



**Montana Board of Regents
OCHE Office
January 14, 2020
MINUTES**

Tuesday, January 14, 2020

Meeting convened at 8:32am

A roll call indicated a quorum present.

Regents Present: Casey Lozar, Chair; Paul Tuss; Joyce Dombrowski; Brianne Rogers; and John Miller. Regents participating by phone: Martha Sheehy; and Bob Nystuen; Ex officio members included: Commissioner of Higher Education Clayton Christian; Ex officio Governor Steve Bullock, represented by Ms. McCall Flynn, and Ex officio Superintendent Elsie Arntzen was excused.

Welcome and Comments by Chair Lozar

Chair Lozar welcomed all attendees and expressed thanks to those participating via conference call. He extended a welcome back to all students, who return to classes this week across the system. He provided a brief overview of the agenda and topics of discussion.

Approval of Minutes

- November 21-22, 2019 Minutes

A motion for approval of the November 21-22, 2019 meeting minutes was made by Regent Tuss; motion passed (7-0).

Commissioner's Report

- Campus Reports

CONSENT

Staff Items

- a. Labor Agreements; OCHE/MUS *ITEM 186-102-C0120* | *Attachment #1*
- b. Staff Item; MSU Bozeman *ITEM 186-2000-C0120*

Emeriti Faculty

- c. Notess; MSU Bozeman *ITEM 186-2003-C0120*
- d. Winters; MSU Bozeman *ITEM 186-2004-C0120*
- e. Shreffler Grant; MSU Bozeman *ITEM 186-2005-C0120*



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- f. Kuntz; MSU Bozeman *ITEM 186-2006-C0120*

Other

- g. Request for Approval of University System/Employee Intellectual Property Joint Participation under MUSP 407; - Dr.Blake Wiedenheft; MSU Bozeman *ITEM 186-2002-C0120 | Attachment #1*
- h. Request for Authorization to Renew the Operating Agreement between MSU Bozeman and the Montana State University, Foundation, Inc.; MSU Bozeman *ITEM 186-2001-C0120 | Attachment #1*
- i. Request for Approval of Operating Agreement between the Montana Technological University and the Montana Tech Foundation; MT Tech *ITEM 186-1502-C0120 | Attachment #1*
- j. Request for Authorization for the University of Montana-Missoula to Renew its Operating Agreement with the University of Montana Foundation; UM-Missoula *ITEM 186-1001-C0120 | Attachment #1*
- k. Request for Authorization for The University of Montana Western and the UMW Foundation to enter into an Operating Agreement; UM-Western *ITEM 186-1601-C0120 | Attachment #1*
- l. Request for Approval of Operating Agreement between Helena College-UM and the Helena College, Inc.; Helena College *ITEM 186-1901-C0120 | Attachment #1*
- m. Request for Authorization to Renew the Operating Agreement between Great Falls College-MSU and Montana State University, Foundation Inc.; Great Falls College-MSU *ITEM 186-2901-C0120 | Attachment #1*
- n. Request for Approval of Operating Agreement between Montana State University-Northern and Montana State University-Northern Foundation; MSU-Northern *ITEM 186-2801-C0120 | Attachment #1*

Regent Sheehy requested to make comments about the submitted operating agreements by campus foundations items H. – N. She extended thanks for the work done on these agreements. She noted that some of the agreements specifically address confidentiality. She has no opposition to these agreements and acknowledged the Foundations' independence. However, she reminded attendees that the Montana University System is bound to the Constitution with regard to the public's right to know. To that end, the Montana University System will follow processes as described by Montana law related to governmental entities. Commissioner Christian concurred with Regent Sheehy's comments. Discussion followed.

- o. Request for Approval to Revise BOR Policies 102, 103, and 104; OCHE/MUS *ITEM 186-101-C0120 | Attachment #1 | Attachment #2 | Attachment #3*

A motion for approval of the consent agenda items a. – o. was made by Regent Miller;



motion passed (7-0).

ACTION

a. Staff Item; MSU Northern *ITEM 186-2800-C0120*

President Cruzado presented this request before the Board, noting that this item reflects discussions with Chancellor Kegel, who has been serving the Northern campus and ensuring progress, continued fundraising, and other essential efforts for that campus. He has provided great collaboration with GFC-MSU on several programs. She described this request as a retention item. Discussion followed.

Regent Sheehy stated that she did not support this item. She noted her support of Chancellor Kegel but discussed that the recent compensation changes were considered “extraordinary” at a previous meeting. She spoke to the importance of developing a policy regarding retention payments. Commissioner Christian acknowledged Regent Sheehy’s comments and spoke to the guiding policy regarding retention adjustments, which the OCHE office deals with regularly. He explained that this position of Chancellor remains within the small group, including the Commissioner, Deputy Commissioners, Presidents, and Chancellors, that require formal presentation before the Board of Regents for consideration and approval. Discussion followed.

Chair Lozar spoke in support of this increase, agreeing with comments made by others. He also spoke in support of Regent Sheehy’s idea of developing a mechanism to further evaluate compensation changes like this. Regent Nystuen spoke in support of this item.

A motion for approval of item action item A. Item 186-2800-C0120 was made by Regent Tuss; President Cruzado stated that she would be happy to provide information related to Chancellor Kegel’s performance evaluations. The motion passed (6-1).

b. Request for Authorization to Construct Temporary Science Labs; MSU-Billings
ITEM 186-2701-C0120 | Attachment #1 | Attachment #2

Director Ron Muffick presented this request before the Board to seek approval for spending authority of \$1.3 million to create temporary laboratory spaces in conjunction with the Yellowstone Science and Allied Health Building construction. This request is consistent with the provisions of Board of Regents Policy 1003.7, II, A, all proposals for new construction or renovations of an existing building with costs over \$350,000 shall be submitted to the Board of Regents for approval. Discussion followed.

A motion for approval of action item b. Item 186-2701-C0120 was made by Regent Nystuen; Regent Miller extended thanks to the students for doing the due diligence and for raising good questions. The motion passed (7-0).

c. Request for Authorization to Plan, Program and Design for MSU Wellness Center at the Montana State University; MSU-Bozeman *ITEM 186-2007-C0120 | Attachment #1*



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Director Ron Muffick presented this item request, consistent with provisions of MCA 20-25-302(6) and BOR Policy 1003.7, for the Board of Regents to authorize Montana State University to proceed with planning, programming, and design services only for replacement of the Marga Hosaeus Fitness Center and the University Health Partners Facility. The authorization is for up to \$3,500,000. Discussion followed.

Commissioner Christian clarified that under this concept, we're talking about three projects now being combined into one. Projects include the replacement of the gyms; health facilities and mental health facilities, its growing need; and the displaced project that was going to move from Romney to the facility that's been lost. He noted that this health center itself is a significant project which we've been looking at addressing both the physical and mental health into one facility.

A motion for approval of action item c. Item 186-2007-C0120 was made by Regent Rogers; motion passed (7-0).

- d. Request for Approval to Establish Intercollegiate Sports Integrity Policy – Prohibited Wagers; OCHE/MUS *ITEM 186-103-C0120 | Attachment #1*

Helen Thigpen, Associate Legal Counsel, spoke to this request, noting that no changes have been made to the draft policy since it was presented in November as an information item, and requested that the Board of Regents consider approval of the Intercollegiate Sports Integrity Policy – Prohibited Wagers. Discussion followed.

A motion for approval of item d. *186-103-C0120* was made by Regent Tuss; motion passed (7-0).

Public Comment

None.

The Board convened an executive session to discuss personnel after a determination was made by Chair Lozar that, the demands of individual privacy clearly exceed the merits of public disclosure.

Executive Session

- Honorary Doctorate Nomination #1 – MSU Bozeman
- Honorary Doctorate Nomination #2- MSU Bozeman

- Honorary Doctorate Nomination #1 – UM Missoula
- Honorary Doctorate Nomination #2 – UM Missoula
- Honorary Doctorate Nomination #3 – UM Missoula

Meeting to adjourn upon completion

10:00 AM Board Planning Session

Meeting adjourned at 10:00am



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Approved by the Board of Regents on

Date

Clayton T. Christian
Commissioner of Higher Education
and Secretary to the Board of Regents

Date

Casey Lozar
Chair, Board of Regents