



Montana University System

Montana Board of Regents

Authority, Appointment, & Duties

Board of Education

The Board of Regents and Board of Public Education together make up the Board of Education, which meets once yearly to engage in long-range planning, coordination of K-College education and evaluation of policies and programs for the state's educational systems. Art. X, § 9, MT Constitution; § 20-2-101, MCA.

References to Law & Policy

- Art. X, § 9, Montana Constitution (Grant of sovereign power to Board of Regents)
- § 2-15-1505, Montana Code Annotated (MCA), Board of Regents
- § 2-15-1506, MCA, Commissioner of Higher Education
- § 2-15-1508, MCA, Appointments to Boards
- Title 20, Chapter 25, MCA, Montana University System
- Title 2, Chapter Two, Part 1, MCA, State Board of Education, BOR and BPE
- Title 2, Chapter 16, Part 6, MCA, Montana Recall Act
- Title 2, Chapter 2, Standards of Conduct for State Officers and Employees
- BOR Policy 201.7, By-Laws of the Board of Regents
- Robert's Rules of Order, parliamentary procedures adopted by the Board.

Authority of the Board of Regents

The Board of Regents is a 7-member governing board, with 3 *ex officio* non-voting members who are members by reason of their state government positions (the commissioner of higher education, the governor, and the superintendent of public instruction). The Board of Regents has "full power, responsibility, and authority to supervise, coordinate, manage and control" the Montana University System. The Board also supervises and coordinates 3 community colleges, which are governed locally by elected boards of trustees.

Appointment and Terms of Regents

Regents are appointed for 7-year terms by the governor, except the student regent, who serves for 1 year. Regents do not serve at the pleasure of the governor, as do executive department heads. Regents, once appointed, cannot be removed except for misconduct pursuant to the Montana Recall Act.

Duties and Responsibilities of Regents

The Board of Regents exercises a share of the sovereign power of the state of Montana. As such, the office of regent is a public trust which requires a duty of loyalty and responsibility to act in the best interests of the university system and the public. State law and board policy prohibit official actions taken for personal interests and require disclosure and recusal (abstention) on matters in which the regent has a personal or financial interest which could affect his or her vote.

Regents have authority only as a board. Individual regents have no authority. The chair acts as the spokesperson of the board, chairs the meetings, and has responsibilities relating to the setting of meeting agendas, but the chair sits as one of seven voting regents and has no substantive authority greater than that of the other regents.

As a lay governing board, the Board of Regents' major responsibilities are to:

- Set policy for the system, which includes engaging in long-range planning;
- Approve programs, tuition, fees, capital projects and property-related matters;
- Govern the system through the commissioner of higher education and two university presidents, who are appointed by the board.

How the Board Does Business

The board meets in September, November, January, March, May, and July. The November meeting is generally held in connection with Board of Public Education. Matters may be placed on the board's agenda by a regent, a campus with the approval of the commissioner, or by the commissioner. The board meets in noticed, open meetings and takes action by majority vote, with the chair voting. Proxy votes are not allowed. The board may meet in executive session for the purpose of discussing matters of personal privacy or litigation strategy.

Office of the Commissioner of Higher Education