tuitions for high cost programs will continue. Second, at UM physical therapy and pharmacy are more expensive programs, and the super tuition addresses that. Finally, in the case of law which also requires a higher fee, it is probably appropriate for students in that graduate program to pay a somewhat larger tuition than other students given the nature of legal instruction. He noted perhaps the situation on such tuitions is somewhat different at UM than it is at MSU.

Regular Agenda

Regent Riley moved the following items be approved:

- Item 63-100-R0589, Staff; University of Montana (WITH ADDENDUM)
- Item 63-200-R0589, Staff; Montana State University
- Item 63-400-R0589, Staff; Cooperative Extension Service
- Item 63-500-R0589, Staff; Montana College of Mineral Science and Technology
- Item 63-600-R0589, Staff; Western Montana College of the University of Montana
(Substitute Item deleting promotion of Brienza to Chair, Humanities/Social Science/Art
- Item 63-610-R0589, Degrees; Western Montana College of the University of Montana
- Item 63-700-R0589, Staff; Eastern Montana College
- Item 63-701-R0589, Dr. Lowell A. Dunlop to Professor of Education Emeritus; Eastern Montana College
- Item 63-702-R0589, Dr. William S. McKinley to Professor of Mathematics Emeritus; Eastern Montana College
- Item 63-703-R0589, Dr. Dennis D. Schulz to Professor of Education Emeritus; Eastern Montana College

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Item 63-800-R0589, Staff; Northern Montana College
Item 63-7000-R0589, Staff; Montana Vocational-Technical
System
(ADDITION TO AGENDA)

President Tietz noted for the record that on page 2 of MSU's staff item the post-differential allowances proposed for Dr. John Antle and Dr. Susan Capalbo are presented because they will be serving in the Phillipines. Also, Dr. Kathleen A. Long is being promoted to Associate Dean of the College of Nursing, not Assistant Dean as reflected on the item.

Regent Riley's motion to approve the regular agenda items was amended to include WMC's substitute item, the information presented by President Tietz and the correction, the addendum presented by UM, and was unanimously approved.

The meeting adjourned at 12:20 p.m. The next regularly scheduled meeting of the Board of Regents will be held on Wednesday and Thursday, June 21-22, 1989, in Helena, Montana.

The Board of Regents met informally at 1:30 p.m. for a tour of the Eastern Montana College computer facility, followed at 2:15 p.m. by an open forum for faculty, students, and interested persons.

