

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: GOVERNANCE AND ORGANIZATION

Policy 209.1 – Community Colleges; Division of Governance; Responsibilities

Effective: April 21, 1980; Issued: May 15, 1980

I. Statutory authority: § 20-15-103, MCA

II. Board policy:

The board of regents of higher education, recognizing the dual governance of community colleges by the board of regents of higher education and the boards of trustees of the community college districts, hereby adopts the following guidelines with respect to governance authority.

The division of responsibilities for the governance of the community colleges in Montana stems from article X, section 9, paragraph (2)(a) of the Montana constitution.

"The government and control of the Montana university system is vested in a board of regents of higher education which shall have full power, responsibility, and authority to supervise, coordinate, manage and control the Montana university system and shall supervise and coordinate other public educational institutions assigned by law."

A. § 20-15-103, MCA, places the supervision of the community college districts under the board of regents of higher education who shall:

1. Appoint a coordinator of community college districts and request a legislative appropriation for the operation of his or her office;
2. Formulate and put into effect uniform policies as to budgeting, record-keeping and student accounting;
3. Establish minimum entrance requirements and approve curricular offerings for all community colleges;
4. Direct each community college district to seek accreditation from a recognized accrediting association.

Since the terminology "management and control" to those institutions assigned by law is explicitly omitted from the constitutional language, this function is vested in the local boards of trustees of the community college districts except where otherwise specified by Montana statutes.

B. The following categories will serve as a basis for dividing the governance responsibilities of the board of regents of higher education and the local boards of trustees of the community college districts:

1. Degree authorization and curriculum
2. Budgetary and fiscal matters
3. Presidents, faculty and personnel
4. Student affairs
5. Property and construction
6. General

The board of regents of higher education will adopt policy with respect to those areas of governance of the community college districts dictated by the constitution and laws of Montana. Such policy can be found in the

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board's policy and procedures manual which is available in the office of the commissioner of higher education.

III. Degree Authorization and Curriculum

A. The board of regents shall authorize degrees and certificate offerings at the community colleges upon recommendation of the boards of trustees of the community college districts and in accord with board of regents' policy. The boards of trustees will grant degrees and certificates to the graduates of community colleges upon the recommendation of the faculty.

B. The board of regents shall approve:

1. the general academic curricular offerings in accordance with the board of regents' policy under Item 2-001-R0973, (Sections 303.1 and 303.2 of the policy and procedures manual),
2. the regular occupational programs which appear in the community college catalogs in accordance with board of regents' policy.

C. The boards of trustees of the community college districts will approve :

1. specific academic courses and sequences within the guidelines specified in board of regents' policy and Montana statutes,
2. ad hoc occupational programs and
3. adult and community service curricula in accordance with Montana statute and board of regents' policy.

D. The board of regents shall direct each community college district to seek accreditation from a recognized accrediting association and other specified accrediting organizations as approved by the board of regents. The board of trustees shall supervise the achievement and maintenance of accreditation standards and implementation of recommendations from the accrediting organization.

IV. Budgeting and Fiscal Matters

A. The board of regents will:

1. formulate uniform policies on budgeting and record-keeping,
2. review annual general fund budgets adopted by the boards of trustees of community college districts and
3. approve, with or without adjustment, and recommend biennial and supplemental budgets to the governor for submission to the state legislature.

B. The boards of trustees of community college districts will:

1. adopt an annual general fund budget,
2. recommend biennial budgets to the board of regents,
3. accept, on behalf of the districts, gifts, legacies and levies, subject to the conditions imposed by the deed of the donor, or will of the testator, or without any conditions imposed,
4. accept funds from the federal government or the state of Montana, their instrumentalities or any of their agencies in and of any one or more purposes or in maintaining and operating the community colleges,
5. submit an additional levy proposition to the electors of the districts if the general fund budget is in excess of the budget funded by the legislature.

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V. Presidents, Faculty and Personnel

- A. The board of regents shall establish minimum qualifications of faculty and staff.
- B. The boards of trustees of the community college districts shall appoint the employees of the community college, define and assign their powers and duties and fix their compensation.

VI. Student Affairs

- A. The board of regents shall establish minimum entrance requirements for all community colleges.
- B. The boards of trustees shall establish specific requirements for the academic, occupational, adult and community service programs at the community colleges.
- C. The board of regents shall approve all student tuition and fees assessed at the community colleges.
- D. The boards of trustees shall recommend assessment and changes in tuition and fees and approve all tuition and fee waivers.
- E. The board of regents shall formulate a uniform policy on student accounting.
- F. The boards of trustees shall supervise the maintenance of approved records and student accounting.

VII. Property and Construction

- A. The board of regents shall approve the purchase, lease or sale of all real property conveyed to or from the community college districts which involves the expenditure of state funds.
- B. The boards of trustees shall have the power and authority to purchase, lease, or sell property not otherwise specified in board of regents' policy.
- C. The board of regents shall authorize construction, remodeling, repair or acquisition of school buildings and dormitories which involves the expenditure of state funds.
- D. The boards of trustees shall have the power and authority to build, enlarge, alter, repair or acquire by purchase, school buildings and dormitories not otherwise authorized by board of regents' policy.
- E. The boards of trustees shall have the power and authority to levy an additional tax for the purpose described in A and B above. Such additional tax must be approved by the registered electors in a manner specified by law.
- F. The boards of trustees shall have the power and authority to accept or borrow money from the federal government for the purpose described in A and B above.

VIII. General

- A. Organization and reorganization of a community college district as provided for in the statutes of the state of Montana shall be supervised by the board of regents.

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History:

Item 4-004-R0474, Division of Governance Responsibilities, Montana Community Colleges, April 8, 1974, as revised April 21, 1980.