

MINUTES OF SPECIAL MEETING
BOARD OF REGENTS OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM

DATE: November 14, 1983
LOCATION: Conference Room
Montana University System
33 South Last Chance Gulch
Helena, Montana
REGENTS PRESENT: Morrison, Pace, Hurwitz, Keck, McCarthy, Redlin
Commissioner of Higher Education Irving E. Dayton
REGENTS ABSENT: Knight
PRESIDENTS ATTENDING: Bucklew, Carpenter, DeMoney, Erickson, Thomas
Vice President Stuart Knapp attending for President Tietz
PRESIDENTS ABSENT: Tietz

Chairman Morrison called the special meeting of the Board of Regents to order at 1:30 p.m. on Monday, November 14, 1983. He stated that the purpose of the meeting was to discuss the employment preference issue which will be addressed by the special session of the Legislature to be held beginning December 12, 1983.

Commissioner Dayton stated that the Governor has not yet issued the official call for the special session, so all the topics the special session will address are not known, but employment preference is the principal issue. The Commissioner outlined the accelerated schedule of the Joint Interim Subcommittee No. 4 which will prepare draft legislation on employment preference for consideration at the special session.

Commissioner Dayton distributed copies of the Veterans' and Disabled Civilians' Employment Preference: Policy Issues and Options, a Checklist for Subcommittee No. 4, compiled by Lois Menzies, Researcher, Legislative Council. From this checklist, options will be selected to be incorporated into a preliminary bill draft for introduction during the special session.

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Commissioner Dayton also distributed copies of a draft memorandum responding on behalf of the Board of Regents to the request from the Joint Interim Subcommittee No. 4 for testimony regarding employment preference in the public sector.

At Chairman Morrison's request, each president commented on the draft statement of the Regents' position as outlined in the Commissioner's memorandum. With certain minor revisions, all presidents indicated their support of the proposed position and statements of principles and reasoning.

The Regents discussed the draft document at length. There was consensus that the existing employment preference act should be repealed. It was also agreed that the public policy statement of the Regents should be clear that if the Legislature deems it appropriate from a public policy perspective to grant preference in public employment to members of certain groups, the purpose of the employment preference should be rehabilitation, readjustment, or reintegration into the work force, not a reward. Discussion was held on whether, if such employment preference is enacted by the Legislature, it should be limited to public employment. The adverse impact on students of employment preference, if work-study programs and part-time employment on campuses were included, was discussed. Revisions were made to certain paragraphs of the memorandum.

Chairman Morrison stated he would entertain a motion to adopt the following paragraph stating the Regents' position on employment preference:

"We believe that handicapped persons, both veterans and civilians, are already protected by the State Human Rights Act. In addition, Federal legislation requires affirmative action for disabled veterans and Vietnam-era veterans. The Board of Regents' position is that under these circumstances the existing employment preference act should simply be repealed. Additional legislation leads to the possibility of conflict or inconsistency with existing statutes, which would then have to be adjudicated."

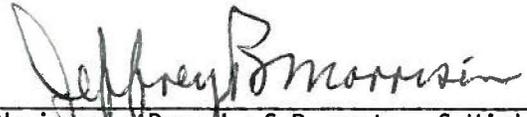
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Regent Hurwitz moved the statement be adopted. The motion carried unanimously.

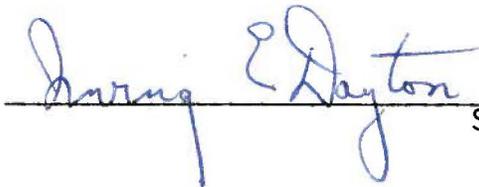
Staff was instructed to rewrite the draft document incorporating the revisions made during discussion. Commissioner Dayton will present the revised memorandum to the interim committee studying the preference issue on November 18, 1983.

The meeting adjourned at 3:10 p.m. The next regularly scheduled meeting of the Board is December 15-16, 1983, in Helena, Montana.

APPROVED:



Chairman, Board of Regents of Higher
Education, Montana University System



Secretary