

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

October 19, 1973
Helena, Montana

The Board of Regents of Higher Education met at 10:15 a.m., Friday, October 19, 1973 in the Madison Room of the Student Union Building, Montana State University, Bozeman, Montana.

The meeting was called to order by Chairman Ted James. The roll was called by the secretary. Present were: Mr. Lewy Evans, Mr. John French, Mr. Gary Gallagher, Mr. Wayne O'Brien, Mrs. Mary Pace and Dr. Lawrence Pettit.

The minutes of the September 10, 1973 meeting were declared to be approved as submitted.

Mr. James stated that in accordance with the by-laws he was appointing the following committees, with the understanding that the Commissioner and himself would act as ex-officio members on all committees:

Community Colleges and Vocational Education

Mr. Ted Heberly, Chairman
Mrs. Mary Pace
Mr. Wayne O'Brien

Curriculum

Mrs. Mary Pace, Chairman
Mr. Wayne O'Brien
Mr. Lewy Evans
Mr. Ted Heberly

Budget

Mr. Gary Gallagher, Chairman
Mr. John French
Mr. Lewy Evans

Capital Construction

Mr. Lewy Evans, Chairman
Mr. Gary Gallagher
Mr. Ted Heberly
Mr. John French

By-laws and Policy

Mr. John French, Chairman
Mrs. Mary Pace
Mr. Gary Gallagher
Mr. Wayne O'Brien

Presidential Search Committee for the University of Montana

Mr. Ted James, Chairman

Mrs. Mary Pace

Mr. Lewy Evans

Commissioner Lawrence Pettit

Two elected faculty representatives

One student representative

Dr. John M. Stewart, Dean of the Graduate School

Mr. Joe Thiebes, Jr., alumni representative

Mrs. Betty Blankenship, non-academic personnel representative

Mr. James introduced Dr. Carl McIntosh, President of Montana State University, who extended greetings to everyone and stated he was pleased to have the Regents' meeting in Bozeman. He said a campus tour had been arranged for Saturday morning. He introduced Mr. Vaughn Baker, President of the Montana State University Student Body, who invited members to a breakfast Saturday morning in Hedges Hall.

It was reported that Item 2-800-R1073, Staff, Northern Montana College, had been added to the agenda.

Mr. French reported that the sub-committee on accountability questions met just prior to the Regents' meeting and discussed the authority of the Board under the new constitution. He said the committee would recommend in writing, a policy statement governing financial reporting practices that will incorporate professionally recognized accounting principles and procedures, and also be consistent with the constitution of Montana.

President McIntosh reported on the status of the labor negotiations, stating there had been a recent development for mediation at Montana State University.

President Heywood reported that an option to purchase the property described under Item 2-702-R0973, Purchase of Real Property, Eastern Montana College, presented at the September 10 meeting had been extended to November 15 so that the request could be considered again at this meeting. The matter was deferred until later in the day.

Regarding the resolution adopted in September respecting the transfer of funds to the legislative audit revolving account, Commissioner Pettit reported

a letter had been received from Representative Harold Gerke stating that the Legislative Audit Committee had requested an amendment to the resolution to provide that the money be transferred prior to the audits. Dr. Pettit stated that since he felt the projected costs were unsubstantiated, he would recommend amending the resolution but would still like to have an itemized billing. He then moved that the resolution be amended to read as follows:

THAT the Board of Regents agrees to provide for the transfer of funds not to exceed \$127,500 to the legislative audit revolving account, consonant with the provisions of Section 15 of House Bill 55, 43rd Legislative Assembly. The Board requests that an itemized statement from the legislative auditor be submitted after the completion of the audits and that any un-used funds be returned to the Montana University System. The Board recognizes that the language in House Bill 55 pertains only to the Montana University System and not the community colleges. In voluntarily agreeing to this transfer of funds, the Board does not mean to divest itself of any constitutional authority or prerogatives it holds under Article X, Section 9 of the Constitution of the State of Montana.

The motion was seconded by Mr. French and carried.

Dr. Larry Blake, President of Flathead Valley Community College, stated that the community colleges did not agree to pay for the cost of these audits.

Commissioner Pettit presented a revision of Item 2-001-R0973, Policy Statement on Guidelines for Curriculum Proposals, Montana University System, and moved its approval, as revised. Mrs. Pace seconded the motion. President Blake stated that since the item was revised to include the community colleges and their local boards of trustees had not had a chance to review it, he would like to request that the item be tabled until the next meeting of the Board. He said his recommendation to the local board of trustees would be that this is not in keeping with the constitutional powers of the Board of Regents. He said he felt there should be a different approach to curriculum approval for community colleges; that this statement would usurp the rights of the local boards. He suggested that the Community College Committee study the policy carefully and report at a

later date. Dr. Pettit stated that if the Board of Regents is to coordinate the community colleges it needs the authority to act on these matters; that something like this is needed for the Board to evaluate curriculum proposals. A discussion followed as to the methods of funding community colleges and the powers of their local boards and Dr. Pettit read the statute stating the Board of Regents is to coordinate community colleges in the area of curriculum. Dr. Blake stated that he did not object to the coordination of curriculum in a general way but he did object to having the Regents act on the specific course content of a proposal. A general discussion followed regarding the transferability of credits, after which the motion carried unanimously.

On motion of Mrs. Pace, seconded by Mr. Gallagher, Item 2-009-RI073, Motor Vehicle Registration Fee, Montana University System, was approved.

On motion of Mrs. Pace, seconded by Mr. Gallagher, Item 2-010-RI073, Policy Regarding Parking and Operation of Vehicles, Montana University System, was approved.

On motion of Mr. O'Brien, seconded by Mrs. Pace, Item 2-011-RI073, Admissions Fee for Graduate Students, Montana University System, was approved.

On motion of Dr. Pettit, seconded by Mrs. Pace, Item 2-012-RI073, Admissions Fee for Graduate Students, Montana University System, was approved.

Mr. French moved approval of Item 2-013-RI073, Policy Statement on Curriculum Calendar, Montana University System. Mr. Gallagher moved that the item be amended under Item 3, line three to change the words "six weeks" to "three months". Considerable objections to the amendment were heard and the motion died for lack of a second. Dr. Pettit then offered the following amendment under Item 3: "Curriculum proposals shall be submitted to the Commissioner of Higher Education in advance of their submission to the Board. The Commissioner shall prepare his evaluation and recommendations for circulation to the Board and the presidents simultaneously and the presidents shall have the opportunity to rebut the Commissioner's recommendations". Mr. French moved the amendment. The

motion to approve the item as amended was seconded by Dr. Pettit and it carried. President Blake requested a clarification of the item as it pertains to community colleges regarding short courses of study to be implemented immediately. Dr. Pettit stated that this kind of thing could be handled administratively.

Item 2-014-RI073, Policy for Naming Buildings, Montana University System, was approved on motion of Mrs. Pace, seconded by Mr. O'Brien.

Item 2-015-RI073, Consulting Services Policy, Montana University System, was approved on motion of Mr. Gallagher, seconded by Mr. O'Brien.

Item 2-016-RI073, Authorization for Use of Building Fees, Montana University System, was approved on motion of Mr. O'Brien, seconded by Mrs. Pace.

Item 2-017-RI073, Policy Regarding Vacation Leave for 12-Month contract, Montana University System, was explained by President McIntosh as a method of handling vacation leave for personnel who are still on a 12-Month contract. He said the majority were extension service employees. It was suggested that line one be amended to add the word "System" after the word "University". The item was approved as amended on motion of Dr. Pettit, seconded by Mr. Evans, with Mr. French voting "no".

On motion of Dr. Pettit, seconded by Mrs. Pace, the following items were rescinded, since they are now redundant:

- Item 200-001, "Vacation Policy", Montana University System
(September 12, 1966)
- Item 207-001, Non-Resident Fees for Part-Time Students,
Montana University System (July 8, 1968)
- Item 211-002, Authorization for Minor Alteration, Renovation and
Construction Projects, Montana University System
(July 14, 1969)
- Item 220-002, Policy Regarding Rules and Regulations Concerning
Parking and Operation of Vehicles, Montana Univer-
sity System (September 13, 1971)

Mr. Harry Cockrum, Admissions Officer at Montana State University, stated that policy questions relating to residency problems would be discussed by the Registrars and Admissions Officers Association later in the month and possibly they would have some recommendation for the Board at the December meeting.

Item 2-700-RI073, Staff, Eastern Montana College, was approved on motion of Dr. Pettit, seconded by Mrs. Pace.

Item 2-800-RI073, Staff, Northern Montana College, was approved on motion of Mr. French, seconded by Mr. Gallagher.

Item 2-102-RI073, Expenditure Authorization for Tennis Court, Food Service and Playfield Facilities--University of Montana, was approved on motion of Dr. Pettit, seconded by Mr. Gallagher.

Item 2-103-RI073, Expenditure Authorization to Effect Move to New Library Building--University of Montana, was approved on motion of Mr. Evans, seconded by Mr. O'Brien.

Mr. James Hoffman, President of Dawson College, presented Item 2-2001-RI073, Human Services Program, Dawson College, stating that under previous guidelines it was not clear whether the Regents had control over this kind of program. He called on Mr. Don Kettner, Vice President at Dawson College, who stated that the program had been thoroughly researched, that it had some Title III Federal funding, that there were now about fifteen people enrolled and they felt they were meeting a need in eastern Montana. Some questions were asked regarding the transferability of credits for courses of this nature and it was pointed out that a very careful study of articulation should be made and that advertising with regard to transfer of credits should be done prudently and carefully. Dr. Richard Landini, Academic Vice President of the University of Montana, stated it was truly a matter of articulation; that any transfer of credit from one institution to another is subject to the constraints of the accreditation teams. Mr. Ed Bates, Director of Social Welfare from Carroll College, explained the work they had done with Dawson College in developing this program. After considerable discussion Mr. James asked Commissioner Pettit to comment. Dr. Pettit suggested that the Board grant provisional approval of this program and refer it to the Community College and Curriculum Committees for study and that the Board ask the institutions to give careful scrutiny to statements adver-

tising the program. He so moved. Mr. Evans seconded the motion and it carried.

Dr. Blake requested that the granting of associate of arts and associate of science degrees by the Montana University System units, authorized July 10, 1972 under Item 223-003 be delayed until the Postsecondary Education Study Commission makes its recommendations. The matter was discussed but no action was taken.

On motion of Dr. Pettit, seconded by Mr. O'Brien the appointment of Mrs. Blanche Copenhaver to the Local Executive Board for Montana Tech was confirmed.

The Board recessed at noon, to reconvene at 1:30 p.m.

The Board reconvened at 1:30 p.m. with the same members present.

Mr. James called on President Heywood to discuss the status of the negotiations on the proposed land purchase under Item 2-702-R0973. President Heywood reported that he was able to get an extension of time on his option to purchase the land and he again requested favorable action. Mr. Evans moved that the item be approved. The motion was seconded by Mr. Gallagher and carried, with Mrs. Pace voting "no".

Mrs. Pace asked for some discussion of the medical technology option within the chemistry degree program being offered at Montana Tech. Dr. Pettit stated this had been discussed at the Council of Presidents' meeting and that the Board should discuss the matter if they are going to control the options offered at the units. He said Montana Tech had never been authorized by the Board to grant a degree in medical technology. He cited some of the history of the development of this program. He said the questions raised are - 1. What can the Board do to promulgate a policy affecting these kinds of affiliation agreements and 2. How is the Board going to get control of instances where an institution can expand its role and scope by using options to a program. He said the Board should keep these questions in mind as the program is being discussed. President DeMoney called on Dr. Kenneth McLeod, Dean of Academic Affairs at Montana Tech, who presented some background on the development of the program. Mrs. Pace

stated she would like to see this referred to the Curriculum Committee for study.

Dr. Pettit presented Item 2-903-RI073, Authorization for a Program Transfer of Funds, Office of the Commissioner of Higher Education. He explained the necessity of this item and stated that President Pantzer would report on the action of the Council of Presidents with regard to it. President Pantzer stated that after discussing the matter the presidents concurred that the transfer should be made until such time as a supplemental appropriation can be obtained to restore the funds to the institutions. He said the Commissioner stated the Board would assist the presidents in obtaining restoration of these funds, which are necessary for matching money. The item was approved on motion of Mrs. Pace, seconded by Mr. Gallagher.

In conjunction with this item Dr. Pettit moved that the following resolution be adopted:

The Board of Regents of Higher Education hereby recommends that each unit of the Montana University System expand its NDEA matching effort so that a full utilization of the student loan program is achieved. Each unit is authorized to make the necessary adjustments in its respective operating budget to accomodate this request.

The motion was seconded by Mr. French and carried.

With regard to the residency status appeal of Mr. James W. Good, it was agreed that consideration should be deferred until the December meeting, in light of the policy questions on residency to be discussed at that time.

Dr. Pettit reported on the status of the supplemental appropriation requests. He said the requests must be in the Office of the Governor by November 1. He said that priority would be given to one-time expenditures on capital projects. He reported that the Council of Presidents had unanimously approved the priorities established. He then moved that the criteria on which the supplemental requests were based be adopted as follows:

1. Equity should be sought for those units which did not achieve the level of the Regent's budget due to inadvertent errors in the appropriation process during the last legislative session.

2. Supplemental funds should be provided those units who have incurred a material financial obligation that was unanticipated and outside the criteria used in the Regent's presentation.

Mr. Evans seconded the motion and it carried.

President Blake stated this was the first time the community colleges were aware of the procedure through which supplemental requests could be made and that they would be making a request also.

Mr. James stated that before going into the athletic funding problem he would like to take this opportunity to thank President Pantzer for doing an outstanding job as President of the University of Montana and for giving the Board ample time to look for a successor.

Dr. Pettit reported on the activities of the Task Force to study the athletic funding problem. He said at their meeting of October 17, 1973, the Task Force recommended the following:

That intercollegiate athletics at Montana State University and the University of Montana be funded in a manner that will provide a budget sufficient to allow both institutions to be competitive in the Big Sky Conference; that the Board consider the budget totals, numbers of scholarships provided and number of intercollegiate sports being supported by the other institutions in the conference; that such funding be derived from the following sources in such percentages as deemed advisable, giving due regard to the sources and percentages of support being received by the other participants in the conference:

1. Fee waivers granted by the Regents for in-state, as well as non-resident students, up to the maximum conference allowable totals.
2. An athletic fee to be established for all fee-paying students, or in the alternative, earmarked support from the students or un-earmarked income from tuition charges.
3. State funding.
4. Other income (defined as gate receipts, guarantees, concessions, programs, TV, radio rentals, etc.)

He explained the exhibits attached to the minutes of the Task Force and the rationale used by the Task Force in arriving at their recommendation. He then moved that the Board adopt the recommendations of the Task Force with the understanding that there will be no earmarked student fee at this time nor any student assessment at any time in the future without information being given to the

students in advance of the action. He said the motion should include the recommendation that the Board fully support the presidents in trying to keep the costs in the Big Sky Conference down. Mr. Gallagher seconded the motion.

Mr. French requested that the motion be separated into two parts.

Dr. Pettit moved that the Board of Regents fully support the two presidents and athletic directors in their attempts to reduce the costs of the Big Sky Conference. Mr. Evans seconded the motion and it carried.

After a lengthy discussion on the original motion, during which Mr. James called on students, faculty representatives, presidents and regents for their individual opinions, he made a substitute motion to delete section two. Mr. O'Brien seconded the substitute motion and it carried, with Mr. Gallagher and Mrs. Pace voting "no".

Mr. James recommended that the Board re-affirm its policy regarding discretionary powers given to students in handling the activity and athletic fees adopted by the former Board under Item 214-001 on April 13, 1970.

The next meeting was scheduled on the statutory date of December 10, 1973 in the conference room of the Commissioner of Higher Education in Helena, Montana.

On motion duly made and seconded the meeting adjourned at 4:15 p.m.