



**Minutes
Montana Board of Regents
July 14, 2022**

Thursday, July 14, 2022

Meeting convened at 8:31 am

Regents Present: Brianne Rogers, Chair, Casey Lozar, Joyce Dombrowski, Todd Buchanan, Loren Bough, Jeff Southworth, and Norris Blossom. Ex officio members include Commissioner of Higher Education Clayton Christian, and Office of Public Instruction Superintendent Elsie Arntzen. Governor Greg Gianforte, represented by Dylan Klapmeier, was excused.

Welcome and Comments by Chair Rogers | 00:00:55

Chair Rogers welcomed everyone to the meeting and expressed gratitude for the trust her fellow Regents placed in her by electing her as chair and is looking forward to the year ahead. She welcomed new Student Regent, Norris Blossom, from MSU and then gave a brief agenda overview.

Approval of Minutes | 00:4:15

- May 18-19, 2022, Meeting Minutes
- June 20, 2022, Board Conference Call Minutes

A motion for approval of both the May 18-19, 2022 and June 20, 2022 Board meeting minutes was made by Regent Buchanan; motion passed (7-0).

Commissioner's Report | 00:04:58

Commissioner Christian congratulated Chair Rogers and Vice Chair Buchanan and welcomed Regent Blossom. He acknowledged the recent passing of Eric Feaver. He announced that Chancellor Hicswa accepted an appointment to represent Montana on the Northwest Commission on Colleges and Universities, which is the accrediting body for MUS. She will complete President Cruzado's term.

Commissioner Christian introduced Justin Villmer as the new president of Dawson Community College. President Justin Villmer then shared a few words. The Commissioner thanked Kathleen O'Leary for her service as the interim president.

The Montana Supreme Court had recently ruled on HB102. Commissioner Christian turned it over to MUS Chief Legal Counsel, Ali Bovingdon, to discuss the high-level details. Ms. Bovingdon stated the decision was unanimous that the Board of Regents has full responsibility for regulating firearms on the campuses and that the section of HB102 trying to remove that responsibility was unconstitutional. She described the ruling as a strong decision for the Board. Discussion followed.



Remarks by Superintendent Arntzen | 00:16:38

Superintendent Arntzen spoke of attending the Telecom Board Meeting, which covered the importance of online learning capability moving forward. She recognized the STEM Summer Institute at MSU. She has started a youth group with elders in a tribal community. The teacher residency program with mentors, student teaching, and schools offering lodging has begun, which all use COVID funding. The Board of Public Education will discuss teacher prep programs and request public comment on new rules, which should be live before the end of the year. Chapter 55, accreditation for K-12 programs, is the next focus.

CONSENT | 00:25:59

Staff Items:

- a. Staff Item, MSU Billings ITEM 201-2700-R0722
- b. Request for Approval of University System/Employee Equity Interest and/or Business Participation Under MUSP 407; UM Missoula ITEM 201-1003-R0722 | Attachment #1
- c. Labor Agreements, OCHE/MUS ITEM 201-102-R0722 | Attachment #1

Facility Items:

- d. Request for Authorization to Build a Rock Specimen Storage Facility; MT Tech Bureau of Mines and Geology ITEM 201-1501A-0722 | Attachment #1
- e. Request for Authorization to Grant a Utility Easement to Northwestern Energy; MSU Bozeman ITEM 201-2001-R0722 | Attachment #1
- f. Request for Authorization to Execute a Lease Renewal at 1160 Research Drive; MSU Bozeman ITEM 201-2002-R0722

Other Item:

- g. Request for Approval to Revise Board of Regents Policy 301 – Admission Requirements and Policy 301.1 Admission Requirements for Undergraduates into Four-year University Programs; OCHE/MUS ITEM 201-101-R0722 | Attachment #1

A motion for approval of consent items a.-g. was made by Regent Dombrowski; motion passed (7-0).

ACTION | 00:26:52

- a. Request for Authorization to Rename Dennis and Gretchen Eck Hall; UM Missoula ITEM 201-1002-R0722 | Attachment #1

Deputy Commissioner Thigpen spoke to the significant support provided by Dennis and



Gretchen Eck over several years and many renovations. President Bodnar offered gratitude to them for their generosity and involvement.

A motion for approval of action item a., ITEM 201-1002-R0722, was made by Regent Bough; motion passed (7-0).

b. Request for Approval of MontPIRG Fee; UM Missoula ITEM 201-1001-R0722

Deputy Commissioner Thigpen explained that this fee was first approved by the board in 2012. It has been approved annually, but the current fee expired last month. Approving the optional fee now would be through FY 2023 with certain terms.

A motion for approval of action item b., ITEM 201-1001-R0722, was made by Regent Buchanan, reiterating that the conditions outlined by OCHE in the item be strictly adhered to.

During discussion regents signaled, since this fee is an outlier, there was reluctance to continue to collect this fee in the future. While the Board did not take issue with the organizational mission it expressed concerns about collecting fees that went to an outside organization. Encouragement was given to the campuses to help the groups find another collection mechanism before the next approval cycle. The Commissioner assured the Board that his office would help the campuses facilitate discussions moving forward.

Motion passed (7-0).

c. Staff Item, OCHE/MUS ITEM 201-100-R0722 | Attachment #1

Commissioner Christian spoke to this item regarding approving pay increases for thirteen individuals, which is consistent with the legislative pay plan and MUS bargaining unit. Addition to the list includes a new Deputy Commissioner for Government Relations and Public Affairs, an important role that Helen Thigpen fills perfectly. Discussion followed.

A motion for approval of action item c., ITEM 201-100-R0722, was made by Regent Lozar; motion passed (7-0).

Public Comment | 00:51:08

There was none received.

Executive Session | 00:51:57

The Board convened an executive session. Chair Rogers determined the matters of the discussion relate to matters of individual privacy and the demands of the individual privacy outweigh the merits of public disclosure.



MONTANA UNIVERSITY SYSTEM

Meeting Adjourned at 12:20 pm

Approved by the Board of Regents on

09/22/2022

Date

Handwritten signature of Clayton T. Christian in cursive.

Clayton T. Christian
Commissioner of Higher Education
and Secretary to the Board of Regents

09/22/2022

Date

Handwritten signature of Brianne Rogers in cursive.

Brianne Rogers
Chair, Board of Regents

APPENDIX A

From: [Regent Joyce Dombrowski](#)
To: [Casanovas, Jasmine](#)
Subject: Fwd: Appeal to the Board of Regents - Don't ban MontPIRG from lobbying
Date: Monday, July 11, 2022 4:20:02 PM

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From: Adrian Cook <adrianrobertcook@gmail.com>
Sent: Monday, July 11, 2022 2:02:55 PM
To: Regent Joyce Dombrowski <RegentDombrowski@montana.edu>
Subject: Appeal to the Board of Regents - Don't ban MontPIRG from lobbying

****External Sender****

Hello Joyce,

My name is Adrian Cook, I am a student at the University of Montana and the chair of the MontPIRG board here on campus.

I am grateful to the BoR for finding time to have MontPIRG on the agenda for this week's upcoming meeting. The approval of the \$5 opt out fee is critical to ensuring the integrity of our organization.

I am emailing you today because of the conditional rules placed on MontPIRG for acquiring this funding. Mainly that our organization does not engage in any lobbying or else have our funding revoked. I believe that the confirmation of this decision would be based on no precedent and only result in the reduction of student voices in our government. Effectively limiting student political power by refusing us the tools everyone else gets to use and preventing us from taking measures ingrained in our political process.

Lobbying is one of the major reasons MontPIRG exists on campus. Students can learn real skills on how legislation is made and passed. Our organization creates a path for students to connect with the legislature and have our voices heard. Students don't have to pretend or imagine, they can be engaged in the political processes affecting them now.

Every element of what MontPIRG is is defined by what students decide. Our board is entirely made of students elected by their peers at UM. Our funding is approved by the student body, and in the past two ASUM elections we saw over 80% support for affirming our fee. It is students who decide what MontPIRG's agenda will be, within the legislature and outside. Students are aware of our lobbying efforts and have continued to support us. Nobody is taking advantage of us, nobody is undermining our funds for their cause, this is our will.

So I appeal to you, do not limit MontPIRG from lobbying. The approval of ITEM 201-1001-R0722 as it currently stands limits the organization of student voices indefinitely. Putting us in a smaller, more manageable box. This fall will be my first semester as acting chair of MontPIRG, I hope it doesn't begin with an immediate loss of the purpose of our organization and muting of the student voices it empowers.

Thank you for your time and consideration,

Adrian Cook

From: Hunter Losing <hunter@mtpirg.org>

Sent: Monday, July 11, 2022 9:25:02 AM

To: Regent Joyce Dombrowski <RegentDombrowski@montana.edu>

Subject: July 14th BoR Meeting

****External Sender****

Dear Regent Dombrowski,

I am writing today regarding the upcoming Board of Regents meeting on July 14th. Specifically, I would like to touch on agenda [ITEM 201-1001-R0722](#) (approval of the MontPIRG fee).

First, I want to thank you for taking the time to discuss this important matter. MontPIRG has been part of the campus community since 1981 and in those 40+ years the students running MontPIRG have educated and empowered hundreds of young people with the citizenship skills to become effective leaders.

In 2021, students at the University of Montana voted to approve funding MontPIRG through an optional \$5 fee. That same year, the Montana Legislature passed SB 319 which included a section to remove funding for MontPIRG if the organization registered as a political committee. This was certainly a devastating law as the students serving on MontPIRG's Board of Directors occasionally decide to support or oppose ballot measures which then requires the organization to register as an incidental committee with the COPP. In fact the largest ballot-issue effort MontPIRG has engaged in was to help pass the 6-Mill Levy in 2018 by knocking over 200,000 doors across the state. MontPIRG's field effort was crucial to getting the 6-Mill passed and in fact we saw an increase in support for the measure for the first time in 40 years.

Despite SB 319, the Board of Regents approved MontPIRG's fee for one year pending litigation on the bill. Unfortunately that litigation is still not settled but we are confident that the section regarding MontPIRG's funding will be found unconstitutional in the near future. Regardless, MontPIRG's board has agreed to abstain from registering as a political committee until the law has been fully dismissed.

With that background, I am writing regarding subsection (1) ITEM 201-1001-R0722:

“OCHE recommends approval of the opt-out fee for MontPIRG from July 1, 2022, through June 30, 2023, provided MontPIRG does not: (1) register as a “political committee” as

defined in 13-1-101, MCA, or engage in “lobbying” as defined in 5-7-102, MCA;”

This section is concerning for two reasons. First, if SB 319 falls, MontPIRG would like to have the ability to register as a political committee if our board of directors determines there is an issue worthy of getting involved in. Next, the prohibition on lobbying is particularly troubling. After a few conversations with individuals involved in this matter, I believe the limitation on lobbying may be born out of confusion around the intent of SB 319 as registering lobbying activities with the COPP is not the same as registering as a political committee.

Each legislative session, MontPIRG hires two students or recent graduates to lobby on behalf of the organization and its members. Prior to the session, the students serving on MontPIRG’s board determine the issues that these lobbyists will support or oppose. These issues typically include bills that impact access to higher education, renters rights, consumer protections, and conservation measures. Through our legislative program, we are able to connect hundreds of students with their elected representatives while teaching them about the process and building their confidence to speak out on issues that impact them. Our lobbying effort is a key pillar to our leadership development program and it would be a shame to have it eliminated.

To conclude, I am writing to ask you, in your capacity as a Regent, to strike the prohibition on lobbying and amend the language regarding registering as a political committee when considering passage of this agenda item. Please do not hesitate to reach out if you have any questions or concerns. I can be reached via this email or on my cell at 406.951.2171.

Sincerely,

Hunter Losing
Executive Director
MontPIRG and
MontPIRG Leadership
Fund

Pronouns:

He, Him, His

406.951.2171

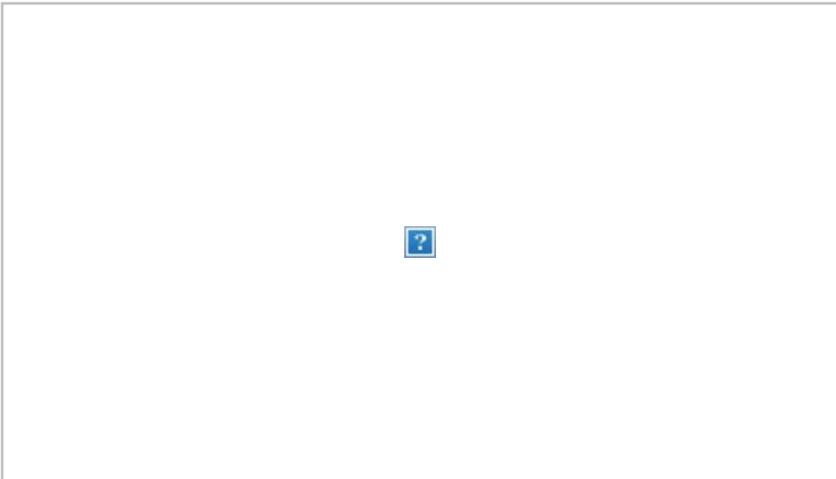
(cell)

406.243.2908

(office)

hunter@mtpirg.org

www.mtpirg.org



From: O'Shay Birdinground <omarquis17@gmail.com>

Sent: Monday, July 11, 2022 1:39 PM

To: Regent Brianne Rogers <RegentRogers@montana.edu>; Regent Todd Buchanan <RegentBuchanan@montana.edu>; Regent Casey Lozar <RegentLozar@montana.edu>; Regent Loren Bough <RegentBough@montana.edu>; Regent Jeff Southworth <RegentSouthworth@montana.edu>; Regent Joyce Dombrowski <RegentDombrowski@montana.edu>

Subject: OCHE Agenda Item 201-1001-R0722

****External Sender****

Hello All,

My name is O'Shay Birdinground, I attend the University of Montana as a Sophomore heavily involved in student governance, voter access, and racial equity initiatives. Many of you I have held conversations with throughout my first year on ASUM and it is my hope that these relationships we've built may serve as a foundation for your attention on an agenda item that is critically important to me. This past couple of weeks I have heard that a student-led organization "MontPIRG" had a mix-up with their fee and is now on the agenda for the upcoming BOR meeting. The agenda includes language that denies MontPIRG the ability to lobby in the upcoming legislative session in order to receive the fee.

From my perspective as a student, and as a representative of UM, I fear that these provisions both overstep students' autonomy to make decisions on this fee and will restrain their ability to get involved in the Legislative process. MontPIRG has a student board that looks over the process of voter registration, local initiatives, state-driven initiatives, etc. It is because of the work of students that these processes are coming forward and community members are more interested in each election and are driving up voter turnout.

If the Board approves these provisions as provided by OCHE it will be met with backlash from the MUS student community. Many students pay attention to the Legislature and want to provide student perspectives to their representatives. MontPIRG serves as a catalyst for students to gain knowledge of legislators and assist in efforts to support higher education funding. All in all, this legislative year is one that I predict a lot of students will be invested in - please consider how this agenda item works against the students' we've fought so hard to get more interested. Is it really in the best interest of the MUS to restrict students' ability to

advocate for voter access? Is it really in the best interest of the MUS to shut out one of its allies in advocating for higher education?

I hope all of you understand my unwavering intention for you to approve this item as the fee provides crucial funding for MontPIRG, though I again urge you to reconsider the language that prohibits students to have the opportunity to lobby at the capital during the session. I look forward to hearing from you all and your comments about this item!

O'Shay Birdingound

From: [Eliza McRae](#)
To: [Casanovas, Jasmine](#)
Subject: montpirg fee
Date: Tuesday, July 12, 2022 4:36:57 PM

****External Sender****

Hello,

My name is Eliza and I am a sophomore at the University of Montana studying Social Work. I am writing to offer support for the MontPIRG fee (agenda item 201-1001-R0722). I am a fee paying student and I am grateful to have a student lead organization on campus that helps me stay up to date with the issues impacting me as a student. Please respect the will of students at UM and approve the MontPIRG fee.

From: [Macy Kate Ogle](#)
To: [Casanovas, Jasmine](#)
Date: Tuesday, July 12, 2022 4:03:45 PM

****External Sender****

Hello,

My name is Macy Kate Ogle and I am an incoming sophomore at the University of Montana studying Psychology and am on the pre-nursing track. I am writing today to support the MontPIRG fee (agenda item 201-1001-R0722). I am a fee paying member of MontPIRG and I am incredibly grateful to have a student led organization on campus that helps me stay up to date with issues that impact me as a student! Please respect the will of students at UM and approve the MontPIRG fee. Without MontPIRG, UM wouldn't be the same. MontPIRG helps to ensure a place on campus for everyone and helps students get involved in their community. I urge you to make the right decision and keep the MontPIRG fee. Thank you in advance!

Kindly,
Macy Kate Ogle

From: [Salyards, Ana](#)
To: [Casanovas, Jasmine](#)
Subject: MontPIRG Fee
Date: Tuesday, July 12, 2022 4:47:53 PM

****External Sender****

My name is Ana Salyards and I am a sophomore at the University of Montana studying political science and history. I am writing to offer support for the MontPIRG fee (agenda item 201-1001-R0722). I am a fee-paying student, and I am grateful to have a student lead organization on campus that helps me stay up to date with the issues impacting me as a student. Please respect the will of students at UM and approve the MontPIRG fee.

From: [Lyssa Davids](#)
To: [Casanovas, Jasmine](#)
Subject: MontPIRG fee
Date: Wednesday, July 13, 2022 10:59:33 AM

****External Sender****

Dear Sir/Madam,

My name is Lyssa Schei Davids and I am a former ASUM Senator, ASUM Presidential Candidate, and graduate of the University of Montana. I am currently in my gap year; however, I plan to take the LSAT in September and hope to attend the Alexander Blewett III Law School to obtain my concurrent Juris Doctorate and Master's of Social Work.

As a former ASUM Senator, I recognize the importance of student input and lobbying during the Legislative Session. For the last two regular Legislative Sessions, I served as a member of ASUM's Student Political Action Committee, wherein we made crucial decisions about how to direct our lobbyist to represent students and how we were going to focus time, energy, and resources on pieces of legislation. I write to you today in hopes that you will urge the Board of Regents to support the MontPIRG fee because of the importance of student voices in times of legislative trouble.

ASUM, ASMSU, and MAS are limited by legislative priorities, often decided by the Senate. Oftentimes, these legislative priorities simply cannot cover the breadth of issues that students face while in college -- but ASUM, ASMSU and MAS are essentially asked to pigeon-hole their priorities in order to open access to higher education and gain more tuition funding for tertiary education in our state. MontPIRG has the ability to lobby for other issues that students care about, but may not necessarily see as a "priority" when engaging with their student governments. Having served on ASUM's SPAC, I know the process of culling legislative priorities to be tedious, emotionally-charged, and oftentimes lengthy. MontPIRG is in a position to lobby on behalf of students on topics that are often included in discussions surrounding the Legislative Session but rarely make it up the rungs to the BoR, such as gun safety, public lands access, discrimination, and other issues.

I ask that individuals strongly consider the ramifications of pulling MontPIRG's lobbying funding.

Thank you.

From: [Wyatt Balius](#)
To: [Casanovas, Jasmine](#)
Subject: Public Comment BOR Meeting 7/14
Date: Thursday, July 14, 2022 12:12:48 AM

****External Sender****

Hello,

My name is Wyatt Balius. I am an incoming sophomore at the University of Montana studying political science and philosophy. I also serve as an ASUM senator and as the treasurer of MontPIRG. I am writing to ask that you strike the provision regarding lobbying within subsection (1) ITEM 201-1001-R0722.

In the most recent semester at the University of Montana, I had the opportunity to work as an intern for MontPIRG. One of the major draws for me to this organization was the ability to lobby legislators, thereby becoming intimately involved within Montana state politics. If MontPIRG's ability to lobby is struck down, then this major draw to the organization will be lost. Furthermore, students will lose a key advocate to the Montana legislature in MontPIRG. In addition to this, the loss of the ability to lobby is an infringement upon the free speech rights of students, and MontPIRG should be allowed to speak out for or against issues that directly impact students and young people broadly.

Thank you for your consideration,
Wyatt Balius

From: [Stalling, Cory](#)
To: [Casanovas, Jasmine](#)
Subject: The importance of MontPIRG
Date: Thursday, July 14, 2022 3:42:45 PM

****External Sender****

Hi my name is Cory Stalling and I am a student at the University of Montana, studying environmental science and sustainability with a minor in nonprofit administration. I think MontPIRG is an important part of the university community and offers a voice for voters and college students alike. As someone who has a disability I want my voice to be heard and MontPIRG is a place where I feel like I am a member of my community. It offers a way to learn about the experiences of local Montanans through Canvassing and other prerogatives that MontPIRG is a part of. It is a great avenue for me since I want to work for a nonprofit someday and they help me get there, by giving me a place to learn and become educated on the issues. I like how they stand up for voter rights and our organizing to get the Blackfoot Clearwater Act passed which protects the headwaters of the Blackfoot. I love conservation and I want to advocate for our public lands and protect the outdoors, as well as our environment, which includes our mountains and forests. MontPIRG is an integral part of Missoula, as well as Montana in being a nonprofit that stands up for the people of Montana as a whole.