

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM
October 29, 1976
Missoula, Montana

The Board of Regents of Higher Education met at 1:45 p.m., Friday, October 29, 1976 in the University Center, University of Montana, Missoula, Montana.

Ted James, Chairman, called the meeting to order. Present were: Mr. Lewy Evans, Mr. Ted Heberly, Mr. Jeff Morrison, Ms. Mary Pace, Mr. Sid Thomas and Dr. Lawrence K. Pettit.

On motion of Dr. Pettit the minutes of the September 13, 1976 meeting were approved.

Dr. Pettit reported that the following pieces of correspondence should be entered into the record:

Board of Regents
State of Montana
Helena, Montana

Dear Regents:

The Kalispell Branch of the American Association of University Women would like to inquire into the possibility of hosting a Board of Regents meeting in Kalispell sometime in the near future. We feel supportive of our Community College and like to take an active interest in it.

Mr. Ted Heberly indicated at our State AAUW convention in Havre last May that the Board of Regents would like to hear from the people as to their feelings on post-secondary education in Montana. We feel our community would welcome the opportunity.

We hope you will consider our invitation and let us know at your earliest convenience what dates are open. We would be glad to assist in making arrangements for the meeting in advance if you wished.

Sincerely,

s/s Connie Lorentzen

Connie Lorentzen
President
AAUW
Kalispell, Montana

October 29, 1976

Mr. Larry Pettit, Secretary
Board of Regents
State of Montana

Dear Mr. Pettit:

The Board of Trustees of Flathead Valley Community College respectfully invites the Board of Regents to hold a meeting in Kalispell and visit our campus.

The leadership of the Board of Regents has helped us provide an opportunity to citizens of Northwest Montana for a quality education. However, only by visiting the campus and meeting our staff and students can the full potential of FVCC be understood.

We welcome your visit and know you will enjoy our valley.

Sincerely,

s/s Robert J. Lopp

Robert J. Lopp
Chairman
Board of Trustees
Flathead Valley Community College

Commissioner Lawrence Pettit
University of Montana
Missoula, Montana 59801

Dear Commissioner Pettit:

It is very important to us in Eastern Montana that you seriously consider designating E.M.C. as the University of Eastern Montana. This move on the part of the Board of Regents would certainly indicate that you are endeavoring to accomplish institutional cooperation within the entire university system, in actions as well as words.

As you no doubt realize, with the population growth and economic growth in Eastern Montana, there is great potential for growth in enrollment at E.M.C. Course offerings for both undergraduate and graduate degrees have been expanding over the years and to designate E.M.C. as part of the University System would certainly support this expansion. This designation would be a tremendous boost to all departments at E.M.C. as well as a

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morale booster for all of Eastern Montana. It also makes sense, geographically, to designate Eastern as a University. As it is now, once past the mountains, you must go to North Dakota to attend a university.

As you recall, there was a bill proposed in the last legislature to accomplish this and there was much support for the proposal at that time. I am sure that support has grown during the interim.

I hope that you will take affirmative action on this proposal at your Board of Regents meeting this week, thereby indicating that your group is looking to the future as it regards growth at E.M.C. and in Eastern Montana.

Sincerely,
s/s Esther G. Bengtson

Representative Esther G. Bengtson
House District 59
Yellowstone County
Shepherd, Montana 59079

Dr. Pettit reported he had very carefully considered five exceptionally qualified applicants to fill the staff vacancy of Deputy Commissioner for Academic Affairs; that because of the importance of the position, the critical need for an academic deputy knowledgeable about the system, and the brewing controversy over the manner of selection, he wished to discuss the appointment with the Board. He then announced his selection of Dr. Irving Dayton to fill the position. Ms. Pace moved that the Board ratify the appointment of Dr. Dayton. The motion carried, with Mr. Thomas abstaining on the basis that in his opinion a nationwide search should have been made for applicants.

Mr. Sid Thomas, Chairman of the By-Laws and Policy Committee, reported that Item 14-005-R1076, Philosophy Statement, Montana University System, had been added to the agenda and recommended for approval. (copy attached) He so moved. The motion carried.

Mr. Thomas reported the Policy Committee recommended that the Board adopt the following resolution:

WHEREAS, the Board of Regents desires to have a codification of its policies and procedures, and

WHEREAS, it will be necessary to research, compile and incorporate existing policy and procedures as well as those developed in the future into such a manual;

IT IS HEREBY RESOLVED THAT:

1. The format for such codification presented by the Commissioner of Higher Education be approved;
2. Authority is delegated to the Commissioner of Higher Education or his designee to promulgate existing policy and procedural material which does not require any substantive revision in accordance with such format provided the re-statement has been considered by the Inter-unit Committee on Codification;
3. Any existing policy which needs substantive revision shall be referred to the appropriate Regents' Committee by the Commissioner;
4. Areas where policy seems to be lacking should be noted and brought to the attention of the Board by the Commissioner;
5. The Commissioner of Higher Education is authorized to employ an individual on a part-time basis (not exceeding .5 FTE) for work on this project; and
6. The Commissioner of Higher Education is authorized to expend the necessary funds to accomplish the project.

He so moved. The motion carried.

Mr. Thomas reported that at the September meeting the Policy Committee adopted the following resolution pertaining to the Administrative Procedure Act:

WHEREAS, The Board of Regents of Higher Education recognizes the right of the citizens of the State to participate fully in decisions of state government and the need for procedural due process where personal rights are involved; and

WHEREAS, the Board of Regents has established certain policies in accord with the spirit and intent of the Administrative Procedure Act and calculated to implement the right of citizen participation mandated by Article II, Section 8 of the Montana Constitution; and

WHEREAS, the Board wishes to adopt additional procedures consistent with the guidelines contained in the Administrative Procedure Act to further protect the constitutional right of persons to participate in the decision-making process of the Board of Regents.

NOW THEREFORE BE IT RESOLVED:

That the Board of Regents direct the Commissioner of Higher Education to determine what provisions of the Administrative Procedure Act relating to public notice, rule-making and hearing procedures are appropriate for Board of Regents' adoption or implementation.

He moved that the Board of Regents adopt the resolution. The motion carried.

Mr. Thomas reported that Item 12-005-R0676, Policy on Alcoholic Beverages, Montana University System, had been revised by the Policy Committee and the revised item recommended for approval. He so moved. Mr. Robert Durkee, a representative of the Montana Tavern Association, appeared on behalf of that organization to protest the policy. Mr. Durkee stated that loosening existing restrictions would place the university units in direct competition with many small businesses who are supporting them. After a brief discussion the motion

carried, with Mr. Morrison and Mr. Heberly voting "no".

Mr. Thomas reported that it was the consensus of the Policy Committee that no action should be taken on the proposal for re-naming the university units until certain questions such as role and scope of the institutions are answered.

Mr. Thomas reported that the Commissioner's staff is working on a policy to be used in filling vacancies in his office, but it is not ready for consideration at this time.

Mr. Thomas reported the Policy Committee recommended that Item 14-102-R1076, Authorization to Establish a Wilderness Institute in the School of Forestry at the University of Montana, be added to the agenda and approved. He so moved. The motion carried.

Mr. Thomas reported that several possible methods for acquiring additional property at Eastern Montana College were discussed and the matter was referred to the Commissioner's legal staff to research the possibilities and report at the next meeting.

Mr. Thomas reported that the Policy Committee discussed an ambiguity in the faculty sabbatical leave provisions of Policy 204-001, Leave Policy, Montana University System, resulting from the state accounting system as it pertains to foundation monies. He moved that Section 4.D under the "Rules and Definitions" stated in the policy be amended to read:

"Recipients of sabbatical leaves from any unit of the Montana University System may avail themselves of fellowships, assistantships or other sources of limited income, including funds available from grants or contracts administered by the institution; however, this policy shall not permit full-time employment for any person while on sabbatical leave and receiving payments from the Montana University System."

The motion carried.

Mr. Lewy Evans, Chairman of the Capital Construction Committee, reported that the Committee made some minor modifications in the long-range building program priorities. He moved that the amendments to Item 14-002-R0976, Long Range Building Program, reflecting these changes be approved. (See attachment 1) The motion carried.

Mr. Evans reported the Committee recommended approval of Item 14-004-R1076, Support for Public Works Capital Development. He so moved. The motion carried.

Mr. Evans reported the Committee recommended approval of Item 14-501-R1076, Increase Amount for Air Conditioning, Student Union Building, Montana College of Mineral Science and Technology. He so moved. The motion carried.

Mr. Evans reported the Committee recommended approval of Items 14-201-R1076, Architectural Services and Roof, Hapner Hall, Montana State University and 14-202-R1076 Authorization for Replacing Roofs on Hannon and Reid Halls, Montana State University. He so moved. The motion carried.

Mr. Evans reported the Committee recommended that the Commissioner's staff be directed to work with Phil Hauck, Director of the Division of Architecture and Engineering, to draft a resolution in support of the work the Department of Administration is doing to attempt to effect a change in the statutes which would provide for an increase in the amount of money involved in building projects which need to go out to bid. He moved that the Board accept the recommendation. The motion carried.

Ms. Mary Pace, Chairman of the Curriculum Committee, reported the Committee recommended approval of Item 14-203-R0976, Request Approval to Create an Independent Department of Theater Arts at Montana State University, with the stipulation that the approval does not

authorize or encourage any expansion of the program. She so moved. She also reported the Committee recommended that the fine arts departments in the entire University System work together in planning the future of Theater Arts. President Bowers expressed concern for the lack of sufficient funding for the Theater Arts program at the University of Montana. Dr. Irving Dayton explained that this request simply represented an administrative move, without any program expansion. President McIntosh stated he would welcome the opportunity of working with other units of the system in this area. The motion carried, with Mr. James voting "no".

Ms. Pace reported the Curriculum Committee endorsed the Commissioner's recommendations with respect to the location of the Ed.D. programs as follows:

That Educational Administration and Curriculum and Instruction be offered at both the University of Montana and Montana State University; Adult and Higher Education at Montana State University and Guidance and Counseling at the University of Montana.

She moved that the Board accept the Commissioner's recommendation. The motion carried.

Ms. Pace reported the Curriculum Committee also endorsed the Commissioner's recommendations with respect to Ph.D. programs as follows:

All ten doctoral programs will be continued. They are of good to excellent quality, cost-effective, and in each case fulfilling a substantial need.

The scope and orientation of each of these programs will be carefully monitored and controlled to ensure continuing complementarity, avoid costly and wasteful duplication, and shape for the two universities different but complementary roles in post-baccalaureate education. In that regard, six of these ten programs will be examined again from a different per-

spective during the current academic year while all health-related fields are under review. Moreover, chemistry and mathematics will be looked at again during the general review of physical sciences in 1979-80. The general reviews of subject areas, under the cycle adopted by the Board, should provide an opportunity more appropriate than the present reviews, to define in a sensible and rational manner the limitations in the role of each institution.

She moved that the Board accept the Commissioner's recommendations. The motion carried, with Mr. Morrison voting "no".

Ms. Pace reported the Committee discussed Item 13-101-R0776, Change in Name of the School of Pharmacy to the School of Pharmacy and Allied Health Sciences, University of Montana, but recommended that action be deferred until the next meeting because of a procedural matter. She suggested that the University of Montana and Montana State University discuss the matter before the next meeting.

Dr. Pettit reported that the Council of Presidents heard a progress report on the administrative salary study, discussed the statement of philosophy and amended it for consideration of the Policy Committee, discussed Item 12-005-R0676, Policy on Alcoholic Beverages, Montana University System, and amended it for consideration of the Policy Committee. He noted that other matters discussed were as follows:

- Status of management information system
- Research on patent and copyright policies
- Legislative strategy and proposals
- Energy proposal
- Educational Television proposal
- Problems with concurrent registration
- A problem area in the sabbatical leave policy
- Interpretation of Management Memo relating to distribution of publications

Dr. Harold Holen, Chairman of the Faculty Council indicated he had nothing to report.

Ms. Pat Pomeroy brought the Board up to date on the devel-

opments of the Montana Student Lobby. She recalled that only two institutions were involved in the past, but at present all six had representation through three co-directors -- one for the University of Montana, one for Montana State University and one for the other four institutions in the system. She expressed the hope that lobby efforts of the Board and the students be coordinated in a much better fashion this session, even though each would maintain an independent nature.

Mr. Harry Walter and Mr. Lloyd Seese, representing the Arthur Andersen Company, gave a final report on the accounting system, stating that the short-term recommendations were being implemented at all institutions in the system.

Mr. Evans moved that the addendum to the lease on the new building for the Montana University System office be approved. The motion carried.

Copies of a substitute for the first page of Item 14-100-R1076, Staff, University of Montana, were distributed.

On motion of Mr. Thomas, the following items were approved:

- Item 14-700-R1076, Staff, Eastern Montana College
- Item 14-500-R1076, Staff, Montana College of Mineral Science & Technology
- Item 14-200-R1076, Staff, Montana State University
- Item 14-300-R1076, Staff, Agricultural Experiment Station
- Item 14-301-R1076, Retirement of Dr. Erhardt Dr. Hehn, Agricultural Experiment Station
- Item 14-400-R1076, Staff, Cooperative Extension Service
- Item 14-401-R1076, Retirement of Mrs. Vivien B. Kintz, Cooperative Extension Service
- Item 14-800-R1076, Staff, Northern Montana College

Item 14-100-R1076, Staff, University
of Montana
Item 14-600-R1076, Staff, Western
Montana College

Mr. Thomas then moved that Item 14-103-R1076, Reorganize - Graduate School and Sponsored Program Administration, University of Montana be referred to the Curriculum Committee. President Bowers explained that the request is simply to combine the two programs into a single office. Mr. Heberly made a substitute motion that the item be approved. The substitute motion carried.

The Board recessed at 2:45 p.m.

The Board reconvened at 3:00 p.m. with the same members present.

Mr. James thanked President Bowers for hosting the Board. He also commented that it was brought to his attention that Idaho State University had recently named a married student housing complex in honor of President Carl McIntosh. President McIntosh was congratulated.

The Budget Committee deliberations were discussed at some length. Mr. Heberly introduced George Samuelson and Mr. Tom Hughes, members of the Board of Trustees for Dawson College, Mr. Robert Lopp, Chairman of the Board of Trustees for Flathead Valley Community College, Mr. Rick Champoux from Flathead Valley Community College, and Presidents Vern Kailey, James Hoffman and Don Lindahl.

Mr. Heberly moved that the community college budgets be adopted as submitted. Mr. Morrison commented that he still had some questions on the request for Flathead Valley Community College. Mr. Heberly called on President Lindahl, who made a plea for some additional funds for operation and restoration of funding for three faculty positions. Mr. James asked for an explanation of how the Commissioner's

staff arrived at the budget figures. Jack Noble explained that in making the determinations a real effort was put forth to keep all of the institutions in perspective. The motion to adopt the community college recommendations as submitted, carried.

Mr. Noble explained the figures presented for each of the six University System units and, after hearing comments from each of the unit presidents, Mr. Heberly moved that the budgets presented by the Commissioner be approved for submission to the Governor. The motion carried.

It was reported that an executive session was held earlier in the day to discuss the Jane Doe law suit at Montana State University. Dr. Pettit moved that the action taken in this respect be approved. The motion carried.

The meeting adjourned at 4:45 p.m.