THURSDAY, DECEMBER 10, 1992

Board of Regents Chairman Bill Mathers called the regular meeting of the Board to order at 1:00 p.m. Roll call was taken and a quorum was determined present.

Chairman Mathers asked whether anyone had any additions or corrections to the minutes from the October 22-23 Missoula meeting. No changes were made, and the minutes were approved as written.
CONSENT AGENDA

Regent Travis Belcher moved that the Consent Agenda items be approved. The motion passed unanimously.

The following Staff Items were approved:

Item 78-100-R1292 - Staff; University of Montana
Item 78-200-R1292 - Staff; Montana State University
Item 78-300-R1292 - Staff; Agricultural Experiment Station
Item 78-400-R1292 - Staff; Extension Service
Item 78-600-R1292 - Staff; Western Montana College of the University of Montana
Item 78-700-R1292 - Staff; Eastern Montana College
Item 78-800-R1292 - Staff; Northern Montana College
Item 78-7500-R1292 - Staff; Billings Vocational-Technical Center
Item 78-8500-R1292 - Staff; Great Falls Vocational-Technical Center
Item 78-9000-R1292 - Staff; Helena Vocational-Technical Center

The following Capital Construction Items were approved:

Item 77-102-R1292 - Installation of Cabling System, Residence Halls; University of Montana
Item 77-103-R1292 - Install Variable Frequency Drive for Boiler Feed Water Pump, Heating Plant; University of Montana
Item 78-104-R1292 - Authorization to Construct Mediated Classroom, Liberal Arts 103; University of Montana
Item 78-202-R1292 - Authorization to Construct Auxiliary Services Storage Facility; Montana State University
Item 78-203-R1292 - Authorization for Montana State University to Grant Right of Way to Montana Department of Highways for Highway Construction on the Northwestern Agricultural Research Center Located in Creston, Montana
Item 78-204-R1292 - Authorization to Remodel Reid Hall, Room 302; Montana State University
Item 78-701-R1292 - Translator Site to Serve Residents of Shelby, Montana; Eastern Montana College
Item 78-702-R1292 - Translator Site to Serve Residents of Wright, Wyoming; Eastern Montana College

The following Budget Committee Item was approved:

Item 78-002/7001-R1292 - Computer Fee Report; Montana University System and Vocational-Technical Centers
WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION (WICHE) PRESENTATIONS

The Board heard presentations on the WICHE program from Suzanne Benally (WICHE Institute on Ethnic Diversity) and Executive Director Dick Jonsen and WICHE Commission Chairman Steve Snow.

CONCURRENT COMMITTEE MEETINGS

The Board recessed for concurrent committee meetings. At the conclusion of the committee meetings, the Board participated in an open forum for students, faculty, staff, and others. A reception for meeting participants and invited guests was held at 6:00 p.m. in the Art Gallery at Main Hall, followed by a dinner at 7:00 p.m. in the Lewis & Clark Room.

FRIDAY, DECEMBER 11, 1992

The Board met in executive session at 7:30 a.m. and then toured the Western Montana College campus. At 9:30 a.m., the Board reconvened in the Office Classroom Building to resume its business from the previous day. Chairman Mathers called the meeting to order.

COMMITTEE REPORTS

1. JOINT ADMINISTRATIVE AND ACADEMIC AND STUDENT AFFAIRS COMMITTEE

   a. Proposed Name Change; Montana Vocational-Technical Centers

Regent Jim Kaze reported that a name change for the Montana vocational-technical centers was being proposed because of concern about the words "vocational" and "center," both of which tended to indicate a connection with secondary instead of post-secondary education. Also of concern was whether certain funding would be available on a post-secondary level basis because of the word "center." The centers themselves appeared equally split on a name choice.

The joint committee heard from Jim Fitzpatrick of the Montana Council on Vocational Education, who generally agreed with a name change. Although given the opportunity to do so by the committee chairman, the public offered no comments.
A question was raised concerning a statutory change. Chief Legal Counsel LeRoy Schramm indicated that doing so might be "cleaner," but he pointed out that the vocational-technical centers' functions were not being changed. The joint committee reached a consensus not to seek a statutory change.

Montana Tech President Lindsay Norman expressed some concern about potential confusion between Montana technical institutes and Montana Tech. Commissioner of Higher Education John Hutchinson said that the names needed to be updated with the Vocational Education Center. The word "vocational" should be eliminated and the System connotation included.

The proposed name change item received three votes from the joint committee in favor of "Montana Technical Institute at (city)" and one vote against. Regent Kaze moved that the Board adopt "Montana Technical Institute at (city)" as the name change choice. The motion passed—Regent Paul Boylan voted no.

b. Role and Scope Statement; Northern Montana College - Submission Item

Commissioner Hutchinson reported that Northern Montana College approached his office several months ago about changing the college’s role and scope. He pointed out that role and scope changes should not be made simply as a matter of convenience to the campuses, but that it was time to reexamine those of several institutions. Hutchinson suggested that Northern’s statement be viewed as the first of several role and scope changes to be made throughout the next year to 18 months.

Commissioner Hutchinson said although role and scope statements had been changed in 1989, the Commissioner’s Office was directed at that time to capture an institution at that particular moment—essentially a snapshot—and not focus on any language concerning future direction. Hutchinson said Northern’s role and scope statement had been cleaned up substantially and, because it better characterized the institution’s nature, would prove more helpful to President Bill Daehling and his staff with future planning. Hutchinson said that Northern should be authorized to go ahead.

Chairman Mathers said this item would be placed on the January meeting’s action agenda.
2. **ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

a. **Announcements**

Committee chairman Regent Kaze announced that Keith Parker, who had been serving Western Montana College’s interests on the Academic and Student Affairs Committee, would be moving to the University of Montana’s School of Pharmacy and would be replaced by Otis Thompson. Regent Kaze thanked Parker for his involvement on the committee.

b. **Presentation by Dr. Thomas H. Powell, Chair, Montana Council of Deans of Education**

Dr. Thomas H. Powell from Eastern Montana College presented a report titled *Teacher Education in Montana* prepared by the Montana Council of Deans of Education. The report presented a number of recommendations, some of which ultimately would be brought before the Board. For the time being, however, Regent Kaze said the deans were taking their recommendations and working with the chief academic officers from all the campuses. Any recommendations for the Board would come back through the channel, at which time the Board would learn more about them. According to Regent Kaze, although the recommendations offered in the report did not address program duplication, they did address course duplication.

Regent Cordell Johnson said when the duplication question came up at the committee meeting, the point was made that the Montana University System—and the Board of Regents in particular—were criticized by the legislature and the public because of perceptions of too much duplication. Regent Johnson said they suggested to the Council of Deans of Education that if the Council felt duplication was necessary, it should be able to justify it so the Board could answer some of its critics.

Regent Kaze reported that Items 76-208-R0792, 77-104-R0992, and 77-3001-R1092, from Montana State University, the University of Montana, and Flathead Valley Community College, respectively, required input from the full Board because the committee could not reach a consensus. Each of these new programs was included on the action agenda, and the committee discussed them collectively without going into too much individual program detail. According to Regent Kaze, the question raised concerned whether the Board should be approving new programs in light of language included in House Bill 2 from the summer’s special session. According to the bill, "The legislature recommends that reductions be made in duplicated programs, in- and out-of-state travel, and delays in new programs." Focusing on "delays in new programs," the committee struggled with exactly what that meant, how much importance it should receive, and how important it was to move forward with
new system programs.

Regent Kaze said all three proposed programs were relatively revenue-neutral. He pointed out although MSU’s program was not revenue-neutral, the program within the college would be. Since the College of Agriculture would pick up the slack elsewhere in its budget for any official program costs, the program would be revenue-neutral across the entire budget. The UM’s program was revenue-neutral in that it did not require additional funds. Because the program at FVCC would cost about $1,000 per biennial year, it would be extremely close to being considered revenue-neutral.

Regent Kaze asked (1) whether the Board wanted to defer consideration of programs of this nature until after the legislative session—for example, leave them in the pipeline so they would not have to come back through again, and take them out of sequence and address them at that time; or (2) whether the Board was comfortable that these programs were not the type the legislature was recommending for deferral.

Chairman Mathers asked for the presidents’ positions—whether they needed to have the programs approved at that time, or whether they could wait until after the legislative session.

Several presidents pointed out that because of current recruiting, the programs should be approved so they could be operational by the fall semester. They also said that besides being revenue-neutral, the programs had been in the pipeline well before the legislature took any action to delay new programs.

Commissioner Hutchinson said it was important to try to grasp the legislature’s intent and pointed out that he was present for most of the discussion that led to House Bill 2’s language. According to Hutchinson, the language about delays in new programs pertained to reductions the legislature anticipated that higher education would have to make. For example, duplicate programs, in- and out-of-state travel, and delays in new programs were targets identified for examination. Hutchinson said that since most of the programs under discussion were relatively revenue-neutral, as Regent Kaze pointed out, he didn’t think that approving them would violate the legislature’s intent. He thought the legislature was focusing on new programs that would cost substantial sums of money.

Chairman Mathers asked Senator-elect Chuck Swysgood, who was in the audience, whether he wanted to offer an opinion on the issue.

Senator-elect Swysgood said that one could always make the case that a program was basically revenue-neutral. In interpreting the legislature’s intent,
however, he said the thing to remember and the risk involved was the perception that legislators would derive from whatever action was taken.

Regent Johnson said he was in favor of voting that the programs be implemented, but they had better be able to explain the situation to the public and to the legislature and their reasons for going ahead with the programs in light of the legislature’s recommendations.

MSU President Mike Malone said they had been extremely reticent about bringing new proposals forward and pointed out that MSU’s program, along with UM’s, was a modest addition to existing programs. He said they were drawing on expertise already in place for the most part. Since they had brought few new degree proposals forward in years, Malone pointed out they were policing themselves reasonably well at the campus level.

FVCC President Howard Fryett said the Flathead was certainly a conservative area in Montana, and he agreed that this was a difficult decision for the Board. He reminded them, however, that the FVCC proposal of $1,000 a year was revenue-neutral to the institution. He also pointed out that the Kalispell Regional Hospital and North Valley Hospital requested the program and anticipate their institutions to respond to local needs. He encouraged the Board to support implementing the program.

Regent Topel expressed concern about a "creeping program" concept of continuing to add courses just because they weren’t costing them any money. Chairman Mathers said his statement was noted.

Regent Kaze said that before the Board acted on the individual programs, it should vote on the policy question of whether to delay implementing the three programs. Regent Kaze so moved, and the motion not to delay the programs passed unanimously.

The Board then discussed the following items individually.

c. Item 76-208-R0792 - Authorization to offer Bachelor of Science Degree in the Department of Animal and Range Sciences; Montana State University

Regent Kaze reported that the Bachelor of Science degree in Renewable Natural Resource Management was a collaborative effort that came from outside the institution and grew up within the institution. Questions were raised concerning the institutional relationship between Montana Tech and the University of Montana. The program’s name was an issue between them that had not been resolved. The potential name conflict involved Forestry—a natural resource—at the UM. The MSU program is called Renewable Natural
Resource Management. MSU and UM generally agreed to go forward with the agreement and come up with an appropriate name change at a later date.

The duplication issue at Montana Tech concerned the hazardous materials options within the degree, which also had not been entirely resolved. As a result of potential duplication, MSU wanted to remove the third option from the degree offering until it could work with Montana Tech to deal with the hazardous materials option.

Regent Kaze said the institutions should be commended for their collaborative effort toward reducing potential duplication within the system. Most of the course-development work involved in creating the degree offering was concentrated in the third option that was now being dropped, so that was one reason for the program's overall cost being reduced. The program also was revenue-neutral within the College of Agriculture.

MSU President Mike Malone said that MSU was friendly toward those suggestions. He said as far as hazardous materials management was concerned, they fully recognized Montana Tech's lead role in that area.

Montana Tech President Lindsay Norman said he endorsed President Malone's sentiments. With Montana Tech as the nationally designated testing evaluation center by EPA for hazardous materials, he said it was appropriate that the role be recognized. He also said for the record that they've had a discussion related to the second option that deals with land rehabilitation. Montana Tech also would maintain priority in those areas related to mined lands as hazardous waste sites, whereas MSU certainly was the expert in terms of agricultural lands.

Regent Kaze moved that the Board authorize Montana State University to offer the Bachelor of Science degree in the Department of Animal and Range Sciences without the third option and subject to agreement at a later date on a name change. The motion passed unanimously.

d. Item 77-104-R0992 - Emphasis in International Business Administration; University of Montana

Regent Kaze reported on the International Business emphasis within the Bachelor of Business Administration at the University of Montana. Two issues were raised by staff: (1) whether it ought to be an emphasis or an option (the UM has agreed to work with the staff to resolve that issue); and (2) the issue of the depth of exposure to international education within business, and whether it ought to be entirely across the curriculum (to be resolved with the Commissioner's Office).
Regent Kaze moved that the emphasis [or option] in International Business Administration at the University of Montana be approved. The motion passed unanimously.

e. Item 77-7500-R1092 - Approval of Proposal to Convert the Approved Two-year Heating Ventilation and Air Conditioning Technology Certificate to an Associate of Applied Science (AAS) Degree in Heating, Ventilation and Air Conditioning Technology; Billings Vocational-Technical Center

Agreeing with the committee's consensus, Regent Kaze moved to approve this proposal from the Billings Vocational-Technical Center. The motion passed unanimously.

d. Item 77-3001-R1092 - Medical Secretary Option, Business/Secretarial Program; Flathead Valley Community College

Regent Kaze moved that the Medical Secretary Option at the Flathead Valley Community College be approved. The motion passed unanimously.

e. Item 78-001-R1292 - Appointment of Statewide Advisory Committee; Experimental Program(s) to Stimulate Competitive Research (EPSCoR); Montana University System

Regent Kaze reported that this item was necessary for proper integration of the entire System into the EPSCoR grant-making and writing process for increased eligibility and competitiveness for EPSCoR grants. Names in the item included Deputy Commissioner for Academic Affairs David Toppen, who would sit on the statewide advisory committee.

Regent Kaze moved that the appointment be approved. The motion passed unanimously.

f. Inventory of Degree and Course Offerings in Great Falls and Helena Areas, December 1992

Regent Kaze said the committee reviewed an inventory of courses and degrees offered in Great Falls and Helena by post-secondary education. The committee felt they were a good resource, especially within the System and in the Commissioner's Office. Considering the effort involved to put them together, the Commissioner's Office will keep them updated but won't review them with the Board except for every other year—probably just before the legislature meets.
g. **Accreditation Schedule: 1992-2000**

Regent Kaze said the committee received a report on the accreditation schedule and program review schedule for all campuses to the year 2000. This information will be updated by the Commissioner’s Office and also will be brought before the Board every other year.

3. **ADMINISTRATIVE COMMITTEE**

   a. **Item 78-9001-R1292 - Approval to purchase land parcel consisting of approximately 157,785 square feet fronting Townsend and Harris Avenues located one block east of the Donaldson campus; Helena Vocational-Technical Center**

   Helena Vo-Tech Director Alex Capdeville said he proposed taking $63,100 from the Vo-Tech bookstore account and an additional $60,000 from the building fee account to purchase this land. The Administrative Committee had some concerns about the building fee account and asked him to reconsider taking more from the bookstore account. Dr. Capdeville said he talked with his business manager the previous evening and suggested taking an additional $15,000 from the bookstore account. In that case, $78,100 would come from the bookstore account and $45,000 from the building fee account.

   Dr. Capdeville showed a site plan of the area and explained that placing any type of facility on the land would be a long-range goal. He pointed out that the agenda item only concerned acquiring the land for a future date—not the type of facility that would be placed on the land.

   Chairman Mathers said the committee realized that the Vo-Tech was a land locked institution that would need future expansion. He pointed out that no general fund monies would be expended.

   Commissioner Hutchinson said the staff’s recommendation was to approve the land purchase. He said he realized there was deep concern about deferred maintenance and was aware of the systemwide deferred maintenance problem. In the case of the Helena Vo-Tech Center, however, Hutchinson said the deferred maintenance problems were not as severe as those that might be found elsewhere. He commended Dr. Capdeville for doing a good job of keeping his deferred maintenance as accountable as possible and said there were no major deferred maintenance problems that would otherwise be addressed by this money. Because the campus is land locked, the Helena Vo-Tech would have the chance to remedy the problem, since this was the only nearby parcel of land. Commissioner Hutchinson said they should look toward the future and buy the land in question at a reasonably good price.
The discussion that followed focused on (1) the two accounts from which the money for the land would be taken; (2) whether it was good business—in light of the future economy—to buy land just because it was a good deal; (3) creating additional classroom space to alleviate crowding; and (4) future options to dispose of the land and, if necessary, whether it would be marketable.

Regent Boylan moved to approve purchasing the land parcel consisting of 157,785 square feet. The motion passed—Regent Topel voted no.

b. Item 26-016-R0380 - Employment Contract; Professional and Administrative Employees; Montana University System (REVISED)

c. Item 43-004-R0484 - Department of Administration; Personnel Policies Adopted; Montana University System (REVISED 708.1.1)

Chairman Mathers said these two submission items would be placed on the January meeting's action agenda.

e. Worker's Compensation for Vocational-Technical Centers

Chief Legal Counsel LeRoy Schramm said that as a result of the committee's discussion, they were going to explore the possibility of changing the statute to withdraw Worker's Compensation coverage of vo-tech students. At the same time, Schramm said they would also check with the Worker's Compensation people to see whether they could get some relief on the rate, since they were paying about $50,000 to $60,000 in premiums per year while benefits paid to the students ranged from $8,000 to $10,000 per year. He said they would ask the Board to place this item on its legislative agenda if the problem could not be resolved in some other way.

Associate Commissioner for Vocational Technical Education Brady Vardemann said she thought the vo-tech students were initially included because of a past fatality on one of the campuses. At that time, the legislature included the vo-tech students in the statutory language.

Regent Johnson said he thought that Worker's Comp was meant to protect people who were employed, and he didn't see students as being employed unless they had jobs on campus or something similar.

Regent Schwanke pointed out that because the students were working with different types of equipment they were vulnerable to injuries.
Regent Johnson agreed that they were vulnerable but thought they should be covered by liability insurance.

Dr. Vardemann said although there was some danger inherent in a number of the vo-tech programs, the community colleges with automotive technology programs also had students exposed to that same type of risk. She said she really didn't see the reason for separating the vo-tech students.

Regent Boylan moved that the Board request legislative action to make the change to withdraw vo-tech students from Worker's Compensation coverage. The motion passed unanimously.

Chairman Mathers asked Dr. Vardemann and Chief Legal Counsel Schramm to work on the problem and report back to the Board.

f. Optional Retirement Program; Adoption of Resolution on Agreement with Teacher's Retirement Board

Chairman Mathers said this topic had been covered extensively at the Missoula meeting. He said Dave Evenson, Director of Benefits, had worked quite hard on the program, which involved university people who wanted an optional retirement program separate from the Teacher's Retirement Program for K-12 people. Chairman Mathers said that since the last legislative session, the two groups had been meeting to come up with an agreement to satisfy both the university people and the K-12 people. He asked Mr. Evenson to give the Board a brief update.

Mr. Evenson said they had prepared a resolution so the Board would have the opportunity to make a formal expression on the issue. In effect, the Teacher's Retirement Board had endorsed the ideas in concept during its November 20 meeting. Evenson said if the two boards agreed, they could approach the legislature with a common position and end past differences. He then explained five general areas covered by the resolution.

Chairman Mathers said it also should be pointed out that university people covered under the Teacher's Retirement System could continue that coverage if they so desired.

Regent Boylan moved that the resolution on the agreement with the Teacher's Retirement Board be adopted. The motion passed unanimously.

g. Additional Optional Retirement Plan Carriers and Selection of Tax Sheltered Annuity (TSA) Vendors

Chairman Mathers said that Dave Evenson and his group had narrowed
the number of carriers from the last legislative session because some of the carriers had financial problems that endangered the retirement program for some teachers in the program. The suggestion was made to visit this group to make sure they had the strongest carriers possible. Chairman Mathers said that Evenson and his group did this and came up with five carriers.

The committee heard a report from VALIC, a company not included in the final five but high on the list. The committee approved expanding the list to six companies and adding VALIC. Mathers said about 400 teachers have money invested with VALIC and that the company should be included.

Regent Johnson asked why the selection committee excluded VALIC.

Evenson said a number of factors were involved. The committee felt a limited number of insurance companies and mutual funds would serve as the basis for a quality program. VALIC was number four in insurance companies and the committee wanted three, so VALIC did make the cut. The reason VALIC wasn’t ranked very high was because its investment performance during the past few years had fallen below its competition. This performance brought the company’s overall scoring down.

Regent Johnson asked whether VALIC ranked very high in regard to financial soundness.

Evenson said that VALIC didn’t have credit quality problems but instead the type of problems that placed the company’s assets at risk. He said VALIC’s return on investments had been low in comparison to other companies.

Chairman Mathers said the companies were scored on the basis of a thousand, and VALIC missed by a difference of about three-tenths of a percent. Considering the number of people already covered under VALIC, Mathers said he didn’t think including the company would create a problem.

Commissioner Hutchinson referred to the presentation made to the committee on behalf of VALIC by Dennis Lind. Hutchinson said that VALIC made three or four persuasive arguments. Evenson added that if the selection committee had received that full explanation, it might not have excluded VALIC. He said it was important to keep in mind (1) the small point deferential between VALIC and the next company up; (2) the fact that VALIC scored first in two categories of analysis, while none of the other companies in the top tier scored first in any of those categories; and (3) recent history indicating that VALIC had much improved. Evenson said the company had made some significant adjustments in its investment program, its recent history was quite good, and some institutions already had VALIC as a principal
carrier.

Chief Legal Counsel LeRoy Schramm said the committee's goal was to narrow the companies to a manageable number—five to eight was considered manageable. Although the selection committee chose five, Schramm pointed out that the number was strictly subjective. Moving from five to six or seven or eight still would meet the original goal.

After further discussion on concerns about VALIC's low return-on-investment rate, Regent Boylan moved that the Board approve expanding the original choice of five companies to six and including VALIC. A roll call vote showed Regents Boylan, Belcher, Johnson, and Mathers voting yes, and Regents Kaze, Topel, and Schwanke voting no. The motion passed.

g. Item 12-006-R0676 - Campus Entertainment; Montana University System (REVISED)

Chief Legal Counsel Schramm said this item would simply broaden the entertainment policy so that the campuses could use campus funds for activities such as taking people they're interviewing out to lunch, holding a reception, etc. It slightly broadened the types of things they could do with the funds. All the campuses agreed that the policy needed to be broadened.

Regent Boylan moved that the Board approve broadening the campus entertainment policy. The motion passed unanimously.

h. Item 78-401-R1292 - Appointment of Tim Stavens to the Fire Service Advisory Council; Montana State University

MSU President Mike Malone said that Tim Stavens, a firefighter from Billings, was the Montana State Firemen's Association nominee.

Regent Johnson moved that the Board approve Mr. Stavens' appointment. The motion passed unanimously.

i. Item 78-902-R1292 - Recommendation from Rural Physician Incentive Program Advisory Committee (Applicants Francis X. Schwartz, Jr.; Terry A. Smith; Office of Commissioner of Higher Education

Regent Boylan moved that the Board adopt this recommendation from the Rural Physician Incentive Program Advisory Committee. The motion passed unanimously.

A suggestion was made to put future items of this nature on the Consent Agenda because they rarely prompted any discussion.
4. **BUDGET COMMITTEE**

   a. Item 78-201-R1292 - Authorization to Increase the Student Union Building Use and Operation Fee; Montana State University

   b. Item 78-205-R1292 - Authorization to Expend Student Computer Fees; Montana State University

   c. Item 78-801-R1192 - Authorization to Expend up to $108,000 of Computer Use Fee Revenue; Northern Montana College

   d. Item 78-901-R1292 - Supplemental Request; WICHE Program FY 93; Office of Commissioner of Higher Education

   e. Item 78-9501-R1292 - Supplemental Request; Termination Pay FY 93; Missoula Vocational-Technical Center

   f. Item 77-601-R1292 - Long Range Plan for Expenditure of Reverted Appropriations Under MCA 17-7-304 and Board of Regents Policy 901.6; Western Montana College of the University of Montana

   g. Item 78-8501-R1292 - Long Range Plan for Expenditure of Reverted Appropriations Under MCA 17-7-304 and Board of Regents Policy 901.6; Great Falls Vocational-Technical Center

Regent Topel moved that these seven agenda items on the Budget Committee's agenda be approved. After a brief discussion, the motion passed unanimously.

h. Item 78-004-R1292, FY 93 Budget Amendments; Student Tuition and Fees; Additional FTE; Montana University System

This item was a Montana University System request for budget amendment authority in the amount of $5,537,499 to spend student tuition and fees and other revenue that exceeded budgeted levels. The System was requesting that these amounts be included in the 1993 Legislature's budget amendment bill. Montana State University, the University of Montana, Western Montana College of the UM, and Montana Tech had FTE student enrollments 2,243 higher than originally budgeted. In addition, Eastern Montana College and the Billings, Great Falls, and Missoula vo-techs anticipated that tuition revenue would exceed budgeted amounts because of the change in the mix of full-time to part-time students, and because discounts were not realized.
Regent Belcher said the students met the previous evening and indicated that the legislature should approve the amendment because the students spent that money with the expectation of it being spent on their educations. Belcher said they felt it was important to convey that thought.

Chairman Mathers emphasized that the money was being used either for faculty or library costs. The $5.5 million was students' tuition dollars—not tax dollars.

After further discussion, Regent Topel moved that the Board pass the budget amendment request for action by the 1993 Legislature. The motion passed unanimously.

i.  
   Item 78-802-R1292 - Authorization to Finance Repairs to Swimming Pool/Gymnasium; Northern Montana College [Late addition to agenda]

Northern Montana College requested authorization to enter into an agreement with the State Board of Investments to secure a loan from the Intercap Revolving Loan Program for $636,803 to repair the college's physical education facility. The item was added to the agenda late because of the December 3 bid-letting. The loan would be refinanced by way of existing student fees over a period of 10 years.

Regent Topel moved that the authorization to finance the repairs be approved. The motion passed unanimously.

Regent Topel said as he was looking through the information in support of the budget amendments, he was again reminded of the inconsistency in formatting the various reports that come before the Board. He said this problem would be addressed at the next Budget Committee meeting. The committee was going to review the various reports to determine which of them were necessary and to establish a consistent format for all reports.

OLD BUSINESS

a.  
   Executive Budget Recommendation and Board of Regents 1994-95 Biennial Budget Request

Commissioner Hutchinson said part of the executive budget recommended 18 specific policy initiatives for higher education—for example, discontinuing the Commissioner's Office and the presidents and going to provosts, moving the School of Pharmacy to Bozeman, etc. Hutchinson distributed to the Board his office's responses to each of those 18 initiatives. He asked Associate Commissioner for Fiscal Affairs Rod Sundsted to explain
the actual budget recommendation in terms of money.

Mr. Sundsted distributed a document that incorporated the Regents' recommended budget going into the next legislative session, along with Governor Stephens' budget that came out December 7. Sundsted said that because some of the initiatives in the Governor's budget didn't have sufficient detail for the staff to allocate them, they may have allocated the initiatives based on head count, General Fund, or something similar. He said it needed refining but still provided a good overall view. Mr. Sundsted explained how the document was organized and what was included in it.

After a brief discussion, the Board decided to postpone further discussion on budget issues until Governor-elect Racicot released his budget proposal.

Mr. Sundsted said they needed to go ahead with the budget modifications listed in the document—tuition indexing, research matching, Minority Achievement, community college funding levels—before the January Board meeting.

Because the Board did not officially approve the modifications—a consensus approval was reached at the Gallatin Gateway workshop—Regent Kaze moved that the Board approve seeking modifications for research matching, Minority Achievement, and community college funding levels. The motion passed unanimously.

b. Item 78-005-R1292 - Budget Amendment FY 93, Millage Distribution; Montana University System

Mr. Sundsted said the last special session authorized the Board to allocate any millage collected in FY 92 above $11,887,000. He said all of that had been allocated except for $100,000, which had been left for enrollment contingencies. Based on the best information available at that time, none of the units would have shortfalls in tuition below their appropriated levels, with the possible exception of Northern Montana College. Projections showed that Northern would be very close to its appropriated level. Because they didn't have any identified shortfalls they were allocated $100,000, same as they allocated the original amount, using the same methodology.

Regent Kaze moved that the Board approve Item 78-005-R1292. The motion passed unanimously.

c. Campus Enrollments

Mr. Sundsted said they had projected where the System would be
regarding 1993 enrollments. They had actual summer and fall enrollment numbers, but none for spring. To make the projections, Mr. Sundsted said they looked at historical trends. For units making the semester conversion, spring enrollments were estimated at 100 percent of fall enrollments. For units that already made the conversion, spring enrollments were projected at 99 percent of fall enrollments. Mr. Sundsted said the figures were broken down by residents and non-residents and, surprisingly, the resident FTE numbers based on that methodology were down slightly—about six-tenths of 1 percent—while non-resident enrollments were up significantly—about 20 percent. He said this was surprising in light of the $47 increase in non-resident tuition. Non-residents were actually anticipated to decline.

Discussion followed on Board members' concerns about the 2 percent enrollment cap to which the Board asked the campuses to adhere, the System's inability to control enrollments, and the lack of any punitive measures to ensure control.

Presidents responding to these concerns cited factors such as increases caused by semester conversions, budgeted versus actual figures, and recruiting efforts begun and students enrolled more than three or four years ago. They said that a number of measures had been taken to either limit or discourage enrollments, but that it would take time.

Commissioner Hutchinson said the 2 percent enrollment limit had been a stabilizing mechanism in anticipation of some fairly significant enrollment cuts. He said they had moved away from that particular approach to reaching peer funding levels to the potential of tuition indexing. As a result, the 2 percent limit may not be quite as critical and significant as it may have been at one time. Hutchinson said to keep in mind that spring enrollments often tail off slightly, so they may be dealing with worst-case figures. He said if systemwide, aggregate spring enrollments did tail off, they may be fairly close to the 2 percent level.

d. **Commitment to Quality**

Commissioner Hutchinson said they had come up with final staff recommendations on the Commitment to Quality program. He said the document was not radically different from the things they had been talking about for the past 18 months. While some of the plan's individual planks were relatively small or perhaps not so significant, he said the Board needed to keep in mind that in the aggregate the plan represented a significant effort and step forward in improving the quality of education in the Montana University System. Before outlining the plan's various components, Commissioner Hutchinson thanked the Board for taking that important step, and the presidents, the campuses, and the Commissioner's staff for their hard work
and collective efforts.

Commissioner Hutchinson said the document should still be reviewed as a working document. It wasn’t in final form and probably would need additional refinement. He although it had been known as the 9+3 document, it ultimately would be a 12-plank document; no distinction would be made between the numbers and letters. Hutchinson said he would explain the document’s key points, and then Rod Sundsted would discuss tuition indexing—now the first plank in the Commitment to Quality program.

Commissioner Hutchinson gave a brief overview of the following components of the Commitment to Quality program:

- **TUITION INDEXING.** Hutchinson said resident students would be asked to pay 25 percent of the direct cost of instruction—excluding public service and research—and the non-residents would be asked to pay 100 percent. He said they were developing a mechanism called "a line of best fit" that Mr. Sundsted would address.

- **RESIDENCY POLICY.** Hutchinson said the Board had already adopted this particular plank.

- **LIMIT WESTERN UNDERGRADUATE EXCHANGE PROGRAM.** Hutchinson said there were two concerns here: (1) to reduce overall participation in the WUE program such that roughly the same number of students were going out of state on WUE as were coming in; and (2) to identify specific programs the campuses would be asked to bring forward to be used for WUE participation.

- **ENHANCED ADMISSION STANDARDS: UM, MSU, AND TECH.** Hutchinson said in making an adjustment in the three-pronged admission standards, the ACT score seemed to be the best one to examine. They were recommending that UM, MSU, and Tech increase their minimum ACT score for admission from 20 to 22.

- **RETENTION STANDARDS.** Hutchinson said if a student’s GPA fell below 2.0, that student would be placed on probation—now the case at some campuses. If a student had two semesters with a GPA below 2.0, that student would be placed on academic suspension. However, if the second of those semesters were above a 2.0, and the cumulative were still slightly below a 2.0, the campuses could, at their discretion, allow the student to remain in school and not be placed on suspension. Instead, the student would still be held on probation.
• STRICT ENFORCEMENT OF SUSPENSION. Hutchinson said this would require strict enforcement of suspension. He pointed out that Dr. Lindsay Norman at Tech was doing that now with his spring enrollments, and the campuses would be asked to strictly enforce that.

• INCREASED ADMISSION STANDARDS BY PROGRAM. Hutchinson said there were a number of programs within the University System with selective admission standards, and the campuses would be asked to review those programs to see whether others could be included.

• TUITION VOUCHER PROGRAM. Hutchinson said they finally had an appropriate number for agreement. He said it currently takes—for most programs—128 semester credit hours to graduate. They were suggesting that the resident students be allowed to accumulate up to 170 credit hours. Beyond that point, they would have to pay the non-resident rate if tuition indexing were put into place—or 100 percent of the direct cost of instruction. Courses attempted prior to the fall semester of 1993, those in advanced placement programs, transfers from out of state or private institutions, and transfers from the community colleges or vo-techs would not contribute to the 170 hours. He said the 170 credit hours would allow students to change majors at least once and possibly twice.

• ADMISSION STANDARDS APPLIED TO STUDENTS TAKING MORE THAN 7 CREDITS. Hutchinson said this particular plank needed some wording changes, and they would correct the inconsistencies in the text. He said that students taking 8 or more credits from now on would have to meet all admission requirements currently required of students taking more than 11 credits. Remedial and developmental courses would not be allowed to accrue for those credits. Only courses that could be counted toward graduation would be a part of those 8 credits.

• IMPROVING ACADEMIC PROGRESSION. Hutchinson said they would ask each campus to establish a task force on academic progression, which would be charged with (1) evaluating transcripts and advising records for those programs specifically showing excessive credit accumulations; (2) interviewing students, faculty, student affairs personnel, etc., to determine reasons for excessive accumulations and credits in those particular programs; and (3) assessing published graduation requirements in the context of actual graduation requirements. The task force would submit a preliminary report to the campus presidents during the spring of 1993, and the presidents would report those findings to the Commissioner’s Office. (Programs already determined to have excessive credit accumulations were shown in Appendix A of the Commitment to Quality document.)
• **ACADEMIC PROGRAM REVIEW.** Hutchinson said part of the Board’s policy was an academic program review. He said they were going to establish a program review schedule that involved a couple different triggers: (1) a look at graduation rates; (2) programs with steadily declining enrollments; and (3) campus-recommended programs that may need to be examined for reasons other than those outlined in numbers 1 or 2.

• **SYSTEM ENROLLMENT MANAGEMENT.** Hutchinson said this would make recruiting, advising, and admissions practices such that students coming into the University System had a sense of access to the systemwide spectrum of available programs. They were recommending establishment of a Montana University System task force on enrollment management. This comprehensive group—representatives from the four-year units, the community and tribal colleges, the vo-tech centers, and perhaps from the Office of Public Instruction, K-12 faculty organizations, the Departments of Labor and Commerce, etc.—would develop a set of plans for the Board’s review that would (1) help bring about an improved fit between higher education’s offerings and the state’s work force needs, and (2) develop coordinated efforts to recruit students into those programs best suited for them. Hutchinson said although this would take several years to put into place, it would represent a remarkable advancement in the quality of education and service to the state.

Chairman Mathers recessed the meeting at noon for lunch, and the Board reconvened at 1:00 p.m.

Continuing the discussion on the Commitment to Quality program, Chairman Mathers asked Rod Sundsted to discuss tuition Indexing.

Mr. Sundsted said they were trying to develop a tuition indexing model that would use the program’s objectives and also be workable and—to the extent possible—acceptable to all the units. He thanked the campuses’ fiscal officers for their help.

Mr. Sundsted said the model still posed some areas of concern for a couple units. He said it was just a planning document, and the numbers were projected through 1997. What they basically did was hold everything constant except tuition indexing so its impact could be isolated. He said people needed to understand that it would have to be adjusted for changes in enrollment patterns, funding along the way, and any other issues that might arise.

Mr. Sundsted said the model was based on a target funding level that was based on peer expenditures from 1991 and played out until 1993.
Resident tuition was indexed at 25 percent of the cost of education—excluding research and public service. Sundsted said it was important to point out that the 25 percent was a weighted average for the system—not by campus. He said it varied from a low of between 21 and 22 percent at Montana Tech—their expenditures under this model were higher because their target funding level was higher—to a high of about 30 percent at Eastern Montana College. It varied those two levels for each of the other units. Mr. Sundsted said non-resident tuition was set at 100 percent of the cost, and non-resident tuition included two rates, which was currently the practice. One rate was used for UM, MSU, and Tech based upon their weighted average costs, and a second rate was used for Eastern, Western, and Northern—based on their average costs for education.

Concerning the impact on resident students, Mr. Sundsted said they were taking current-level General Fund with an adjustment to bring them back to 1993 special session, and then using that General Fund to support resident students only—with no General Fund going toward non-residents. He said when speaking of General Fund he was also including millage and other revenue. Sundsted said they were currently at 21,818 resident FTE enrollment, and the model would support 21,451, or 367 less resident students than were in the system in 1992.

Mr. Sundsted said the other part of tuition indexing they hadn't yet got a handle on was the capacity issue—or the proper maximum enrollment. He said they had done considerable work and talked to a number of people but hadn’t found anything very constructive in terms of establishing limits other than physical capacity.

According to Mr. Sundsted, two issues of disagreement on the model had been brought to his attention:

(1) Resident tuition rates. There had been some sentiment to have separate tuition rates for residents—either individually by campus or at least split by MSU, UM, and Tech and EMC, NMC, and WMC. Mr. Sundsted said the model didn't include that. Although making that type of change wouldn't significantly affect the bottom line for any campus in terms of their total expenditures, it would change the allocation of General Fund and tuition.

(2) High-cost programs. Mr. Sundsted said that MSU felt the Nursing program should either be pulled out or an adjustment made for the program because of its high cost. The legislature, through the formula, had instituted different student/faculty ratios at MSU than the other units. The tuition indexing model didn't include any adjustments for high-cost programs.
Lengthy discussion followed concerning the amount of resident tuition increases on a campus-by-campus basis, the number of in-state versus out-of-state students that would be reduced, variables that would require adjusting the tuition indexing model, the option of differential tuition for the campuses, and excluding high-cost programs.

Students who spoke at the meeting generally opposed tuition indexing as it was initially presented. Some felt the Commitment to Quality document provided more specifics and less generalities, and they said they would reexamine the issue. Other comments included waiting to see whether a sales tax passed, the fear of being locked into the 25%-75% formula, the possibility of the legislature changing the 25%-75% formula, and the smaller units being hurt because they have fewer out-of-state students.

Senator-elect Swysgood also expressed some concerns about tuition indexing—primarily limiting access to residents. He said these institutions were provided to educate in-state students, and he didn’t think that tuition indexing would allow that to happen. Although it possibly could be applied to a couple units, he wasn’t sure what the legislature would do. He said the minute they didn’t provide the System with 75 percent of the funding from General Fund money, they would have a problem. Senator-elect Swysgood said all the indexing in the world would not make up for that decrease in General Fund money from the Legislature. He said while the concept was meritorious, he would oppose that particular approach.

Chairman Mathers asked him if he would rather see the quality of education go down so that more students could attend.

Senator-elect Swysgood said they were all struggling to provide a quality education for students—not only in higher education but also in the K-12 system. At the same time, they were also respecting the views of their constituency, who were having a tough time making ends meet on limited incomes. He said he would support higher education, but they only had a limited amount of funding.

Commissioner Hutchinson said the original impetus behind the Commitment to Quality program was to take the work of the Education Commission for the Nineties and Beyond and try to position themselves so they could ensure some quality in the future. He said it was important to keep in mind that the alternative—enrollment cuts—had been absolutely unacceptable to virtually everyone in the state. The tuition indexing program was a creative attempt to try to move away from that particular scenario. He said they also needed to keep in mind that because this was a "line of best fit," it wasn’t going to be a universally acceptable document. Hutchinson said he wasn’t sure they were going to be able to create a tuition indexing model that
would be fully endorsed by every campus. He said it was still a working
document that they were asking the Board to endorse in concept. He said they
needed to go into the legislative session with a Board position on tuition
indexing and the rest of the Commitment to Quality program. Otherwise, it
would prove very difficult to mount any type of successful legislative
campaign. He said the Board should keep in mind that it wouldn't be locked
into something that couldn't be changed.

Regent Kaze said he would like to see it fleshed out more before he
voted on it.

Chairman Mathers pointed out that the legislative session would be
underway in four weeks and that the Board needed to have a starting point for
resolving problems with financing higher education while still maintaining
quality. He said maintaining higher education quality was their number one
priority. Although this might not be the final answer, it was one way they
could begin.

Cordell Johnson moved to adopt the tuition indexing proposal as
outlined by the Commissioner's Office, recognizing that the program would
likely be changed as it moved into and through the legislative session. A
roll call vote showed Regents Boylan, Schwanke, Johnson, and Mathers
voting yes, and Regents Kaze and Belcher voting no—the motion passed.

Chairman Mathers said he wanted to emphasize again that this was just
a starting point so they would have something to work with.

Regent Kaze asked whether the Board had approved the entire
Commitment to Quality document. He said he didn't want his "no" vote on
the tuition indexing motion to reflect that he had a disagreement with the
entire program, because he didn't.

Cordell Johnson said it was his impression that the Board had already
adopted the other elements of the Commitment to Quality program—with the
exception the tuition indexing element. Chairman Mathers said that was also
his understanding and asked that the minutes reflect that.

e. Athletic Study Committee Report

Commissioner Hutchinson said the report from the Special Committee
on Intercollegiate Athletics had been presented to the Board at Gallatin
Gateway. He said they should take action on whether they wanted to accept
the report. Hutchinson said it hadn't been changed.
Regent Boylan moved that the Board accept the committee’s report. The motion passed—Regent Schwanke voted no.

f. **Vo-Tech Student/Faculty Ratio**

Dr. Brady Vardemann said she wanted to let the Board know that their staff and various representatives of the vo-tech system had been working on the study mandated by House Bill 2, which said:

*It is the intent of the legislature that the Board of Regents study and evaluate appropriate student/faculty ratios for the vocational technical system during the 1993 biennium interim and make a recommendation to the Fifty-third Legislature.*

Dr. Vardemann said the study was underway, and they found they were coming in at a funding-level ratio of about 17 to 1. She said the study was focusing on whether that ratio was appropriate. Dr. Vardemann said the findings at that juncture indicated that they were funded at too low a level. She said regional and national data reflected that institutions similar to theirs with less than 1,000 FTE students should be funded about 13 to 1. She said a report would be available to the Board and the legislature before the session began. Dr. Vardemann said at that point she thought the ratio they would recommend would probably be around 13 or 14 to 1—rather than 17 to 1.

**NEW BUSINESS**

1. **Total Quality Management**

Commissioner Hutchinson distributed a document that provided a background of Total Quality Management (TQM) and listed five stages for implementing it in the Montana University System.

Commissioner Hutchinson said that during the presentation on TQM at the Gallatin Gateway workshop, he suggested to the Board that he identify a process through which they could decide whether they wanted to move ahead with TQM as a system. He pointed out that some TQM practices were either already in place or else being studied at a number of locations throughout the University System. Hutchinson outlined a five-stage process for implementing TQM:

Stage 1 The Board would endorse initiating a TQM program for the MUS (endorsement for stages 2 and 3 only).
Stage 2 The Commissioner of Higher Education would establish a systemwide TQM planning team to use local expertise and available resources to undergo extensive education on TQM and its use in higher education.

Stage 3 The TQM planning team would develop a statewide plan—including a budget and time schedule—for implementing TQM in the MUS. The Board would either (a) approve, (b) approve pending agreed-upon changes, or (c) disapprove the plan.

Stage 4 If the Board did not disapprove the plan, the TQM planning team—with Board approval—would begin to execute the plan, which would involve developing individual campus and central office plans within team-established guidelines.

Stage 5 Once the campus and central office plans were complete, the TQM planning team would be dissolved, and oversight of the TQM process would be vested in the Commissioner and campus CEOs. The units would periodically report their activities to the Board.

Several presidents said they were busy enough with the Commitment to Quality program and other campus projects already underway or about to be implemented. They also pointed out that many of the TQM concepts were already being used on the campuses.

Regent Johnson said that with the legislative session about to begin and the number of other projects on their agenda, the Total Quality Management plan could be postponed until a future meeting.

2. Gender Equity Report

Jane Karas, Assistant Commissioner for Vocational Technical Education, presented a summary of the 1992 Annual Report on Gender Equity in Vocational Education in Montana that was presented to the Board. Dr. Karas said that during the past year they had made some progress with gender equity in Montana at both the secondary and post-secondary levels. She said they were still seeing an especially low number of women in traditionally male technical programs, however.

Dr. Karas pointed out that sexual harassment was one of the major reasons for females dropping out of both education and the workplace. She said the past year had seen a dramatic increase in the number of sexual harassment reports in Montana schools. Dr. Karas said that may be due to the
fact that they had conducted more training throughout the state to increase student, faculty, and staff awareness of the issues.

Dr. Karas said sexual harassment had not disappeared. She cited several examples of specific incidents and explained what was being done to combat those types of incidents. She urged the Board not to overlook the importance of gender equity in the education system during tough economic times.

3. Freebourn Resignation

Chairman Mathers announced that Harry Freebourn had offered his resignation as director of the Butte Vo-Tech Center.

Commissioner Hutchinson said that Harry Freebourn had been with the Butte Vo-Tech Center for a number of years and had served the institution with great distinction. He said Freebourn resigned for personal reasons and was requesting that the Board allow him to discontinue his work there immediately but go on a six-month paid administrative leave.

Regent Kaze moved that Harry Freebourn's resignation be accepted and that his six-month paid administrative leave be approved. The motion passed unanimously.

Commissioner Hutchinson said that Jane Baker would serve as acting director for the Butte Vo-Tech during that six months, and they would decide on further action at that time. Hutchinson thanked Ms. Baker for accepting the responsibility.

COMMISSIONER'S REPORT

1. Meeting Date Change

Commissioner Hutchinson said that UM President George Dennison requested that the March meeting date be changed because March 25 was one of the days of the Women's Regional NCAA championship games and UM was one of the sites for those games. The Board agreed to change the meeting date to March 22 and 23—a Monday and Tuesday.

2. Administrative Study

Commissioner Hutchinson said they were asked to do this study by the legislature during its special session last summer, and they created an oversight team that included campus representatives and two
legislators—Representative John Cobb and Senator Greg Jergeson. An RFP had been issued, four responses were received, and the top choice was MGT Incorporated. Hutchinson said that two of MGT’s consultants had been interviewed in Helena, and MGT was contracted to conduct the study. He said the contract would cost $86,000, and the costs would be borne by the campuses and the Commissioner’s Office based on the appropriated support received by those individual units. He said MGT would begin its campus visits on December 21. They were already gathering information and would report to the oversight team shortly and also to the Board at its January meeting concerning its preliminary findings.

3. Post-Secondary Education Policy and Budget Committee

Commissioner Hutchinson said that since the Board last met, the Post-Secondary Education Policy and Budget Committee had met and also would be meeting again on Monday, December 14. He said the committee would be requesting the legislature to support a nursing education study in the state. Also, Senator-elect Swysgood in particular and the committee in general were interested in doing something in the area of deferred maintenance. Hutchinson said the committee had gone on record as endorsing telecommunications activities, saying that program duplication in the University System was not a significant problem, and supporting all but the tuition indexing part of the Commitment to Quality program. He said they were going to have to work hard for the committee’s continuation during the upcoming legislative session.

CAMPUS REPORTS

1. University of Montana

President Dennison said that Scott Bear Don’t Walk was selected as the 27th Rhodes Scholar from UM. He said the student was from Billings and was a member of both the Crow and the Salish-Kootenai Confederated tribes. President Dennison said they were very pleased with the selection.

President Dennison said UM had received two favorable preliminary reports from accreditation teams in Social Work and Journalism. He said they wouldn’t know until final action was taken, but he suspected they would be approved.

President Dennison said that negotiations for the sale of a piece of Fort Missoula land were continuing, and they hoped to have something to bring to the Board at its January meeting.
b. **Montana State University**

President Mike Malone distributed a list of Native American programs at MSU. He said they were very proud of it and that it could compare with any university in the country.

President Malone also distributed a copy of *MSU's Centennial History*.

Chairman Mathers thanked Senator-elect Swysgood for attending the meeting. He also thanked Dr. Mike Easton for hosting the meeting in Dillon.

Hearing no other business, Chairman Mathers adjourned the meeting.