

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

September 8, 1975
Helena, Montana

The Board of Regents of Higher Education met at 9:30 a.m., Monday, September 8, 1975 in the conference room of the Office of the Commissioner of Higher Education, Helena, Montana.

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

On motion of Dr. Pettit, seconded by Mrs. Pace the minutes of the July 28, 1975 meeting were approved as amended on page eleven to change the number of the Masters of Public Administration Degree Program, University of Montana from 9-107-R0775 to 9-109-R0775.

It was announced that the State Board of Education would be meeting at 3:00 p.m. in the Governor's Reception Room.

Mr. Heberly reported that the Budget Committee had no recommendations at this time.

Mr. Evans reported that the Capital Construction Committee had a short meeting and had set a date for traveling to Havre to search for a suitable residence for the President of Northern Montana College.

Mrs. Pace said that recommendations of the Curriculum Committee would be reported later in the day.

Mr. Thomas said the Policy Committee had discussed the problem regarding dormitory residency requirements brought to the attention of the Board of Regents by the Human Rights Commission.

He said the committee recommended adoption of the following policy statement:

Item 10-001-R0975, Policy Regarding Dormitory Residence, Montana University System

The Board of Regents of Higher Education hereby authorizes the president of each institution of the Montana University System to implement, at his discretion, a policy requiring all students who have not earned forty-five quarter credit hours to reside in campus dormitory facilities. If such a policy is implemented, the president shall establish an appropriate appeal mechanism to allow the granting of exceptions to the policy and shall file the written policy providing appeal procedures with the Office of the Commissioner of Higher Education. The decision of any campus body established to hear residency appeals shall be final.

Mr. Thomas moved that the item be approved. The motion was seconded by Dr. Pettit. It was called to the attention of the Board that Montana Tech is still on a semester system. Dr. Pettit then moved that the item be approved as amended on line five after the word "hours" to add the words "or the semester equivalent", and on the last line after the word "hear" to add the word "dormitory". The motion was seconded by Mr. Thomas and carried.

Mr. Thomas reported that the Policy Committee also discussed the intercollegiate athletic problem. He said the committee had discussed several options and recommended that the Board address the issue of whether to insure adequate funding or eliminate the program.

He said it should be determined whether intercollegiate athletics is a program of the university or college or a student activity. Mr. Thomas said the Committee recommended that the Commissioner be directed to conduct a study to determine the feasibility of eliminating some or all of the intercollegiate athletic programs in the University System. Mr. Evans said that if such a study is done it should be completed within a six-month period. Mr. Thomas so moved. Mrs. Pace seconded the motion. After a short discussion Mr. Evans moved that the motion be tabled until the matter of definition is settled. The motion was seconded by Mr. Morrison and carried.

Dr. Pettit said that for over two years the basic question of whether intercollegiate athletics is a program of the university or college or a student activity has been avoided. Mr. Heberly said this Board must make that determination and if it is determined to be a program of the university or college it is the Board's responsibility to see that it is properly funded. All members agreed that the program must be defined. After a brief discussion Mr. Morrison moved that the Board of Regents define intercollegiate athletics as a college or university program. Mr. Peterson seconded the motion. The chairman asked for comments from the presidents. President McIntosh said he had made the comment to the committee that after the fundamental principle of the definition is established the Board could determine what approach to take in terms of funding. President Bowers said he felt that at the University of Montana intercollegiate athletics must be considered to be a university program since it is budgeted by state appropriations. He said that funding should

be established on some basis so that it does not become an issue every year. President Heywood said that defining the program is a good place to start solving the problem. President DeMoney reminded the Board that the issue should not be limited to those schools who are in the Big Sky Conference, but consideration should be given also to those in the Frontier Conference. He said he felt that since the program has been funded, at least in part, by state appropriations that it should be considered a University System responsibility. John Nockleby, President of the Associated Students of the University of Montana, said he felt the fundamental question at this time is not what kind of program it is, but whether or not the program should be eliminated. Mr. Heberly said the Board should decide whether or not it is going to support an intercollegiate athletic program at all. After some further discussion, the question was called for on Mr. Morrison's motion to define intercollegiate athletics as a university or college program. Voting "yes" were Mr. Morrison, Mr. Heberly and Mr. Peterson. Voting "no" were Mr. Thomas, Mr. Evans and Mrs. Pace. Since this constituted a tie vote, Mr. James voted in favor of the motion and it carried.

Mrs. Pace moved to reconsider the motion which was tabled. Mr. Thomas seconded the motion. Mr. Peterson made a substitute motion that the Commissioner's staff examine the funding of intercollegiate athletics at all units of the Montana University System. Mr. Heberly seconded the motion and it carried.

Dr. Pettit reported that the Council of Presidents had begun a discussion of the budget approach to be used for the next biennium but there were no recommendations at this time.

Dr. Harold Holen, Chairman of the Faculty Council reported that there were no recommendations from that committee.

It was reported that the Student Advisory Council had no recommendations at this time.

Dr. Pettit distributed copies of his report to the Board on recommendations for the future role of the Montana Bureau of Mines and Geology. Mr. James introduced Dr. James Talbot, Chairman of the Advisory Committee, who explained some aspects of the report of the Advisory Committee. He said that Dr. Pettit had recommended a few minor changes to which the committee had no objections. Dr. Talbot said the Bureau is under increasing pressure to provide services for various agencies in the State of Montana. He said it is having difficulty meeting all of these pressures due to a budget problem which he did not feel should be addressed at this time. He said it was the feeling of the committee that a much better arrangement for the Bureau would be to form a technical policy council which would set policy, leaving the director to administer the policy. Dr. Pettit moved that the Board adopt the statement (attached as Item 10-501-R0975, Role of the Bureau of Mines and Geology) as basic policy for the Bureau of Mines. Mr. Heberly seconded the motion. President DeMoney stated some of his objections to the recommendations, especially with regard to the function of the technical policy council. Dr. Pettit said that the Bureau of Mines is a state resource for the use of the people of the State and he felt it should be a model of inter-campus cooperation in the related fields. He said, it is the purpose of the technical advisory council to bring about that kind of cooperation between institutions. The question was called for and the motion carried, with Mr. Peterson voting "no".

Mr. Barry Hjort said the Committee on Faculty Collective Bargaining held an informational session but had nothing to report at this time.

Dr. Pettit said that Dr. John Van de Wetering, President of the Montana Chapter of the American Association of University Professors, and Professor Raymond Pratt, from Montana State University, were present to make an appeal to the Board regarding Dr. Pratt's tenure situation. He said the question before the Board at this time is whether to accept jurisdiction in this matter. After some discussion it was agreed that a personnel matter of this nature should be discussed in an executive session later in the day.

Mr. James vacated the chair and asked Mrs. Pace to preside. He said he wanted to put to rest any questions raised by publicity relating to the Board's consideration of moving the Law School to Helena. He then moved that the Law School stay at the University of Montana in Missoula "where it rightfully belongs." The motion was seconded by Dr. Pettit. Mr. Peterson said his suggestion for the Board to consider the possibility of moving the Law School was predicated on the fact that a number of students have been denied entrance into the Law School because of a lack of physical space. He said he felt one solution could conceivably be to combine the Law School library with that of the State Law Library and move the School to Helena to eliminate the arbitrary limit of seventy-five students per year. He said he felt students were being denied their right to a legal education and that the Board of Regents should be doing something about it. Mr. James said he agreed with a great deal of what was said, but he felt it should be taken care of on the campus of the University of Montana. He said the problem could easily be solved with more state funding.

President Bowers said this proposal had not been discussed on the campus of the University, but his comment would be that the School should be left in its present location. He said the Law School does receive approximately two hundred applicants each year, almost all of whom are qualified, and that approximately ninety qualified Montana residents are denied admission each year. He said this is based not only on the lack of space available but also because of a limited amount of funds budgeted for faculty. He said if the Law School were to expand by twenty-five students it would probably require as many as six additional faculty. He said, however, that the University was feeling the same kind of pressures in the other graduate programs. Dr. Pettit suggested the Board request from President Bowers a report on the Law School admissions policy. The question was called for on Mr. James' motion and it carried.

Dr. Pettit then moved that the Board request President Bowers to report back on the admissions policy of the Law School. The motion was seconded by Mr. Thomas and carried.

Dr. Pettit called attention to Item 6-005-R1174, Policy Regarding Inter-Unit Projects, Montana University System, and said he felt the policy had been violated with respect to an agreement between Montana State University and Saudi Arabia which will have quite an impact on the institution. He said the Board should take cognizance of this kind of activity and insist that the institutions abide by this policy when establishing agreements with foreign countries and with other institutions as well. There was general agreement that this would be done.

The Board recessed at 10:40 a.m. for an executive session

to discuss the appeal of Professor Ray Pratt.

The Board reconvened in open session at 1:15 p.m. with the same members present.

Item 10-700-R0975, Staff, Eastern Montana College, was approved as amended to add the highest degree earned to each of the names, on motion of Mr. Heberly, seconded by Mrs. Pace.

An addendum to Item 10-500-R0975, Staff, Montana College of Mineral Science and Technology, was distributed. The item, including the addendum, was approved on motion of Dr. Pettit, seconded by Mr. Peterson.

Item 10-500A-R0975, Staff, Montana Bureau of Mines and Geology, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

An addendum to Item 10-200-R0975, Staff, Montana State University, was distributed. The item, including the addendum, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 10-201-R0975, Acceptance of Research Park Building by Montana State University, was approved on motion of Mrs. Pace, seconded by Mr. Morrison.

Item 10-202-R0975, Retirement of Mr. Harry G. Cockrum, Director of Admissions, Montana State University, was approved on motion of Dr. Pettit, seconded by Mr. Heberly.

Item 10-300-R0975, Staff, Agricultural Experiment Station, was approved on motion of Mr. Heberly, seconded by Mrs. Pace. Dr. Pettit noted that the item included a new part-time employee for information services. He asked how many people were in the office of information at Montana State University. President McIntosh said he did not recall the number but he would report to the Commissioner at a later date.

Item 10-400-R0975, Staff, Cooperative Extension Service, was approved on motion of Mr. Heberly, seconded by Mr. Evans.

An addendum to Item 10-800-R0975, Staff, Northern Montana College, was distributed. The item, including the addendum, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 10-801-R0975, Reorganization and Reduction of Departments Within the Vocational-Technical Division, Northern Montana College, was approved on motion of Mr. Heberly, seconded by Dr. Pettit.

Item 10-100-R0975, Staff, University of Montana, was approved on motion of Mr. Thomas, seconded by Mr. Morrison. President Bowers introduced Mr. Dale Tomlinson, Vice President for Fiscal Affairs at the University of Montana. He distributed copies of a report of grants and contracts received by the University during the first half of 1975.

Commissioner Pettit introduced his new Deputy Commissioner for Academic Affairs, Dr. Freeman J. Wright. Dr. Pettit said Dr. Wright would serve as chairman of the new inter-unit committee of academic vice presidents.

Mrs. Pace reported that the Curriculum Committee recommended that no action be taken on Items 7-701-R0175, Secondary Education Minor in Environmental Education, and 9-701-R0775, Major in Sociology Leading to Bachelor of Arts and Bachelor of Science Degrees in the School of Liberal Arts, Eastern Montana College, until further information has been developed by Dr. Wright and Eastern Montana College. Mr. Heberly moved that the recommendation be adopted. The motion was seconded by

Mr. Thomas and carried.

The Committee recommendation that Item 226-502, Bachelor of Science in Occupational Safety and Health, Montana College of Mineral Science and Technology (Revised), be adopted was accepted on motion of Mr. Peterson, seconded by Mr. Heberly.

Mrs. Pace reported that the Committee discussed the "engineering" designation in two and three-year programs at Northern Montana College and agreed that the question would be considered further and a recommendation would be made by January prior to the printing of catalogs.

It was reported that the Committee recommended that the Commissioner of Higher Education be directed to present to the Board by the March meeting, a recommendation on alternative organizational structures for the Montana University System, such as the possibility of one or two universities with branch campuses, and implications regarding transferability of credits, direction of institutions and relationships between units of the Montana University System. Mr. Thomas moved that this recommendation be accepted. The motion was seconded by Mr. Evans and carried.

President DeMoney thanked the Board for approving the occupational safety and health proposal. He introduced Dr. Koehler Stout, Acting Dean of Academic Affairs at Montana Tech.

The next meeting was scheduled for Friday, October 24, 1975 on the campus of Montana State University in Bozeman.

The meeting adjourned at 2:00 p.m.