

**BOARD OF REGENTS  
MINUTES OF THE MEETING  
December 8-9, 2021**

**Contents**

1-A	Approval of the Agenda	2
1-B	Declaration of Conflicts	2
1-C	Approval of the Minutes – Meeting on October 6-7, 2021	2
1-D	Motion to Dissolve into Executive Session	2
3-A	Report and Actions of Executive Session	6
	Secretary's Report	18-20
3-B	Welcome and Presentation by SDSU President Barry Dunn	2
3-C (1)	Student Organization Awards – SDSU	3; 21-22
3-C (2)	Student Organization Awards – USD	3; 23-24
3-D	Reports from Individual Presidents and Superintendents	3
3-E	Reports on Individual Regent Activities	3
3-F	Report from the Student Federation	3
3-G	Report of the Executive Director	3-4
3-H	Resolution Endorsing and Adopting Executive Order 2021-14	4; 25-30
4	Public Comment Period	4-5

**CONSENT AGENDA**

**Academic and Student Affairs**

5-A	Graduation Lists	7; 31-62
5-B	New Specialization Request – SDSMT – Environmental Engineering (BS in Civil and Environmental Engineering)	7; 63-68
5-C	Intent to Plan Request – DSU – BS in Individualized Studies	7; 69-78
5-D	Agreement on Academic Cooperation – SDSMT	7; 79-81
5-E	Articulation Agreements – NSU	7; 82-93
5-F	USD and Morningside University Admissions Policy MOU	8; 94-96
5-G	Dual Credit In-District Delivery Agreement – SDSU & Brookings High School	8; 97-99
5-H	BOR Policy Revisions – BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, BOR Policy 4:7 – Grievance – Faculty, & BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (Second Reading)	8; 100-124

**Budget and Finance**

5-I	BOR Policy 4:39 – Alternative Work Schedules and Remote Work (Second Reading)	8; 125-130
5-J	M&R Projects	8; 131
5-K	FY23 HEFF M&R Projects	9; 132-137
5-L	FY23 Auxiliary M&R Projects	9; 138-141
5-M	FY23 AES M&R Projects	9; 142-143
5-N	SDSU Stadium FY21 Financials	9; 144-146
5-O	Reduced Tuition Annual Report	9; 147-152
5-P	FY21 Auxiliary AUP Report	9; 153-191
5-Q (1)	Joint Powers Agreement – NSU Termination of Joint Powers Agreement	9; 192-197
5-Q (2)	Joint Powers Agreement – SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation	10; 198-231

**Informational Items – No Board Action Necessary**

5-R	Interim Actions of the Executive Director	10; 232-234
5-S	Capital Projects List	10; 235-239
5-T	Building Committee Report	10; 240

**Budget and Finance**

6-A	FY23 Governor’s Recommended Budget	10; 241-243
6-B	Economic Impact Study Report	5; 244-285
6-C	BOR Policy 5:3 - Contracts and Agreements (First and Final Reading)	11; 286-290
6-D	HEFF Condition Statement and Cash Flow Statement	11; 291-294
6-E	SDSMT Mineral Industries Building Facility Design Plan	11; 295-375
6-F	SDSU Stanley J. Marshall Center and First Bank & Trust Arena Revised Facility Program Plan and Facility Design Plan	11-12; 376-400
6-G	BOR Policy 1:6 – Appointment, Authority and Responsibilities of Presidents and Superintendents (First Reading)	12; 401-409
6-H	BOR Policy 2:14 Repeal – Campus Organizational Structure (First Reading)	13; 410-411
6-I	South Dakota Building Authority Revenue Bonds, Series 2022	13-14; 412-432
6-J	2022 Board Sponsored Legislation	14; 433-450
6-K	BOR Policy 1:27 Revision – Naming of Institutional Facilities, Programmatic Units or Funded Academic Honors (Second Reading)	14; 451-455
6-L	DSU Donation Agreement Amendment	14-15; 456-468



**Academic and Student Affairs**

8-A	BOR Policy Revision – BOR Policy 2:5 – Transfer of Credit (First and Final Reading)	15; 469-478
8-B	New Program/New Graduate Certificates – SDSU – MS in Professional Science Masters	15-16; 479-551
8-C	New Program Request – SDSU – MS in Nutrition and Dietetics	16; 552-576
8-D	Revisions to BOR Policies 1:11, 3:9 (new 1:34), and 3:18 (Second Reading) and Opportunity Center Plans	16-17; 577-607
8-E	BHSU and Crazy Horse Memorial Foundation Agreement	17; 608-620
ADJOURN		17

**BOARD OF REGENTS  
MINUTES OF THE MEETING  
December 8-9, 2021**

The South Dakota Board of Regents convened at 10:45 a.m. Central Time on December 8, 2021 at South Dakota State University in Brookings, South Dakota, with the following members present\*:

Brock Brown  
Tim Rave\*\*  
Barb Stork\*  
Tony Venhuizen  
Joan Wink  
Jim Thares, Secretary  
Pam Roberts, Vice President  
John Bastian, President

\*Regent Barb Stork was present on December 8 only.

\*\*Regent Tim Rave was present on December 9 only.

Note: Jeff Partridge was not at the meeting due to a temporary Leave of Absence from the Board of Regents.

Also present during all or part of the meeting were Dr. Brian L. Maher, Board of Regents Executive Director and CEO; Nathan Lukkes, Board of Regents General Counsel; Kayla Bastian, Director of Human Resources; Dr. Janice Minder, System Vice President for Academic Policy and Planning; Dr. Rebecca Hoey, Associate Vice President for Academic Programming; Heather Forney, System Vice President of Finance & Administration; Dave Hansen, System Chief Information Officer; Dr. Janelle Toman, Director of Communications; Molly Weisgram, Executive Assistant to the CEO and Board; Dr. Barry Dunn, SDSU President; Dr. José-Marie Griffiths, DSU President; Dr. Laurie Nichols, BHSU President; Dr. Jim Rankin, SDSM&T President; Dr. Neal Schnoor, NSU President; Sheila Gestring, USD President; Kim Wadsworth, SDSD Superintendent; Dan Trefz, SDSBVI Superintendent; and other members of the Regental system, public and media.

## **WEDNESDAY, DECEMBER 8, 2021**

Regent Bastian declared a quorum present and called the meeting to order at 10:45 a.m.

### **1-A Approval of the Agenda**

IT WAS MOVED by Regent Venhuizen, seconded by Regent Brown, to approve the agenda as published. Motion passed.

### **1-B Declaration of Conflicts**

There were no declared conflicts.

### **1-C Approval of the Minutes – Meeting on October 6-7, 2021**

IT WAS MOVED by Regent Thares, seconded by Regent Brown, to approve the minutes of the Board of Regents meetings on October 6-7, 2021. Motion passed.

### **1-D Motion to Dissolve into Executive Session**

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to dissolve into Executive Session at 11:00 a.m. on Wednesday, December 8th, to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or pricing strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business, and that it rise from Executive Session at 2:45 p.m. to resume the regular order of business and report its deliberations while in executive session and take any action it deems prudent as a result thereof. Motion passed.

The Board dissolved into executive session at 11:00 a.m.

The Board reconvened in public session at 3:25 p.m.

IT WAS MOVED by Regent Roberts, seconded by Regent Thares, to amend the agenda and reconvene into executive session at 4:30 p.m. to continue discussing the previously referenced matters. Motion passed.

### **3-A Report and Actions of Executive Session**

Delayed until later in the meeting.

### **3-B Welcome and Presentation by SDSU President Barry Dunn**

President Barry Dunn welcomed meeting attendees to SDSU and provided an update on the efforts and accomplishments of the university.

### **3-C (1) Student Organization Awards – SDSU**

Dr. Michaela Willis, SDSU Vice President for Student Affairs & Enrollment Management, presented the SDSU student organization award winners for 2020. Pre-Law Society accepted the award for academic excellence. Exercise Science Club accepted the award for community service. Robotics Club accepted the award for organizational leadership.

A copy of the Student Organization Awards – SDSU can be found on pages **21** to **22** of the official minutes.

### **3-C (2) Student Organization Awards – USD**

Dr. Kim Grieve, USD Vice President for Student Services/Dean of Students, presented the USD student organization award winners for 2020. Alpha Eta Honor Society: Sigma Delta accepted the award for academic excellence. Alpha Phi Psi Chapter Sorority accepted the award for community service. Asian American Student Association accepted the award for organizational leadership.

A copy of the Student Organization Awards – USD can be found on pages **23** to **24** of the official minutes.

### **3-D Reports from Individual Presidents and Superintendents**

No reports.

### **3-E Reports on Individual Regent Activities**

No reports.

### **3-F Report from the Student Federation**

Carson Sehr, USD student, introduced himself as the new executive director of the Student Federation. He explained that the Student Federation had a meeting the previous evening, when the group acknowledged Governor Noem's recent budget recommendation for a six percent salary increase for state employees. He said the students are supportive of their faculty and staff but said the Student Federation is also very aware of what this means for tuition increases in the spring. He said the Student Federation has discussed cost savings initiatives, such as Open Educational Resources, and is currently discussing its support for potential policy changes allowing alcohol sales in athletic and performing arts venues. He acknowledged the ongoing system discussions about a single system-wide food service contract and asked that the firm selected work with students as it transitions into the system. Lastly, he said Students in Higher Education Days (SHED) at the legislature will be held on January 30-31, 2022.

### **3-G Report of the Executive Director**

Dr. Brian Maher, Board of Regents Executive Director, said the Senate Bill 55 Task Force outreach presentations have been completed and the work to incorporate its recommendations and resulting

tasks into the next iteration of the South Dakota Board of Regents' Strategic Plan is ongoing. The proposed Strategic Plan which will be reviewed by the Board at its March meeting. He noted that the Board is prepared for the upcoming legislative session and looks forward to continuing to build on its relationships with legislators and the Governor's office.

### **3-H Resolution Endorsing and Adopting Executive Order 2021-14**

Nathan Lukkes, Board of Regents General Counsel, explained that in response to President Biden's Executive Order issued on September 9, 2021 regarding COVID-19 vaccine mandates for certain public and private sector employees, Governor Noem issued Executive Order 2021-14 on October 27, 2021, to protect and solidify the full extent of the legally recognized religious accommodation afforded to certain public sector employees in South Dakota, which includes moral, ethical, and philosophical beliefs or principles. A Board Resolution to endorse and adopt Executive Order 2021-14 is included as Attachment I of the agenda item to solidify the interpretation and protections afforded to system employees in the executive order.

IT WAS MOVED by Regent Venhuizen, seconded by Regents Brown, to approve and adopt the Resolution set forth in Attachment I, endorsing and adopting Executive Order 2021-14 issued by Governor Noem on October 27, 2021. Motion passed.

A copy of the Resolution Endorsing and Adopting Executive Order 2021-14 can be found on pages **25** to **30** of the official minutes.

### **4. Public Comment Period**

SDSU students Brandon Frizzell, Jonathon Sundet, and Anna Shane requested that the Board consider revisions to Board of Regents Policy 6:14 in order to allow alcohol sales in all areas of athletic and performing arts centers on-campus. They presented rationale for this request and noted that all regental student associations have signed a resolution supporting this request.

Regent Thares asked how many other states allow these sales in similar venues at their public universities. The students responded that it is a growing trend. The neighboring states of North Dakota, Iowa, Minnesota, and Ohio allows alcohol sales in these venues, while Nebraska does not.

Regent Venhuizen asked Dr. Maher how the Board would approach this if it was interested in considering the policy change. Dr. Maher said staff could provide more information to the Board at its March meeting.

Regents thanked the students for their well-organized presentation.

Professor Mark Geary representing the Dakota State University faculty senate said the group has concerns on BOR policy revisions to 4:14. He read DSU's faculty senate resolution aloud, which outlined its concerns with the proposed policy revisions.

Regent Bastian explained that there were some additional revisions to the policy based on feedback since the agenda item was posted, which would likely result in satisfying at least some of DSU faculty requests.

Professor Madhav Nepal representing the South Dakota State University faculty senate thanked the Board for listening to its feedback on faculty-related policy revisions and incorporating revisions as a result. He welcomed the Board of Regents to Brookings on behalf of the SDSU faculty.

Liam Slaven, SDSMT student, explained that a group of students at SD Mines has been petitioning for campus conceal carry. He said the group has received increased support and would like to see conceal carry allowed on campus.

Anthony Mirzayants, SDSMT student, asked the Board of Regents to allow President Rankin to implement campus carry at SD Mines.

Nathan Fischer, SDSMT student, asked the Board of Regents to allow conceal carry on campus.

Sam Elliot, SDSMT student, asked the Board of Regents to allow campus conceal carry.

Mary Kraljic, SDSU faculty member, shared her concerns on proposed revisions to BOR policies 4:14 and 4:7.

Logan Tunnissen, SDSMT student, asked the Board of Regents to allow conceal carry on campus.

Tyson Westendorf, SDSMT student, asked the Board of Regents to allow conceal carry on campus.

### **6-B Economic Impact Study Report**

Regent Bastian called for agenda item 6-B out of order due to time restraints of the presenters.

Heather Forney, System Vice President of Finance and Administration, introduced Nichole Parker and Kate Philips of Parker Philips, the firm that conducted the Economic Impact Study on behalf of the South Dakota Board of Regents. They presented their report that included results of the study and the methodology used.

A copy of the Economic Impact Study Report can be found on pages **244** to **285** of the official minutes.

### **Executive Session**

The Board dissolved into executive session at 4:45 p.m. on Wednesday, December 8, 2022, to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or pricing strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business.

**THURSDAY, DECEMBER 9, 2021**

**Breakfast Meeting with Area Legislators**

Representative Fred Deutsch (District 4), Representative Hugh Bartels (District 5), Representative Larry Tidemann (District 7), Representative Tim Reed (District 7), Representative Lynn Schneider (District 22), and Senator VJ Smith (District 7) met with Board members to informally discuss priorities in the public university system.

The Board reconvened at 9:35 a.m.

**Report and Actions of Executive Session**

Regent Thares reported that the Board dissolved into Executive Session at 11:00 a.m. on Wednesday, December 8th, to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or price strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business, before recessing from Executive Session at 3:00 p.m. to resume the regular order of business.

The Board reconvened in Executive Session at 4:45 p.m. to continue discussing the earlier referenced matters, rising from Executive Session to resume the regular order of business at 9:30 a.m. on Thursday, December 9.

While in Executive Session, the Board discussed the matters just described, which included certain recommended actions as set forth in the Secretary's Report and other matters permitted by law.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the recommended actions as set forth in the Secretary's Report and that it publish said Report and official actions in the formal minutes of this meeting. Motion passed.

A copy of the Secretary's Report can be found on pages **18** to **20** of the official minutes.

**CONSENT AGENDA**

Regent Bastian called upon Nathan Lukkes, Board of Regents General Counsel, to address agenda item 5-H, which has garnered the interest and feedback from various faculty members.

Nathan Lukkes noted that he received faculty feedback since agenda 5-H was posted to the agenda and has since incorporated several aspects of the feedback into the proposed revisions. He said those items that were not incorporated were left out for good reasons, but he is open to continuing dialog in that regard.

Regent Venhuizen called the Board's attention to agenda item 5-F as it references a 3+3 program with an out-of-state university and the USD law school. He encouraged the other system universities to consider something similar with the USD law school.

IT WAS MOVED by Regent Roberts, seconded by Regent Rave, to approve consent agenda items 5-A through 5-Q(2). Motion passed.

### **Academic and Student Affairs – Consent**

#### **5-A Graduation Lists**

Move to approve the Fall 2021 graduation lists for BHSU, DSU, NSU, SDSMT, SDSU, and USD contingent upon the students' completion of all degree requirements.

A copy of the Graduation Lists can be found on pages **31** to **62** of the official minutes.

#### **5-B New Specialization Request – SDSMT – Environmental Engineering (BS in Civil and Environmental Engineering)**

Move to authorize SDSMT to offer a specialization in Environmental Engineering within the BS in Civil and Environmental Engineering, as presented.

A copy of the New Specialization Request – SDSMT – Environmental Engineering (BS in Civil and Environmental Engineering) can be found on pages **63** to **68** of the official minutes.

#### **5-C Intent to Plan Request – DSU – BS in Individualized Studies**

Move to authorize DSU to develop a program proposal for an BS in Individualized Studies, as presented.

A copy of the Intent to Plan Request – DSU – BS in Individualized Studies can be found on pages **69** to **78** of the official minutes.

#### **5-D Agreement on Academic Cooperation – SDSMT**

Move to approve the South Dakota School of Mines and Technology's agreement on academic cooperation with Shoolini University, as presented.

A copy of the Agreement on Academic Cooperation – SDSMT can be found on pages **79** to **81** of the official minutes.

#### **5-E Articulation Agreements – NSU**

Move to approve Northern State University's articulation agreements with Southeast Technical College, as presented in Attachment I.

A copy of the Articulation Agreements – NSU can be found on pages **82** to **93** of the official minutes.



### **5-F USD and Morningside University Admissions Policy MOU**

Move to approve the Memorandum of Understanding between the University of South Dakota and Morningside University, as presented.

A copy of the USD and Morningside University Admissions Policy MOU can be found on pages **94** to **96** of the official minutes.

### **5-G Dual Credit In-District Delivery Agreement – SDSU & Brookings High School**

Move to approve the Memorandum of Understanding between the Board of Regents and the Brookings School District for in-district delivery of High School Dual Credit courses, as presented in Attachment I.

A copy of the Dual Credit In-District Delivery Agreement – SDSU & Brookings High School can be found on pages **97** to **99** of the official minutes.

### **5-H BOR Policy Revisions – BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, BOR Policy 4:7 – Grievance – Faculty, & BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (Second Reading)**

Move to approve the second and final reading of the proposed revisions to BOR Policy 4:4, BOR Policy 4:7 and BOR Policy 4:14, as presented.

A copy of the BOR Policy Revisions – BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, BOR Policy 4:7 – Grievance – Faculty, & BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (Second Reading) can be found on pages **100** to **124** of the official minutes.

### **Budget and Finance – Consent**

### **5-I BOR Policies 4:39 – Alternative Work Schedules and Remote Work (Second Reading)**

Move to approve the second and final reading of the proposed revisions to BOR Policy 4:39, as outlined in Attachment I.

A copy of the BOR Policies 4:39 – Alternative Work Schedules and Remote Work (Second Reading) can be found on pages **125** to **130** of the official minute.

### **5-J M&R Projects**

Move to approve the requested maintenance and repair projects as described in this item.

A copy of the M&R Projects can be found on page **131** of the official minute.

#### **5-K FY23 HEFF M&R Projects**

Move to approve the FY23 HEFF M&R projects as presented in Attachment II.

A copy of the FY23 HEFF M&R Projects can be found on pages 132 to 137 of the official minute.

#### **5-L FY23 Auxiliary M&R Projects**

Move to approve the FY23 Auxiliary System M&R projects as presented in Attachment I.

A copy of the FY23 Auxiliary M&R Projects can be found on pages 138 to 141 of the official minute.

#### **5-M FY23 AES M&R Projects**

Move to approve the AES M&R projects for FY23 as requested.

A copy of the FY23 AES M&R Projects can be found on pages 142 to 143 of the official minute.

#### **5-N SDSU Stadium FY21 Financials**

A copy of the SDSU Stadium FY21 Financials can be found on pages 144 to 146 of the official minute.

#### **5-O Reduced Tuition Annual Report**

A copy of the Reduced Tuition Annual Report can be found on pages 147 to 152 of the official minute.

#### **5-P FY21 Auxiliary AUP Report**

A copy of the FY21 Auxiliary AUP Report can be found on pages 153 to 191 of the official minute.

#### **5-Q (1) Joint Powers Agreement – NSU Termination of Joint Powers Agreement**

Move to approve the Termination of Joint Powers Agreement set forth in Attachment I.

A copy of the Joint Power Agreement – NSU Termination of Joint Power can be found on pages 192 to 197 of the official minutes.

### **5-Q (2) Joint Powers Agreement – SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation**

Move to approve proceeding with the Joint Powers Agreement in substantially similar form to that set forth in Attachment I.

A copy of the Joint Powers Agreement – SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation can be found on pages **198** to **231** of the official minutes.

### **Routine Informational Items – No Board Action Necessary**

#### **5-R Interim Actions of the Executive Director**

A copy of the Interim Actions of the Executive Director can be found on pages **232** to **234** of the official minutes.

#### **5-S Capital Projects List**

A copy of the Capital Projects List can be found on pages **235** to **239** of the official minutes.

#### **5-T Building Committee Report**

A copy of the Building Committee Report can be found on page **240** of the official minutes.

### **BUDGET AND FINANCE**

#### **6-A FY23 Governor’s Recommended Budget**

Heather Forney, System Vice President of Finance and Administration, shared a summary of the Governor’s recommendations for the Board of Regents in her FY23 budget.

Regent Bastian asked about the Northern State University and Black Hills State University projects that request federal funds. Heather Forney said these will work through the process similarly to other projects.

A copy of the FY23 Governor’s Recommended Budget can be found on pages **241** to **243** of the official minutes.

#### **6-B Economic Impact Study Report**

Addressed on Wednesday, December 8.

### **6-C BOR Policy 5:3 – Contracts and Agreements (First and Final Reading)**

Heather Forney, System Vice President of Finance and Administration, provided a summary of proposed revisions to BOR Policy 5:3 and requested a first and final reading of the policy changes.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of BOR Policy 5:3 – Agreements and Contracts as shown in Attachment I of the agenda item. Motion passed.

A copy of the BOR Policy 5:3 – Contracts and Agreements (First and Final Reading) can be found on pages **286** to **290** of the official minutes.

### **6-D HEFF Condition Statement and Cash Flow Statement**

Heather Forney, System Vice President of Finance and Administration, presented the Cash Flow Statement of the Higher Education Facilities Fund, which is used as the primary source of dollars to fund construction, maintenance, and renovation of university academic facilities. Vice President Forney noted that the data in the statement are actuals for years FY18-FY21, whereas the data for FY22-FY35 are projections.

A copy of the HEFF Condition Statement and Cash Flow Statement can be found on pages **291** to **294** of the official minutes.

### **6-E SDSMT Mineral Industries Building Facility Design Plan**

Jerilyn Roberts, SDSMT's Physical Plant Director, requested approval of the Facility Design Plan for the new Mineral Industries Building. She explained that the Preliminary Facility Statement was approved at the June 2014 Board meeting, and the Facility Program Plan was approved at the March 2021 Board meeting. The new Mineral Industries Building will provide classroom space for the entire university as well as laboratory and administrative space for the Geology and Geological Engineering, Mining Engineering and Management, and Materials and Metallurgical Engineering Departments. She described changes since the Preliminary Program Plan was approved in March.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to approve SDSMT's Facility Design Plan for the Mineral Industries Building at a cost not to exceed \$34,000,000 funded by a combination of General, Private, and University Funds. Motion passed.

A copy of the SDSMT Mineral Industries Building Facility Design Plan can be found on pages **295** to **375** of the official minutes.

### **6-F SDSU Stanley J. Marshall Center and First Bank & Trust Arena Revised Facility Program Plan and Facility Design Plan**

Barry Meilke, SDSU Associate Vice President of Facilities and Services, requested approval of the revised Facility Program Plan and the Facility Design Plan for the Stanley J. Marshall Center and First Bank & Trust Arena Addition and Renovation. He explained that this project is the third

phase of the Stanley J. Marshall Center Additions and Renovations and will address current maintenance and repair needs, improve ADA accessibility throughout, and will provide new and updated restrooms, concessions, seating options, and improved circulation and support spaces.

Regent Venhuizen asked about the use of the facility during construction. Vice President Meilke said most work would take place between sporting seasons, but they anticipate that the building will continue to be used.

Regent Thares suggested that the state's building process be reviewed as there are ways to save and continue to get these projects done effectively.

Regent Venhuizen agreed and suggested that there be a workgroup established to evaluate the building design process. He said there are sure to be efficiencies in that area.

Heather Forney, System Vice President of Finance and Administration, explained that they have already put together a small work group and from the work group's review five revised policies are under consideration and will come to the Board at its March or May meeting.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve South Dakota State University's Revised Facility Program Plan and Revised Facility Design Plan for an addition of approximately 59,625 square feet and renovations to the Stanley J. Marshall Center and First Bank & Trust Arena at a cost not to exceed \$53,168,000. Legislation shall be drafted and the project shall be submitted to the 2022 South Dakota Legislative Session for consideration and approval. Funding for the project will consist of a combination of private donations, local funds, and HEFF M&R. Motion passed.

A copy of the SDSU Stanley J. Marshall Center and First Bank & Trust Arena Revised Facility Program Plan and Facility Design Plan can be found on pages 376 to 400 of the official minutes.

#### **6-G BOR Policy 1:6 – Appointment, Authority and Responsibilities of Presidents and Superintendents (First Reading)**

Kayla Bastian, System Director of Human Resources, provided a summary of proposed changes to BOR Policy 1:6, which included delegating authority to the executive director on approval of appointments of employees reporting directly to the superintendents. The changes will simplify the hiring processes for the special schools and would require the superintendents to get prior approval from the executive director, not the Board, when hiring direct reports.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the first reading of the proposed revisions to BOR Policy 1:6, as outlined in Attachment I. Motion passed.

A copy of the BOR Policy 1:6 – Appointment, Authority and Responsibilities of Presidents and Superintendents (First Reading) can be found on pages 401 to 409 of the official minutes.

### **6-H BOR Policy 2:14 Repeal – Campus Organizational Structure (First Reading)**

Kayla Bastian, System Director of Human Resources, explained that BOR Policy 2:14 has been identified as a duplicative policy to requirements that are already set forth in BOR Policy 1:6. To remedy this, staff recommend minor adjustments to Section 2.7 of BOR Policy 1:6 to clarify that the presidents must present to the Board any requested changes to the administrative organization and the structure of institutional departments. The staff would then repeal of BOR Policy 2:14 to eliminate duplication and simplify the policy manual.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the first reading to repeal BOR Policy 2:14, as outlined in Attachment I of the agenda item. Motion passed.

A copy of the BOR Policy 2:14 Repeal – Campus Organizational Structure (First Reading) can be found on pages **410** to **411** of the official minutes.

### **6-I South Dakota Building Authority Revenue Bonds, Series 2022**

Heather Forney, System Vice President of Finance and Administration, described South Dakota Building Authority Bonds, Series 2022, which will provide funding for Black Hills State University's E.Y. Berry Library Renovations and University of South Dakota's Health Science Facility.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to adopt Special Resolution No. 05-2021 on a roll call vote, which will: 1) Request the Building Authority to proceed with the issuance of revenue bonds ("*Revenue Bonds*") to finance costs of the constructing, renovating, furnishing, and equipping the Projects (as defined) in an aggregate principal amount not to exceed \$10,500,000. 2) Authorize the President of the Board and the Executive Director to execute an instrument of transfer so that jurisdiction over the affected real property for the Projects will be granted to the Building Authority. 3) Authorize the President of the Board and the Executive Director to execute a supplement to the existing lease between the Board and the Building Authority. Such lease shall establish the basis for the continued occupancy and use of the premises by the Board and outlines the conditions of payment to the Building Authority for such continued occupancy and use. 4) Authorize the officers of the Board and the Executive Director to take such other actions and to execute such other documents as may be required to carry out the actions approved pursuant to such special resolutions.

#### **ROLL CALL:**

Brown – AYE

Rave – AYE

Stork – ABSENT

Venhuizen – AYE

Wink – AYE

Thares – AYE

Roberts – AYE

Bastian – AYE

Motion passed.

Note: Regent Jeff Partridge is on a temporary Leave of Absence from the Board of Regents so was not present at the meeting nor was he included in the roll call vote.

A copy of the South Dakota Building Authority Revenue Bonds, Series 2022 can be found on pages 412 to 432 of the official minutes.

#### **6-J 2022 Board Sponsored Legislation**

Nathan Lukkes, Board of Regents General Counsel, gave a summary of the proposed legislation to be sponsored by the Board for the 2022 legislative session.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to authorize the Executive Director to (1) submit the proposed bills and make such modifications or amendments to the bills as are necessary and appropriate, provided such modifications or amendments do not change the fundamental purpose of the legislation, and (2) submit such additional legislation as may be necessary and appropriate, upon concurrence of a majority of the executive committee. Motion passed.

A copy of the 2022 Board Sponsored Legislation can be found on pages 433 to 450 of the official minutes.

#### **6-K BOR Policy 1:27 Revision – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors (Second Reading)**

Nathan Lukkes, Board of Regents General Counsel, explained that the Board approved a first reading of BOR Policy 1:27 at its August meeting. The policy was revised to clarify that presidents may name buildings when the name is a generic descriptive name relating to its use, offering(s), and/or location, and is not in recognition of a person, family, and organization. One additional revision has been made since that time to clarify that any naming of new facilities within the discretion of the presidents and superintendents be included in the applicable facility approval(s) pursuant to BOR Policy 6:4 – Capital Improvements, ensuring the Board is informed in advanced. This is included in section C.1.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to approve the second and final reading of the proposed revisions to BOR Policy 1:27, as presented in Attachment I of the agenda item. Motion passed.

A copy of the BOR Policy 1:27 Revision – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors (Second Reading) can be found on pages 451 to 455 of the official minutes.

#### **6-L DSU Donation Agreement Amendment**

Nathan Lukkes, Board of Regents General Counsel, presented a First Amendment to the current donation agreement between Dakota State University, the Dakota State University Foundation,

and Sanford Medical Center. The agreement was initially approved at the Board's August 2018 meeting, through which Sanford Health would contribute \$5,000,000, payable in ten annual installments to the DSU Foundation. The Amendment includes an additional \$5,000,000, also payable in ten annual installments from September 15, 2028 to September 15, 2037. The additional contributions are intended to support the DSU Trojan United athletics facilities campaign.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to authorize Dakota State University to proceed with finalizing the draft amendment to the donation agreement set forth in Attachment I of the agenda item, subject to approval of the final draft by the Executive Director. Motion passed.

A copy of the DSU Donation Agreement Amendment can be found on pages 456 to 468 of the official minutes.

## **ACADEMIC AND STUDENT AFFAIRS**

### **8-A Revision to BOR Policy 2:5 – Transfer of Credit (First and Final Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, described an in-progress review of Board of Regents transfer policies and recommended minor changes to BOR policy 2:5 in order to provide additional campus discretion in the review of both technical and academic course work at the undergraduate level.

Regent Venhuizen asked for an example of how this would work in practicality. Dr. Minder explained that the change creates consistency between in-state and out-of-state transfer credit criteria.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final readings of the proposed new BOR Policy 2:5, as presented. Motion passed.

A copy of the Revision to BOR Policy 2:5 – Transfer of Credit (First and Final Reading) can be found on pages 469 to 478 of the official minutes.

### **8-B New Program/New Graduate Certificates – SDSU – MS in Professional Science Masters**

Dr. Rebecca Hoey, System Associate Vice President for Academic Programming, explained that South Dakota State University requests permission to offer a Master of Science (MS) program in Professional Science.

Provost Dennis Hedge, SDSU Vice President for Academic Affairs, described the proposed program and explained that the MS in Professional Science would be a collaboration between the Colleges of Natural Sciences and Agriculture, Food & Environmental Sciences, and the Ness School of Management & Economics. He said SDSU plans to offer the program both on campus and online. SDSU does not require new state resources. No new courses are required for the program.



IT WAS MOVED by Regent Wink, seconded by Regent Rave, to authorize SDSU to offer the MS in Professional Science, as well as associated Graduate Certificates in: 1) Applied Physics, 2) Biotechnology, 3) Environmental Policy, 4) Food Technology, 5) Geographic Information Sciences, 6) Precision Agriculture, and 7) Professional Management, as presented. Motion passed.

A copy of the New Program/New Graduate Certificates – SDSU – MS in Professional Science Masters can be found on pages 479 to 551 of the official minutes.

#### **8-C New Program Request – SDSU – MS in Nutrition and Dietetics**

Dr. Rebecca Hoey, System Associate Vice President for Academic Programming, explained that South Dakota State University (SDSU) requests permission to offer a Master of Science (MS) program in Nutrition and Dietetics.

Provost Dennis Hedge, SDSU Vice President for Academic Affairs, described the proposed program and explained that the MS in Nutrition and Dietetics would meet new credentialing requirements to become a Registered Dietitian Nutritionist. He asked that the current internship fee be applied to this program, which would be a net neutral change.

Regent Bastian said these programs are good examples of changes and adaptations to industry and student needs. This is something our system does well, and people don't always know.

Regent Rave asked a question about a changing requirement of the Commission on Dietetic Registration to only recognize master's degrees in the future. Provost Hedge explained that it will work similarly to PharmD degree. Regent Rave asked a question about the additional course that would be needed for the program. Provost Hedge said this course would utilize existing talent and would not require new resources.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to authorize SDSU to offer the MS in Nutrition and Dietetics and approve the requested internship fee, as presented. Motion passed.

A copy of the New Program Request – SDSU – MS in Nutrition and Dietetics can be found on pages 552 to 576 of the official minutes.

#### **8-D Revisions to BOR Policies 1:11, 3:9 (new 1:34), and 3:18 (Second Reading) and Opportunity Center Plans**

Nathan Lukkes, Board of Regents General Counsel, brought forward BOR Policies 1:11, 3:9 (which will now be 1:34), and 3:18 for a second reading following the first reading at the October 2021 Board meeting. Changes were made to BOR Policy 1:34 – Guest Speakers (formerly policy 3:9) to minimize verbiage that could lend itself to improper (i.e., unconstitutional) discretion in the application of an otherwise well intended policy. Additionally, after receiving feedback from students, a sentence was added to the end of section 1.2 in BOR Policy 3:18 – Recognition and Funding of Student Organizations. This revision provides clarity as to the intent and application of the new section. He stated that Opportunity Center plans from each campuses were included as attachments to the agenda item for review by the Board.

Regent Bastian commented that this is a good example of shared governance.

IT WAS MOVED by Regent Wink, seconded by Regent Brown, to approve the second and final reading of the proposed revisions to BOR Policies 1:11, 1:34 and 3:18, as presented. Motion passed.

A copy of the Revisions to BOR Policies 1:11, 3:9 (new 1:34), and 3:18 (Second Reading) and Opportunity Center Plans can be found on pages 577 to 607 of the official minutes.

### **8-E BHSU & Crazy Horse Memorial Foundation Agreement**

Nathan Lukkes, Board of Regents General Counsel, explained that approval of the Agreement set forth in Attachment I of the agenda item will provide the opportunity for Black Hills State University (BHSU) and the Crazy Horse Memorial Foundation (CHMF) to partner on the two 7th GEN Summer Programs at the Indian University of North America of Crazy Horse Memorial Foundation, with BHSU providing the instruction and credits for the desired curriculum, with the instructional and operating expenses provided by CHMF.

Regent Bastian asked President Nichols to comment on the program. President Nichols said this dialog started about a month ago, and it is a very special collaboration where BHSU provides the expertise and CHMF provides the students and funding. She said each program includes between 30-35 students, and includes an internship which has a lot of opportunity for expansion.

Regent Venhuizen asked if this is a new program offered by Crazy Horse. President Nichols said some aspects of the program are new and others are existing.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the Agreement between Black Hills State University and the Crazy Horse Memorial Foundation in substantially similar form to that set forth in Attachment I of the agenda item. Motion passed.

A copy of the BHSU & Crazy Horse Memorial Foundation Agreement can be found on pages 608 to 620 of the official minutes.

### **ADJOURNMENT**

IT WAS MOVED by Regent Brown, seconded by Regent Thares, to adjourn the meeting. Motion passed.

The meeting adjourned at 10:40 a.m.

### *Secretary's Executive Session Report*

*The Board convened in Executive Session pursuant to the vote of the majority of the Board present and voting at its public meeting on Wednesday, December 8, 2021, in accordance with SDCL 1-25-2 to discuss matters authorized therein. Following executive session on December 9<sup>th</sup>, the Board will meet in open session to discuss and take official action on the matters set forth below, all other matters discussed were consistent with the requirements of SDCL 1-25-2, but no official action on them is being proposed at this time.*

#### *Recommended Actions:*

*2-K – Approve the requests to establish the Office of Student Data, Analysis and Evaluation, and to create a director position to oversee the new office.*

*2-L – Approve the salary adjustments and appointments as outlined in Attachment I of the Secretary's Report.*

*2-M – Approve the contract extension and terms of the addendum to the employment contract for SDSU Head Football Coach, John Stiegelmeier.*

*2-N – Authorize the General Counsel to proceed with the legal matter(s) within the parameters discussed.*

*2-O – Award three (3) years of prior service credit toward tenure and three (3) years of prior service credit toward promotion for Dr. William Bendix (DSU).*

*2-P – Approve the leave requests for Guangwei Ding (NSU), Marla Fogderud (NSU), Jon Schaff (NSU), Timothy Woods (NSU), and Vladimir Sobolev (SDSMT).*

*2-Q – Approve the evaluation letters for Presidents Gestring and Griffiths.*

BLACK HILLS STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Gregory Krajewski	Dir of Military & Veteran Svc	8/22/2021	Reclassification	\$65,000.00	\$39,850.00	63.1%
DAKOTA STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Mark Ferber	Site Security Officer (SSO)	9/22/2021	Change Salary Rate/Pay Grade	\$60,000.00	\$49,323.00	21.6%
SOUTH DAKOTA SCHOOL OF MINES & TECHNOLOGY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Forest Thompson	Research Scientist III	12/22/2021	Reclassification	\$76,000.00	\$61,740.00	23.1%

BOARD OF REGENTS						
Name	Title	Effective date	Job Change Reason	Previous Salary	Current Salary	% Increase
Dawn Kennedy	Assistant Director	8/22/2021	Permanent Additional Duties	\$60,515.40	\$55,014.00	10.0%
UNIVERSITY OF SOUTH DAKOTA						
Name	Title	Effective date	Job Change Reason	Requested Salary	Current Salary	% Increase
Michelle Weideman	Head Start Teacher	12/22/2021	Market Adjustmnet	\$31,333.00	\$29,840.95	5.0%
Kristin Marquardt,	Center Teacher	12/22/2021	Market Adjustmnet	\$31,609.07	\$30,103.88	5.0%
Christina VanDenHoek	Head Start Teacher	12/22/2021	Market Adjustmnet	\$31,668.00	\$30,160.00	5.0%
Cindy Knutson,	Center Teacher	12/22/2021	Market Adjustmnet	\$35,883.67	\$34,174.92	5.0%
Heidi Olson	Center Teacher	12/22/2021	Market Adjustmnet	\$20,153.49	\$19,193.80	5.0%
Ardis Semple	HS Center-Base Teacher	12/22/2021	Market Adjustmnet	\$32,401.50	\$30,858.57	5.0%
Katrina Hauger	Center Teacher	12/22/2021	Market Adjustmnet	\$37,583.67	\$35,793.97	5.0%
Courtney Rentschler	Center Teacher	12/22/2021	Market Adjustmnet	\$32,787.59	\$31,226.28	5.0%
Amanda Wharton	Center Teacher	12/22/2021	Market Adjustmnet	\$33,050.56	\$31,476.72	5.0%
Elizabeth Duffy	Center Teacher	12/22/2021	Market Adjustmnet	\$23,471.70	\$22,354.00	5.0%

Connor Peterson	Assoc. Director Admissions	12/22/2021	Promotion/Reclassification	\$60,000.00	\$51,700.00	16.1%
-----------------	----------------------------	------------	----------------------------	-------------	-------------	-------

SOUTH DAKOTA STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Kristen Almen	Research & Outreach Asst.	9/22/2021	Reclassification	\$47,062.00	\$42,784.78	10.0%
Zachary Boyle	Asst Chief Aircraft Mechanic	8/22/2021	Change Rate/Pay Grade	\$56,450.11	\$51,312.61	10.0%
Kim Lutz	Grant Accounting Analyst	9/22/2021	Reclassification	\$54,825.00	\$49,841.00	10.0%

Hilary Risner	Program Manager-Reg Yth Ed	9/22/2021	Reclassification	\$47,771.00	\$43,428.00	10.0%
Jonathan Shaeffer	Director-Football Operations	8/22/2021	Change Rate/Pay Grade	\$40,315.00	\$37,815.00	6.6%
Cibele Teixeira Pinto	Imaging Engineer II	8/22/2021	Reclassification	\$66,601.00	\$60,546.00	10.0%
Kristi Villar	Assistant Coach-Softball	8/22/2021	Change Rate/Pay Grade	\$48,000.00	\$42,611.00	12.6%
Carissa Thielbar	Assistant WBB Coach	11/22/2021	Internal Equity Adjustment	\$78,000.00	\$68,909.00	13.2%
Ashley Plueger	Shared Payroll Center Super.	11/22/2021	Permanent Additional Duties	\$70,888.00	\$64,444.00	10.0%
Ryan Vanderleest	Coord. Software Development	1/22/2021	Permanent Additional Duties	\$70,000.00	\$46,778.30	49.6%
Nathan Edwards	Mesonet Operations Manager	1/22/2021	Permanent Additional Duties	\$75,000.00	\$53,538.00	40.1%

APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR				
NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Peter Koester	Executive Administrative Assistant	1/3/2022	\$50,000.00	DSU

## **SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – C (1)**

**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**South Dakota State University – Student Organization Awards**

### **CONTROLLING STATUTE, RULE, OR POLICY**

None

### **BACKGROUND / DISCUSSION**

At the March 2021 Board of Regents meeting, the Board approved recommendations offered by each institution for the 2020 student organization awards winners. The winners of these awards will be announced at Board meetings throughout 2021. The South Dakota State University (SDSU) Student Organization Awards will be presented at the December BOR meeting in Brookings.

#### SDSU Award for Academic Excellence: Pre-Law Society

The Pre-Law Society is the extracurricular club on campus for pre-law students. It hosts workshops, guest speakers, and field trips. Through its LSAT (Law School Admissions Test) workshops, the Pre-Law Society gives SDSU students a chance to learn about the exam required for admission to law school and how to navigate and score well on each section. It also hosted a Law School Expo in which 17 law schools were available virtually to talk to students and answer their questions. In addition to its law school application-based programming, Pre-Law Society offered a plethora of events to help students choose a legal career.

#### SDSU Award for Community Service: Exercise Science Club

The Exercise Science Club strives to generate interest in the exercise field on campus and throughout the Brookings community. The club encourages health and wellness through exercise and meaningful education experiences through multiple events on and around campus. Exercise Science Club members participate in a Pro-PT sponsored program called Healthy Movement, a workout program for the elderly population in Brookings. Members create and lead these workouts for individuals. Additionally, the club collaborated with the SDSU Exercise Science Program, SDSU Wellness Center, and SDSU Student Health to introduce Exercise is Medicine® On Campus (EIM-OC) at SDSU. This stems from a global health initiative managed by the American College of Sports Medicine.

(Continued)

\*\*\*\*\*

### **INFORMATIONAL ITEM**

SDSU Award for Organizational Leadership: Robotics Club

The purpose of the Robotics Club is to provide every student with the opportunity to gain experience and work with projects in the field of robotics. In addition to doubling and maintaining its membership, the club formed a new team to compete in an autonomous snowplow competition, organized numerous learning sessions for club members and general students, launched a virtual battle-bot programming competition for high schoolers, and advance to state II of the NASA Robotic Mining Competition.

**IMPACT AND RECOMMENDATIONS**

The Board recognizes the important role that student organizations play in the Regental system. Student organizations provide students the opportunity to connect with others who have similar interests as well as experience a sense of community, all of which increases the likelihood of successful college completion. They also provide students with opportunities for professional development by offering students practical opportunities to hone skills, including those in leadership and communication.

**ATTACHMENTS**

None

**SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – C (2)**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**University of South Dakota – Student Organization Awards**

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND / DISCUSSION**

At the March 2021 Board of Regents meeting, the Board approved recommendations offered by each institution for the 2020 student organization awards winners. The winners of these awards will be announced at Board meetings throughout 2021. The University of South Dakota (USD) Student Organization Awards will be presented at the December BOR meeting in Brookings.

USD Award for Academic Excellence: Alpha Eta Honor Society: Sigma Delta Chapter

The Alpha Eta National Honor Society Sigma Delta Chapter consists of outstanding students who are focused on pursuing a career in health care and are passionate about promoting a change in the world. Members must be invited into this organization and are selected based on their high academic achievement. The motto of the honor society is “Together We Serve”. The most notable event hosted by the group in the academic year being recognized was its induction ceremony. This ceremony took place to honor the members inducted into the honor society. The group had a speaker that addressed leadership at this ceremony, along with a cord ceremony following.

USD Award for Community Service: Alpha Phi Psi Chapter Sorority

Alpha Phi currently has 107 members who strive to be the best version of themselves through the high ideals of character, innovation, generosity, and sisterhood. It encourages members to focus on their academic achievement and collegiate learning experiences. Due to COVID-19, the group wasn’t able to hold many events; however, it hosted its first virtual Red Dress Gala philanthropy event on September 19 that raised over \$16,000 for women’s heart health. Additionally, the group hosted a Go Red Week fundraiser in February earning another \$1,300 for the cause.

(Continued)

\*\*\*\*\*

**INFORMATIONAL ITEM**



USD Award for Organizational Leadership: Asian American Student Association – AASA

The Asian American Student Association is committed to representing Asian culture, establishing alliance among members, and organizing social activities and events for the university community so others can learn and experience Asian culture and traditions. Two of the biggest events hosted by the group are Diwali-Festival of Lights and the Asian Lunar New Year Celebration. At these events, the group provides several traditional, ethnic, and native foods from Asia and impact more than 300 students, faculty, and community members. These events are executed in an informative way that helps students generate a new understanding of Asia.

**IMPACT AND RECOMMENDATIONS**

The Board recognizes the important role that student organizations play in the Regental system. Student organizations provide students the opportunity to connect with others who have similar interests as well as experience a sense of community, all of which increases the likelihood of successful college completion. They also provide students with opportunities for professional development by offering students practical opportunities to hone skills, including those in leadership and communication.

**ATTACHMENTS**

None

## **SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – H**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**Resolution Endorsing and Adopting Executive Order 2021-14**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[Art. 14, Sec. 3](#) of the SD Constitution  
[SDCL 13-53-4](#)

### **BACKGROUND/DISCUSSION**

On September 9, 2021, President Biden issued an [Executive Order](#) aimed at imposing COVID-19 vaccine mandates for certain public and private sector employees. Section 2 of President Biden's Executive Order imposes certain requirements on federal contractors and subcontractors, which are designations frequently fitting of various system institutions as a result of their contractual relationships with various federal agencies and/or prime contractors of federal agencies. The Safer Workforce Task Force, as directed by President's Biden's Executive Order, issued [guidance](#) applicable to federal contractors and subcontractors with covered contracts.

The foregoing seeks to broadly construe and impose COVID-19 vaccination mandates on employees of entities with covered federal contracts or subcontracts, except where an employee is legally entitled to an accommodation. Legal challenges are currently pending in numerous federal circuits on this matter, to include the 8<sup>th</sup> Circuit, with the State of South Dakota joined as a party. Governor Noem issued [Executive Order 2021-14](#) on October 27, 2021, to protect and solidify the full extent of the legally recognized religious accommodation afforded to certain public sector employees in South Dakota, which includes moral, ethical, and philosophical beliefs or principles.

### **IMPACT AND RECOMMENDATION**

Board action endorsing and adopting Executive Order 2021-14 will further solidify the interpretation and protections afforded therein for system employees.

Staff recommends approval.

### **ATTACHMENTS**

Attachment I – Resolution  
Attachment I, Exhibit I – Executive Order 2021-14

\*\*\*\*\*

### **DRAFT MOTION 20211208\_3-H:**

I move to approve and adopt the Resolution set forth in Attachment I, endorsing and adopting Executive Order 2021-14 issued by Governor Noem on October 27, 2021.

**RESOLUTION****Resolution endorsing and adopting Executive Order 2021-14 issued by Governor Noem on October 27, 2021.**

**WHEREAS**, the South Dakota Board of Regents (“SDBOR”) is created by Article XIV, Section 3, of the South Dakota Constitution; and

**WHEREAS**, the SDBOR is charged with governing the public university system in the State of South Dakota; and

**WHEREAS**, SDCL 13-53-4 grants the SDBOR the power and authority to enact and enforce all rules and regulations for the wise and successful management of its institutions and for the government of students and employees therein; and

**WHEREAS**, Governor Noem issued Executive Order 2021-14 on October 27, 2021, attached hereto as Exhibit I and incorporated herein as if set forth in full, correctly articulating and solidifying the application of legally recognized accommodations applicable to COVID-19 vaccine mandates for certain state employees; and

**NOW, THEREFORE**, the SDBOR, does hereby state as follows:

1. The SDBOR endorses and adopts the legally recognized COVID-19 vaccination accommodations as stated in Governor Noem’s Executive Order 2021-14;
2. The SDBOR will provide its employees with the full extent of legal accommodation for any COVID-19 vaccine mandates to which they may become subject; and
3. The SDBOR directs staff to take any action(s) necessary to effectuate the foregoing.

Dated this \_\_\_\_ day of December, 2021

SOUTH DAKOTA BOARD OF REGENTS

By \_\_\_\_\_

John W. Bastian

President

Certification:

I have compared the foregoing with an action taken by the Board of Regents at its meeting conducted on the \_\_\_\_ day of December, 2021, and I hereby certify that the same is a true, correct, and complete copy thereof and that the same has not been rescinded.

Dated this \_\_\_\_ day of December, 2021

SOUTH DAKOTA BOARD OF REGENTS

By\_\_\_\_\_

Jim Thares

Secretary

**STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 2021-14**

**Whereas,** An outbreak of the severe respiratory disease COVID-19, which is caused and transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 in China and has currently been detected throughout the world, including South Dakota and the United States; and,

**Whereas,** The World Health Organization has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention has declared a public health emergency; and,

**Whereas,** The vaccines that guard against the COVID-19 virus are now widely available throughout the country, and in South Dakota, the vaccines are available to all people over the age of 12 if they so choose; and,

**Whereas,** On September 9, 2021, using the pandemic as an excuse to engage in a heretofore unheard of federal abuse of power, in a manner that President Joseph Biden himself had previously said was improper, President Biden announced an unprecedented abuse of his presidential authority, declaring that he would set in motion a federal mandate, enforced by a byzantine set of federal agencies and their army of bureaucrats, designed to force the vaccination of employees of large private employers, employees of federal contractors, and healthcare workers at Medicare and Medicaid participating hospitals and other health care settings; and,

**Whereas,** This overreaching federal mandate cannot subsume and overwhelm the Constitutional protections of the people to exercise their unalienable rights and Constitutional protections to be free from discrimination; and

**Whereas,** This overreaching federal mandate cannot properly rely upon any delegated authority to the federal government within the Constitution, including but not limited to the Commerce Clause, or the Necessary and Proper Clause, or any other provision of the Constitution that the President claims allows for this federal intrusion into the day-to-day life of the average American citizen, in that the Founding Fathers never intended and never anticipated that any provision in the Constitution would allow such an extreme federal government intrusion into a private citizen's life; and,

**Whereas,** Any federal mandate must provide accommodations in light of those Constitutional rights and protections, and this particular federal mandate to require the COVID-19 vaccination of certain employees should not be treated differently; and,

**Whereas,** The Constitution, the Tenth Amendment to the Constitution, and cases interpreting the Constitution since the beginning of the nation's history properly recognize the police power to regulate health, safety, and welfare, especially the power to compel vaccinations subject to proper exemptions, properly resides in the states, not in the federal government; and,

**Whereas,** It is even more improper to adopt a mandatory federal COVID-19 vaccination program in contravention of the Constitution or without due respect to medical, religious, or moral objections to this vaccination, which even President Biden acknowledges is beyond the pale, as provided for by his

“Safer Federal Workforce Task Force” in its guidance titled “COVID-19 Workplace Safety; Guidance for Federal Workers and Subcontractors,” issued on September 24, 2021 (“Biden Guidance”); and,

**Whereas,** This Biden Guidance expressly provides for an exemption from this overreaching federal contractor COVID-19 vaccination mandate for religious beliefs as well as practices and observances consistent with an individual’s religious beliefs in opposition to such a mandate; and,

**Whereas,** An individual’s religious beliefs, as well as practices and observances consistent with an individual’s personal religious beliefs as set out in that Biden Guidance, are informed by and amount to a manifestation of an individual’s conscience, which springs from the moral, philosophical, and ethical beliefs or principles held by the individual; and

**Whereas,** South Dakota state employees, like all Americans, should be able to rely fully upon the Biden Guidance’s express religious exemption from the unlawful COVID-19 vaccination mandate:

**NOW, THEREFORE, I, KRISTI NOEM,** Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of the State, do hereby Order and Direct the following:

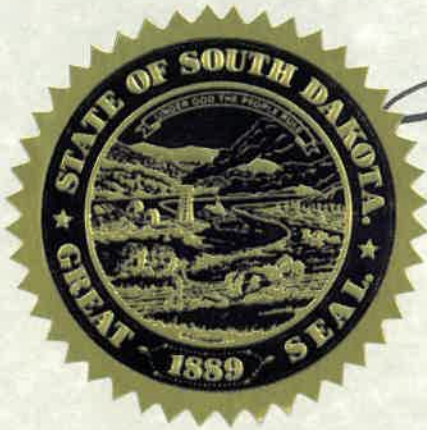
1. This Executive Order applies to any person who:
  - (a) works for any state agency, department, bureau, division, board, commission, or other executive branch entity or official of the executive branch under the direct control of the Governor;
  - (b) works for any authority authorized by state law pursuant to chapters 11-11, 5-12, 1-16A, 1-16H, and 1-16J; or
  - (c) works for the Board of Regents and Board of Technical Education.
2. No person to whom this Executive Order applies may be required to receive a COVID-19 vaccination if the person submits an accommodation notification to the state Bureau of Human Resources or the person’s respective human resources department providing either:
  - a) a written statement from a physician stating that the COVID-19 vaccination is contraindicated for medical reasons, or
  - b) a signed statement from the person on a form prescribed by the commissioner of the Bureau of Human Resources that shall read in full, “I, [insert person’s full name], dissent and object to receiving a COVID-19 vaccine on religious grounds, which includes moral, ethical, and philosophical beliefs or principles.”
3. This Executive Order does not apply to service members of the South Dakota National Guard, who are subject to federal activation pursuant to Title 10 of the United States Code. Let me be clear: as Commander-in-Chief of the South Dakota National Guard, I would not have chosen this approach, opting rather to preserve individual choice for South Dakota’s Soldiers and Airmen. Nevertheless, according to court precedent, the President has the authority to mandate such vaccine for the overall health of our Nation’s fighting forces. While serving as South



Dakota Governor I will not be accused of ever interfering with a President's ability to prepare our National Guard for service in protection of our nation.

4. Nothing in this Executive Order should be construed or interpreted to infringe upon or otherwise usurp the ability of private businesses in South Dakota to make decisions regarding their own employees or individuals entering their places of business or private property.
5. During the 2022 legislative session, it is expected that the Legislative Branch and Executive Branch will cooperate on legislation that will make permanent these protections of state employees and extend similar, if not the same, health and religious liberty protections for employees of private businesses, as well.

Dated in Pierre, South Dakota this 27th day of October, 2021.



  
Kristi Noem  
Governor of South Dakota

ATTEST:

  
Steve Barnett  
Secretary of State

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – A**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Graduation Lists**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:17](#) – Awarding of Degrees, Graduation Dates, and Catalog of Graduation

**BACKGROUND / DISCUSSION**

Board of Regents Policy 2:17 – Awarding of Degrees, Graduation Dates, and Catalog of Graduation specifies that the Board “approves the awarding of academic degrees after receiving the university president's recommendation on behalf of the university,” following each academic term. Once submitted on behalf of the institution, the President certifies that all candidates have successfully completed degree or program requirements as approved by the Board and that no degree requirements were waived for any individual student.

**IMPACT AND RECOMMENDATION**

Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and University of South Dakota request approval of the graduation lists for Fall 2021.

Board office staff recommends approval.

**ATTACHMENTS**

Attachment I – Black Hills State University  
Attachment II – Dakota State University  
Attachment III – Northern State University  
Attachment IV – South Dakota School of Mines and Technology  
Attachment V – South Dakota State University  
Attachment VI – University of South Dakota

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-A:**

I move to approve the Fall 2021 graduation lists for BHSU, DSU, NSU, SDSMT, SDSU, and USD contingent upon the students’ completion of all degree requirements.



## Black Hills State University Graduation List

---

### December 2021

#### ASSOCIATE OF ARTS

Birchem, Jhet  
Ebert, Jaxson

Lenneman, Tiffany  
Mulford, Elizabeth

Pesicka, Kassidy  
Voichoski, Jorie

#### ASSOCIATE OF SCIENCE

Hanson, Morgan  
Heberlig, Sarah  
Mattern, Allyx  
Myers, Lonnie

Perkins, Rachel  
Robeson, Jonathon  
Schmitt, Danielle  
Valentine, Scott

Wald, Morgan  
Webster, Kierstin

#### BACHELOR OF FINE ARTS

Kilgore, Jennifer

Nelson, Courtney

#### BACHELOR OF GENERAL STUDIES

Bishop, Micala

Hamilton, Kira

Lundquist, Taylor

#### BACHELOR OF SCIENCE

Ahlers, Jared  
Ambrogio, Sam  
Anderson, Abigail  
Anderson, Colton  
Bachand, Nicholas  
Baker, Holly  
Baldridge, Jacquelyn  
Balken, Reygan  
Benford, Preston  
Bennett, Robert  
Bierle, Sage  
Big Eagle, Eric  
Blackstone, Jacob  
Bodemann, Peyton  
Case, Bethany  
Cervený, Erika

Ciccariello, Anne  
Clifford, Dylan  
Codr, Bryce  
Creed, Delany  
Denief, Lillian  
Derr, Wyatt  
Dill, Bailie  
DuBray, DonShay  
Dwamena, Nana Kwame  
Finley, Kurren  
Goehring, Grace  
Goodman, Tayte  
Gould, Madison  
Guelff, Makenzie  
Hanson, Taylor  
Harvey, Jonathan

Hayashi, Hiroto  
Heaney, Conor  
Hepker, Lacey  
Hernandez, Mikayla  
Hoopman, Madison  
Hultgren, Grant  
Jalbert, Victoria  
Jares, Jesse  
Jennings, Tarah  
Jesseph, Jessica  
Johnson, Joel  
Jones, Zoie  
Kallhoff, Carlee  
Kettlehut, Kyle  
Kitzelman, Hayley  
Kovar, Shelbi

## Black Hills State University Graduation List

### December 2021

Kowand, Madison	Niska, Kaitlyn	Stewart, Ashtin
Kuhnert, Khol	Nolan, Bradley	Sunde, Brianna
LaCroix, Beau	Opp, Stephanie	Thompson, Sophia
Lisenbe, Alexandria	Parks, Jacob	Tomjack, Mercedes
Louder, Tyler	Powell, Melissa	Umphlett, Alyssa
Lueth, Amanda	Raben, Ryan	Vance, Devyn
McDermott, Sierra	Remmers, Ayla	VanDeWiele, Cassandra
McKittrick, Quin	Robinson, Xiomara	Vasknetz, Dylon
McTaggart, Cheyenne	Sandrini, Grace	Warnemunde, Amanda
Mikkelsen, Marina	Schaeffer, Sarah	Winkelman, Brooke
Monahan, Jessilyn	Schreiber, Brianna	Wood, Tabitha
Mott, Sara	Shallenberger, Kaitlyn	Zimmer, Emma
Munsterman, Holly	Sherman, Rachel	Zwaschka, Zachary
Nelson, Kaleigh	Skogen, Heather	
Nelson, Max	Sperr, Ashley	
Nept, Kannesha	Sporrer, Tate	
Nielsen, Juliana	Stevens, Lathen	

### BACHELOR OF SCIENCE IN EDUCATION

Braswell, Brooke	Kraft, Cedar	Smith, Selena
Burggraff, Allysa	Kukta, Katelyn	Spring, Kerry
Cisterino, Kevin	Magilke, Dalton	Stiles, Austin
Dooley, Marissa	Markovic, Macy	Strouf, Haylee
Ernest, Paige	Mills, Jillian	Thompson, Amanda
Fulkerson, Emma	Mitchell, Megan	Tresch, Kylee
Gottfried, Darian	Montague, Taylin	Van Gelder, Holly
Greager, Elizabeth	Moratzka, Drazen	Walby, Cassidy
Hagen, Austin	Mullen, Jayd	Wesolick, Mark
Hall, Hailey	Quaschnick, Eric	Wilson, Caitlin
Hofer, Joni	Rotert, Brendan	Zigray, Megan
Julius, Robert	San Miguel, Isabella	
Kocer, Jace	Schouviller, Walker	

## Black Hills State University Graduation List

---

**December 2021**

### MASTER OF BUSINESS ADMINISTRATION

Dickson, Noah  
Kelly, Marsha

Koeckeritz, Noah  
Munsell, Brian

Odle, Katelyn

### MASTER OF SCIENCE

Coppe, Darlene  
Dell, Jerrilyn  
McCartney, LeEllen

McCreary, McKenna  
Novikava, Tatsiana  
Ringle, Georgia

Roth, KayDe

### CERTIFICATES

Anderson, Abigail  
Dwamena, Nana  
Guelff, Makenzie  
Jennings, Tarah

Kuhnert, Khol  
Monahan, Jessilyn  
Nelson, Courtney  
Niska, Kaitlyn

Skogen, Heather  
Stevens, Lathen  
Voichoski, Jorie

## Dakota State University Fall Graduates, Class of 2021

### ASSOCIATE OF ARTS

Sarah Nicole Klett	Jacob T. Garza	Trevor Allen Schultz
Samantha Lindsey Gabriel	Kaylar Kristoffer Moody	Jacqueline A Segarra

### ASSOCIATE OF SCIENCE

Terra M Bad Milk	Caleb Nielsen	Zachery D Roggenbuck
Joseph E Barrett	Rachel Nissen	Alex David Rueschhoff
Shawn Lawrence Boutte	Cole Parlet	Ariana J Storley
Kayla Jane Cook	Mark Carl Poncelet	Andrew J. Turner

### BACHELOR OF BUSINESS ADMINISTRATION

Chauncey Bradeen	Madison Ann Polzin	Nathan Thomas Roets
Brock James Bumann	Mark Carl Poncelet	Allen John Stillson
Ryan Aye Nagaki	Bobby Adam Punt	

### BACHELOR OF GENERAL STUDIES

Cameron Albert Belden		Sean Pluim
Alec Brian Bultje	Nicholas Cody Hayden	Jason Myles Sakamoto-Ryan
Ramsey Paul Crissman	Ayami Ishiguro	Sarah Josephine Sonnenschein
Edward Fritzler	Benjamin Ryan Nath	Trevor Lee Whitt

### BACHELOR OF SCIENCE

Madison Michelle Aldendifer	Brinnae Adalia Blezek	Alex Carbajal
Rebekah Lynn Amussen	Olivia Katherine Breske	Christopher D. Cornell
Shiann Rae Baker	Ryan Ken Brockmueller	Ryan Nicholas Danielson
Steven Peter Bergmann	Nicholas Rene Buras	Austin Tyler Donat

Mark Gibbons Elder

Gabe Engelhardt

Megan Rose Marie Fejfar

Tacey Lee Fischbach

Jessica Christine Giles

Christopher Patrick Glanzer

Eric Andrew Graham

Spencer M Harris

Noah James Healy

Mathew Joshua Hoadley-Jager

Dao Bin Huang

Leigh Schaeffer Huff

Aaron David Ingalls

Dillon James Johnson

Hope Elizabeth Johnson

Lucas Anthony Klett

Carson Kendall Grandi Koball

Aqil Zafir Lakha

Corben D Leo

Rayanne Maurine Liester

James L Matthews

Michael Aaron McClure

Bobbi Palmer McGowan

Eric Michael Minett

Kirk William Morgan

Kaden James Mork

Christina Y Mulu

Eric Alan Narveson

Charles Novak

Matthew Dan Oliver

Juliette Alejandra Rios

Michael Royer

Tyler Salmen

Timothy Grigoriy Sereda

Charlie John Serreyn

Sandesh Sharma

Tré Smith

Kayleah Nicole Snedden

Andrew Lee Stange

Zachary Dane Steffen

Sara Christine Stehlik

Rajeep Subedi

Luke Sudtelgte

David Sullivan

Dale Thorpe

Reuben Paul Van Dam

Erick Miguel Ventura

Sascha A Walker

Casey Rae Warden

Philip Weke

Matthew Robert Arden Whitaker

Kyle Wormstadt

#### **BACHELOR OF SCIENCE IN EDUCATION**

Mara M. Adams

Morgan Marie Anderson

Taylor Lee Balling

Brooke Emilee Berry

Brandon Gabriel Broderick

Samantha M Bush

Tanya Renee Fletcher

Noah Gavin Guse

Esai A. Hernandez

Thomas Alexander Hill

Rhena Leah Hohn

Cody J Muilenburg

Jaclyn Laney Niederwerder

Regan Lynn Olson

Hunter T. Sanford

Marissa Ann Marie Stoecker

**DOCTOR OF PHILOSOPHY**

Ganga Prasad Basyal

Erasmus Ekpo Etim

Martinson Quarshie Ofori

**MASTER OF BUSINESS ADMINISTRATION**

Sarah Lynn Darnall

**MASTER OF SCIENCE**

Philippe Marc Barsi

Angela Lynn Hammrich

Carlos Javier Ocasio

Jonathan Ben-Ezra

William Heinzen

Martinson Quarshie Ofori

Ryan Douglas Bonisch

Andrew John Honey

Oluwatosin James Olaore

Jayaram Brindala, MD

Shawn Daniel Jaacks

Vincent Nikolas Pullano

Sumanth Cheemalapati

Jyothi Prakash Kannikanti

Dillon Austin Rangel

Brian Lee Coan

Elliot Keen Kjerstad

Jennifer L. Schulte

Micah Mitchell DeHarty

Jarod Ray Lassen

Dylan J Terry

Michael D Deaver

Scott Paul LeTourneau

Alexis Rae Vander Wilt

Jesse Lee Gauthier

Praveen kumar Manne

Garrett Pearson Vrevich

David Anthony Gray

Sona Ngoh

Phillip Gregory Zito

**MASTER OF SCIENCE IN EDUCATION**

LaNessa Mari Hof

Cassandra Ann Brunick

Jacob Tvedt

**NORTHERN STATE UNIVERSITY  
APPLICANTS FOR DECEMBER GRADUATION  
December 15, 2021  
Ceremony – December 11, 2021**

**CANDIDATES FOR THE MASTER'S DEGREES**

**MASTER OF MUSIC EDUCATION**

Todd Michael Peterson                      Philip Herrington Snyder

**MASTER OF SCIENCE**

Alex L. Peterson                      Alyssa Mae Sippel

**MASTER OF SCIENCE IN EDUCATION**

Ashley Nicole Armstrong	Adam L. Krueger	Ryan Brudwick Schlichte
Samuel Patrick Chilsen	Curtis L. Littau	Keith Esong Tambe
Thomas M. Keiser		

**CANDIDATES FOR THE BACCALAUREATE DEGREES**

**BACHELOR OF ARTS IN HONORIBUS**

Gillian Lee Roda                      Sarah Ann Schafer

**BACHELOR OF SCIENCE IN HONORIBUS**

Gillian Lee Roda

**BACHELOR OF SCIENCE IN EDUCATION IN HONORIBUS**

Sarah Ann Schafer                      Molly Walter

**BACHELOR OF ARTS**

Sasha Ann Marie Andrews	Roger A. Frank, II	Amanda Jane Koens
Todd George Bitz	Brady Ethan Hamer	Alexis Renae Lienemann
Madeline Joan Brandner	Samuel James King	Angela Ellen Schleich

**BACHELOR OF FINE ARTS**

Dylan David Duvall

**BACHELOR OF GENERAL STUDIES**

Julia Andrea Beverly

Olivia Marie O'Hara

Willa D. Schwab

**BACHELOR OF SCIENCE**

Michael Shane Adams Jr.  
 Matalyn Jo Andersen-Pommer  
 Alexis Nikole Boesl  
 Elizabeth M. M. Bogue-Seaman  
 Zachary R. Bohnenkamp  
 Jack Stanley Braun  
 Seth Allen Braun  
 Gloria Michelle Brehm  
 Abby Marie Brist  
 Andrew Paul Buechler  
 Isaiah Stephen Chevalier  
 Sik Sik Chung  
 Shayna Rae DuBois  
 Titon Erler

Kelsey Lyn Fliehs  
 Hunter Hal Hansen  
 Zachary Donn Hartford  
 Bronson Alexander Heier  
 Adam Ryan Heining  
 Donald Paul Jurek  
 Joseph Daniel King  
 Kelsey Marilyn Kuo  
 Zackary Martinmaas  
 Katie Marie McManus  
 Lionel Lahmin Morningstar  
 Dylan Hunter Northrop  
 Chance Merle Olson  
 Hudson Haydon Pearman

Kaden Christopher Peterson  
 Makayla Raye Pulfrey  
 Amanda Kay Schneider  
 Mitchell Evan Sharer  
 Victoria V. Skinner  
 Addison Sparling  
 Jacob James Streit  
 Isabelle Mae Stroup  
 Karli Marie Stubbe  
 Chase Michael Teiken  
 Thomas Allen Undlin  
 Kanuani Valencia Feliciano  
 Manasseh Sebastien Jean Vincent  
 New New Win

**BACHELOR OF SCIENCE IN EDUCATION**

Erin Hannah Barrie  
 Morgan Tage Erickson  
 Jocelyn Anna Marie Gray  
 Karlie Danielle Karst  
 Lindsey Ann Landenberger

Alexis Christine Malimanek  
 Richard Phillip Morgan  
 Dustann Virgil David Norris  
 Madison Brooke Norris  
 Anna Delia Roettjer

Nathan Schafer  
 Jessica Lynn Sommers  
 Emma Raine Terveer  
 Audrey Rose Wanner

**CANDIDATES FOR THE ASSOCIATE DEGREES****ASSOCIATE OF ARTS**

Cally Mae Anderson

Dasin Mateski

Kenneth Gary Teger

**ASSOCIATE OF SCIENCE**

Ryan Walter Clay

Kelsey Lyn Fliehs

Sebastian Beau Johnson

**CANDIDATES FOR A CERTIFICATE****CERTIFICATE**

Zachary R. Bohnenkamp

Kelsey Lyn Fliehs

Joseph Daniel King



First Name	Middle Name	Last Name	Degree	Major	Graduation Date
Mitchell	Lee	Peterson	AA	General Studies	December 2021
Kiley	Anne	Keck	BS	Applied and Computational Mathematics	December 2021
Paycen		Harroun	BS	Biology	December 2021
Corbey	R.	Foss	BS	Biomedical Engineering	December 2021
Delenn	Xin	Mobley	BS	Biomedical Engineering	December 2021
Jeremy	Wallace	Holwell	BS	Business Management in Technology	December 2021
Brenton	Caleb	Brakke	BS	Chemical Engineering	December 2021
Marina	Lea	Davidson	BS	Chemical Engineering	December 2021
Shelby	Rose	Guthrie	BS	Chemical Engineering	December 2021
Natalie	Rose	Richardson	BS	Chemical Engineering	December 2021
Chandler	L.	Wilson	BS	Chemical Engineering	December 2021
Fahbia	Rose	Ahmed	BS	Civil Engineering	December 2021
Cody	Michael	Allen	BS	Civil Engineering	December 2021
Reece	Austin	Blanton	BS	Civil Engineering	December 2021
Mikayla	Marie	Broekemeier	BS	Civil Engineering	December 2021
Garrett	Bruce	Buckingham	BS	Civil Engineering	December 2021
Joshua	Daniel	Christensen	BS	Civil Engineering	December 2021
Travis	Allen	Fincher	BS	Civil Engineering	December 2021
Douglas	Richard	Griese	BS	Civil Engineering	December 2021
Tucker	Franklin	Hecht	BS	Civil Engineering	December 2021
Erela	Rachael	Meyer	BS	Civil Engineering	December 2021
Sydney	Nicole	Namtvedt	BS	Civil Engineering	December 2021
Faiz	Bahaduri	Naufal	BS	Civil Engineering	December 2021
Justin	Matthew	Pump	BS	Civil Engineering	December 2021
Tyler	Ray	Ring	BS	Civil Engineering	December 2021
Garrett	Edward	Roach	BS	Civil Engineering	December 2021
Haley	Dawn	Schroeder	BS	Civil Engineering	December 2021
Ryan	Mern	Skillingstad	BS	Civil Engineering	December 2021
Andrew	Josiah Benjamin	Undt	BS	Civil Engineering	December 2021
Kasten	Eugene	Walker	BS	Civil Engineering	December 2021
Musa		Bah	BS	Computer Engineering	December 2021
Matthew	Lewis	Pugh	BS	Computer Engineering	December 2021
Mason	Alexander	Rud	BS	Computer Engineering	December 2021
Micah	Brandt	Runner	BS	Computer Engineering	December 2021
Anoushka		Sharma	BS	Computer Engineering	December 2021
Christian	Michael	Weaver	BS	Computer Engineering	December 2021
Matthew		Krohn	BS	Computer Science	December 2021
Brennan		Lamoreaux	BS	Computer Science	December 2021
Taylor	James	O'Brien	BS	Computer Science	December 2021
Anthony	Dale	Benitez	BS	Electrical Engineering	December 2021
Juliana	Sae	DeLong	BS	Electrical Engineering	December 2021
Job		Goodale	BS	Electrical Engineering	December 2021
Messo		Hekima	BS	Electrical Engineering	December 2021
Liam	Carrington Samuelson	McEuen	BS	Electrical Engineering	December 2021
Avery	Jackson	Mollet	BS	Electrical Engineering	December 2021
Matthew	Lewis	Pugh	BS	Electrical Engineering	December 2021
Mason	Alexander	Rud	BS	Electrical Engineering	December 2021
Micah	Brandt	Runner	BS	Electrical Engineering	December 2021
Yvan	Cleve	Tchokouaga Wakam	BS	Electrical Engineering	December 2021
Anna	K.	Pagel	BS	Geological Engineering	December 2021
Jimmy	Melvin	Bradford	BS	Geology	December 2021
Sydney	Pascale	McCuston	BS	Geology	December 2021
Aynsley	Brie	Melancon	BS	Geology	December 2021
Christopher	James	Patterson	BS	Geology	December 2021
Joshua	G.	Baumann	BS	Industrial Engineering and Engineering Management	December 2021
Macy	Anne	Bishop	BS	Industrial Engineering and Engineering Management	December 2021
Allison	Paige	Comp	BS	Industrial Engineering and Engineering Management	December 2021
Hossameldin		Gamil	BS	Industrial Engineering and Engineering Management	December 2021

First Name	Middle Name	Last Name	Degree	Major	Graduation Date
Kassandra	Kaye	Herding	BS	Industrial Engineering and Engineering Management	December 2021
Preston	Timothy	Herring	BS	Industrial Engineering and Engineering Management	December 2021
Colin	Howard	Linford	BS	Industrial Engineering and Engineering Management	December 2021
Abigail	G.	Magee	BS	Industrial Engineering and Engineering Management	December 2021
Kyle	Garrett	Moore	BS	Industrial Engineering and Engineering Management	December 2021
Sydney	Elle	Morris	BS	Industrial Engineering and Engineering Management	December 2021
Jasmine	Jayne	Peiper	BS	Industrial Engineering and Engineering Management	December 2021
Samantha	Lynn	Sheely	BS	Industrial Engineering and Engineering Management	December 2021
Alexander	Joseph	Wilson	BS	Industrial Engineering and Engineering Management	December 2021
Alexandra	Rae	Rauert	BS	Interdisciplinary Sciences	December 2021
Alvin	Kenechukwu	Aneke	BS	Mechanical Engineering	December 2021
Christopher	Thomas	Bradford	BS	Mechanical Engineering	December 2021
Elise	Margaret	Flachs	BS	Mechanical Engineering	December 2021
Shane	Price	Good	BS	Mechanical Engineering	December 2021
Logan	Michael	Juergens	BS	Mechanical Engineering	December 2021
Robert	Vern	Munyan	BS	Mechanical Engineering	December 2021
Elora	Lee	Solomon	BS	Mechanical Engineering	December 2021
Henri	Philip	Blancett	BS	Metallurgical Engineering	December 2021
Kassidy	Yvonne	Kitzmillier	BS	Metallurgical Engineering	December 2021
Elijah	Philip	Tragesser	BS	Metallurgical Engineering	December 2021
Thomas	Alan	Williams	BS	Metallurgical Engineering	December 2021
Rhys	E.	Baker	BS	Mining Engineering	December 2021
Andrew	D.	Giandonato	BS	Mining Engineering	December 2021
Joel		Lammers	BS	Mining Engineering	December 2021
William	Robert	Wayman	BS	Mining Engineering	December 2021
Noah	Jordan	Williams	BS	Mining Engineering	December 2021
Connor	Dale	Peterson	BS	Physics	December 2021
Mariana	Guadalupe	Meza	BS	Pre-Professional Health Sciences	December 2021
Christian	David	Singleton	BS	Pre-Professional Health Sciences	December 2021
Thomas	Andrew	De Long	MS	Biomedical Engineering	December 2021
Samuel	P.	Crawford	MS	Chemical Engineering	December 2021
Khang	Trong	Huynh	MS	Chemical Engineering	December 2021
Justin	Cole	Broekemeier	MS	Civil and Environmental Engineering	December 2021
Bryant	Mark	Gernes	MS	Civil and Environmental Engineering	December 2021
Christian	James	Heinrich	MS	Civil and Environmental Engineering	December 2021
Zane	Lee	Hiller	MS	Civil and Environmental Engineering	December 2021
Matthew	Zachary	Kirkwold	MS	Civil and Environmental Engineering	December 2021
Luke	Michael	Koski	MS	Civil and Environmental Engineering	December 2021
Brandon	Miles	Kruse	MS	Civil and Environmental Engineering	December 2021
Nathan	Jacob	Martian	MS	Civil and Environmental Engineering	December 2021
Casey	William	Martin	MS	Civil and Environmental Engineering	December 2021
Sorel	Lauren	Nelson	MS	Civil and Environmental Engineering	December 2021
Jonah	Andrew	Schmagel	MS	Civil and Environmental Engineering	December 2021
Morgan	Melissa	Wetz	MS	Civil and Environmental Engineering	December 2021
Nathan	Scott	Klette	MS	Construction Engineering and Management	December 2021
Hunter	Casey	Martin	MS	Construction Engineering and Management	December 2021
Westley	Erik	Siebdtrath	MS	Construction Engineering and Management	December 2021
Jay	Matthew	Van Hove	MS	Construction Engineering and Management	December 2021
Alex	Paul	Greenfield	MS	Electrical Engineering	December 2021
Sagar		Hossain	MS	Electrical Engineering	December 2021
David	Steven	Janssen	MS	Electrical Engineering	December 2021
Kolton		Kugler	MS	Electrical Engineering	December 2021
Mingyang		Mao	MS	Electrical Engineering	December 2021
Ace	James	Amiotte	MS	Engineering Management	December 2021
Elle	Amelia	Carlson	MS	Engineering Management	December 2021
Robert	Leroy	Roberts	MS	Engineering Management	December 2021
Michael	Paul	Baranowski	MS	Geology and Geological Engineering	December 2021
Kelsey	James	Fitzgerald	MS	Materials Engineering and Science	December 2021

First Name	Middle Name	Last Name	Degree	Major	Graduation Date
Sierra	Rae	Rasmussen	MS	Materials Engineering and Science	December 2021
Benjamin	Paul	Colvin	MS	Mechanical Engineering	December 2021
Andrew	J.	Molder	MS	Mechanical Engineering	December 2021
Zachery	Levi	Style	MS	Mechanical Engineering	December 2021
Jaimie	Michael	Addy	MS	Mining Engineering and Management	December 2021
Kelly	Rae	Norton	MS	Mining Engineering and Management	December 2021
Ardan	Redhel	Samy	MS	Mining Engineering and Management	December 2021
Jack	Garrett	Genovesi	MS	Physics	December 2021
James	Joseph	Haiston	MS	Physics	December 2021
Bhubnesh		Lama	MS	Physics	December 2021
Nathan		Pumulo	MS	Physics	December 2021
Madan	Kumar	Sharma Timalsina	MS	Physics	December 2021
Eswar ArunKumar		Kalaga	PhD	Chemical and Biological Engineering	December 2021
Michael	David	Tomac	PhD	Chemical and Biological Engineering	December 2021
John	Joseph	Costello	PhD	Civil and Environmental Engineering	December 2021
Mohammad		Jamil Islam	PhD	Civil and Environmental Engineering	December 2021
Ray	Wayne	Sheldon	PhD	Geology, Geological Engineering, and Mining Engineering	December 2021
Brian	Lee	James	PhD	Materials Engineering and Science	December 2021
Anurag		Chakraborty	PhD	Mechanical Engineering	December 2021

South Dakota State University  
Fall 2021 Candidates

**DOCTOR OF PHILOSOPHY**

Karim Abdelsalam  
Abdullah Alzaydani  
Pius Agyemang  
Subrata Bhadra  
Nicholas Brown  
Nabin Ghimire  
Jyotirmoy Halder

Tingting He  
Jessie Hendricks  
Matthew Hummel  
Amrit Koirala  
Anil Kommineni  
Paul May  
Saulo Menegatti Zoca

Shayanti Minj  
Shiksha Subedi  
Melynda Thelen  
Haydee Torres  
Turhan Yilmaz  
Jinfeng Zhang

**DOCTOR OF PHARMACY**

Kasey Wagner

**DOCTOR OF NURSING PRACTICE**

Thomas Davies

Sabina Kadariya

Karen Knudsen

**MASTER OF ARTS**

Jacob Ford

Morgan Janisch

**MASTER OF EDUCATION**

Cody Englund  
Kayla Gullickson

Stephanie Huber  
Danita Lucas

Emily Swihart  
Alexander Wood

**MASTER OF MASS COMMUNICATION**

Jiminka Burney  
Anna Edmondson

Rachel Miller  
Colton Nickelson

**MASTER OF PUBLIC HEALTH**

Marissa Trosen

**MASTER OF SCIENCE**

Abdulaziz Alfaidi  
 Joy Amajioyi  
 Deidre Beck  
 Hannah Becker  
 Jordon Boe  
 Amanda Bom  
 Tate Brand  
 Mitchell Close  
 Brianna Compton  
 Tainara Cristina de Abreu-  
 Michelotti  
 Aimee Duncan  
 Kwadwo Dwomoh  
 Anthonee Eknitphong  
 Stuart Fetherston  
 Miranda Fischer  
 Emily Fowler  
 Sumit Kumar Ghosh  
 Surbhi Gupta  
 Nisha Hagen  
 Kaitlyn Hague

Julie Hartley  
 Aminah Hassoun  
 Robert Hoiten  
 Quazi Irfan  
 Jessica Janicke  
 Heather Janvrin  
 Udhesh Sitaram Kapadnis  
 Rama Khadka  
 Alexis Klein  
 Adalaide Kline  
 Alison Kuch  
 Matthias Kunerth  
 Kerry Langdale  
 Sierra Lutz  
 Shelby Mann  
 Neil McLeod  
 Amber Miller  
 Mikayla Mitzel  
 Sharnell Mora  
 Chelsea Moyers  
 Bailey Munk

Brenden Olevson  
 Gourav Padol  
 Haliyadde Jottegoda  
 Gedara Hiran Ranaweera  
 Anthony Ranieri  
 Tracy Ray  
 Cassie Rogotzke  
 Robiul Islam Rubel  
 Hanna Samson  
 Jieqin Shang  
 Kaitlyn Sonifrank  
 Sierra Stands  
 Felicia Swallow  
 Nithin Tathineni  
 Bridgett Tuschen  
 Joyeuse Urwibutso  
 Abigail Weiss  
 Landon Wolf  
 Li Zhang

**BACHELOR OF SCIENCE IN NURSING**

Ashley Abrams  
 Emily Agre  
 Amy Albrecht  
 Jennifer Aldren  
 Carly Alisero  
 Kaylee Anderson  
 Bailey Andrews  
 Danielle Arpan  
 Christina Azenab  
 Melissa Ballard  
 Michael Ballek

Mikayla Beckman  
 Allison Beranek  
 Kaylee Bertolotto  
 Haylee Bodnar  
 Lori Boggs  
 Sarah Bradley  
 Morgan Briggs  
 Shannon Burnette-Meek  
 Megan Carry  
 Taylor Catterson  
 Julia Chalk

John Christiansen  
 Acadia Clark  
 Sophie Cole  
 Ashley Cowley-Hagan  
 Kaitlyn Crow  
 Kendall Cummings  
 Stacy Deibert  
 Camille Deslauriers  
 Dennis Diep  
 Ellie Dierkhising  
 Dena Dobesh

Christel Dodd	Tara Khatri	Giana Pardee
Brooklyn Donald	Katheryn Kindvall	Betha Peoples
Adam Dugger	Colton Klemme	Karli Phillips
Kelly Eckert	Ethan Klimisch	Jena Plagens
Holly Elbert	Sydney Klosterman	Jessica Podoll
Jeremiah Eldridge	Corey Knutson	Alexandra Price
Lisa Elliott	Kinsie Kruger	Rebecca Recinos
Stephanie Ellis	Mark Laleman	Macy Reynolds
Laura Elmore	Mayowa Lawal	Carlyle Rieff
Hailey Elsen	Breanna Lecy	Cristina Rimicci
Avery Emmans	Megan Lockey	Alexa Ring
Ashley Eskins	Quinn Lulf	Annie Rossman
Atheena Estrada	Iverene Lunderman	Michaela Rouse
Mariah Evans	Kevin Maines	Desirae Sanders
Zachary Fenhaus	Darcey Martin	Miah Schallenkamp
Brianna Ferguson	Taeler McCreary	Carley Schumacher
Jordan Foos	Mariah Meeks	Maggie Showman
Adam Gilbert	Anna-Maria Meuwissen-	Sabina Simkhada
Christopher Gorey	Inskeep	Ashley Solvie
Mackenzie Gullickson	Emily Meyer	Heather Sosnoski
Morgan Haga	Breck Michels	Kristan Soukup
Mackenzie Halverson	Chloe Miner	Miranda Swenson
Madysen Hammell	Bryce Mixell	Samuel Terveen
Casey Hanna	Cooper Mueller	Kiersten Thompson
Madysen Hanson	Tasha Mueller	Autumn Thorstenson
Stacy Hanson	Katharine Munson	Molly Tomann
Kaydra Hart-Bedell	Maxine Musselman	Kaitlyn Tracy-King
Alicia Helgeland	Amy Nastase	Mallory Trapp
Josie Horn	Schivonne Natividad	Torri Van Beek
Anna Jealous of Him	Susanne Neumiller	Joseph Veskrna
Jessi Jeffries	Katelyn Nuese	Asher Wahl
Sarah Jennings	Maria Ojo	Courtney Woodring
Mackenzie Jones	Kosisochukwu Onyekwe	Nicole Zavadil
Adam Kastigar	Maria Opheim	Jingyi Zhen
Kaelyn Kaul	Hannah Ostheimer	
Courtney Ketterman	Emily Page	

## BACHELOR OF SCIENCE IN AGRICULTURAL & BIOSYSTEMS ENGINEERING

Nawaf Alkahtane

Garrett Dean

Ty Grone

Ross Hoefling

Tanner Rupp

Macey Zeinstra

**BACHELOR OF SCIENCE IN CIVIL ENGINEERING**

Khamis Alduhaim  
 Lincoln Megard  
 Thiwanka Pitiwila  
 Liyanage

Nathan Rook  
 Cade Schoenauer  
 Mitchell Virnig  
 Marielle Yumba

Noah Zacher

**BACHELOR OF SCIENCE IN COMPUTER SCIENCE**

Taylor Lauters

Linsong Li

**BACHELOR OF SCIENCE IN CONSTRUCTION MANAGEMENT**

Derek Hunstad  
 Krockett Krolikowski  
 Mason Lee

Hunter Malwitz  
 Kurt Reed  
 Benjamin Schumann

Rich Sopoci

**BACHELOR OF SCIENCE IN DATA SCIENCE**

Mitchell Wilber

Tyler Zuschlag

**BACHELOR OF SCIENCE IN ELECTRONICS ENGINEERING TECHNOLOGY**

Ayub Kassim  
 Philip Madsen

Tyson Merkins  
 Samuel Slocum

**BACHELOR OF SCIENCE IN MATHEMATICS**

Walker Citterman  
 Adam Heagley  
 Colton Hellwig

Sydney Niebuhr  
 Bridgette Ramlo  
 Imal Thammitage

Peiran Zhao  
 Tyler Zuschlag

**BACHELOR OF SCIENCE IN MECHANICAL ENGINEERING**

Alexander Barron

Cody Blocker

Spencer Brandsrud

Collin Cleveland  
 Joy Dahle  
 Majed Diab  
 Aaron Diekhoff  
 Joseph Eickman  
 Aaron Fast  
 Jarod Goepferich  
 Christina Gomes  
 Kasen Grengs  
 Skylor Hensch

Garret Huumala  
 Jesse Kramer  
 Jordan Lucht  
 Mark Malinovskiy  
 Ludmila Mazan  
 Gashaw Melese  
 Madison Mingo  
 Seifeldin Moussa  
 Jacob Mraz  
 Jonathon Mundt

Weston Ricard  
 Vincent Riley  
 Travis Schieltz  
 Samuel Schroeder  
 James Smith  
 Tanner Wiese  
 Chandler Willett  
 Dalton Buck  
 Ethan Lange  
 Adam Steffl

### **BACHELOR OF SCIENCE IN OPERATIONS MANAGEMENT**

Alissa Gauer  
 Wyatt Kurtz

Paul Otterson  
 Dylan Pauly

### **ASSOCIATE OF SCIENCE IN DATA SCIENCE**

Adam Aughenbaugh

### **ASSOCIATE OF SCIENCE IN CONSTRUCTION MANAGEMENT**

Logan VanderBush

### **BACHELOR OF SCIENCE IN AGRICULTURE, FOOD & ENVIRONMENTAL SCIENCES**

Robert Bangasser  
 Kayla Biel  
 Matthew Bogue  
 Tanner Burkman  
 Hannah Clark  
 Kristy Cullinan  
 Brady Dickerson  
 Brent Domeier  
 Anna Donnay  
 Jack Englund

Brittin Fauskee  
 Zachary Fischer  
 Daniel Fuoss  
 Ashley Fuss  
 Kira Gifford  
 Christian Goedtke  
 Kurt Gutormson  
 Alex Haala  
 Jade Hagen  
 Garrett Hanson

Christina Hartmann  
 Logan Heissel  
 William Herbold  
 Tristan Hofer  
 Logan Hoffman  
 Leo Hoiten  
 Sayth Jacobsen  
 Theodore Jacoby  
 Sierra Jenkins  
 Hunter Jockheck



Nathan Kaye	Blayne Martinez	Alexander Scott
Michaela Kellner	Caleb McNeil	Gavin Sickels
Leo Kerfeld	Tyson Meidl	Jacob Sievers
Madeline Kimbrough	Levi Metzger	Alexis Simpson
Therese Klages	Harley Miles	Jack Sonnenburg
Michael Klaudt	Kohl Miller	Clayton Sorum
Jackson Knight	Tiffany Moore	Dylan Stein
Emily Knutson	Riley Namminga	Hannah Streich
Madeline Kohrman	Leah Nelson	Hannah Surat
Hali Koistinen	Tyler Noteboom	Judah Swift
Hunter Koolstra	Brittney Ormberg	Jackie Thayer
Zachary Kozel	Jacob Paulsen	Gabrielle Thooft
Brooke Kulzer	Sydney Peters	Brandon Todd
Theodora Kyriakopoulou	Courtney Pohlen	Sidonia Trio
Miranda Lakness	Macy Quinn	Bryn Tvedt
Holly Larson	Ethan Renelt	Ariann VanBockern
Jennalee Larson	Tate Risse	Kendra VanDeest
Luke Larson	Tyler Roeder	Masie Voigt
Dean Laverack	Jordan Roman	Kylie Volk
Hailey Lawson	Aubrey Sandbulte	Emily Walton
Simon Liggett	Alexis Schmidt	Johanna Welter
Lucas Longe	Riley Schmiedt	Aric Williams
Benjamin Lucas	Abby Schreier	Margaret Wilson
Colbey Luebbe	Henry Schultz	Allen Wright
Nikolas Mankle	Bradlee Schultz	Austin Yonker

**ASSOCIATE OF SCIENCE IN AGRICULTURE,  
FOOD & ENVIRONMENTAL SCIENCES**

Keldon Bennett	Tucker DeGroot	William Riley
Adam Bierstedt	Aaron Goodale	Anthony Sippel
Matthew Brosamle	Bryn Nelson	Loren Todd
Benjamin Buechler	Trevor Pulscher	

**BACHELOR OF SCIENCE IN NATURAL SCIENCES**

Aliza Ahrendt	Tanner Berg	Brooke Buthe
Noe Aparicio	Katelyn Bettin	Trevin Dinkel

Abigail Dressen  
 Kayla Egenes  
 Evan Ekstrum  
 Alexis Elfstrand  
 Mason Holmes  
 Victoria Linssen

Abdullah Maruf  
 Marie McLaughlin  
 Morgan Moon  
 Insaf Omar  
 Bronson Pond  
 Randall Poppenga

Haley Rames  
 Amanda Rook  
 Matthew Schmit  
 Rylee Stromer Iversen  
 Sydney Woltman  
 Jessica Gehring

### **BACHELOR OF SCIENCE IN MEDICAL LABORATORY SCIENCE**

Faith Fast

### **BACHELOR OF SCIENCE IN EDUCATION AD HUMAN SCIENCES**

Dylan Abraham  
 McKenna Amundson  
 Brianna Anderson  
 Brody Bates  
 Lucas Berg  
 Noah Bertram  
 Shelby Bickett  
 Paige Block  
 Nicholas Bonnett  
 Mikayla Bottelberghe  
 Andrew Brkovich  
 Eden Brooker  
 Kamila Buchholz  
 Laura Ceroll  
 Emma Chicoine  
 Cassandra Crain  
 Hannah Cully  
 Andrea Curiel  
 Tristan Deming  
 Kalley Diercks  
 Sydney Dvorak  
 Karisa Faber  
 Cole Frahm  
 Savannah Frick  
 Brittany Fyler  
 Katlyn Gades

John Gassman  
 Dawson Geuke  
 Heather Gilbertson  
 Lauren Gillette  
 Matthew Hartsfield  
 Maxxwill Hausman  
 Valoree Heinrichs  
 Alexandra Helvin  
 Isaac Hennen  
 Rylie Hokeness  
 Rebecca Hommez  
 Zachary Hullinger  
 Edward Isebrand  
 Ilienne Jaycox  
 Rebecca Josephson  
 Nicholas Klaith  
 Macy Knecht  
 Erica Koster  
 Madeline Kranzler  
 Brianna Kruschke  
 Bryanna Laite  
 Timothy Lawrence  
 Claire Leitheiser  
 Conner Lonbaken  
 Emma Lux  
 Jordan McKean

Brittney Medina  
 Linda Miller  
 Aryanna Mulroy  
 Samantha Nelson  
 Taylor Nesvold  
 Matthew Neuharth  
 Jessica Nguyen  
 Justine Vincent Obaniana  
 Madison Peterson  
 Taelyn Phillips  
 Karley Pistulka  
 Renae Remmele  
 Andrew Ringling  
 Molly Ruden  
 Taylor Ryan  
 Scott Sampson  
 Whitney Schaack  
 Karissa Schroder  
 Zachary Selchert  
 Allie Steffensen  
 John Steiger  
 Clay Stevens  
 Laura Stiles  
 Meghan Vogel  
 Macey VonBerge  
 Xavier Ward

**BACHELOR OF ARTS IN ARTS, HUMANITIES & SOCIAL SCIENCES**

Jane Arnoldt  
 Abbigail Barker  
 Riley Caldwell  
 Dylan Ellis  
 Symmone Gauer  
 Fortina Hamadi

Marni Malecek  
 Muriel McLaughlin  
 Michael Neubauer  
 Morea Nichols  
 Ty Paulsen  
 Kathryn Plank

Roberto Porras  
 Katie Swanson  
 Breanna Swee  
 Madison Thaden  
 Alissa Weide

**BACHELOR OF FINE ARTS**

Elliot Barnes  
 Juan Duque Aristizabal  
 Monica Frias Chavez

Jocelyn Rutten  
 Autumn Schlomer  
 Benjamin Schumacher

Brett Szymanski

**BACHELOR OF GENERAL STUDIES**

Joseph Baustian  
 Kari Boyd  
 Joshua Brooks  
 Jacinda Carlson  
 Jordan Gates

Kylie Horsley  
 Rachel Johnson  
 Jasmine Lingen  
 Kyle Maloney  
 Melissa McCorquodale

Melanie Oakley  
 Brandon Tople  
 Curtis Weathers

**BACHELOR OF MUSIC EDUCATION**

Bethany Tooley

**BACHELOR OF SCIENCE IN ARTS, HUMANITIES & SOCIAL SCIENCES**

Blake Anderson  
 Akeah Aschmeller  
 Cooper Baloun  
 Anthony Baumann  
 Hannah Becker  
 Jessica Beeck

Andrew Berends  
 Kaitlynn Bjorklund  
 Joshua Brehmer  
 Allison Burgau  
 Yeni Carmona-Gonzalez  
 Alayne Daly

Luke Engel  
 Attanayaka Fernando  
 Alexander Forbes  
 Anthony Hawkins  
 Logan Hoffman  
 Connor Holliday

Caitlyn Holm  
 Tate Johnson  
 David Kastner  
 Steven Kemp  
 Suyeon Kim  
 Dalton Kostad  
 Hailey Kristjanson  
 Riley Jo Landmark  
 Hailey Lawson  
 Ashley Luce  
 Alexander Marsh  
 Clint Messner  
 Karly Metzinger  
 Edward Miller

Mason Miller  
 Maddison Nelson  
 Jerad Nielsen  
 Brooke Olson  
 Kylie Osterloh  
 Brooke Owen  
 Matia Person  
 Lauren Pierce  
 Kayla Pinkert  
 Zachary Rabern  
 Nicole Reiser  
 Quinn Riemer  
 Cason Ringgenberg  
 Lili Robinson

Bonnie Rosenau  
 Anthony Rudich  
 Madison Rust  
 Ashley Sanborn  
 Brody Schumaker  
 Katelyn Sorenson  
 Elizabeth Steggerda  
 Brady Stigen  
 Pierre Strong  
 Ava Torres  
 Calyn Weiss  
 Aric Williams  
 Traylor Wurscher  
 Sydney Zenk

#### **ASSOCIATE OF ARTS IN GENERAL STUDIES**

Jadyn Briffett  
 Carson Brosnan  
 Josie Delange  
 Courtney Gordon

Jacob Clement  
 Amber Jensen  
 Gracie Mallak  
 Rayne Prah

Amy Ranfelt  
 Rachel Silberman  
 Jackson Vander Windt  
 Libby Yozamp



# The University of South Dakota

## Fall 2021 Candidates for Degree

### Doctor of Philosophy

Reza Goljani Amirkhiz  
 Kaitlyn S. Campbell  
 Diana R. Feldhacker  
 Catherine A. Flum  
 Nicole M. Glasgow  
 Becca D. Jordre  
 Jordan H. Kramer  
 Adam L. Ladwig  
 David N. Levine  
 Michelle L. Lichtenberg

Robert M. McCall  
 Kelley A. McCubbin  
 Sandra L. Melstad  
 Rachel J. Post  
 Lindsay R. Stephens  
 Elizabeth K. Sterling  
 Renata J. Surette  
 Katherine Wagner  
 Michael K. Webb  
 Jazmine D. Yaeger

### Doctor of Education

Sarah M. Gross  
 Julie M. Hatling  
 Tammi D. Haverly  
 Andrew D. McKay  
 Erica D. Neeves

Megan J. Pilcher  
 Valerie K. Seales  
 Lamont A. Sellers  
 Jessica J. Vogel

### Juris Doctor

Mason Robert Breitling  
 Cassidy Condon

Matthew Daniel Gaul  
 Melissa Jean Kay

## Specialist in Education

Christine M. Eleeson  
Trenden M. Hofer

Tamera L. Miyasato

## Master of Arts

Kelly R. Ajmal  
Brooke L. Blaalid  
Rachel E. Brandner  
Chelsea N. Campbell  
Savannah B. Dame  
Jackelyn R. DeLaMora  
Ari A. DenOtter  
Jennifer Dolezal  
Hallie A. Ehlen  
Rachel R. Ehlers  
**Makayla Epp**  
Sydney J. Evans  
Kelli M. Finan  
Elliot Forth  
Madison M. Gaffney  
Jennifer Garner  
Chesney J. Garnos  
Mary E. Geraets  
Katey L. Gerken  
James M. Gibbons  
Reece Hall  
Jacqueline M. Hendry  
Emily A. Kalantar  
**David S. King**

Laura L. Kraft  
Kendra L. Kuchta  
Andrew J. Maudal  
Elizabeth A. Merritt  
Alexis J. Mitchell  
Bobbie J. Morrison  
Brittan C. Murphy  
Jodie K. Olsen  
Cameron W. Patterson  
Nicole D. Robeck  
Mason E. Scheidegger  
Ashley M. Sehr  
Katherine A. Shipley  
Stacie M. Soderstrom  
Destiny L. Southwick  
Surabhi Swaminath  
Sydney E. Tymula  
**Elizabeth A. Ward**  
Sarah J. Watts  
Hannah L. Welbig  
Jonathan D. Wieger  
**Roxanne Wilson**  
Skyler Zalman

## Master of Business Administration

Christopher Ahrens  
 Scott L. Baker  
 Ethan K. Beck  
 William T. Becker  
 Eric J. Bischke  
 Andree E. Brennan  
 Neil R. Brockmann  
 Derrick W. Capps II  
 Tyler J. Cavigielli  
 Jaime Cortes  
 Ava J. Curtiss  
 Jane E. Dennis  
 Kelsey G. Fons  
 Hallie C. Getz  
 Francis J. Hart  
 Jody L. Holmes

Jace M. Jerome  
 Eric M. Klein  
 Lucas R. Kobat  
 Kean Kondo  
 Benjamin J. Lamfers  
 Jacob I. Leiseth  
 Miraz Al Mamun  
 Kelly M. McCann  
 Melissa A. Moyer  
 Grant J. Neff  
 Leland J. Parker  
 Hunter C. Paugh  
 Jessica M. Popovice  
 Jackie L. Potts  
 Tyler S. Tsagalis  
 Joel D. Van Heukelom

## Master of Music

Diane C. Van Den Oever

## Master of Professional Accountancy

Kyle D. Baartman  
 Timarie S. Bergman  
 Charles D. Bostick  
 Jaime Cortes  
 Debra C. Ferguson  
 Bryant M. Hall  
 Derek M. Hansen

Dimitrios Kourbetis  
 Minh Tam T. Le  
 Kailey M. Roesler  
 Molly B. Stulken  
 Thi Huong Thao Do  
 Megan A. Tronick



## Executive Master of Public Administration

Scott Adams  
Jennifer S. Harmon  
Nino A. Kafati

Theodore H. Sonnenburg  
Christopher Tuff

## Master of Public Administration

Gabriela Revolorio

Christian V. Skunk

## Master of Public Health

Lauren G. Mellenthin

Sandy S. Yang

## Master of Science

Ashley Awoh  
James M. Capaldo  
Jessica J. Danko  
Sarah L. Dayton  
Brojo Kishor Shachib Dhali  
Hanne Faust  
Yao Feng  
Eric T. Graack  
Adam L. Grady  
Jordan M. Grosdidier  
Jessica L. Hoynoski  
Cassandra M. Jones  
Logan F. Knollenberg  
Kevin T. Krupp  
Jack C. Lawrence  
Megan T. Lewno  
MingHei Ma

Miraz Al Mamun  
Michelle R. Meyer  
Malan T. Moody  
Tulsi Patel  
Reba R. Pepper  
Emily Richardson  
Amena Begum Ruma  
Amanda M. Schaeffer  
Priyanka Sreerama  
Ashen Anuradha Suduweli Kondage  
Allison R. Sylte  
Danielle E. Tesar  
Rina Thapa  
Diep Q. Tran  
Madeline A. Valentin  
Shuai Zhao

## Master of Social Work

Carrie A. Hughes  
Claudette A. LaDeaux-Hernandez

Achala A. Tangamo

## Bachelor of Arts

Peyton B. Beyers  
Makena K. Bischoff  
Abby M. Briscoe  
Amanda S. Brown  
Marissa L. Buechler  
**Camille I. Cook**  
Jacob R. Forster  
Freya L. Gayken  
Amanda Gibson  
Denny Gonzalez  
Catherin M. Hafer  
Roger L. Hare  
Jorji A. Haveman  
Jacob R. Holmberg  
Marthe Kabasele  
Anna C. Kappenman

Kelly D. Kronaizl  
Nathan T. Mantei  
Adam Owen  
Cassidy J. Potter  
Sierra M. Prue  
Caitlin N. Reimers  
**Cody T. Schriever**  
Kaley M. Schweitzer  
Kasha M. Shear  
Madilyn N. Sindelar  
**Jordan A. Sommerville**  
Drayton H. Stapp  
Ryan C. Vinzant  
Kaleb A. Walker  
Timothy M. Walsh  
Megersa S. Yassin

## Bachelor of Business Administration

Alex E. Arango Gomez  
Tyler J. Benson  
Chase A. Bolte  
Lucas M. Brinkerhoff  
Hannah Bullerman  
Lucas M. Bunkers  
Conner P. Chamberlain  
**Jackson L. Crist**  
Agustina B. Diaz  
**Olivia J. Emerson**  
Tanner J. Engel

Agnes Fairbanks  
Cameron C. Fisher  
**Waylon S. Frankus**  
Kelsey J. Frost  
Claire B. Gerdes  
Austin J. Goehring  
Connor C. Grote  
**Cole Z. Heidemann**  
Claire F. Herbst  
Jarett Heyl  
Dawson E. Hill

Elizabeth M. Holzkamm  
 Jace M. Jerome  
 Garret J Johnson  
 Kevin R. Jorgensen  
 Beth M. Kangootui  
 Trent N. Kingsbury  
 Devan C. Kleven  
 Emily A. Kraemer  
 Erin L. Kueter  
 Kade Larson  
 Adam T. Loes  
 Gerit L. Ludens  
 Alice Lunardelli  
 Tanner A. Macke  
 Grace M. Mancy  
 Jessi M. Martell  
 Tanner R. Miedema  
 Zachary W. Motl  
 Carter J. Munce  
 Brooklyn T. Munsen  
 Taha Nafees  
 Sydney M. Novak

Destiny M. Pesek  
 Drue M. Pieper  
 Skylar S. Polzine  
 Samantha R. Pooley  
 Tyler J. Pringle  
 Eden A. Schanzenbach  
 Kaley M. Schweitzer  
 Britney L. Senger  
 Dakota J. Smith  
 Tiffany A. Snethen  
 Nate R. Stassen  
 Molly B. Stulken  
 Elizabeth H. Sykes  
 Zachary J. Thury  
 Carly T. Vavra  
 Chase A. Vogt  
 Bailee R. Volk  
 Gillian G. Watkins  
 Madison A. Weber  
 Jennifer L. Weisenborn  
 Graham S. Westra  
 Christina G. Wheeler

## Bachelor of Fine Arts

Monica C. Choyce  
 Camille I. Cook

Tasha A. Determan  
 Preston K. Schnabel

## Bachelor of General Studies

Syed Shahnewaz M. Arif  
 Sherry M. Baiza  
 Elizabeth M. Bowen

Kyle M. Entringer  
 Lincoln J. Gibbs  
 Christopher C. Haan

Grace M. Hazen  
 Elizabeth M. Henchal  
 Madison C. Jurgens  
 Bryn A. Krehbiel  
 Anna T. Loseke  
 Jaevon L. McQuitty

Jaclyn Saltzgeber  
 Aimee C. Sandman  
 Gabriella M. Schmunk  
 Cameron B. Seck  
 Emily A. Stanek  
 Madelynn J. Wiedenfeld

## Bachelor of Music

Jade M. Bolin  
 Steven M. Bray  
 Kacie R. Cox

Nicholas W. Engbers  
 Marshal A. Knedler  
 Sammantha M. Schryvers

## Bachelor of Musical Arts

Elyse Myers

## Bachelor of Science

Jade Adams  
 Joel Ahn  
 Waseem A. Alturkistani  
 Megan M. Bagola  
 Jack R. Baker  
 Angeliah N. Bartik  
 Shavon Benson  
 Sebastian Bergeron  
 Devin L. Berkeley  
 Hailey Bramley  
 Ashley M. Brower  
 Britney Buss  
 Caitlyn N. Christy  
 Jack T. Cochrane  
 Alexis N. Colhoff  
 Jalissa M. Connors  
 Sydney V. Cook

Taya R. DeVine  
 Samantha K. Dlugosh  
 Haley Doty  
 Anne E. Eichstadt  
 Jordyn R. Erdman  
 Kaitlyn Erdmann  
 Maria G. Francisco  
 Jaid D. Freestone  
 Nicolet E. Gerber  
 Harmala M. Gezachew  
 Helen K. Gould  
 Ramanjot Grewal  
 Grayson M. Grosz  
 Sydney M. Harding  
 Jena M. Hart  
 Grant A. Hein  
 Tara J. Higgason

Jensen L. Holzbauer  
 Kelsey J. Holzbauer  
 Keesha Hord  
 Reagan L. Ison  
 Keshiah C. Jenkins  
 Jonathan Joanis  
 Hannah K. Johnson  
 Danette M. Jonas  
 Lyric S. Jones  
 Sabi Kaflay  
 Cassidy J. Kascht  
**Rachael Kayser**  
 Olivia J. Korngable  
 Michael L. Krogstad  
**Joseph P. Kuehn**  
 Chloe A. Lamb  
 Laurie D. Lentz  
**Mason M. Mackey**  
 Cheyenne S. Mallory  
 Tho Q. Man  
 Carmella C. McManus  
 Jacob A. Miller  
 Baley R. Miller  
 Jason K. Mills  
 Brianna N. Mount  
**Samantha J. Murra**  
 Jacob L. Mutziger  
 Daeun Na  
 Emily L. Nielson  
 Maxwell B. Nivala

Rachel O. Nwogo  
 Jessica Orthmann  
 Jaaron J. Paugh  
 Kelsey P. Richter  
 Christian A. Roeder  
 Isela Sanchez-Espinoza  
 Allison R. Schelske  
 Lauren E. Schild  
 Ciarra K. Schmidt  
 Bryce K. Schroeder  
 Nathan C. Schultz  
 Elizabeth M. Senstad  
 Omar M. Sharif  
 Kasha M. Shear  
 Taelor M. Smith  
 Tayler M. Stack  
 Aaron M. Stulberg  
 Subrat Subedi  
 Reilly S. Swanson  
 Jessica E. Sykes-Poindexter  
 Jordan S. Turgeon  
 Delanie K. Van Bommel  
 Randie L. Van De Kieft  
**Melanie Velasco**  
 Jacque S. Verdoorn  
**Delaney Voigt**  
 Grace E. Waters  
 Jesse J. Weber  
**Nicholas P. Weiland**  
 Brady P. Woldt

## Bachelor of Science in Education

Amber L. Albrecht  
 Nicole M. Bies  
 Taylor L. Coulter  
 Jakob B. De Vos  
 Morgan R. Edwards  
 Baylie M. Embry  
 Baylee D. Enander  
 Izaak D. Farrer  
 Amanda M. Haas  
 Bryar J. Hansen

Victoria F. Hernandez  
 Dustin J. Hopper  
 Nicholas R. Josko  
 Chloe M. Kaiser  
 Alaina S. Kessenich  
 Paige E. Klemisch  
 Connor D. Kuiper  
 Rebecca L. Nightser  
 Jade M. Popken  
 Hanna G. Powers

Emily E. Rentsch  
 Mariah D. Schilmoeller  
 Taylor L. Thompson  
 Luke J. Tiensvold

Bradie J. Timmins  
 Jaron M. Waters  
 Miranda L. Winterringer  
 Bryan S. Youngberg

## Bachelor of Science in Nursing

Kayla L. Adler  
 Makayla M. Baymiller  
 Macy J. Beck  
 Selma Berzati  
 Natalie E. Booth  
 Alaina M. Cornilsen  
 Amy D. Crosse  
 Haylee C. Ecklein  
**Jennifer Ecklein**  
 Ashley L. Eickman  
 Megan E. Ellison  
 Ashlyn C. Erisman  
 Jacey J. Feyereisen  
 Kaitlyn A. Fischer  
**Michelle Flanagan**  
 Patricia M. Friesen  
 Katlynn Goodrich  
 Alexis N. Gustafson  
 Tori L. Haase  
**Rachel Heilman**  
**Melissa Heyen**  
 Darlene A. Iron Rope  
 Josie A. Jarosch  
 Kimberly R. Kaufmann  
 Kyle D. LeBon  
 Jordan A. Martin  
 Sarah N. McPhee  
 Haleigh B. Melstad  
**Sierra S. Myers**  
 Sidney K. Nelsen  
 Ariel J. Neu  
 Chad A. Nolan

Dora W. Nolan  
 Amarachi J. Okeke  
 Amanda M. Parette  
 Casie R. Petersen  
 Allison K. Pettinger  
 Guadalupe Ramirez  
 Keeley M. Rexwinkel  
 Camilla M. Ringler  
 Sunshine R. Roberts  
 Brooke C. Roecker  
 Jordyn L. Rohlk  
 Rebecca L. Rus  
 Dominick F. Santa Maria  
 Kayla C. Schimke  
 Michele D. Schoenwald  
 Piper A. Schulz  
 Jennifer R. Seehafer  
**Carrie Shedeed**  
 Chelsea E. Sheffield  
 Sydney E. Sisk  
 Madison T. Smith  
 Korissa J. Sveeggen  
**Makenna E. Thomas**  
 Nathan L. Tritsch  
 Brooke M. VanDam  
**Mark Vanderzee**  
**Sydney Venner**  
 Kylie R. Vis  
**Kenna Voth**  
 Amanda J. Wek  
**Emma R. Welch**  
 Jazzmin N. Wendt

## Associate of Arts

Eric J. Adler  
Kassondra M. Bailey  
Jakob D King  
Katelyn J. Olson

Brandi L. Shaul  
Elliott X. Zimmer  
Cole L. Zwahr

## Associate of Science

Richard K. Hanson  
Erin R. McNeill

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – B**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**New Specialization – SDSMT – Specialization in Environmental Engineering – BS in Civil and Environmental Engineering**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:23](#) – Program and Curriculum Approval

**BACKGROUND / DISCUSSION**

South Dakota School of Mines & Technology (SDSMT) requests authorization to offer a specialization in Environmental Engineering within the BS in Civil and Environmental Engineering. The proposed Environmental Engineering Specialization is designed for students planning to start a career as an Environmental Engineer or continue their education in a graduate program that focuses on environmental issues. Environmental Engineering is an important branch of civil engineering studies, with emphasis on chemical and biological processes to solve pressing global problems in all areas related to the environment and public health. The Specialization will provide the students opportunities to gain knowledge and skills in Environmental Engineering and add value to its BS degree in Civil and Environmental Engineering. Currently, the courses in the proposed specialization are offered as an emphasis within the major. This will formalize the curriculum, making it visible on student transcripts.

**IMPACT AND RECOMMENDATION**

SDSMT requests authorization to offer the specialization on campus. SDSMT is not requesting additional state resources to offer the program. No new courses will be required.

Board office staff recommends approval of the program.

**ATTACHMENTS**

Attachment I – New Specialization Request: SDSMT – Environmental Engineering – BS in Civil and Environmental Engineering

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-B:**

I move to authorize SDSMT to offer a specialization in Environmental Engineering within the BS in Civil and Environmental Engineering, as presented.





## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Specialization

Use this form to propose a new specialization within an existing degree program. Specializations provide students with an alternative to the primary format of the major or it may be one of several tracks within a broad major. Specializations contain courses within the discipline(s) of the existing program. Specializations appear in the institutional catalog and on the transcript. Majors that offer specializations typically have one-third to two-thirds of the credits in common with the remaining course work fulfilling the requirements of the specialization(s) offered. The Board of Regents, Executive Director, and/or their designees may request additional information about the proposal. After the university President approves the proposal, submit a signed copy to the Executive Director through the system Chief Academic Officer. Only post the New Specialization Form to the university website for review by other universities after approval by the Executive Director and Chief Academic Officer.

<b>UNIVERSITY:</b>	SDSM&T
<b>TITLE OF PROPOSED SPECIALIZATION:</b>	<b>Environmental Engineering</b>
<b>NAME OF DEGREE PROGRAM IN WHICH SPECIALIZATION IS OFFERED:</b>	<b>Civil and Environmental Engineering</b>
<b>BANNER PROGRAM CODE:</b>	<b>Degree = MBS.CEE</b>
<b>INTENDED DATE OF IMPLEMENTATION:</b>	<b>8/1/2022</b>
<b>PROPOSED CIP CODE:</b>	<b>141401</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>CEE</b>
<b>BANNER DEPARTMENT CODE:</b>	<b>MCEE</b>
<b>UNIVERSITY DIVISION:</b>	<b>4E</b>
<b>BANNER DIVISION CODE:</b>	<b>4E</b>

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.6](#), which pertains to new specialization requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

<div style="border-top: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Institutional Approval Signature <i>President or Chief Academic Officer of the University</i>	<div style="text-align: right; font-size: 0.8em; margin-bottom: 5px;">Click here to enter a date.</div> <div style="border-top: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date
--	--

Note: In the responses below, references to external sources, including data sources, should be documented with a footnote (including web addresses where applicable).

**1. Level of the Specialization (place an “X” in the appropriate box):**

Baccalaureate ☒ Master’s ☐ Doctoral ☐

**2. What is the nature/purpose of the proposed specialization? Please include a brief (1-2 sentence) description of the academic field in this specialization.**

Environmental Engineering is an important branch of civil engineering studies, with emphasis on chemical and biological processes to solve pressing global problems in all areas related to the environment and public health.

**3. Provide a justification for the specialization, including the potential benefits to students and potential workforce demand for those who graduate with the credential. For workforce related information, please provide data and examples. Data may include, but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc. Please cite any sources in a footnote.**

The proposed Environmental Engineering Specialization is designed for students planning to start a career as an Environmental Engineer or continue their education in a graduate program that focuses on environmental issues. The Specialization will provide the students opportunities to gain knowledge and skills in Environmental Engineering and add value to their B.S. degree in Civil Engineering. The courses listed in the Specialization comprise existing courses already in the curriculum.

The proposed addition of Environmental Engineering Specialization to the curriculum of the B.S. degree in Civil Engineering is consistent with the board-designated mission of the South Dakota Mines to promote student success and to contribute to the state’s workforce and economic development. The proposed Specialization will formalize the Environmental Engineering emphasis currently offered in the department, which will help the recruitment of Civil and Environmental Engineering majors as well as the career development of graduates. The curriculum requirements of the Environmental Engineering Specialization will prepare students for success in high-demanding jobs and advanced programs related to pressing global issues related to public health, drinking water treatment and distribution, solid and hazardous waste disposal, and sustainable design.

The U.S. Bureau of Labor Statistics predicts that “employment of environmental engineers is projected to grow 3 percent from 2019 to 2029.”<sup>1</sup> Further, the U.S. Bureau of Labor Statistics (May, 2020<sup>2</sup>) reflects strong wage data for environmental engineers employed in South Dakota.

- Annual Mean Wage = \$86,890
- Mean Hourly Wage = \$41.78
- Median Hourly Wage = \$40.01

1. <https://www.bls.gov/ooh/architecture-and-engineering/environmental-engineers.htm>
2. [https://www.bls.gov/oes/2020/may/oes\\_sd.htm](https://www.bls.gov/oes/2020/may/oes_sd.htm)

**4. List the proposed curriculum for the specialization (including the requirements for completing the major – highlight courses in the specialization):**

Prefix	Number	Course Title (add or delete rows as needed)	Credit Hours	New (yes, no)
		<b>General Education Requirements:</b>	<b>32</b>	No
		Math Requirement (Math 123)	4	No
		Science Requirement (CHEM 112/L and 114)	7	No
		English & Humanities & Social Sciences Requirement	21	No

				Choose an item.
		<b><i>Civil Engineering Major Requirements:</i></b>	<b>75</b>	No
PHYS	211	University Physics	3	No
MATH	125	Calculus II	4	No
MATH	225	Calculus III	4	No
MATH	321	Differential Equations	3	No
EM	214	Statics	3	No
EM	331	Fluid Mechanics	3	No
EM	321	Mechanics of Materials	3	No
CEE	130/L	Introduction to Civil and Environmental Engineering	2	No
CEE	274	Construction Engineering and Management	3	No
CEE	284	Applied Numerical Methods	3	No
CEE	326	Environmental Engineering	3	No
CEE	336/L	Hydraulic Systems Design	3	No
CEE	316/L	Engineering and Construction Materials	3	No
CEE	346/L	Geotechnical Engineering	3	No
CEE	327/L	Environmental Engineering II	3	No
CEE	337	Engineering Hydrology	3	No
CEE	325	Introduction to Sustainable Design	3	No
CEE	463	Concepts of Professional Practice	2	No
CEE	489	Capstone Design	3	No
		Department Approved Electives*	9	No
MATH	381	Introduction to Probability and Statistics	3	No
HUM or SS	300/400	Upper-level humanities or social science	3	No
		GEOE221/L or GEOL 201	3	No
				Choose an item.
		<b><i>Environmental Engineering Specialization:</i></b>	<b>23</b>	No
CHEM	114L	General Chemistry II Lab	1	No
CHEM	332	Analytical Chemistry	2	No
CBE	217	Chemical Engineering Material Balances	3	No
CBE	222	Chemical Engineering Process Thermodynamics	3	No
IENG	301	Basic Engineering Economics	2	No
CEE	426	Environmental Engineering Unit Operations and Processes	3	No
CEE	427	Environmental Engineering Biological Process Design	3	No
		<i>Select 6 credits from the following courses:</i>	<b>6</b>	No
		BIOL 341 Microbial Processes in Engineering and Natural Sciences (3)		No
		CHEM 326 Organic Chemistry (3)		
		IENG 331 Safety Engineering (3)		
		CEE 428/528 Oil and Gas Development and the Environment (3)		
		CHEM 482/582 Environmental Chemistry (3)		
		CEE 492 Topics (3)		
		CEE 475/475L/575/575L Groundwater/Lab (3)		
		CBE 455/555 Pollution Phenomena and Process Design (3)		
		MEM 405 Mine Permitting and Reclamation (3)		

Total number of hours required for completion of specialization	23
Total number of hours required for completion of major	75
Total number of hours required for completion of degree	130

\*Department Approved Electives:

- [CEE 421/521 Climate and Weather Resiliency in Meteorology and Engineering](#) Credits: (3-0) 3
- [CEE 425/525 Sustainable Engineering](#) Credits: (3-0) 3
- [CEE 428/528 Oil and Gas Development and the Environment](#) Credits: (3-0) 3
- [CEE 429/529 Solid and Hazardous Waste Engineering](#) Credits: (3-0) 3
- [CEE 433/533 Open Channel Flow](#) Credits: (3-0) 3
- [CEE 437/437L/537/537L Watershed and Floodplain Modeling/Lab](#) Credits: (2-1) 3
- [CEE 447/547 Foundation Engineering](#) Credits: (3-0) 3
- [CEE 448/548 Applied Geotechnical Engineering](#) Credits: (3-0) 3
- [CEE 451/551 Design of Wood Structures](#) Credits: (3-0) 3
- [CEE 453/553 Design of Steel Structures](#) Credits: (3-0) 3
- [CEE 457/557 Indeterminate Structures](#) Credits: (3-0) 3
- [CEE 468/568 Highway Engineering](#) Credits: (3-0) 3
- [CEE 475/475L/575/575L Groundwater/Lab](#) Credits: (2-1) 3
- [CEE 492 Topics](#) Credits: 1 to 3

## 5. Delivery Location

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire specialization through distance technology (e.g., as an on-line program)?**

	Yes/No	Intended Start Date
<b>On campus</b>	Yes	Fall 2022

	Yes/No	If Yes, list location(s)	Intended Start Date
<b>Off campus</b>	No		Choose an item. Choose an item.

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	No		Choose an item. Choose an item.

**B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the specialization through distance learning (e.g., as an on-line program)? This question responds to HLC definitions for distance delivery.**

	Yes/No	If Yes, identify delivery methods	Intended Start Date
--	--------	-----------------------------------	---------------------

<b>Distance Delivery (online/other distance delivery methods)</b>	No		Choose an item. Choose an item.
---	----	--	------------------------------------

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – C**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Intent to Plan – DSU – BS in Individualized Studies**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:23](#) – Program and Curriculum Approval

**BACKGROUND / DISCUSSION**

Dakota State University (DSU) requests authorization to develop a proposal to offer a BS in Individualized Studies. The purpose of this baccalaureate degree is to provide students at DSU the opportunity to propose their own plan of study as an Individualized Studies major. This option should only be pursued if the student’s interests and professional goals cannot be adequately met with one of DSU’s existing majors. The Individualized Studies major will appeal to two types of students. The first is a highly motivated student who wishes to seek control of his or her own education trajectory. The second are students who are no longer interested in their original major. For these students, who will likely make up the majority of enrollments in the program, the proposed program would function as a “parachute program.” The program would enhance retention and graduation rates by giving students who have earned a high number of credit hours an option that allows them to graduate on time by applying their earned credits toward a degree option.

Currently, DSU offers a bachelor’s degree in general studies which is intended to allow students who have accumulated significant college credit and who want to complete a baccalaureate degree. The difference is that the general studies program has a set curriculum that spans across subject areas, whereas the proposed program in Individualized Studies has its curriculum determined by the student, including any previously earned credit. For students who are nearing 120 credit hours, the General Studies degree can require students to stay enrolled for several extra semesters to meet the program requirements. This would not be the case with an Individualized Studies degree.

DSU intends to offer the BS in Individualized Studies on campus.

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-C:**

I move to authorize DSU to develop a program proposal for an BS in Individualized Studies, as presented.

## **IMPACT AND RECOMMENDATION**

DSU does not request new state resources. Given the way the program is designed, it is anticipated that nearly all students enrolled in this program will be existing students at the university. Based on current data from the General Studies program, it is anticipated that DSU may have 10-15 students complete an Individualized Studies major each year.

Board office staff recommends approval of the intent to plan with the following conditions:

1. The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers.
2. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies.
3. The university will not request new state resources without Board permission, and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs.

## **ATTACHMENTS**

Attachment I – Intent to Plan: DSU – BS in Individualized Studies



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### Intent to Plan for a New Program

Use this form to request authorization to plan a new baccalaureate major, associate degree program, or graduate program; formal approval or waiver of an Intent to Plan is required before a university may submit a related request for a new program. The Board of Regents, Executive Director, and/or their designees may request additional information. After the university President approves the Intent to Plan, submit a signed copy to the Executive Director through the system Chief Academic Officer. Only post the Intent to Plan to the university website for review by other universities after approval by the Executive Director and Chief Academic Officer.

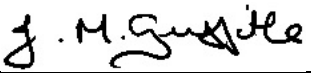
<b>UNIVERSITY:</b>	DSU
<b>DEGREE(S) AND TITLE OF PROGRAM:</b>	BS Individualized Studies
<b>INTENDED DATE OF IMPLEMENTATION:</b>	Fall 2022

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.4](#), which pertains to new intent to plan requests for new programs, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this intent to plan, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

  
\_\_\_\_\_  
President of the University

10/1/2021  
\_\_\_\_\_  
Date

Note: In the responses below, references to external sources, including data sources, should be documented with a footnote (including web addresses where applicable).

**1. What is the general nature/purpose of the proposed program? Please include a brief (1-2 sentence) description of the academic field in this program.**

The purpose of this baccalaureate degree is to provide students at DSU the opportunity to propose an Individualized Studies major. This option should only be pursued if the student's interests and professional goals cannot be adequately met with one of DSU's existing majors. Currently, DSU offers a bachelor's degree in general studies which is intended to allow students who have accumulated significant college credit and who want to complete a baccalaureate degree.



- 2. What is the need for the proposed program (e.g., Regental system need, institutional need, workforce need, etc.)? What is the expected demand for graduates nationally and in South Dakota (provide data and examples; data sources may include but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc.)? Please cite any sources in a footnote.**

The Individualized Studies major will appeal to two types of students. The first type is highly motivated and seeks to control his or her own educational trajectory. For this reason, Individualized Studies at other institutions are often administered by the Honors Program. For the second type of student, the Individualized Studies can function as a “parachute program” designed to enhance retention and graduation rates. When a student is no longer interested in his or her major, the student can either switch majors or withdraw. If there are no appealing major alternatives, or if the available alternatives require adding several semesters on to the course of study, the student is much more likely to drop out.<sup>1</sup> By providing an Individualized Studies option, both types of students will have greater control over their academic future and will be more likely to complete a BS degree at DSU. Currently, this will be the only Individualized Studies in the regental system.

The Individualized Studies functions differently from our existing BGS program for both types of students. For the first type of student, the BGS program is too prosaic and proscriptive. Students must complete 15 credits each from three pre-identified emphases areas. For the second type of student, once they declare a BGS major, the program’s strict requirements can easily necessitate an additional 2-3 full-time semesters beyond the original four-year graduation plan.

While this will be the first Individualized Studies in the regental system, the program is quite common at other institutions.<sup>2</sup> Other regental schools have Interdisciplinary Studies programs or General Studies programs, but these have relatively strict requirements, much like a typical major, and therefore can add several additional semesters to a student’s plan of study.

Post-graduate career opportunities for the Individualized Studies will vary according to the course of study. Each Individualized Studies must first be approved by the General Studies Director in consultation with other faculty experts on campus. Post-graduate career opportunities should be factored in before approving any plan. For the first type of student, post-graduate plans should be clearly identified and researched. At its most basic level, any Individualized Studies should prepare students for the same type of post-graduate opportunities as the existing General Studies program. According to our own website, these include such positions as Manager, Consultant, Executive Assistant, and Operations Manager.<sup>3</sup> While post-graduate earnings for either the Individualized Studies or the General Studies major could potentially be lower than some of our other DSU majors, a more effective comparison might be between BS

---

<sup>1</sup> Students frequently report finances as being the major factor in deciding to withdraw from college. While this program will not reduce the cost of individual courses, it will reduce the time needed to complete a degree for many students, thereby potentially saving them tens of thousands of dollars. See Josh Moody, “How to Avoid Dropping out of College,” *US News and World Report*, 20 March 2019.

<sup>2</sup> Some schools with Individualized Majors include James Madison University, the University of Washington, and Columbia University. Several smaller schools also offer this option, such as Lesley University, Marlboro College, and Elizabethtown College.

<sup>3</sup> <https://dsu.edu/programs/general-studies-bgs.html>

graduates and non-graduates. According to the U.S. Bureau of Labor Statistics, in 2020 the annual median earnings for an individual with an undergraduate degree is nearly 67% higher than someone with only a high school diploma.<sup>4</sup> The individual with a college degree has a 3.5 times lower poverty rate and can expect to earn an additional \$900,000 in lifetime earnings.<sup>5</sup> These numbers are compelling when evaluating the potential impact of an Individualized Major for the second type of student.

### 3. How would the proposed program benefit students?

It would provide all interested students with greater control over their educational experience and enhance retention for students discouraged with their declared major.

### 4. How does the proposed program relate to the university's mission as provided in South Dakota Statute and Board of Regents Policy, and to the current Board of Regents Strategic Plan 2014-2020?

*Links to the applicable State statute, Board Policy, and the Board of Regents Strategic Plan are listed below for each campus.*

BHSU:	<a href="#"><u>SDCL § 13-59</u></a>	<a href="#"><u>BOR Policy 1:10:4</u></a>
DSU:	<a href="#"><u>SDCL § 13-59</u></a>	<a href="#"><u>BOR Policy 1:10:5</u></a>
NSU:	<a href="#"><u>SDCL § 13-59</u></a>	<a href="#"><u>BOR Policy 1:10:6</u></a>
SDSMT:	<a href="#"><u>SDCL § 13-60</u></a>	<a href="#"><u>BOR Policy 1:10:3</u></a>
SDSU:	<a href="#"><u>SDCL § 13-58</u></a>	<a href="#"><u>BOR Policy 1:10:2</u></a>
USD:	<a href="#"><u>SDCL § 13-57</u></a>	<a href="#"><u>BOR Policy 1:10:1</u></a>
	<a href="#"><u>Board of Regents Strategic Plan 2014-2020</u></a>	

This proposed program relies on pre-existing courses at DSU, all of which have been approved in accordance with South Dakota Statute and Board of Regents Policy. Because of DSU's unique mission as "an institution specializing in programs in computer management, computer information systems, and other related undergraduate and graduate programs," many of the university's existing courses are unique to DSU, and therefore any Individualized Major would be similarly unique.<sup>6</sup> For example, the existing General Studies degree requires a student to focus on three emphases from a possible 9 areas to choose from. Nearly all 9 of these are common across the Board of Regents system. The proposed Individualized Study major would allow students instead to focus specifically on those areas unique to DSU.

The Individualized Major also contributes to the Board of Regents Strategic Plan, primarily in the areas of retention and graduation rates (as mentioned above). The strategic plan calls for a system-wide retention rate of 83% and a 6-year graduation rate of 54%.<sup>7</sup> When a student is no longer interested in his or her major, the student can either switch majors or withdraw. If there

---

<sup>4</sup> U.S. Bureau of Labor Statistics, Current Population Survey as cited by Elka Torpey, "Education Pays, 2021," *Career Outlook*, June 2021 (<https://www.bls.gov/careeroutlook/2021/data-on-display/education-pays.htm>).

<sup>5</sup> Association of Public and Land-Grant Universities, "How does a college degree improve graduates' employment and earnings potential?"

<sup>6</sup> DSU Mission Statement, [https://catalog.dsu.edu/content.php?catoid=31&navoid=1462#Mission\\_Statement](https://catalog.dsu.edu/content.php?catoid=31&navoid=1462#Mission_Statement).

<sup>7</sup> SDBOR 2014-2020 Strategic Plan, <https://www.sdbor.edu/the-board/StrategicPlan/Pages/default.aspx>.

are no appealing major alternatives, or if the available alternatives require adding several semesters on to the course of study, the student is much more likely to drop out.

- 5. Do any related programs exist at other public universities in South Dakota? If a related program already exists, explain the key differences between the existing programs and the proposed program, as well as the perceived need for adding the proposed new program. Would approval of the proposed new program create opportunities to collaborate with other South Dakota public universities? A list of existing system programs are available through the university websites and the [RIS Reporting: Academic Reports Database](#). If there are no related programs within the Regental system, enter "None."**

While SDSU has a BA/BS Interdisciplinary Studies, the proposed DSU Individualized Studies is different in that it has greater flexibility. Most notably, the DSU version draws on an entirely different set of course options than are available at SDSU or at any other university in the region.

- 6. Do related programs exist at public colleges and universities in Minnesota, North Dakota, Montana, and/or Wyoming? If a related program exists, enter the name of the institution and the title of the program; if no related program exists, enter "None" for that state. Add additional lines if there are more than two such programs in a state listed.**

*This question addresses opportunities available through Minnesota Reciprocity and WICHE programs such as the Western Undergraduate Exchange and Western Regional Graduate Program in adjacent states. List only programs at the same degree level as the proposed program. For example, if the proposed program is a baccalaureate major, then list only related baccalaureate majors in the other states and do not include associate or graduate programs.*

	<b>Institution</b>	<b>Program Title</b>
<b>Minnesota</b>	Southwest Minnesota State University	<a href="#">Interdisciplinary Studies</a> , BS/BA
	Metropolitan State University	<a href="#">Individualized Studies</a> , BA
	University of Minnesota-Crookston	<a href="#">Applied Studies</a> , BS
	University of Minnesota-Duluth	<a href="#">Interdisciplinary Studies</a> , BA
	University of Minnesota-Morris	<a href="#">Design your Own Major</a>
<b>North Dakota</b>	University of North Dakota	<a href="#">Interdisciplinary Studies</a>
<b>Montana</b>	Montana State	<a href="#">Directed Interdisciplinary Studies</a>
<b>Wyoming</b>	Eastern Wyoming College	<a href="#">Interdisciplinary Studies</a>
	Central Wyoming College	<a href="#">Interdisciplinary Studies</a>

**7. Are students enrolling in this program expected to be new to the university or redirected from other existing programs at the university?**

While it is possible that highly motivated students may choose to come to DSU because of the freedom to design their own degree, it is anticipated that the large majority will be redirected from other existing programs at the university.

**8. What are the university's expectations/estimates for enrollment in the program through the first five years? What are the university's expectations/estimates for the annual number of graduates from the program after the first five years? Provide an explanation of the methodology the university used in developing these estimates.**

We currently have 49 students enrolled in the General Studies program. Of these, 22 have earned more than 100 credit hours, several of whom will be unable to complete the existing General Studies requirements within a semester. Indeed, 10 of the 49 General Studies students have already earned more than 120 credits, the amount typically required for graduation. If these students had been allowed to create an individualized major, they may have been able to graduate in a timely fashion. Furthermore, there are undoubtedly students that are enrolled in a major that they find unsatisfying and yet feel that there are no options available for them. Thus, it is possible that we have as many as 10-15 students complete an Individualized Studies major each year. Regardless the number, there is no need to create and staff any additional courses, therefore the budgetary impact is negligible.

**9. Complete the following charts to indicate if the university intends to seek authorization to deliver the entire program on campus, at any off campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an on-line program)?**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

	Yes/No	Intended Start Date
On campus	Yes	Choose an item. Choose an item.

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		Choose an item. Choose an item.

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	No		Choose an item. Choose an item.
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

**10. What are the university's plans for obtaining the resources needed to implement the program? Indicate "yes" or "no" in the columns below.**

	Development/ Start-up	Long-term Operation
Reallocate existing resources	Yes	Yes
Apply for external resources <i>If checking this box, please provide examples of the external funding identified below.</i>	No	No
Ask Board to seek new State resources <i>Note that requesting the Board to seek new State resources may require additional planning and is dependent upon the Board taking action to make the funding request part of their budget priorities. Universities intending to ask the Board for new State resources for a program should contact the Board office prior to submitting the intent to plan.</i>	No	No
Ask Board to approve a new or increased student fee	No	No

**11. Curriculum Example: Provide (as Appendix A) the curriculum of a similar program at another college or university. The Appendix should include required and elective courses in the program. Catalog pages or web materials are acceptable for inclusion. Identify the college or university and explain why the selected program is a model for the program under development.**

See Appendix A.

## Appendix A

### *Southwest Minnesota State University's Interdisciplinary Studies*

<http://www.smsu.edu/academics/programs/interdisciplinarystudies>

“The purpose of the Individualized Interdisciplinary Major is to provide each student in good academic standing the opportunity to design and pursue a major (as part of his/her BA or BS degree requirements) which transcends existing majors. The IIM allows the student to formulate an integrated program from two or more disciplines that meets his/her needs in a more viable way than the traditional majors.

“To learn more about the procedures and guidelines for developing an Individualized Interdisciplinary major, visit the program webpage at:

[www.SMSU.edu/academics/programs/interdisciplinarystudies](http://www.SMSU.edu/academics/programs/interdisciplinarystudies).” (There is no additional information at the website.)

### *Metropolitan State University Individualized Studies BA*

<https://www.metrostate.edu/academics/programs/individualized-studies-ba>

“For students who want to create their own academic path, the Bachelor of Arts in Individualized Studies program places the needs and dreams of those students at the center of their educational journey. Since 1971, our students have been able to design individual degree programs to meet their educational, professional, and personal goals. Your unique Bachelor of Arts (BA) degree can be customized to build on what you have already learned and accomplished in school, work and in life. CIS offers you a chance to:

- Incorporate courses from a variety of different subjects
- Design a degree that reflects your educational, personal, and career interests
- Transfer credits from other schools and apply them towards a BA degree
- Use creative learning strategies, including prior learning to complete your degree in less time and money

“The Individualized Studies Bachelor of Arts degree reflects the original mission of Metropolitan State University-to give students primary authority over and responsibility for their educations. Students design their own course of study with guidance from faculty in the initial course, PRSP 301 Perspectives: Educational Philosophy & Planning.

“If you are looking for an education that spans multiple subjects and professions, or an area in which Metropolitan State does not offer a major, the College of Individualized Studies may be your academic home. The Individualized BA degree program gives you the opportunity to:

- Focus your degree on your individual learning and career
- Combine multiple subjects from across the university curriculum
- Earn credit for learning outside the classroom
- Apply up to 80 Technical Program credits to your four-year degree

“To navigate the limitless possibilities of the individually designed academic experience, students are assigned academic advisors who assist them in their progress toward completion of the degree.”

### *Montana State University Directed Interdisciplinary Studies*

<https://www.montana.edu/honors/dis.html>

“The Directed Interdisciplinary Studies (D.I.S.) degree is for undergraduates who want to pursue an area of scholarly/creative inquiry that falls outside the established departmental structure and existing degree programs at MSU. The D.I.S. degree integrates at least three academic disciplines, as identified by the student and approved by the student’s Faculty Advisory Committee

(FAC). A "discipline" can be a current program offered at MSU, but it need not be: disciplines can span departments and/or include courses or programs at other institutions.

“The FAC members will represent the student's academic disciplines and will work collaboratively with the student and D.I.S. Director to design and approve coursework and an independent research or creative project to address the intersection of the student’s interests. Each D.I.S. degree curriculum has the potential to be uniquely suited to each individual student. The student, with approval by the FAC, will determine whether the degree will be designated as a B.S. or a B.A., depending on the specific combination of academic disciplines for their degree.

“The D.I.S. program is not intended as an exploratory experience for students who are undecided about choosing a major: rather, the program is for independently-driven students have a directed goal that requires interdisciplinarity. Such a skillset can be highly valuable for futures in entrepreneurship, leadership, medical school, law school, and many other interdisciplinary fields. We expect students graduating with a D.I.S degree to have cultivated the following (outcomes of the D.I.S program):

- Learn three specific technical skills related to disciplines of focus
- Use consilience to solve complex interdisciplinary problems
- Build project management skills
- Communicate and collaborate across disparate communities
- Develop a professional network
- Produce a professional, scholarly product related to the D.I.S. project

“Students may formally apply for admission to the D.I.S. program no earlier than the second semester of their freshman year. Students interested in pursuing a D.I.S. degree are encouraged to schedule a meeting with the D.I.S. Director, Dr. Logan Schultz, ([logan.schultz@montana.edu](mailto:logan.schultz@montana.edu)) to discuss their plans. The D.I.S. Oversight Board members are also great resources who are familiar with the program. Prospective students can reach out to them with questions about potential mentors or specific fields of interest.”

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – D**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Agreement on Academic Cooperation – SDSMT**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

**BACKGROUND / DISCUSSION**

Board of Regents Policy 5:3 – Agreements and Contracts requires board action on a range of items including “Affiliative agreements and other agreements that provide for joint sponsorship of educational programing for which credit shall be awarded.” To comply with this requirement, South Dakota School of Mines and Technology (SDSMT) seeks approval to enter into an agreement on academic cooperation with Shoolini University, Bajhol, Himachal Pradesh, India.

**IMPACT AND RECOMMENDATION**

The South Dakota School of Mines and Technology actively seeks international partnership opportunities with universities that are reviewed and deemed to be a good match in our academic and research areas. These partnerships provide pathways for collaboration in research and exchange of students, faculty, and staff.

Regarding student exchange, unless otherwise specified in a supplemental written agreement, exchange students will pay tuition and fees to their host institution. Students will be responsible for paying for their own housing, meals, travel and any other incidental costs. This agreement would be valid for a period of five years.

**ATTACHMENTS**

Attachment I – Agreement on Academic Cooperation: SDSMT & Shoolini

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-D:**

I move to approve the South Dakota School of Mines and Technology’s agreement on academic cooperation with Shoolini University, as presented.





## MEMORANDUM OF UNDERSTANDING

between

**South Dakota School of Mines & Technology  
Rapid City, South Dakota, USA**

and

**Shoolini University  
Bajhol, Himachal Pradesh, INDIA**



Shoolini University, Bajhol, Himachal Pradesh, India (hereafter referred to as “Shoolini”) and the South Dakota School of Mines & Technology of Rapid City, South Dakota, USA (hereafter referred to as “South Dakota Mines”), believe the development of collaborative academic, educational, and scientific goals are of mutual value, which are set forth in this Memorandum of Understanding (MOU).

All collaborative efforts will be entered into with due diligence given to ethical and professional considerations and standards. Cooperative activities will be developed on the basis of equality, reciprocity, and promoting sustainable partnerships.

Within fields that are mutually acceptable, the following general forms of cooperation will be pursued:

- Staff exchange and collaboration
  - The two institutions agree in principle to the possibility of exchanges by faculty members and general staff (administrative and technical). The details of such arrangements will be negotiated at the appropriate time and will be governed by the institutional staffing rules and relevant approval processes. The participating institutions shall not be responsible for any private arrangements made by participating staff members concerning exchange of accommodation, vehicles, etc.
- Joint research activities and publications
  - Cooperative research is to be encouraged as individual scholars establish contact and develop mutual interests.
- Each party will encourage continuing education and professional development for teachers, professors, and academic staff, which may include
  - Visits for studying teaching principles and methods
  - Exchange of academic materials and other information
  - Participation in seminars, congresses and meetings
- Student participation
  - Each party will recommend potential students for matriculation of the other university's appropriate academic programs on a reciprocal basis. The student's acceptance is subject to approval by the host university. The host institution will provide guidance and identify options for students in locating living accommodations and will place the students in appropriate academic programs. Unless otherwise specified in a supplemental written agreement, students will be responsible for meeting their own costs of living and paying tuition and fees to the host institution.

Shoolini and South Dakota Mines agree to continue discussions on further cooperative activities as opportunities arise. Both institutions recognize that collaborative efforts will be of mutual benefit and will contribute to an enduring institutional linkage for cooperation in education and research.

Detailed descriptions of additional activities shall be defined in a separate addendum to the MOU. The addendum will include detailed information on the activity, including legal considerations for each university's home country and governing body.

Both universities agree that all additional activities are dependent on the availability of funds. Both universities agree to seek financial support for the activities stated in this MOU.

This Memorandum of Understanding becomes effective on the date of signature. It is valid for five years with the understanding that it can be terminated by either party with six months notice, unless an earlier termination is mutually agreed upon. Revisions or modifications may be proposed at any time, effective from the date of written agreement signed by both parties.

<b>Signed on behalf of Shoolini University by</b>	<b>Signed on behalf of South Dakota School of Mines &amp; Technology By</b>
<b>Prof. Atul Khosla Vice Chancellor</b>	<b>Jim Rankin, PhD PE President</b>
<b>Date:</b>	<b>Date:</b>

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – E**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Articulation Agreements – NSU**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:27](#) – Program to Program Articulation Agreements

**BACKGROUND / DISCUSSION**

Board of Regents Policy 2:27 – Program to Program Articulation Agreements establishes requirements for institutions seeking to develop program level agreements for interested transfer students. The policy further establishes the distinction between AA, AS, and AAS degrees, which are classified as transferable, terminal, or non-transferable degrees (respectively). However, the AAS is “transferable when a specific degree articulation agreement exists between a given A.A.S. degree and a specific Baccalaureate degree.” Agreements established with regionally accredited institutions must be developed in conjunction with the faculty, following all institutional guidelines and are monitored as a function of the institutional program review process. Once approved, the agreements apply only at Regental institutions with equivalent programs.

**IMPACT AND RECOMMENDATION**

To comply with BOR Policy 2:27, Northern State University (NSU) requests approval for the following articulation agreements:

- Students who have completed an Associate of Applied Science (AAS) degree program at Southeast Technical College (STC) can apply credit toward a Bachelor of Science (BS) degree in the College of Professional Studies – Business at NSU.
- Students who have completed an Associate of Applied Science (AAS) degree program at Southeast Technical College (STC) can apply credit toward a Bachelor of Science (BS) degree in the College of Professional Studies – Sports Sciences at NSU.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – NSU Articulation Agreements: STC

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-E:**

I move to approve Northern State University’s articulation agreements with Southeast Technical College, as presented in Attachment I.

## ARTICULATION AGREEMENT

### **Southeast Technical College** Associate Applied Science Degree Programs

### **Northern State University** Bachelor of Science in Accounting Bachelor of Science in Banking and Financial Services Bachelor of Science in Business Administration Bachelor of Science in Finance Bachelor of Science in Management Bachelor of Science in Marketing

- I. Articulation Agreement between Northern State University (NSU) and Southeast Technical College (STC) Business Articulation Agreement is prepared per [SDBOR Policy 2:7 Program to Program Articulation Agreements](#). All NSU programs in the College of Professional Studies – Business are available both fully online and on-campus. Northern will waive the additional BS course requirements for BS degrees for STC AAS graduates.
  
- II. Purpose:
  - a. Establish an articulation agreement that addresses the varying needs of students and the complementary nature of the institution's programs.
  - b. Provide increased educational opportunities for students from South Dakota and the region.
  - c. Extend and clarify educational opportunities for students from South Dakota and the region.
  - d. Provide Southeast Technical College students who have completed an AAS degree program an opportunity to earn a Bachelor of Science degree from Northern State University's College of Professional Studies – Business.
  - e. Establish collaborative communication protocols between STC and NSU Admissions, Registrars, Advisors, Distance Education Staff, and Faculty.
  - f. Establish shared marketing and promotion of the articulation agreement.
  
- III. SDBOR Policies and Guideline
  - a. [SDBOR Policy 2:5 – Transfer of Credit](#)
  - b. [SDBOR Policy 2:31 – Articulation of General Education Courses: South Dakota Technical Colleges with a Memorandum of Agreement with the Board of Regents.](#)
  - c. [SDBOR Academic Affairs – Transferrable Gen Ed with South Dakota Technical Colleges](#)

#### IV. Transferrable Credits to NSU:

- a. STC students who complete an AAS degree from STC may matriculate to NSU to complete a BS degree from the College of Professional Studies – Business with course to course and block transfer credits outlined in the STC to NSU Business Articulation Transfer Table per SDBOR Policies and Guidelines.
- b. SDBOR Policy 2:5 paragraph 1.3 limits the number of transferrable credits to 60.
- c. SDBOR Policy 2:31 and SDBOR Academic Affairs Guideline identify the general education courses eligible for transfer from South Dakota Technical Colleges.

#### V. Academic Pathways:

- a. The business core and major degree requirements are listed in the [NSU catalog](#):
  - i. [Accounting BS](#)
  - ii. [Banking and Financial Services \(BS\)](#)
  - iii. [Business Administration \(BS\)](#)
  - iv. [Finance \(BS\)](#)
  - v. [Management \(BS\)](#)
  - vi. [Marketing \(BS\)](#)
- b. STC course SSS 100 fulfills NSU course IDL 190-degree requirement (2 credits).
- c. STC students who earn an AAS in Accounting and matriculate to NSU BS Accounting receive credit for: ACCT 210, ACCT 211, CSC 273, and BADM 102 (12 credits total in major program requirements in the Business Core).
- d. STC students who earn an AAS in Business Administration; Business Administration: Agribusiness; Entrepreneurship; or Marketing and matriculate to the NSU BS in Banking and Financial Services; Business Administration; Finance; Management; or Marketing receive credit for BADM 102, BADM 244, and BADM 370 (9 credits total in the Business Core).
- e. Block Transfer of STC Credits for Electives:
  - i. AAS in Accounting or Business Administration, Business Administration: Agribusiness; Entrepreneurship; or Marketing receive a block transfer of 21 credits in Business electives, BADM 292T.
  - ii. STC students who earn an AAS in any non-Business program receive a block transfer of 21 credits in general electives, ELEC 292T.
- f. Additional general education coursework and general elective courses may be taken at STC if equivalent courses are available at NSU.

#### VI. Additional Opportunities for STC Students matriculating to NSU:

- a. Accounting Majors are eligible for admission to NSU's accelerated Master of Science Accounting Analytics (MSAA).
  - i. Students must meet all requirements for admission to NSU Graduate Studies and the accelerated MSAA at NSU.
  - ii. After completing 90 credits (STC and NSU) students may apply for admission to NSU Graduate Studies accelerated MSAA program.
- b. Non-Accounting Majors are eligible for admission to NSU's accelerated Master

of Science in Banking and Financial Services (MSB&F).

- i. Students must meet all requirements for admission to NSU Graduate Studies and the accelerated MSB&F at NSU.
- ii. After completing 90 credits (STC and NSU) students may apply for admission to NSU Graduate Studies accelerated MSB&F program.
- c. Dacotah Bank, headquartered in Aberdeen with locations in more than 30 communities in South Dakota, Minnesota, and North Dakota, guarantees STC AAS graduates who graduate with NSU BSB&F or MSB&F degree program an interview. Students interested in the Dacotah Bank interview will contact NSU Career Services.

VII. Agreement Administration

- a. NSU and STC Leadership will meet at least annually in July to review all articulation agreements.
- b. Institutions will create a combined annual report detailing the progress of the articulation agreement.
- c. Curriculum changes to the AAS degrees at STC and the BS degrees in the NSU College of Professional Studies – School of Business will be communicated annually between the STC Provost and the NSU Associate Provost by May 31.
- d. Student Information System coding will be created to identify and track students participating in the articulation agreement.
- e. Articulation information will be posted to institutional websites.
- f. Marketing and promotion materials specific to this articulation agreement will be co-branded in collaboration with respective Communications/Marketing departments.
- g. Admissions, Registrars, Advisors, Distance Education Staff, and Faculty will establish an annual meeting to review, update, and share program promotions.
- h. NSU will provide current Programs of Study for STC students planning to complete a BS degree at NSU per this Articulation Agreement.

VIII. Northern State University and Southeast Technical College will collaborate on modifications to this agreement. Modifications may not diminish the entitlements enjoyed by students who have already attended classes delivered under the terms of earlier versions of the agreement, except in rare instances in which retroactive implementation of modifications may be required to comply with accreditation standards or to conform to professional licensure requirements.

IX. The term of this agreement is for an indefinite period beginning January 1, 2022, subject to mutual continuation of the agreement. The agreement applies to STC AAS graduates since January 1, 2012..

X. Termination

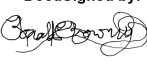
- a. This agreement may be terminated by either party upon one year's written notice to the other. Student(s) enrolled in the program at that time shall be allowed to complete the program.
- b. This agreement depends upon the continued availability of appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the

## NSU and STC Articulation Agreement for Business Degrees 20211021

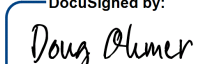
Legislature fails to appropriate or grant expenditure authority or funds become unavailable by operation of law or federal funds reductions, this Agreement will be terminated by Northern State University.

- c. Termination for any of these reasons is not a default by Northern State University nor does it give rise to a claim against Northern State University.

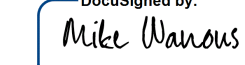
XI. The signatures affixed below agree to the articulation agreement described above. This articulation agreement is considered automatically renewed unless changes are required or written notification of cancellation is provided. NSU or STC may cancel this agreement with one-year notice, before or during the July meeting of NSU and STC Leadership (see Section V, above).

DocuSigned by:  
  
 F13701E04CD5431...  
 Director of Online & Continuing Education (Date)

DocuSigned by:  
  
 3F136A0DC774DB...  
 Vice President Academic Affairs STC (Date)

DocuSigned by:  
  
 5C5ECBA933C7443...  
 Dean College of Professional Studies (Date)

DocuSigned by:  
  
 A11AE12909284DA...  
 AVPAA/Director Graduate Studies  
 (Date)

DocuSigned by:  
  
 E83CF78B3D56425...  
 Provost/VP of Academic Affairs  
 (Date)

DocuSigned by:  
  
 EF05523E46BC452...  
 NSU President (Date)

## STC to NSU Business Articulation Transfer Table

NSU BS Major	To Be Taken at NSU				To Be Taken at STC			
	Major Credits	Business Core	General Education	Total Credits at NSU	Course for Course transfer toward Business degree at NSU upon AAS completion at STC*	Block Transfer of Business Electives toward Business degree at NSU upon AAS completion at STC**	Predicted Course for Course transfer of Transferrable General Education Requirements from STC toward general education at NSU****	Total Credits at STC
<b>NSU BS Accounting (online or on campus) major open only to those with STC AAS in Accounting</b>								
Accounting	27	33-36	18-21	<b>78-84</b>	12	21	9-12	<b>42-45</b>
<b>NSU Business degree programs (all available online or on campus) are open to students who completed STC AAS in Business Administration, Business Administration: Agribusiness, Entrepreneurship, or Marketing.</b>								
Banking and Financial Services	24	36-39	18-21	<b>78-84</b>	9	21	9-12	<b>39-42</b>
Business Administration	24	36-39	18-21	<b>78-84</b>	9	21	9-12	<b>39-42</b>
Finance	27	36-39	18-21	<b>81-87</b>	9	21	9-12	<b>39-42</b>
Management	24	36-39	18-21	<b>78-84</b>	9	21	9-12	<b>39-42</b>
Marketing	24	36-39	18-21	<b>78-84</b>	9	21	9-12	<b>39-42</b>
<b>NSU Business degree programs (all available online or on campus) are open to students who completed STC AAS in any non-business field</b>								
NSU BS Major	To Be Taken at NSU				To Be Taken at STC			
	Major Credits	Business Core	General Education	Total Credits at NSU	Course for Course transfer toward Business degree	Block transfer of technical credits from STC toward general electives (to reach the required 120 credits in the degree) at NSU STC***	Predicted Course for Course transfer of Transferrable General Education Requirements from STC toward general education at NSU****	Total Credits at STC
Banking and Financial Services	24	45-48	18-21	<b>87-93</b>	2	21	9-12	<b>32-35</b>
Business Administration	24	45-48	18-21	<b>87-93</b>	2	21	9-12	<b>32-35</b>
Finance	27	45-48	18-21	<b>90-96</b>	2	21	9-12	<b>32-35</b>
Management	24	45-48	18-21	<b>87-93</b>	2	21	9-12	<b>32-35</b>
Marketing	24	45-48	18-21	<b>87-93</b>	2	21	9-12	<b>32-35</b>
* Course for course transfer of 12 credits STC AAS Accounting to NSU BS Accounting: IDL 190 (2); ACCT 210 (3); ACCT 211 (3); CSC 273 (3); BADM 102 (1)								
* Course for course transfer of 9 credits STC AAS Business to NSU BS in non-Accounting Business: IDL 190 (2); BADM 102 (1); BADM 244 (3); BADM 370 (3)								
* Course for course transfer of 2 credits STC AAS in any field to NSU BS or BA in non-Accounting Business: IDL 190 (2)								
** STC students who earn an AAS in a Business (Accounting, Business Administration, Business Administration: Agribusiness, Entrepreneurship, or Marketing from STC receive 21 credits of general business electives NSU.								
*** STC students who earn an AAS degree in any field from STC can bring in a block transfer of up to 21 technical credits toward general electives at NSU. Total number of credits transferred from STC to NSU cannot exceed 60.								
**** Course for course transfer of transferable general education credits from STC to NSU for students who earn an AAS degree in any field from STC. Students may take additional transferable general education courses at STC and transfer course to course, total transfer credits cannot exceed 60. Encourage STC students take MATH 114 and ECON 201 for STC general education requirements.								



## ARTICULATION AGREEMENT

### **Southeast Technical College**

Associate of Applied Science Degree Programs

### **Northern State University**

Bachelor of Science in Human Performance: Exercise for Special Populations Emphasis

Bachelor of Science in Human Performance: Health Promotions Emphasis

Bachelor of Science in Sport Marketing and Administration

- I. Articulation Agreement between Northern State University (NSU) and Southeast Technical College (STC) Sports Sciences Articulation Agreement is prepared per [SDBOR Policy 2:7 Program to Program Articulation Agreements](#). All NSU programs in the College of Professional Studies – Sports Sciences are available at the NSU Campus in Aberdeen. Northern will waive the additional BS course requirements for BS degrees for STC AAS graduates.
- II. Purpose:
  - a. Establish an articulation agreement that addresses the varying needs of students and the complementary nature of the institution's programs.
  - b. Provide increased educational opportunities for students from South Dakota and the region.
  - c. Extend and clarify educational opportunities for students from South Dakota and the region.
  - d. Provide Southeast Technical College students who have completed an AAS degree program an opportunity to earn a Bachelor of Science degree from Northern State University's College of Professional Studies – Sports Sciences.
  - e. Establish collaborative communication protocols between STC and NSU Admissions, Registrars, Advisors, Distance Education Staff, and Faculty.
  - f. Establish shared marketing and promotion of the articulation agreement.
- III. SDBOR Policies and Guideline
  - a. [SDBOR Policy 2:5 – Transfer of Credit](#)
  - b. [SDBOR Policy 2:31 – Articulation of General Education Courses: South Dakota Technical Colleges with a Memorandum of Agreement with the Board of Regents.](#)
  - c. [SDBOR Academic Affairs – Transferrable Gen Ed with South Dakota Technical Colleges](#)

## IV. Transferrable Credits to NSU:

- a. STC students who complete an AAS degree from STC may matriculate to NSU to complete a BS degree from the College of Professional Studies – School of Education with course to course and block transfer credits outlined in the STC to NSU Articulation Transfer Table below per SDBOR Policies and Guidelines.
- b. SDBOR Policy 2:5 paragraph 1.3 limits the number of transferrable credits to 60.
- c. SDBOR Policy 2:31 and SDBOR Academic Affairs Guideline identify the general education courses eligible for transfer from South Dakota Technical Colleges.

## V. Academic Pathways:

- a. The Sports Sciences core and major degree requirements are listed in the [NSU catalog](#):
  - i. [Human Performance \(BS\) emphasis Exercise for Special Populations](#)
  - ii. [Human Performance \(BS\) emphasis Health Promotion](#)
  - iii. [Sport Marketing and Administration \(BS\)](#)
- b. STC course SSS 100 fulfills NSU course IDL 190-degree requirement (2 credits).
- c. STC students who earn an AAS and matriculate to NSU BS Human Performance or BS Sport Marketing and Management receive 30 credits in general elective, ELEC 292T.
- d. Additional general education coursework and general elective courses may be taken at STC if equivalent courses are available at NSU.

	To Be Taken at NSU			To Be Taken at STC			
	Major Credits	Predicted General Education	Total Credits at NSU	Course for Course transfer toward Sport Sciences degree at NSU upon A.A.S. completion at STC*	Block transfer of technical credits from STC toward general electives (to reach the required 120 credits in the degree) at NSU upon A.S.S completion at STC**	Predicted Course for Course transfer of Transferrable General Education Requirements from STC toward general education at NSU***	Total Credits at STC
<b>NSU BS Major in School of Education - Sport Sciences Department</b>							
NSU B.S. degree programs in Sport Sciences (all available on campus), including B.S. in Human Performance - Health Promotion; B.S. in Human Performance - Exercise for Special Populations; or B.S. in Sport Marketing and Administration are open to students who completed STC A.A.S. in any field.							
Human Performance - Health Promotion	62	15-18	77-80	2	30	12-15	44-47
Human Performance - Exercise for Special Populations	62	15-18	77-80	2	30	12-15	44-47
Sport Marketing and Administration	62	15-18	77-80	2	30	12-15	44-47
Course for course transfer of 2 credits STC AAS in any field to NSU BS degree program: IDL 190 (2)							
* STC students who earn an A.A.S. degree in any field from STC can bring in a block transfer of up to 30 technical credits toward general electives (ELEC 292) at NSU. Total number of credits transferred from STC to NSU cannot exceed 60.							
** Course for course transfer of transferable general education credits from STC to NSU for students who earn an A.A.S. degree in any field from STC. STC students may take additional transferable general education courses at STC and transfer them course to course to NSU, following SDBOR policy. Total credits transferred cannot exceed 60.							

## VI. Additional Opportunities for STC Students matriculating to NSU:

- a. STC AAS graduates who matriculate to NSU BS Human Performance or BS Sport Marketing and Administration are eligible for admission to NSU's accelerated Master of Science Sports Performance and Leadership (MSED).

## NSU and STC Articulation Agreement for Education Degrees 20210914

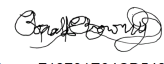
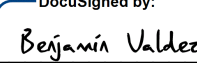
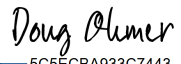
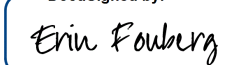
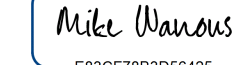
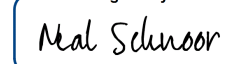
- i. Students must meet all requirements for admission to NSU Graduate Studies and the accelerated MSAA at NSU.
    - ii. After completing 90 credits (STC and NSU) students may apply for admission to NSU Graduate Studies accelerated MEd program.
  - b. STC students admitted to NSU are guaranteed an interview with NSU Athletics Department for work-study, student labor, or graduate assistant positions. Students interested in the NSU Athletic interview will contact NSU Career Services.
- VII. Agreement Administration
  - a. NSU and STC Leadership will meet at least annually in July to review all articulation agreements.
  - b. Institutions will create a combined annual report detailing the progress of the articulation agreement.
  - c. Curriculum changes to the AAS degrees at STC and the BS degrees in the NSU College of Professional Studies – Sports Sciences will be communicated annually between the STC Provost and the NSU Associate Provost by May 31.
  - d. Student Information System coding will be created to identify and track students participating in the articulation agreement.
  - e. Articulation information will be posted to institutional websites.
  - f. Marketing and promotion materials specific to this articulation agreement will be co-branded in collaboration with respective Communications/Marketing departments.
  - g. Admissions, Registrars, Advisors, Distance Education Staff, and Faculty will establish an annual meeting to review, update, and share program promotions.
  - h. NSU will provide current Programs of Study for STC students planning to complete a BS degree at NSU per this Articulation Agreement.
- VIII. Northern State University and Southeast Technical College will collaborate on modifications to this agreement. Modifications may not diminish the entitlements enjoyed by students who have already attended classes delivered under the terms of earlier versions of the agreement, except in rare instances in which retroactive implementation of modifications may be required to comply with accreditation standards or to conform to professional licensure requirements.
- IX. The term of this agreement is for an indefinite period beginning January 1, 2022, subject to mutual continuation of the agreement. The agreement applies to STC AAS graduates since January 1, 2012.
- X. Termination
  - a. This agreement may be terminated by either party upon one year's written notice to the other. Student(s) enrolled in the program at that time shall be allowed to complete the program.
  - b. This agreement depends upon the continued availability of appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate or grant expenditure authority or funds become

## NSU and STC Articulation Agreement for Education Degrees 20210914

unavailable by operation of law or federal funds reductions, this Agreement will be terminated by Northern State University.

- c. Termination for any of these reasons is not a default by Northern State University nor does it give rise to a claim against Northern State University.

XI. The signatures affixed below agree to the articulation agreement described above. This articulation agreement is considered automatically renewed unless changes are required or written notification of cancellation is provided. NSU or STC may cancel this agreement with one-year notice, before or during the July meeting of NSU and STC Leadership (see Section V, above).

<p>DocuSigned by:    F13701E04CD5431...  10/21/2021</p>	<p>DocuSigned by:    2F1D46B67F7408...  10/21/2021</p>
Director of Online & Continuing Education(Date)	Vice President Academic Affairs STC (Date)
<p>DocuSigned by:    5C5ECBA933C7443...  10/21/2021</p>	
Dean College of Professional Studies (Date)	
<p>DocuSigned by:    A11AE12909284DA...  </p>	
AVPAA/Director Graduate Studies (Date)	
<p>DocuSigned by:    E83CF78B3D56425...  </p>	
Provost/VP of Academic Affairs (Date)	
<p>DocuSigned by:    EF05523F46BC452...  10/22/2021</p>	
NSU President (Date)	

Plan of Study for Articulation Agreement  
Southeast Technical College AAS Degree  
and  
Northern State University BS Human Performance

Student Name:		
STC Degree:		
Degree Requirements	Health Promotion Emphasis Transfer/Completed Credits	Special Population Emphasis Transfer/Completed Credits
Block Transfer of upto 45 General Credits from any completed STC AAS Degree		
SDBOR General Education Requirments. All Transferrable Gen Ed Credits from STC will be applied course by course		
Goal 1 - Written Communication 6 Credits		
English Composition I		
English Composition II		
Goal 2 - Oral Communications 3 credits		
Goal 3 - Social Sciences/Diversity 6 credits		
Discipline 1		
Discipline 2		
Goal 4 - Humanities and Arts/Diversity 6 credits		
Discipline 1		
Discipline 2		
Goal 5 - Mathematics 3 credits		
Math 103 or higher		
Goal 6 - Natural Sciences 6 credits		
Science 1		
Science 1		
BS Degree Requirements		
Human Values 3 - credits		
Quantitative Course 3 - credits		
Additional Course 3 - credits		
NSU BSHPE Degree Requirements		
HLTH 103 Personal Health 2-credits		
HLTH 201 ATOD Prevention Education 2-credits		
HLTH 240 Health & Fitness for Special Populations 3-credits		
HLTH 251 First Aid & CPR 1-credit		
HLTH 320 Community Health 3-credits		
HLTH 400 Health Promotion & Advocacy 3-credits		
HLTH 422 Nutrition 3-credits		
IDL 190 First Year Seminar 2-credits		
PE 100 Weight Training 1-credits - Co-requisite PE 200		
PE 180 Foundations of HPER/A 2-credits		
PE 183 Professional Communications in HPER/A 3-credits		
PE 200 Professional Preparation: Fitness 1-credits - Co-requisite PE 100		
PE 250/L Anatomy & Physiology/Anatomy & Physiology Lab 4-credits		
PE 334 Social & Behavioral Issues in HPER/A 3-credits		
PE 350 Exercise Physiology 3-credits		
PE 379 Sport for Individuals with Disabaility 3-credits		
PE 395 Practicum 3-credits		
PE 400 Exercise Test & Prescription 3-credits		
PE 410 Program Design for Strength & Conditioning 3-credits		
PE 440 Organization and Administration of HPER/A 3-credits		
PE 451 Test & Measurements 2-credits		
PE 452 Motor Learning & Development 3 Credits		
PE 454 Biomechanics 3-credits		
PE 457 Psychology of Human Performance 3-credits		
PE 459 Introduction to Research Methods 3-credits		
PE 482 Theory of Strength & Conditioning 3-credits		
PE 496/498 Field Experience or Undergraduate Research 3-credits		
	0	0
Student Signature:		
Advisor Signature:		

Plan of Study for Articulation Agreement  
Southeast Technical College AAS Degrees  
and  
Northern State University Sport Marketing & Administration

Student Name:	
STC Degree:	
Degree Requirements	Sport Marketing & Administration
Block Transfer of upto 45 General Credits from any completed STC AAS Degree	
SDBOR General Education Requiments. All Transferrable Gen Ed Credits from STC will be applied course by course	
Goal 1 - Written Communication 6 Credits	
English Composition I	
English Composition II	
Goal 2 - Oral Communications 3 credits	
Goal 3 - Social Sciences/Diversity 6 credits	
Recommend ECON 201	
Recommend ECON 202	
Goal 4 - Humanities and Arts/Diversity 6 credits	
Discipline 1	
Discipline 2	
Goal 5 - Mathematics 3 credits	
MATH 281	
Goal 6 - Natural Sciences 6 credits	
Science 1	
Science 1	
BS Degree Requirements	
Human Values 3 - credits	
Quantitative Course 3 - credits	
Additional Course 3 - credits	
NSU Sport Marketing & Administration Degree Requirements	
IDL 190 First Year Seminar 2-credits	
PE 180 - Foundations of HPER/A 2-credits	
PE 183 - Professional Communications in HPER/A 3-credits	
PE 334 - Behavioral and Social Science Issues in HPER/A 3-credits	
PE 379 - Sport for Individuals with Disabilities 3-credits	
PE 395 - Practicum 3-credits	
PE 411 – Sport Marketing 3-credits	
PE 412 – Financial Aspects of Sport 3-credits	
PE 413 - Sport Administration Colloq 3-credits	
PE 414 – Sport Law & Ethics 3-credits	
PE 440 – Organization and Administration of HPER 3-credits	
PE 456 - Global Aspects of Sport 3-credits	
PE 457 - Psychology of Human Performance 3-credits	
PE 459 - Introduction to Research Methods 3-credits	
PE 467 – Event Planning & Program Development 3-credits	
PE 496 - Internship 6-credits	
ACCT 210 – Principles of Accounting I 3-credits	
ACCT 211 – Principles of Accounting II 3-credits	
BADM 370 - Marketing 3-credits	
BADM 372 - Advertising 3-credits	
BADM 350 - Legal Environment of Business 3-credits	
BADM 360 - Organization and Management 3-credits	
	0
Student Signature:	
Advisor Signature:	

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – F**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**USD and Morningside University Admissions Policy MOU**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

**BACKGROUND / DISCUSSION**

The University of South Dakota (USD) Knudson School of Law is seeking to enter into a Memorandum of Understanding (MOU) with Morningside University.

**IMPACT AND RECOMMENDATION**

The attached MOU would allow undergraduates in their Junior (penultimate) year of study at Morningside University to apply for admission to the USD Knudson School of Law's Juris Doctor (JD) Program. Pursuant to the provisions of this MOU, students who successfully advance through one year of the JD Program will satisfy the remaining requirements for a bachelor's degree from Morningside University.

Board office staff recommends approval of the MOU.

**ATTACHMENTS**

Attachment I – Memorandum of Understanding: USD & Morningside University

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-F:**

I move to approve the Memorandum of Understanding between the University of South Dakota and Morningside University, as presented.

MEMORANDUM OF  
UNDERSTANDING BETWEEN  
THE UNIVERSITY OF SOUTH DAKOTA KNUDSON SCHOOL OF LAW  
AND MORNINGSIDER UNIVERSITY REGARDING "3+3"  
ADMISSIONS POLICY

The University of South Dakota Knudson School of Law and Morningside University desire to coordinate their programs to allow undergraduates in their Junior (penultimate) year of study to apply for admission to South Dakota Law's Juris Doctor (JD) Program. Pursuant to the provisions of this Memorandum of Understanding, students who successfully advance through one year of the Knudson School of Law's JD Program will satisfy the remaining requirements for a bachelor's degree from Morningside University.

The Knudson School of Law and Morningside University agree as follows:

1. As part of its regular admissions process, the Knudson School of Law will include in the applicant pool for its JD Program any Qualified Applicant from Morningside University. "Qualified Applicant" shall mean an undergraduate student who:
  - a. is enrolled in a bachelor's-degree program at Morningside University;
  - b. timely submits a completed application to the Knudson School of Law during his or her junior year for that year's admissions cycle; and
  - c. takes the Law School Admissions Test (LSAT) and timely submits the reported score to the Knudson School of Law.
2. Knudson School of Law agrees to consider the applications of all Qualified Applicants and offer admission to those who meet the admissions criteria for that year's entering class, subject to limits on available seats due to class size.
3. Morningside University agrees that the successful completion of the first year of the University of South Dakota Knudson School of Law's JD Program by a Qualified Applicant will qualify him or her for a bachelor's degree from Morningside University. Morningside University will certify degree completion and conferral of any Qualified Applicant at his or her request or the request of the Knudson School of Law.
  - a. Knudson School of Law retains the sole right to determine whether a student has successfully completed the first year of the JD Program, be based on satisfactory completion of all regular academic requirements and the absence of any conduct that would prevent the student from continuing the JD program.
  - b. Morningside University retains the right to impose its own requirements for degree conferral and Qualified Applicant status, such as the completion of specified courses, a GPA above a specified threshold, etc.

4. This Memorandum of Understanding shall remain in effect until July 31<sup>st</sup> next



following its adoption. It shall automatically renew for five succeeding 12-month terms beginning on August 1 unless either party gives written notice of termination to the other prior to that date. It may also be terminated at any time upon written notice if it becomes inconsistent with the standards or requirements of an accrediting or governing body of either the University of South Dakota or Morningside University.

This Memorandum reflects the understanding of the University of South Dakota Knudson School of Law and Morningside University, as signified by their respective authorized signatures below.

UNIVERSITY OF SOUTH DAKOTA

MORNINGSIDE UNIVERSITY

Kurt Hackemer  
Vice-President of Academic Affairs  
and Provost

Christopher Spicer  
Vice President for Academic  
Affairs

Date:

Date:

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – G**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Dual Credit In-District Delivery MOU – SDSU & Brookings School District**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:5](#) – Transfer of Credit

[AAC Guideline 7.1](#) – Dual/Concurrent Credit Administration Guidelines

**BACKGROUND / DISCUSSION**

South Dakota State University (SDSU) is requesting authorization to renew a preexisting Memorandum of Understanding (MOU) to offer In-District Delivery of High School Dual Credit (HSDC) to the Brookings School District for the Spring 2022 semester. The original MOU was approved by the Board in [April 2019](#).

**IMPACT AND RECOMMENDATION**

The attached MOU between the Board and the Brookings School District complies with established guidelines for In-District Delivery.

Board office staff recommends approval of the MOU.

**ATTACHMENTS**

Attachment I – MOU Between SDBOR and Brookings School District

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-G:**

I move to approve the Memorandum of Understanding between the Board of Regents and the Brookings School District for in-district delivery of High School Dual Credit courses, as presented in Attachment I.

**MEMORANDUM OF UNDERSTANDING**  
 South Dakota Board of Regents/Brookings  
 High School/District  
 January 2022

**1. Purpose**

The purpose of this Memorandum of Understanding (MOU) is to establish guidelines for a collaborative partnership between the South Dakota Board of Regents and the Brookings High School/District. Both parties share a goal of developing and promoting a partnership to deliver fully accredited transferable university courses taught by university personnel at designated school district sites. This MOU will be effective January 1, 2022 through June 30, 2022.

**2. Scope**

This agreement identifies the commitments of each party to develop and deliver university courses to the Brookings High School/District. The South Dakota Board of Regents designates South Dakota State University as the institution providing instruction under this MOU.

**3. Responsibilities**

**3.1 Authority**

- 3.1.1** All current and applicable regental and university policies, guidelines and procedures apply to all course offerings and enrollment requirements.
- 3.1.2** University academic departments, faculty and/or personnel will determine the textbooks and course materials required for each course.
- 3.1.3** Brookings High School/District accepts responsibility for providing appropriate facilities, equipment and technology to deliver university courses in a manner that meets university standards.

**3.2 Development and coordination of course offerings**

- 3.2.1** Institutional staff will serve as the point of contact for communications between the regental system office and the school district regarding course offerings, instructor assignments and schedule of classes.
- 3.2.2** Brookings High School/District will propose course offerings for each semester, with the Institution determining the final schedule of course offerings in collaboration with the regental system office.

**3.3 Scheduling and delivery of courses**

- 3.3.1** The calendar and schedule for courses will align with the university calendar for each semester.
- 3.3.2** Course schedules must meet university accreditation requirements in regard to total hours of class time for the semester, as outlined in SDBOR Policy [2:32](#), Definition and Assignment of Credit Hours.
- 3.3.3** All courses will be taught by university personnel, to be approved by South Dakota State University for each course.

**3.4 Enrollment**

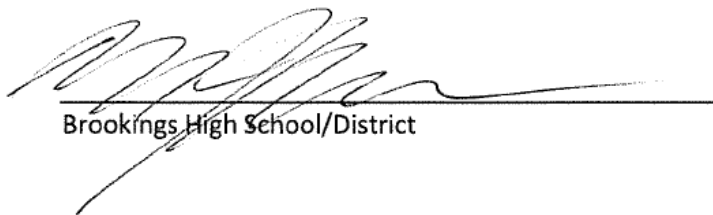
- 3.4.1** South Dakota State University will determine the minimum/maximum enrollment for each course and the number of course sections offered each semester with input from Brookings High School/District. However, guidelines and policies established by the Board of Regents require that in-district delivery shall only occur for sections with a minimum of 18 students; Brookings High School/District shall be assessed the equivalent full HSDC tuition rate per student below the 18 student minimum.

**3.5 Tuition and course materials**

- 3.5.1** Applicable tuition rates will be determined by regental and/or university policy and legislative requirements, with the Brookings High School/District responsible for payment of tuition for its students in university courses offered as part of the in-district delivery.
- 3.5.2** Brookings High School/District or its students will be responsible for the purchase of textbooks and materials required for each course, to be determined by the school district.

**3.6 Registration and advising**

- 3.6.1** South Dakota State University staff will provide a student orientation session at the start of each semester in coordination with the school district and respective universities.
- 3.6.2** All students enrolled in South Dakota State University courses will be assigned an advisor to manage all questions, issues and concerns. Students should not rely on school district staff for guidance on any issues involving university courses.
- 3.6.3** Course registration processes will follow regental system and university requirements and procedures, and South Dakota State University staff will process registrations and assist students as needed.
- 3.6.4** Instructors for university courses will utilize their university's internal early alert system to inform Institutional advisors of any academic performance concerns.
- 3.6.5** South Dakota State University staff will coordinate with the appropriate university entities to provide deficiency reports and final grades to the school district.



\_\_\_\_\_  
Brookings High School/District

11/1/21  
\_\_\_\_\_  
Date

\_\_\_\_\_  
South Dakota Board of Regents

\_\_\_\_\_  
Date

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**REVISED**  
**AGENDA ITEM: 5 – H**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, 4:7 – Grievance Faculty, and BOR Policy 4:14 – Faculty Remediation and Remediation Procedures (Second Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 4:4](#) – Non-Faculty Exempt Employment Provisions

[BOR Policy 4:7](#) – Grievance Faculty

[BOR Policy 4:14](#) – Faculty Discipline and Disciplinary Procedures

**BACKGROUND / DISCUSSION**

The Board approved the [first reading](#) of the proposed revisions to Board of Regents Policies 4:4, 4:7 and 4:14 at its October meeting. Feedback received after the first reading caught two errant “punitive” references in Section C.6. of BOR Policy 4:4, which have since been removed. Additionally, after receiving input from faculty senate, the policy title and related references in BOR Policy 4:14 were changed to reflect “remediation/remediate” vs. “discipline/disciplinary”, where appropriate (highlighted in **yellow** within the attachments), and also to clarify that the imposition of corrective action may be imposed upon communication of the same to the impacted faculty member/employee. No other substantive changes were made since the first reading.

The current language in BOR Policies 4:4, 4:7 and 4:14 fails to bifurcate discipline from corrective action, which has the effect of attaching the extensive process associated with employee discipline to corrective actions (i.e., non-discipline) as well. The proposed revisions to BOR Policies 4:4, 4:7 and 4:14 delineate between corrective action and discipline, and then align the appropriate grievance processes accordingly.

**IMPACT AND RECOMMENDATION**

The proposed revisions set forth in BOR Policies 4:4, 4:7 and 4:14 ensure employees maintain the appropriate due process (i.e., grievance rights) for discipline, while allowing

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-H:**

I move to approve the second and final reading of the proposed revisions to BOR Policy 4:4, BOR Policy 4:7 and BOR Policy 4:14, as presented.

supervisors to implement corrective action in a timely and prudent fashion, without unnecessarily elevating the same to the realm of discipline.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – Proposed Revisions to BOR Policy 4:4

Attachment II – Proposed Revisions to BOR Policy 4:7

Attachment III – Proposed Revisions to BOR Policy 4:14

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Non-Faculty Exempt Employment Provisions

**NUMBER:** 4:4

---

### **A. PURPOSE**

To define the process and provisions relating to the appointment, employment, conduct expectations, compensation practices, remedial actiondisciplinary procedures, and grievance procedures for Non-Faculty Exempt (NFE) employees. This policy supersedes all other BOR policies relating to NFE employees.

### **B. DEFINITIONS**

1. **Day:** Calendar days
2. **Executive Director:** The chief executive officer of the SD Board of Regents.
3. **Grievance:** An alleged misinterpretation, misapplication or violation of a specific term or provision of Board policy, or other agreements, contracts, policies, rules, regulations or statutes that directly affect terms and conditions of employment for the individual employee.
4. **Institution:** Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, South Dakota School for the Blind and the Visually Impaired, South Dakota School for the Deaf, University of South Dakota, and the Office of the Executive Director.
5. **Internal Equity Adjustment:** A salary adjustment to reduce or eliminate an internal pay rate disparity within an Institution or defined Institutional department.
6. **Market Equity Adjustment:** A salary adjustment to reduce or eliminate an external pay rate disparity using recognized market data and peer groups.
7. **Non-Faculty Exempt (NFE):** Employees who are exempt from the Civil Service Act by virtue of their administrative and professional functions.
8. **Performance Adjustment:** A salary adjustment made in recognition of work performance that meets or exceeds performance standards documented through an established review process.
9. **President:** The chief executive officer of a South Dakota Board of Regents University.
10. **Student Employee:** Student employees, including teaching and research fellows, are exempt from the Civil Service System. Student employees are considered temporary employees and not eligible for benefits unless meeting the requirements under the Affordable Care Act.

- 11. Superintendent:** The chief executive officer of a South Dakota Board of Regents Special School.

## **C. POLICY**

### **1. Appointment**

All NFE Institutional personnel will be employed upon the approval of the President, Superintendent, or Executive Director. BOR Policies 1:5 and 1:6 outline when Board approval is required for appointment.

- 1.1. If an Institution wishes to hire a candidate who was previously terminated for cause, or who resigned in lieu of termination, the President or their delegate, and the Office of the Executive Director shall be advised of the circumstances surrounding the termination. The President, Superintendent, or Executive Director will approve or deny the rehire based upon legitimate business and position related reasons.
- 1.2. If an Institution appoints a candidate who is employed by another Institution, the Institutions shall share position related information with the requesting academic or human resource office, and the appointing authority will consider that legitimate business and position related information in the hiring process prior to appointment.

### **2. Employment Contracts**

- 2.1. Upon appointment of a benefit-eligible employee, the University or Special School will issue an employment contract, which may be renewed annually at the discretion of the University President or Superintendent.
- 2.2. NFE employment contracts shall not be more than one year in length, unless otherwise specified in, and issued pursuant to, BOR Policy 4:49.
- 2.3. During a valid contract term, NFE employees may be reassigned for non-discriminatory purposes without cause to any position, so long as the salary is not decreased during the term of the current contract.
- 2.4. NFE Employment contracts may be non-renewed without cause by providing written notice of the non-renewal to the NFE employee prior to the expiration of the current contract term.
- 2.5. An NFE employment contract creates no obligation of the Institution for continued employment beyond the term of the contract and non-renewal of the contract is not an action which can be grieved under BOR or Institutional policy.
- 2.6. NFE employment contracts may be terminated for cause, or as a part of a reduction in force in conformity with this policy and applicable law.

### **3. Compensation Administration**

- 3.1. All compensation adjustments that meet the criteria identified in BOR Policy 1:5(5) and 1:6(4) require Board approval.
- 3.2. Compensation upon Hire or Transfer
  - 3.2.1. Compensation for employees at hire or transfer will be set comparative to the market value of the position as well as the internal equity of the Institution.



- 3.2.2. Institutional hiring authorities shall consult with human resources on compensation decisions at hire or transfer, and the Institution shall consider the position requirements, institutional priorities and the candidate's education, experience, skills, and abilities.

### 3.3. Annual Salary Adjustments

Decisions concerning annual salary policy adjustments will be made in accordance with legislative process and BOR policies. The President, Superintendent or Executive Director determines the Institutional priorities and establish guidelines for salary allocations.

- 3.3.1. Administrators responsible for making individual salary recommendations will follow approved guidelines:
  - 3.3.1.1. The Legislature will identify the salary pool and the Board will approve a total salary policy pool for which Institutions can distribute based on market, performance or institutional priorities.
  - 3.3.1.2. The President, Superintendent or Executive Director can apply institutional priorities to a specific department or area of concentration so long as it is a portion of the total salary policy pool.
  - 3.3.1.3. Administrator recommendations will be reviewed by the appropriate Vice President and/or President.
  - 3.3.1.4. All annual salary policy for benefit eligible employees must be applied through the HRFIS system, those meeting the criteria for Board approval in BOR Policy 1:5 or 1:6 must be report to the Board for approval at its regularly scheduled meeting in May.

### 3.4. Other Base Salary Adjustments

- 3.4.1. Additional Duty Pay: An increase, permanent or temporary, to base salary not exceeding ten percent (10%) may be granted based on a documented additional workload.
- 3.4.2. Duties and Responsibilities Changes: An increase based upon significant change in the duties, scope and responsibility of a position as documented in an approved position description.
  - 3.4.2.1. The adjustment shall be consistent with previous institutional priority decisions of the Institution and must be made in light of internal equity.
- 3.4.3. Internal Equity Adjustment: An increase to base salary to reduce or eliminate documented institutional internal salary disparities that are found after an analyses of position duties, individual qualifications, experience, longevity, work performance or institutional priorities.
- 3.4.4. Market Adjustment: An increase to base salary to reduce or eliminate a documented external salary inequity.

### 3.5. Instruction of Academic Courses

- 3.5.1. An NFE employee may be allowed to instruct an undergraduate or graduate course with the appropriate approval process at the Institution.
- 3.5.2. Compensation for the instructional work should be comparable to the rates provided to temporary faculty for comparable instruction.
- 3.5.3. If the instructional workload is assigned as an overload, the work related to course instruction should be completed outside of the scope of the employee's regular position.

#### **4. Reduction in Force**

- 4.1. An Institution may lay off or reduce the percent time of an NFE employee during a current contract term for the following reasons:

- 4.1.1. Legislative action;
- 4.1.2. Loss of grant, contract or other funding;
- 4.1.3. Governor's executive order; or
- 4.1.4. Reorganization. An Institution may only use this as a means to lay off an employee for such occasions as privatization, the movement of a function to another state agency, the elimination of an organizational function, the consolidation of departments or functions, or a reduction in a program's activities.

#### **4.2. Layoff Notification**

- 4.2.1. An employee shall be given a minimum of fourteen (14) calendar day's written notice prior to the effective date of the layoff or reduction in percent time. The notice shall include:
  - 4.2.1.1. The effective date and reason(s) for the layoff;
  - 4.2.1.2. Information concerning the right to appeal;
  - 4.2.1.3. The timeline in which the employee may present reasons in writing why the layoff should not take place;
  - 4.2.1.4. Notice is effective the day of deposit in the mail of a certified notice, the date electronically sent, or the date personally delivered to the employee.
- 4.2.2. A copy of the layoff notification should be forwarded to the system human resources officer at the time the action is taken.

#### **4.3. Priorities for Layoff**

- 4.3.1. When more than one NFE employee exists in any classification, department, or geographic location designated for a reduction in force, the following criteria will be used to identify the employee(s) who will be laid off or have reduced hours:
  - 4.3.1.1. Performance;
  - 4.3.1.2. Longevity with the Institution and employment status;
  - 4.3.1.3. Special knowledge, skills, abilities and potential of the employee;

- 4.3.1.4. Type and mixture of funding for position and fund status;
- 4.3.1.5. Future needs of the department;
- 4.3.1.6. Geographic location.

#### 4.4. Benefits

- 4.4.1. Any accrued and vested leave will be paid in accordance with South Dakota administrative rules and statutes.

### 5. Code of Conduct

Employees are expected to maintain an effective, orderly, safe and efficient work environment.

#### 5.1. Professional Conduct/Misconduct Defined

- 5.1.1. Disciplinary action, up to and including termination, may be taken, upon notice and a right to respond, for conduct within or outside the scope of employment. Disciplinary action may be taken for just cause, including, but not limited to the reasons listed below:
  - 5.1.1.1. The employee has violated any Board of Regents or institutional policy;
  - 5.1.1.2. The employee violated a confidentiality agreement, non-disclosure agreement, policy, regulation, or law;
  - 5.1.1.3. The employee disrupts the efficiency or morale of the department;
  - 5.1.1.4. The employee is careless or negligent with the money or other property of the state or property belonging to any person receiving services from the state or has stolen or attempted to steal money or property of the state or property belonging to any person receiving services from the state;
  - 5.1.1.5. The employee has failed to maintain a satisfactory attendance record based on the established working hours or has had unreported or unauthorized absences;
  - 5.1.1.6. The employee has made a false or misleading statement or intentionally omitted relevant information during the application and selection process;
  - 5.1.1.7. The employee has intentionally falsified a state record or document;
  - 5.1.1.8. The employee has violated statutes or standard work rules established for the safe, efficient, or effective operation of the campus;
  - 5.1.1.9. A failure to correct deficiencies in performance;
  - 5.1.1.10. A breach of recognized published standards of professional ethics for the employee's profession;
  - 5.1.1.11. Conviction of any felony or the conviction of a misdemeanor involving immoral actions;
  - 5.1.1.12. The unlawful or unauthorized manufacture, distribution, dispensing, possession or use of alcohol or controlled substances while on duty or while on premises owned and controlled by the Board of Regents or used

by the Board of Regents for educational, research, service or other official functions.

5.1.1.13. Insubordination,

5.1.1.14. The use of alcohol, marijuana, or other controlled substances, which impairs performance of duties.

5.1.1.15. Theft of state owned or controlled property.

5.1.1.16. Intentionally and wrongfully counseling, inciting, or participating in a prohibited student or employee activity.

5.1.1.17. Any substantial or irremediable impairment of the ability of a staff employee to perform assigned duties.

## 5.2. Termination of Faculty Appointment

If an NFE employee holds faculty rank, and/or tenure, then the appropriate faculty termination procedures shall be applied.

## **6. Remedial Action Procedures**

### 6.1. Remediation may consist of one of the following actions:

#### 6.1.1. Corrective Action:

6.1.1.1. Verbal warnings or directives which do not constitute discipline; or

6.1.1.2. Written warnings or directives to be filed in the personnel file of the employee which do not constitute discipline.

#### 6.1.2. Discipline:

6.1.2.1. Required training or current substance abuse treatment at the cost of the employee;

6.1.2.2. Suspension from duties with, or without, loss of pay commensurate therewith;

6.1.2.3. Reassignment;

6.1.2.4. Demotion; or

6.1.2.5. Discharge.

### 6.2. Procedures

#### 6.2.1. Corrective Action Procedures

Corrective action may be imposed immediately, upon communication of the corrective action to the employee, pursuant to the discretion of an employee's supervisor. Employees who have had corrective action imposed may request review of the action through the grievance procedure set forth in Section 7 below, subject to the limitation(s) of Section 7.2.3.4.1.

#### 6.2.2. Disciplinary Procedures

##### 6.2.2.1. Stage One: Pre-Discipline Conference

If the administration determines that there are reasonable grounds for discipline, the employee will be furnished written notice of the allegations supporting the determination, an explanation of the evidence relied upon by the administration, and the intended disciplinary action. The matter will be discussed with the employee at a personal conference which will be held at a time not sooner than fourteen (14) calendar days, nor later than twenty-one (21) calendar days from the date of the transmission of the written notice, unless otherwise agreed by the employee and the administration. The employee may bring to this conference a representative chosen by the employee. At the close of the personal conference, or within seven (7) calendar days thereafter, the administration will notify the employee whether it will discipline the employee, how and the effective date of the discipline.

#### 6.2.2.2. Stage Two: Post-Discipline Hearing Rights

Employees who have been disciplined after completion of the Stage One conference may appeal the action through the grievance procedure set forth in Section 7 below. Any grievance appeal under this section will begin at Step Two in Section 7.2.2.

### **6.7. Grievance Procedures**

The grievance procedure provides a just and equitable method for resolution of grievances that affect the terms and conditions of employment.

#### **6.1.7.1. General Provisions**

6.1.1.7.1.1. Grievance procedures are available to NFE employees.

6.1.2.7.1.2. No offer of settlement of a grievance by either party shall be admissible as evidence in later grievance proceedings or elsewhere.

6.1.3.7.1.3. No settlement of a grievance shall constitute a binding precedent in the settlement of similar grievances.

6.1.4.7.1.4. If the grievant fails to act within the time limits provided herein, the administration will have no obligation to process the grievance and it will be deemed withdrawn.

6.1.4.1.7.1.4.1. The parties to any grievance may, by mutual written agreement, waive the time limits provided herein.

6.1.5.7.1.5. If the administration fails to act in time, the grievant may proceed to the next review level by filing the grievance with the appropriate official and within the timeframe required under Section 6.2 and any subsequently issued decision on the matter at the bypassed level will be void.

6.1.6.7.1.6. The Board, administration, or supervisors shall not retaliate against any non-faculty exempt employee for filing or participating in a grievance.

6.1.7.7.1.7. Employees who voluntarily terminate their employment shall have their grievances under this policy immediately withdrawn and shall not benefit by any later settlement of an individual or group grievance.

- ~~6.1.8.~~7.1.8. Grievance records shall not be maintained in the individual's personnel files but shall be maintained in a separate file.
- ~~6.1.9.~~7.1.9. Required written notice may be sent via the Postal Service, delivered by hand, or sent through electronic mail.
- ~~6.1.9.1.~~7.1.9.1. Notice will be effective on the date postmarked by the Postal Service, on the date delivered by hand or on the date sent electronically, provided that, where disruption of institutional electronic communications systems interferes with delivery of an electronic notice, the effective date of notices sent electronically will be delayed until service has been restored.
- ~~6.1.10.~~7.1.10. Grievances will be filed with the lowest administrative level having the authority to dispose of the grievance. If the office of the President, Executive Director, or Vice President represents the lowest administrative level having authority to dispose of the grievance, then the grievance will be filed at Step 2, Step 3 or Step 4 as applicable.
- ~~6.1.11.~~7.1.11. Throughout the grievance process, the grievant shall include copies of the original grievance and all responses and decisions from prior steps, if any.
- ~~6.1.12.~~7.1.12. Throughout each step of the grievance process, any decision issued by the institution shall be provided simultaneously to the grievant and each administrator who issued a decision in prior steps, if any. All decisions issued by the institution in response to a grievance shall include a statement of findings and conclusions supporting the decision.
- ~~6.1.13.~~7.1.13. Informal resolution may be attempted by the parties to a grievance at any point during the grievance procedure. If a grievance is resolved informally, the institution will be under no obligation to proceed further with the grievance.
- ~~6.1.14.~~7.1.14. If the deadline for any action(s) set forth herein falls on a Saturday, Sunday, legal holiday, or any other day in which the institution's administrative offices are closed, the timeframe for the action shall continue to run until the end of the first day thereafter when the institution's administrative offices are open.
- ~~6.2.7.2.~~ Grievance Procedures
- ~~6.2.1.~~7.2.1. Step One – Grievance to Immediate Supervisor
- ~~6.2.1.1.~~7.2.1.1. An employee may file a grievance in writing with the immediate supervisor within fourteen (14) days of the date on which the grievant knew, or should have known, of the action or condition which occasioned the grievance.
- ~~6.2.1.2.~~7.2.1.2. The supervisor, upon receipt of the grievance, will investigate and provide a response to the grievant within seven (7) days.

~~6.2.1.3.7.2.1.3.~~ If the employee is not satisfied with the response, the employee has seven (7) days to proceed to the next step.

~~6.2.2.7.2.2.~~ Step Two – Grievance to Vice President

~~6.2.2.1.7.2.2.1.~~ The employee may submit, in writing, a grievance of decision of the supervisor to the appropriate Vice President of the institution.

~~6.2.2.2.7.2.2.2.~~ A written response shall be delivered to the employee within fourteen (14) days following receipt.

~~6.2.2.3.7.2.2.3.~~ If the employee is not satisfied with the response, the employee has seven (7) days to proceed to the next step.

~~6.2.3.7.2.3.~~ Step 3 – Grievance to President, Superintendent, or Executive Director

~~6.2.3.1.7.2.3.1.~~ The employee may grieve, in writing, the decision from step two to the President, Superintendent, or Executive Director.

~~6.2.3.2.7.2.3.2.~~ The President, Superintendent, or Executive Director shall investigate the matter, personally or through an appointed designee or panel.

~~6.2.3.3.7.2.3.3.~~ A written response shall be delivered to the grievant within fourteen (14) days following receipt.

~~7.2.3.4.~~ If the employee is dissatisfied with the response rendered, the employee has seven (7) days following receipt to proceed to step four.

~~6.2.3.3.1.7.2.3.4.1.~~ If the employee has filed a grievance based on corrective action imposed pursuant to Section 6.2.1. of this policy, the employee has seven (7) days to request review of the response pursuant to Board Policy 1:6.C.5.

~~6.2.4.7.2.4.~~ Step 4 – Grievance to the Board

~~7.2.4.1.~~ The employee may grieve the decision of the President to the Board.

~~6.2.4.1.1.7.2.4.1.1.~~ If the employee has filed a grievance based on corrective action imposed pursuant to Section 6.2.1. of this policy, the only additional grievance process available shall be under Board Policy 1:6.C.5.

~~6.2.4.2.7.2.4.2.~~ The Executive Director shall select a hearing examiner within fourteen (14) days following receipt of the grievance.

~~6.2.4.3.7.2.4.3.~~ The hearing examiner shall hold a hearing pursuant to SDCL ch. 1-26 with all parties involved in the grievance no later than thirty (30) days after the hearing examiner is appointed. The hearing examiner shall prepare a proposed determination including findings of fact and conclusions of law for the Board's consideration. The proposed determination shall be provided to the board within thirty (30) days of the hearing or fourteen (14)

days prior to the next regularly scheduled Board meeting, whichever is sooner.

~~6.2.4.4.7.2.4.4.~~ The Board's decision shall be issued to the employee within ten (10) days from the date the grievance is considered by the Board. If the Board fails to respond within the specified time period, or if the employee is not satisfied with the decision, the employee may grieve in accordance with South Dakota Codified Law Chapter 1-26

### **FORMS / APPENDICES:**

None.

### **SOURCE:**

BOR August 2019;~~;~~ BOR May 2021; BOR December 2021.



## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Grievance--Faculty

**NUMBER:** 4:7

---

#### I. Faculty Grievance Procedure

The following grievance procedure is applicable to non-bargaining unit faculty. Special Schools bargaining unit faculty grievance procedures are contained in the Special Schools COHE/BOR contract.

##### A. Purpose

All problems should be resolved, whenever possible, before the filing of a grievance. Open communication is encouraged between administrators and faculty members so that resorting to the formal grievance procedure will not be necessary. The purpose of this policy is to promote prompt and efficient procedures for investigating and resolving grievances.

##### B. Resorting to Other Procedures

If the faculty member seeks resolution of any civil rights claim in any forum or by any set of procedures other than those established in this policy, whether administrative or judicial, the institution or Board will be under no obligation to proceed any further with the matter unless the grievant is under an obligation to exhaust administrative remedies in order to bring such other action. The act of filing an action or claim in any other forum in order to avoid violating a time limitation will not be considered a violation of the intent of this policy.

##### C. Definitions

- (1) Day: Calendar days.
- (2) Executive Director: The chief executive officer of the Board of Regents.
- (3) Grievance: An alleged misinterpretation, misapplication, or violation of a specific term or provision of Board policy, or other agreements, contracts, policies, rules, regulations, or statutes that directly affect terms and conditions of employment for the individual employee.

- (4) Grievant: A named faculty member or a group of named faculty members who has filed a grievance under this procedure.
- (5) Institution: Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, South Dakota School for the Blind and Visually Impaired, South Dakota School for the Deaf, University of South Dakota, and the Office of the Executive Director.
- (6) President: The chief executive officer of a South Dakota Board of Regents University.
- (7) Superintendent: The chief executive officer of a South Dakota Board of Regents Special School.

D. General Provisions:

- 1) No offer of settlement of a grievance by either party to the grievance will be admissible as evidence in later grievance proceedings, or elsewhere. No settlement of a grievance will constitute a binding precedent in the settlement of similar grievances.
- 2) If the grievance concerns non-renewal, denial of promotion, or denial of tenure, the grievance review will be limited to determining whether the decision was the result of failure to follow procedures. The burden of proof in such cases shall rest with the grievant.
- 3) Neither the institution nor the Board of Regents will retaliate or effect reprisals against any faculty member for processing or participating in a grievance.
- 4) In the event a grievance is filed near the end of an academic year and strict adherence to time limits will result in hardship to any party, the parties will do everything reasonable to allow the grievance to be processed in an expeditious manner.
- 5) If the grievant fails to act within the time limits provided herein, the administration will have no obligation to process the grievance and it will be deemed waived.
- 6) If the administration fails to act in time, the grievant may proceed to the next review level by filing the grievance with the appropriate official and within the timeframe required under Section E and any subsequently issued decision on the matter at the bypassed level will be void.

- 7) The parties to the grievance may, in their discretion, waive any of the time limitations provided for herein; provided, however, that such waiver must be in writing and signed by both parties involved at the particular level or step of the grievance process.
- 8) Required written notice may be sent via the Postal Service, delivered by hand, or sent through electronic mail. Notice will be effective on the date postmarked by the Postal Service, on the date delivered by hand, or on the date sent electronically, provided that, where disruption of institutional electronic communications systems interferes with delivery of an electronic notice, the effective date of notices sent electronically will be delayed until service has been restored.
- 9) Grievance records will not be maintained in any faculty member's institutional personnel file.
- 10) In the case of a grievance concerning discipline or a termination pursuant to reduction procedures, the burden of proof will rest upon the administration to the extent required by law. In all other cases the burden of proof will rest upon the grievant.
- 11) Each party to the grievance will bear his own expense in a grievance proceeding. The institution or the Board will bear the expense of providing the Hearing Examiner and all attendant costs thereto.
- 12) A grievant will be permitted at any time prior to the time the Hearing Examiner sets the matter down for hearing, by written notice, to amend a grievance by further specifications. However, the filing of such amendments will not act to extend any time constraints.
- 13) Throughout the grievance process, the grievant shall include copies of the original grievance and all responses and decisions from prior steps, if any.
- 14) Throughout each step of the grievance process, any response or decision issued by the institution shall be provided simultaneously to the grievant and each administrator who issued a decision in prior steps, if any. All decisions issued by the institution in response to a grievance shall include a statement of findings and conclusions supporting the decision.
- 15) Faculty members, in processing grievances, may represent themselves or may be represented by someone of their choice.
- 16) The grievance proceedings will be maintained as confidential, subject only to the necessity of the parties to prepare their cases. All meetings and conferences will be held in a confidential setting.

- 17) Informal resolution may be attempted by the parties to a grievance at any point during the grievance procedure. If a grievance is resolved informally, the institution will be under no obligation to proceed further with the grievance.
- 18) If the deadline for any action(s) set forth herein falls on a Saturday, Sunday, legal holiday, or any other day in which the institution's administrative offices are closed, the timeframe for the action shall continue to run until the end of the first day thereafter when the institution's administrative offices are open.

E. Grievance Procedure

1) Step One

- a. The grievant may file a grievance in writing with the lowest administrative level having authority to dispose of the grievance within fourteen (14) days of the date on which the grievant knew, or should have known, of the action or condition which occasioned the grievance.
  - i. If the appropriate Vice President of the institution is the lowest administrative level having authority to dispose of the grievance, the grievance will be filed as a first instance at Step Two. The applicable filing period remains fourteen (14) days.
  - ii. If the President or Superintendent is the lowest administrative level having authority to dispose of the grievance, the grievance will be filed as a first instance at Step Three. The applicable filing period remains fourteen (14) days.
- b. The administrator, upon receipt of the grievance, will investigate and provide a response to the grievant within seven (7) days of receipt of the grievance.
- c. If a grievant is not satisfied with the response, the grievant has seven (7) days to proceed to Step Two.

2) Step Two

- a. The grievant may file, in writing, a grievance of the Step One decision with the appropriate Vice President of the institution.
- b. The Vice President of the institution shall review the grievance and provide a response to the grievant within fourteen (14) days following receipt of the grievance.
- c. If a grievant is not satisfied with the response, the grievant has seven (7) days to proceed to Step Three.

3) Step Three

- a. The grievant may file, in writing, a grievance of the Step Two decision with the President or Superintendent of the institution.

b. The President or Superintendent shall, personally or through a designee, review the grievance and provide a response to the grievant within fourteen (14) days.

c. If a grievant is not satisfied with the response, the grievant has seven (7) days to proceed to Step Four.

i. If the grievant has filed a grievance based on corrective action imposed pursuant to Board Policy 4:14.1.D.1., the grievant has seven (7) days to request review of the response pursuant to Board Policy 1:6.C.5.

4) Step Four

a. The grievant may file, in writing, a grievance of the Step Three decision with the Board.

i. If the grievant has filed a grievance based on corrective action imposed pursuant to Board Policy 4:14.1.D.1., the only additional grievance process available shall be under Board Policy 1:6.C.5.

b. The Executive Director shall select a hearing examiner within fourteen (14) days following receipt of the grievance.

c. The hearing examiner shall hold a hearing pursuant to SDCL ch. 1-26 with all parties involved in the grievance no later than thirty (30) days after the hearing examiner is appointed. The hearing examiner shall prepare a proposed determination including findings of fact and conclusions of law for the Board's consideration. The proposed determination shall be provided to the board within thirty (30) days of the hearing or fourteen (14) days prior to the next regularly scheduled Board meeting, whichever is sooner.

d. The Board's decision shall be issued to the grievant within ten (10) days from the date the grievance is considered by the Board. If the Board fails to respond within the specified time period or if the grievant is not satisfied with the decision, the grievant may grieve to the circuit court in accordance with SDCL ch. 1-26.

**SOURCE: Current Policy Manual 5.4.6; BOR April 2009; BOR May 2021;  
BOR [DATE].**

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Faculty ~~Discipline Remediation and Disciplinary Remediation~~ Procedures

**NUMBER:** 4:14

### 1. ~~Discipline Remediation and Disciplinary Remediation~~ Procedures

#### A. Preamble

The Board, through its institutional administrators, has the duty to maintain a competent, productive, effective and ethical workforce and to ensure observance of obligations and rights established by law, rule or policy and implicated in university operations. This duty extends to supervision of faculty member conduct. To discharge this duty, the Board and its administrators possess the inherent power to discipline employees, including faculty members, who fail to adhere to expectations for competent, productive, effective and ethical teaching, research or service, who violate laws, rules or policies implicated in university operations, or who engage in misconduct, neglect of duty, insubordination or otherwise unacceptable conduct. This article ensures that the exercise of the power to ~~discipline and remediate conduct~~ comports with the requirements of due process.

#### B. Alternative Measures

Subject to the reserved authority required by *Worzella v. Board of Regents of Education*, 77 S.D. 447, 93 N.W.2d 411 (S.D. 1958), the Board has delegated to institutional administrators provisional authority to discipline any faculty members for failure to adhere to expectations for: competent, productive, effective and ethical teaching, research or service; violation laws, rules or policies implicated in university operations; or misconduct, neglect of duty, insubordination or otherwise unacceptable conduct, including such conduct identified in section 2 of this policy. The authority delegated to institutional administrators must be exercised consistently with Board policy. The delegated authority includes the power to determine the discipline to be imposed and its effective date.

Taking into consideration the circumstances that warrant discipline or corrective actions, past service, scholarly achievements and other mitigating or aggravating circumstances, ~~discipline remediation may include any of the following alternative actions~~ may consist of one of the following actions:

1. Corrective Action Discipline:

a. Verbal warnings or directives which do not constitute Punitive Discipline;

or

b. Written warnings or directives to be filed with the personnel file of the faculty member which do not constitute Punitive Discipline.

2. Discipline:

a. Required training or current substance abuse treatment at the cost of the faculty member;

b. Suspension from duties with, or without, loss of pay commensurate therewith;

c. Reassignment;

d. Demotion; or

~~a-c.~~ Discharge.

~~1) Warnings;~~

~~2) Warnings to be filed with the personnel file of the faculty member;~~

~~3) Required training or current substance abuse treatment at the cost of the faculty member;~~

~~4) Suspension from duties with, or without, loss of pay commensurate therewith;~~

~~5) Reassignment;~~

~~6) Demotion;~~



~~7) Discharge.~~

C. Interim Suspension

Unlike a disciplinary suspension under paragraph B.2.b.(4) above, an interim suspension from duties during the pendency of an active review of allegations of conduct warranting discipline is not deemed to be a discipline under this article.

The decision to place a faculty member on interim suspension pursuant to this section does not require compliance with the Stage One notice procedures set forth in section D.2., below, but an informal pre-suspension process will ordinarily be provided. Absent the need for quick action or manifest impracticality, a faculty member will be informed, either orally or in writing, of the basis for the suspension, given an explanation of the evidence supporting the action and afforded an opportunity to respond before being placed on interim suspension.

In circumstances that require quick action or where the pre-suspension process is impractical, and where independent third-party findings confirm reasonable grounds for the allegations against the faculty member, the administration may place a faculty member on interim suspension before providing the requisite information, explanation and opportunity to respond.

The administration may withhold pay where the circumstances that trigger the interim suspension implicate public trust in ways that would preclude continued discharge of assigned responsibilities.

D. Procedures

~~The following procedures apply to all disciplinary measures other than warnings and warnings filed in the personnel file.~~

~~The disciplinary remedial action procedure comprises two stages. The first stage is designed to provide an initial check against mistaken decisions, by creating an opportunity to determine whether there are reasonable grounds to believe that the charges against the employee are true and support the proposed action. At the first stage, the faculty member will receive oral or written notice of the allegations, an explanation of the evidence, and an opportunity to tell the faculty member's side of the story. At the close of the first stage conference the administration may impose the selected discipline action. The second stage assures clear and actual notice of the reasons for the disciplinary action in sufficient detail to enable presentation of evidence relating to them; notice of both the names of those who have made allegations against the faculty member and the specific nature and factual basis for the~~

~~charges; a reasonable time and opportunity to present evidence testimony on any disputed issue of material fact; and a hearing before an impartial decision maker.~~

### 1. Corrective Action~~Disciplinary Procedures~~Action

Corrective action may be imposed immediately, upon communication of the corrective action to the faculty member, pursuant to the discretion of the faculty member's supervisor. Faculty members who have had corrective action imposed may request review of the action through the grievance procedures established in Board Policy No. 4:7, subject to the limitation(s) in Board Policy 4:7.I.E.3.c.i. Any grievance appeal under this section will begin at Step 3 of Board Policy No. 4:7.I.E.

### 2. Disciplinary Procedures

~~a.~~

~~b.~~

~~c. 1) Stage One: Pre-Discipline Conference~~

~~a.~~

\_\_\_\_\_ If the administration determines that there are reasonable grounds for discipline, the faculty member will be furnished written notice of the allegations supporting the determination, an explanation of the evidence relied upon by the administration, and the intended disciplinary action. The matter will be discussed with the faculty member at a personal conference which will be held at a time not sooner than fourteen (14) calendar days, nor later than twenty-one (21) calendar days from the date of the transmission of the written notice, unless otherwise agreed by the faculty member and the administration. The faculty member may bring to this conference a representative chosen by the faculty member. At the close of the personal conference, or within seven (7) calendar days thereafter, the administration will notify the faculty member whether it will discipline the faculty member, how and the effective date of the discipline.

~~d.~~

~~e.~~

~~f. 2) Stage Two: Post-Discipline Hearing Rights~~

~~b.~~

\_\_\_\_\_ Faculty members who have been disciplined after completion of Stage One personal conferences may challenge the action through the

grievance procedures established in Board Policy No. 4:7. Any grievance appeal under this section will begin at Step 3 of Board Policy No. 4:7.I.E.

In all cases, the burden to prove the charges will rest with the administration to the extent provided by law; provided that the faculty members will bear the burden to prove affirmative defenses or counterclaims relating to a challenged discipline.

## 2. Unprofessional Conduct

The Board recognizes that academic tradition has established common and accepted standards of acceptable conduct and that academic disciplines may assemble and publish statements applying such standards to the unique circumstances of their respective professions. While the Board expects faculty members to adhere to accepted professional standards, whether published or not, it also recognizes that university lecture halls, laboratories and work environments have become subject to manifold levels of governmental regulations and contractual restrictions that also establish or imply standards of conduct needed to protect the special interests that justify the regulations and restrictions.

Even standards published by professional organizations or conduct expectations grounded in statute, rule, policy or contract may be subject to change over time or may be extended to technological or social contexts that emerge following their original adoption. These circumstances preclude the establishment of comprehensive policy that catalogs each form of conduct that violates the essential principles recognized by professionals or established in statute, rule, or policy contract. Thus, the Board provides the following instances to illustrate, without limitation, forms of unacceptable conduct that expose faculty members to discipline, but this enumeration is neither intended, nor could be intended, to preclude disciplinary action for other conduct that violates accepted standards or emergent requirements of statute, rule, policy or contract:

- A. Neglect of duty, misconduct, incompetence, abuse of power or other actions that manifest an unfitness to discharge the trust reposed in public university faculty members or to perform assigned duties;
- B. A failure to correct deficiencies in performance in compliance with a constructive plan;
- C. A breach of recognized published standards of professional ethics;
- D. Conviction of any felony or the conviction of a misdemeanor involving moral turpitude;
- E. Unauthorized absence from duties without prior notification or justifiable cause or excuse for the absence;

- F. The manufacture, distribution, dispensing, possession or use of alcohol or controlled substances shall be cause for discipline where:
- 1) The conduct is unlawful or unauthorized and occurs while acting within the scope of employment; while on premises owned and controlled by the Board of Regents or used by the Board of Regents for educational, research, service or other official functions; or while participating in any capacity in activities sponsored by the Board; or
  - 2) The conduct has been authorized and is lawful, but the use significantly impairs the faculty member in the performance of his duties; or
  - 3) Other conduct that involves a failure to conform to laws regulating alcohol and controlled substances and that results in injury to the person or the rights of others.
- G. The failure or refusal to follow or comply with Board or institutional policies, regulations or published work rules or with lawful orders or instruction of a superior;
- H. Theft, misuse, abuse or wrongful destruction of state owned or controlled property controlled real, personal or intellectual property, including information systems, databases and similar resources;
- I. Participation in strike activities proscribed by SDCL Chapter 3-18;
- J. Violations of rights assured to students, employees or others under federal or state laws or regulations or Board or institutional policies and regulations;
- K. Use of the powers and prerogatives of a faculty member to coerce or to induce others to engage in unlawful conduct or conduct prohibited under Board or institutional policy;
- L. Failure to comply with health or safety regulations, to require compliance by students or others under a faculty member's supervision or to comply with duly issued emergency orders;
- M. Misrepresentation of authority or other conduct intended to deceive or to assist another to deceive others, irrespective of the motives;
- N. Interference with or disruption of the efficiency or morale of educational, research or service programs, workplaces or organizational units, including actions that violate expectations for civil conduct among professors and when working with students, as provided in Board Policy No. 4:38 (5), or failure at all times to be accurate, to exercise appropriate restraint and to show respect for the opinions of others, as required under Board Policy No. 1.11 (1)(C); or

- O. Any substantial or irremediable impairment of the ability of a faculty member to perform assigned duties.

**SOURCE:**

1991 Policy Manual 5:4:2 and 5:4:3; BOR April 2009; BOR December 2010; BOR May 2021; BOR December 2021.

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – I**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policy 4:39 – Alternative Work Schedules & Remote Work Arrangements  
(Second Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND / DISCUSSION**

The recommended changes to Board of Regents Policy 4:39 – Alternative Work Schedules & Remote Work Arrangements were approved as a first reading at the Board’s October meeting. The policy has been discussed and reviewed by the system’s councils, and no substantive changes have been made since the first reading of the policy. Noteworthy items regarding the attached policy revisions are summarized below:

1. The policy creates broad guidelines that refer back to institutional policies and processes for determination of employee eligibility, and it makes clear that the granting of alternative work schedules and remote work are at the discretion of the institution.
2. Alternative work schedules and/or remote work cannot interfere with the efficient operation of the institution and should not impact services.
3. Remote work arrangements that result in a work location outside of the state of South Dakota must be approved by the system director of human resources. This will assist in managing compliance issues related to worker’s compensation and unemployment insurance as well as wage and hour law differences in varying states.
4. Out of country work locations are prohibited; however, in extraordinary circumstances exceptions to this prohibition may be granted by the system director of human resources.
5. Remote work arrangements are prohibited from serving as a substitute for childcare, personal leave, as a means of facilitating outside employment or other activities prohibited by federal, state, or local law or Board of Regents or institutional policies while on institutional work time.

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-H**

I move to approve the second and final reading of the proposed revisions to BOR Policy 4:39, as outlined in Attachment I.

6. The policy reinforces that intellectual property created in the remote work location is the property of the institution.
7. The policy addresses the fact that abuse or misuse of the work arrangement can result in disciplinary action.

#### **IMPACT AND RECOMMENDATION**

The Board staff recommends approval of the second and final reading of BOR Policy 4:39 as outlined in Attachment I.

#### **ATTACHMENTS**

Attachment I – Revisions to BOR Policy 4:39

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Alternative Work Schedules [& Remote Work Arrangements](#)

**NUMBER:** 4:39

---

#### A. PURPOSE

To establish parameters around the administration of alternative work schedules and remote work arrangements for Board of Regents employees. Alternative work schedules and remote work arrangements do not change the conditions of employment. ADA accommodation requests for remote work are handled through the standard ADA Accommodation process.

~~It is the goal of the State of South Dakota and the Board of Regents to provide employees with a work environment that allows them to balance work and life activities. As an employer, the Board of Regents recognizes the need for flexibility in scheduling to provide employees the opportunity to participate in family and community activities. To achieve this goal, employees and supervisors are encouraged to use alternative work schedules when possible. Alternative work schedules must enable managers to meet program goals and provide better customer service while, at the same time, allowing employees to be more flexible in scheduling their personal activities.~~

~~Supervisors are encouraged to work with the employee and attempt to accommodate his/her scheduling requests. Alternative work schedules, however, may not be available to every employee because of customer service requirements and workload requirements. If alternate work schedules are not possible, the supervisor should explain why the request for an alternative work schedule cannot be honored. Supervisors may discontinue or temporarily suspend alternative work schedules when necessary. Alternative work schedules may also be altered if work needs change or if service is impaired. Every effort should be made to communicate a change in the work schedule prior to the change; however, the supervisor may adjust the schedule without prior notice.~~

#### B. DEFINITIONS

1. **Alternative Work Schedule:** A work schedule that accommodates flexible working hours or a compressed work schedule.
2. **Compressed Work Schedule:** A work schedule that that allows employees to condense a traditional workweek into an extended workday(s) based on the allotment of designated hours per week.



3. **Flexible Working Hours:** A work schedule that deviates from the standard work schedule, this may include varying start and end times of the workday, or agreements to alter the standard break period durations.
4. **Institution:** Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, South Dakota School for the Blind and the Visually Impaired, South Dakota School for the Deaf, University of South Dakota, and the Office of the Executive Director.
5. **Remote Work:** A work assignment that is performed in whole or in part at a location that is not located on property owned or controlled by the Board of Regents or its institutions, also known as telecommuting or telework.
6. **Work Location:** The primary location in which duties will be performed by an employee.
7. **Work Schedule:** The scheduled days and times that an employee is required to report to work, this may vary based on the employee and position requirements.

## **C. POLICY**

### **1. Alternative Work Schedules and Remote Work Arrangement Parameters**

- 1.1. Alternative work schedules and remote work assignments are not an entitlement of any employee.
- 1.2. All alternative work schedules and remote work arrangements require Institutional approval and are subject to Institutional policies and procedures.
- 1.3. Alternative work schedules and remote work arrangements must not interfere with the efficient operation of the Institution nor adversely impact the services provided to students, employees or the public.
- 1.4. Institutions have the authority to deny, discontinue, or adjust alternative work schedules and remote work arrangements as deemed necessary and appropriate; the Institution retains the right to determine where and when work should be performed.
- 1.5. Alternative work schedules and remote work must not cause or contribute to the need for additional staff or overtime work.
- 1.6. This policy does not prohibit the use of intermittent or temporary flexible schedules or remote work arrangements if approved through the appropriate Institutional procedures.
- 1.7. The denial or rescission of an employee's request for an alternative work schedule or remote work arrangement does not constitute an independent basis for a grievance.
- 1.8. Abuse or misuse of alternate work schedules and remote work arrangements, including the failure to apply and enforce the provisions of this policy, shall be grounds for adverse employment action, in accordance with applicable Board of Regents and Institutional policy.

## **2. Alternative Work Schedules**

As an employer, the Board of Regents recognizes the need for flexibility in employee schedules to provide a work environment that allows employees to balance work and life activities.

- 2.1. Alternative work schedules may only be utilized if the employee can fulfill the requirements of their position(s) and the institution has appropriate coverage levels in the department.
- 2.2. Hours worked must be documented in accordance with Board of Regents and Institutional policies and procedures, state and federal laws.
- 2.3. Alternative work schedules will not alter the required number of hours an employee works or their workload, but the work will be completed in accordance with a compressed or flexible work schedule.

## **3. Remote Work Arrangements**

- 3.1. Employees may be eligible to work remotely in either a full or part-time capacity.
- 3.2. A position will be considered as suitable for remote work if the position's primary duties can be conducted through telework, using basic telecommunications equipment and technology at a home or remote work location without adversely affecting Institutional operations or services provided to students, employees, or the public.
- 3.3. Employees who work remotely must have a remote work space, and the appropriate equipment that ensures the privacy of all confidential, trade secret, proprietary, and personally identifiable information as required.
- 3.4. Individuals who work remotely must be able to meet all required responsibilities and perform the same tasks that they would if working on-site.
- 3.5. The employee shall adhere to all SDBOR and Institutional policies, in addition to all applicable laws, at their remote work location and while on University business.
- 3.6. Remote work arrangements that result in a work location outside of the state of South Dakota must be approved by the system director of human resources.
- 3.7. Out of country work locations are generally prohibited, however, in extraordinary circumstances exceptions to this prohibition may be granted by the system director of human resources.
- 3.8. Work performed at alternative locations is considered official Board of Regents business, all work product created in the course of employment are the property of the Board of Regents and are subject to the provisions of BOR Policy 4:34 – Intellectual Property.
- 3.9. Remote work does not impact the work schedule of the employee, hours worked must be documented in accordance with Board of Regents and Institutional policies and procedures, state and federal laws.

- 3.10. The Board of Regents assumes no liability for injury at the remote work site to any other person who would not be in the work area if the duties were being performed on the property of the Board of Regents.
- 3.11. Employees must notify their supervisor immediately of any injury occurring in the workplace and complete all requested documents. Workers' Compensation benefits will apply to injuries arising out of, and in the course and scope of employment.
- 3.12. Remote work arrangements are prohibited from serving as a substitute for childcare, personal leave, as a means of facilitating outside employment or other activities prohibited by federal, state, or local law or Board of Regents or Institutional policies while on Institutional work time.

### **FORMS / APPENDICES:**

None.

### **SOURCE:**

BOR March 2004; BOR December 2021

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance** **Consent**

**AGENDA ITEM: 5 – J**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**Maintenance & Repair (M&R) Projects**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 6:6](#) – Maintenance and Repair

### **BACKGROUND / DISCUSSION**

According to Board of Regents Policy 6:6 – Maintenance and Repair, projects estimated to cost more than \$250,000 must be submitted for Board approval. Furthermore, any changes to an approved project over \$250,000, other than funding realignments and transfers, must also be submitted for approval. Below are the M&R projects submitted by the universities for Board approval in December.

**South Dakota School of Mines & Technology** requests approval of the following item:

**O’Harra Building – Stairs:** SDSMT has found an emergency issue with the O’Harra building front stairs. After seeing degradation under the stairs, they have closed them for use. There are many utilities under these stairs that could cause significant damage to SDSMT’s central utility loops if the stairs collapsed. This project has been approved by OSE and State Procurement as an emergency project suspending rules. This building is high traffic and houses Admissions, Registrar, Financial Aid, Museum of Geology, President, Provost, Finance, and Research Affairs. The stairs are currently out of service per Structural Engineer from Albertson Engineering. SDSMT requests the use of \$835,000 in local, General, and HEFF funds to repair the stairs.

**University of South Dakota** requests approval of the following item:

**Parking Lot 14 and 15 – Improvements:** USD requests approval to use \$500,000 in local parking lot fees to complete a full design, cost estimate, contract administration, and construction to demolish existing asphalt in Parking Lots 14 and 15, located south of the Center for the Fine Arts. The proposed project will provide updated utilities, earthwork, concrete paving, curb and gutter, sidewalks, light poles, striping, and signage.

### **IMPACT AND RECOMMENDATIONS**

Staff recommends approval of these projects.

### **ATTACHMENTS**

None

\*\*\*\*\*

### **DRAFT MOTION 20211208\_5-J:**

I move to approve the requested maintenance and repair projects as described in this item.

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – K**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**FY23 HEFF M&R Projects**

**CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 13-51-2](#) – Educational Facilities Fund – Purposes

[SDCL 13-53-15](#) – Receipt by State Treasurer of Institutional Moneys - Distribution

[SDCL 13-53-15.3](#) – Medical School Funds

[BOR Policy 6:6](#) – Maintenance and Repair

**BACKGROUND/DISCUSSION**

The Higher Education Facilities Fund (HEFF) represents eleven and one-half percent of all tuition (on-campus and off-campus) collected minus one hundred seventy-five thousand dollars related to the medical school. The funds are used for maintenance and repair (M&R) needs of the universities, long-term indebtedness for capital improvements, and new construction. The FY23 available M&R funding is \$12,500,000.

The HEFF allocation formula is based on replacement values, gross square footage for academic buildings and HEFF revenues, all weighted equally ([March 2018 Board Minutes, Item 7-Z](#)). Attachment I provides the formula distribution for the FY23 HEFF allocation. The campuses can allocate funds towards planning and design to assist the universities in determining appropriate work scope and cost of each proposed project. The funding for planning and design is identified as part of the allocation.

Attachment II provides the FY23 maintenance and repair projects submitted by the institutions for approval. Each project is placed into one of the following categories: Public Health, Safety and Compliance; Building Integrity; Programmatic Suitability; Energy and Utility Savings; or Other according to Board Policy 6:6. The policy provides for funding realignments and transfers between approved projects. Changes to the approved project list for projects estimated to cost \$50,000 to \$250,000 must be submitted for the Executive Director's approval and projects more than \$250,000 must be submitted for Board approval. Projects under \$50,000 (all costs and contracts inclusive) may be approved by the presidents or their designee.

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-K:**

I move to approve the FY23 HEFF M&R projects as presented in Attachment II.

## **IMPACT AND RECOMMENDATIONS**

The FY23 available funding is \$12,500,000.

Approval of the FY23 HEFF Maintenance and Repair projects will allow the universities to begin project planning and completion in a timely manner.

## **ATTACHMENTS**

Attachment I – Formula distribution for the FY23 HEFF allocation

Attachment II – FY23 HEFF Maintenance and Repair projects requested by the institutions

**FY23 HEFF M&R Allocation**  
**1/3 HEFF Buildings Square Footage, 1/3 HEFF Buildings Replacement Values, and 1/3 HEFF Revenues Generated**

Line											
1	Total HEFF M&R Funding Available	\$12,500,000									
2	Gross Sq. Feet	6,684,698									
3	Replacement Value	\$1,962,924,587									
4	FY21 Total HEFF Revenues	\$26,253,619									
		<b>BHSU</b>	<b>DSU</b>	<b>NSU</b>	<b>SDSMT</b>	<b>SDSU</b>	<b>USD</b>	<b>SSOM</b>	<b>BHSU-RC</b>	<b>CCSF</b>	<b>TOTAL</b>
5	HEFF Academic Buildings Gross Square Feet	530,880	367,451	664,805	596,948	2,345,528	1,888,635	91,895	58,795	139,761	6,684,698
6	Campus % of Total HEFF Academic Building Sq. Ft. (Line 5 / Line 2)	7.94%	5.50%	9.95%	8.93%	35.09%	28.25%	1.37%	0.88%	2.09%	100.00%
7	Current FY Gross Sq. Ft. Disbursement Factor (Line 6 * 1/3)	2.65%	1.83%	3.32%	2.98%	11.70%	9.42%	0.46%	0.29%	0.70%	33.33%
8	Allocation of 1/3 of Total HEFF M&R Funding (Line 7 * Line 1)	\$330,905	\$229,038	\$414,382	\$372,086	\$1,462,001	\$1,177,213	\$57,279	\$36,648	\$87,115	\$4,166,667
9	HEFF Academic Buildings Replacement Value	157,858,136	102,949,532	188,490,452	197,615,141	679,711,662	558,687,068	16,735,564	18,653,354	42,223,679	1,962,924,587
10	Campus % of Total HEFF Academic Replacement Value (Line 9 / Line 3)	8.04%	5.24%	9.60%	10.07%	34.63%	28.46%	0.85%	0.95%	2.15%	100.00%
11	Current FY Replacement Value Disbursement Factor (Line 10 * 1/3)	2.68%	1.75%	3.20%	3.36%	11.54%	9.49%	0.28%	0.32%	0.72%	33.33%
12	Allocation of 1/3 of Total HEFF M&R Funding (Line 11 * Line 1)	\$335,083	\$218,529	\$400,105	\$419,474	\$1,442,812	\$1,185,916	\$35,524	\$39,595	\$89,627	\$4,166,667
13	FY21 HEFF Revenues Generated by Campuses	\$2,098,769	\$2,248,767	\$1,580,907	\$2,170,926	\$9,519,643	\$7,540,149	\$544,512	\$298,786	\$251,160	26,253,619
14	Campus % of Total FY21 HEFF Revenues (Line 13 / Line 4)	7.99%	8.57%	6.02%	8.27%	36.26%	28.72%	2.07%	1.14%	0.96%	100.00%
15	Current FY Revenues Disbursement Factor (Line 14 * 1/3)	2.66%	2.86%	2.01%	2.76%	12.09%	9.57%	0.69%	0.38%	0.32%	33.33%
16	Allocation of 1/3 of Total HEFF M&R Funding (Line 15 * Line 1)	\$333,092	\$356,898	\$250,903	\$344,544	\$1,510,846	\$1,196,684	\$86,418	\$47,420	\$39,861	\$4,166,667
17	<b>Campus HEFF M&amp;R Allocation for FY23 (Line 8 + Line 12 + Line 16)</b>	<b>\$999,080</b>	<b>\$804,465</b>	<b>\$1,065,391</b>	<b>\$1,136,104</b>	<b>\$4,415,659</b>	<b>\$3,559,813</b>	<b>\$179,222</b>	<b>\$123,663</b>	<b>\$216,604</b>	<b>\$12,500,000</b>
	FY23 Debt Service										
	Series 2011 M&R Bond	\$108,516	\$0	\$134,751	\$0	\$521,117	\$428,103	\$0	\$0	\$0	\$1,192,487
	Series 2020 M&R Bond	\$145,902	\$145,902	\$0	\$233,586	\$583,894	\$321,128	\$0	\$0	\$0	\$1,430,412
	5% Planning and Design (Line 17 * 5%)	\$49,954	\$40,223	\$53,270	\$56,805	\$220,783	\$177,991	\$8,961	\$6,183	\$10,830	\$625,000
	Balance of HEFF Allocation for M&R Projects	\$694,708	\$618,339	\$877,370	\$845,713	\$3,089,865	\$2,632,591	\$170,261	\$117,480	\$205,774	\$9,252,100
	FY22 Allocation	\$1,250,621	\$932,964	\$1,213,545	\$1,396,741	\$5,222,377	\$4,301,766	\$231,032	\$177,096	\$273,855	\$14,999,997
	Increase/(Decrease) from FY22	(\$251,541)	(\$128,499)	(\$148,154)	(\$260,637)	(\$806,718)	(\$741,953)	(\$51,810)	(\$53,433)	(\$57,251)	(\$2,499,997)

## FY23 HEFF Maintenance & Repair Projects

Project #	Building Name	Project Name	M&R Category <sup>(1)</sup>	M&R Class <sup>(2)</sup>	Cost Estimate
<b><u>Black Hills State University</u></b>					
6H2301		M&R Bond - 2011			\$108,516
6H2302		Planning & Design			\$49,954
6H2303		M&R Bond - 2020			\$145,902
6H23XX	Woodburn Hall	Theater Redesign Phase I	C. Programmatic Suitability	C. Renovation	\$544,708
6H23XX	Meier Hall	Sound system	C. Programmatic Suitability	C. Renovation	\$75,000
6H23XX	Meier Hall	Lighting	D. Energy and Utility Savings	D. Alteration	\$75,000
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$999,080</b>
<b><u>Black Hill State University - RC</u></b>					
6H2352		Planning & Design			\$6,183
6H23XX	BH-RC	Nursing Classroom renovation	C. Programmatic Suitability	C. Renovation	\$85,000
6H23XX	BH-RC	Faculty Office renovation	C. Programmatic Suitability	C. Renovation	\$32,480
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$123,663</b>
<b><u>Dakota State University</u></b>					
8H2302		Planning & Design			\$40,223
8H2303		M&R Bond - 2020			\$145,902
8H23XX	Campus	Data Room Upgrades	C. Programmatic Suitability	C. Renovation	\$300,000
8H23XX	Kennedy Center	HVAC Upgrades	D. Energy and Utility Savings	C. Renovation	\$100,000
8H23XX	Campus Wide	Landscape, Sidewalk, Parking repairs	E. Campus Infrastructure	A. Maintenance	\$50,000
8H23XX	East Hall	Elevator Repairs	A. Public Health, Safety, and Compliance	B. Repair	\$60,000
8H23XX	Dakota Prairie Playhouse	Siding Repairs	B. Building Integrity	A. Maintenance	\$30,000
8H23XX	Campus Wide	Academic Building Repairs	B. Building Integrity	A. Maintenance	\$30,000
8H23XX	Museum	Museum Upgrades	B. Building Integrity	C. Renovation	\$20,000
8H23XX	Heston/Beadle/TCB	FA Upgrades	A. Public Health, Safety, and Compliance	C. Renovation	\$28,339
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$804,464</b>
<b><u>Northern State University</u></b>					
5H2301		M&R Bond - 2011			\$134,751
5H2302		Planning & Design			\$53,270
5H23XX	MeWaldt Jensen/ Tech Center	Replace chillers	D. Energy and Utility Savings	B. Repair	\$877,370
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$1,065,391</b>
<b><u>South Dakota School of Mines &amp; Technology</u></b>					
4H2302		Planning & Design			\$56,805
4H2303		M&R Bond - 2020			\$233,586
4H23XX	Various/Tunnels	Utility Infrastructure	E. Campus Infrastructure	A. Maintenance	\$655,713
4H23XX	Various	General HVAC	E. Campus Infrastructure	A. Maintenance	\$100,000
4H23XX	Various	Fire, Life & Safety	A. Public Health, Safety, and Compliance	A. Maintenance	\$50,000
4H23XX	Various	Building Integrity	B. Building Integrity	C. Renovation	\$40,000
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$1,136,104</b>



## FY23 HEFF Maintenance & Repair Projects

Project #	Building Name	Project Name	M&R Category <sup>(1)</sup>	M&R Class <sup>(2)</sup>	Cost Estimate
<b><u>South Dakota State University</u></b>					
3H2301		M&R Bond - 2011			\$521,117
3H2302		Planning & Design			\$220,783
3H2303		M&R Bond - 2020			\$583,894
3H23XX	Campus	HVAC Maintenance	B. Building Integrity	A. Maintenance	\$150,000
3H23XX	Campus	Chilled Water & Steam Utility Upgrades	E. Campus Infrastructure	C. Renovation	\$600,000
3H23XX	Campus	Matching Funds for Energy Conservation Projects	D. Energy and Utility Savings	C. Renovation	\$70,000
3H23XX	Campus	Steam Distribution System - Annual PPM	E. Campus Infrastructure	A. Maintenance	\$150,000
3H23XX	Campus	Campus Site Repairs & Improvements	A. Public Health, Safety, and Compliance	A. Maintenance	\$30,000
3H23XX	Campus	Utility Pump Repairs & Replacement	E. Campus Infrastructure	B. Repair	\$50,000
3H23XX	Plant Science Building	Roof Replacement	B. Building Integrity	B. Repair	\$120,000
3H23XX	Avera Health & Science Center	Roof Replacement (North)	B. Building Integrity	B. Repair	\$300,000
3H23XX	Yeager Hall	Roof & Fascia Replacement	B. Building Integrity	B. Repair	\$100,000
3H23XX	Briggs Library	Renovate for Academic Support Services	C. Programmatic Suitability	C. Renovation	\$280,000
3H23XX	Briggs Library	Programmatic Renovations	C. Programmatic Suitability	C. Renovation	\$100,000
3H23XX	Wecota Hall	Roof Replacement	B. Building Integrity	B. Repair	\$45,000
3H23XX	Crothers Engineering Hall	HVAC Air Handler Replacement - Unit One	B. Building Integrity	B. Repair	\$170,000
3H23XX	Crothers Engineering Hall	Roof Replacement (Partial)	B. Building Integrity	B. Repair	\$425,000
3H23XX	Pugsley Center	Roof Replacement	B. Building Integrity	B. Repair	\$499,865
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$4,415,659</b>
<b><u>University of South Dakota</u></b>					
2H2301		M&R Bond - 2011			\$428,103
2H2302		Planning & Design			\$177,991
2H2303		M&R Bond - 2020			\$321,128
2H22XX	Campus	Hazardous Materials Abatement (asbestos, lead paint)	A. Public Health, Safety, and Compliance	A. Maintenance	\$300,000
2H22XX	Campus	Mechanical Repairs and Upgrades	D. Energy and Utility Savings	A. Maintenance	\$150,000
2H22XX	Campus	Electrical Repairs & Upgrades	D. Energy and Utility Savings	A. Maintenance	\$100,000
2H22XX	Campus	Roof Repairs	B. Building Integrity	A. Maintenance	\$50,000
2H22XX	Campus	Building Control Systems Maintenance & Replacement	D. Energy and Utility Savings	A. Maintenance	\$25,000
2H22XX	Campus	Painting and Flooring Repairs and Upgrades	B. Building Integrity	A. Maintenance	\$50,000
2H22XX	Campus	Sidewalk Safety And Accessibility Improvements / Repair	D. Energy and Utility Savings	A. Maintenance	\$100,000
2H22XX	Campus	Elevator Repairs	A. Public Health, Safety, and Compliance	A. Maintenance	\$100,000
2H22XX	Campus	Academic & Classroom Critical Maintenance & Repair	B. Building Integrity	A. Maintenance	\$50,000
2H22XX	Campus	Exterior Ladder Escape Replacement	B. Building Integrity	A. Maintenance	\$50,000
2H22XX	Churchill-Haines	Lab Renovations	D. Energy and Utility Savings	A. Maintenance	\$350,000
2H22XX	Dakota Dome	Roof Replacement	B. Building Integrity	A. Maintenance	\$1,000,000
2H22XX	South Dakota Union	Building Renovation	B. Building Integrity	C. Renovation	\$47,158
2H22XX	Arts & Sciences	Building Renovation	B. Building Integrity	C. Renovation	\$260,433
<b>FY23 HEFF M&amp;R Projects Total</b>					<b>\$3,559,813</b>

FY23 HEFF Maintenance & Repair Projects

Project #	Building Name	Project Name	M&R Category <sup>(1)</sup>	M&R Class <sup>(2)</sup>	Cost Estimate
<u>Sanford School of Medicine</u>					
2H2352		Planning & Design			\$8,961
2H235X	SSOM-HSC	SSOM-HSC Chiller Upgrades	D. Energy and Utility Savings	A. Maintenance	\$170,261
FY23 HEFF M&R Projects Total					\$179,222
<u>Community College for Sioux Falls</u>					
2H2362		Planning & Design			\$10,830
2H236X	CCSF	CCSF Mechanical Upgrades	B. Building Integrity	A. Maintenance	\$120,000
2H236X	CCSF	CCSF Safety & Security Upgrades	B. Building Integrity	A. Maintenance	\$40,000
2H236X	CCSF	CCSF Electrical Upgrades	B. Building Integrity	A. Maintenance	\$45,774
FY23 HEFF M&R Projects Total					\$216,604
Grand Total FY23 HEFF M&R Projects					\$12,500,000
Refer to BOR Policy 6:6 Maintenance & Repair					
<sup>(1)</sup> M&R Category					
A.	Public Health, Safety, and Compliance				
B.	Building Integrity				
C.	Programmatic Suitability				
D.	Energy and Utility Savings				
E.	Campus Infrastructure				
<sup>(2)</sup> M&R Class					
A.	Maintenance				
B.	Repair				
C.	Renovation				
D.	Alteration				

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – L**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**FY23 Auxiliary System M&R Projects**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 6:6](#) – Maintenance and Repair

[BOR Policy 5:25](#) – Auxiliary Revenue System

**BACKGROUND/DISCUSSION**

The auxiliary system encompasses all the facilities that are pledged under the Board of Regents' bond covenants. Generally, it includes the student unions, wellness centers, residential facilities, and a number of the parking systems. To achieve an adequate maintenance and repair program for all auxiliary buildings, the goal is to spend an average of two percent a year of the total building replacement value. After the operating costs are covered, excess revenues flow to the Repair and Replacement Reserve Fund which is then available to fund maintenance projects. The fund is used to cover the cost of maintenance and repair, renewals, renovations, and replacements not paid as part of the ordinary operation.

Each year the institutions identify planned projects that will be funded with auxiliary funds. Approval of the list provides Board approval for the projects. Throughout the year, additional projects can be added or the list can be revised in accordance with Board Policy 6:6(8).

**IMPACT AND RECOMMENDATIONS**

The FY23 2% M&R project total for the auxiliary system is estimated to be \$21.6 million. The campuses must expend two percent on average over a five-year period.

Approval of the FY23 Auxiliary System Maintenance and Repair projects will allow the universities to begin project planning and completion in a timely manner.

**ATTACHMENTS**

Attachment I – Auxiliary System M&R Projects (includes the campus designated projects, the estimated project cost, and the project's fund source)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-L:**

I move to approve the FY23 Auxiliary System M&R projects as presented in Attachment I.

## FY23 Auxiliary System Maintenance & Repair Projects

Project #	Building Name	Project Name	M&R Class <sup>(1)</sup>	Fund Source	Cost Estimate
<b><u>Black Hills State University</u></b>					
6X23XX	Student Union	Door and Window Replacement	B. Repair	General Activity Fee	\$75,000
6X23XX	Heidepriem Hall	Stairwell Upgrade	C. Renovation	Room Revenue	\$50,000
6X23XX	Thomas Hall	Stairwell Upgrade	C. Renovation	Room Revenue	\$50,000
6X23XX	Heidepriem Hall	Carpet Install	C. Renovation	Room Revenue	\$50,000
6X23XX	Thomas Hall	Carpet Install	C. Renovation	Room Revenue	\$50,000
6X23XX	Resident Halls	Keyless Entry Locks & Door Replace	C. Renovation	Room Revenue	\$175,000
6X23XX	Bordeaux Hall	Keyless Entry Locks	C. Renovation	Room Revenue	\$125,000
6X23XX	Resident Halls	Roof Replace (Hail damage)	C. Renovation	Room Revenue	\$75,000
6X23XX	Resident Halls	Smoke detector Upgrade	C. Renovation	Room Revenue	\$100,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$750,000</b>
<b><u>Dakota State University</u></b>					
8X23XX	Zimmermann	HVAC Upgrades	C. Renovation	RRR	\$1,000,000
8X23XX	8 Plex	8plex Updates	A. Maintenance	RRR	\$25,000
8X23XX	Residence Halls	Painting	B. Repair	RRR	\$20,000
8X23XX	Residence Halls	Restroom Renovations	C. Renovation	RRR	\$20,000
8X23XX	Residence Halls	RD apartment upgrades	C. Renovation	RRR	\$10,000
8X23XX	Trojan Center	Union Upgrades	D. Alteration	RRR	\$300,000
8X23XX	Courtyard Hall	Student Services Upgrades	D. Alteration	RRR	\$5,000
8X23XX	Courtyard Hall	Windows	A. Maintenance	RRR	\$20,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$1,400,000</b>
<b><u>Northern State University</u></b>					
5X23XX	Paint Various Halls	Paint Various Halls	A. Maintenance	Auxiliary M&R	\$40,000
5X23XX	Avera Student Center	Carpet Throughout Student Center	A. Maintenance	Auxiliary M&R	\$200,000
5X23XX	Steele Hall	Upgrade lighting to LED	C. Renovation	Auxiliary M&R	\$20,000
5X23XX	Avera Student Center	Install Power Assist Doors	C. Renovation	Auxiliary M&R	\$30,000
5X23XX	Avera Student Center	Replace Fireplaces	B. Repair	Auxiliary M&R	\$50,000
5X23XX	Avera Student Center	Apply Tinting to Mall Windows	C. Renovation	Auxiliary M&R	\$40,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$380,000</b>

## FY23 Auxiliary System Maintenance & Repair Projects

Project #	Building Name	Project Name	M&R Class <sup>(1)</sup>	Fund Source	Cost Estimate
<b><u>South Dakota School of Mines &amp; Technology</u></b>					
4X23XX	Various	Residence Hall General Maintenance	A. Maintenance	Housing Fees/Revenues	\$95,000
4X23XX	Surbeck Center	Surbeck General Maintenance	A. Maintenance	Housing Fees/Revenues	\$30,000
4X23XX	Howard Peterson/Surbeck	Upgrade Elevator	C. Renovation	Housing Fees/Revenues	\$100,000
4X23XX	Howard Peterson	Carpet	C. Renovation	Housing Fees/Revenues	\$200,000
4X23XX	Connolly Hall	Laundry Room Modification	C. Renovation	Housing Fees/Revenues	\$40,000
4X23XX	Palmerton Hall	Building Switches	A. Maintenance	Housing Fees/Revenues	\$60,000
4X23XX	Placer Hall	Access Points	A. Maintenance	Housing Fees/Revenues	\$40,000
4X23XX	Various	Door Upgrades	D. Alteration	Housing Fees/Revenues	\$157,920
4X23XX	Surbeck Center	Student Engagement Renovation	C. Renovation	Housing Fees/Revenues	\$100,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$822,920</b>
<b><u>South Dakota State University</u></b>					
3X23XX	Residence Halls	Concrete replacement	B. Repair	Rent	\$125,000
3X23XX	Residence Halls	Emergency M&R Repairs	B. Repair	Rent	\$435,000
3X23XX	Pierson Hall	Renovation	C. Renovation	Rent	\$9,700,000
3X23XX	Spencer Hall	Elevator Replacement	B. Repair	Rent	\$168,000
3X23XX	Meadows North	Boiler Expansion - Add Capacity	D. Alteration	Rent	\$290,000
3X23XX	Student Wellness Center	Building Commissioning	A. Maintenance	RRR	\$50,000
3X23XX	Student Wellness Center	First Floor Locker Room Renovation	C. Renovation	RRR	\$426,400
3X23XX	University Student Union	AHU 12, 13, & 14 Replacement/Upgrade	B. Repair	RRR	\$64,000
3X23XX	University Student Union	Interior Finish Upgrades	B. Repair	RRR	\$240,000
3X23XX	University Student Union	Site improvements	B. Repair	RRR	\$15,000
3X23XX	University Student Union	Renovation Phase 3 - ballroom refinishing upgrade	C. Renovation	RRR	\$2,500,000
3X23XX	Campus	Crack Seal	B. Repair	Parking & Traffic	\$30,000
3X23XX	Campus	Mill & Overlay Parking Lot 118	B. Repair	Parking & Traffic	\$305,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$14,348,400</b>

# **FY23 Auxiliary System Maintenance & Repair Projects**

Project #	Building Name	Project Name	M&R Class <sup>(1)</sup>	Fund Source	Cost Estimate
<b><u>University of South Dakota</u></b>					
2X23XX		Planning & Design			\$100,000
2X23XX	Beede	Building Automation Controls Upgrades	A. Maintenance	RRR	\$220,000
2X23XX	Beede/Mickelson	Exterior transformer enclosure	A. Maintenance	RRR	\$30,000
2X23XX	Brookman	Abatement and Demolition	A. Maintenance	RRR	\$1,200,000
2X23XX	Richardson Hall	Interior Renovation Phase 5	C. Renovation	RRR	\$1,500,000
2X23XX	Burgess/Norton Hall	Exterior Signage Upgrades	A. Maintenance	RRR	\$10,000
2X23XX	Burgess	RHD Apartment flooring upgrades - Vinyl	A. Maintenance	RRR	\$20,000
2X23XX	N. Complex	RHD Apartment flooring upgrades - Vinyl	A. Maintenance	RRR	\$60,000
2X23XX	Coyote Village	Apartment Painting	A. Maintenance	RRR	\$50,000
2X23XX	McFadden	Corridor Flooring replacement	A. Maintenance	RRR	\$40,000
2X23XX	McFadden	Apartment door replacement	A. Maintenance	RRR	\$75,000
2X23XX	MUC	First Floor Painting	A. Maintenance	RRR	\$50,000
2X23XX	MUC	Renovate Student Org Room	D. Alteration	RRR	\$50,000
2X23XX	MUC	Second Floor Carpet Replacement	A. Maintenance	RRR	\$60,000
2X23XX	MUC	Upgrade Dishwasher	A. Maintenance	RRR	\$150,000
2X23XX	MUC	Replace First Floor Motorized Window Covering	A. Maintenance	RRR	\$100,000
2X23XX	Residence Halls	Furniture replacement	D. Alteration	RRR	\$180,000
<b>FY23 Auxiliary M&amp;R Projects Total</b>					<b>\$3,895,000</b>
<b>Grand Total FY23 Auxiliary System M&amp;R Projects</b>					<b>\$21,596,320</b>

Refer to BOR Policy 6:6 Maintenance & Repair

<sup>(1)</sup> M&R Class

- A. Maintenance
- B. Repair
- C. Renovation
- D. Alteration

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – M**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**FY23 AES M&R Projects**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 6:6 – Maintenance and Repair](#)

[SDCL 38-20A-4](#)

[SDCL 38-20A-59](#)

**BACKGROUND/DISCUSSION**

Maintenance and repair (M&R) projects for the Agricultural Experiment Station (AES) are funded by the pesticide tax, enacted by the South Dakota Legislature in 1998 and amended by the 2020 Legislature (SB24). For each annual application fee of \$165.00 collected, the Agricultural Experiment Station receives \$15 and the Cooperative Extension Service receives \$10.

**IMPACT AND RECOMMENDATIONS**

The pesticide fee revenue allotted to AES is to be used entirely for AES maintenance and repair projects. The pesticide fee revenue for AES is projected to be \$200,000. The attached project list total is greater than the estimated revenue generated. AES will supplement the pesticide funds with available local funds to ensure the projects can be accomplished. Funding sources will be identified when the project work orders are submitted.

Approval of the FY23 AES M&R projects will allow SDSU to begin project planning and completion in a timely manner.

**ATTACHMENTS**

Attachment I – FY23 AES M&R projects requested by SDSU

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-M:**

I move to approve the AES M&R projects for FY23 as requested.

**SOUTH DAKOTA STATE UNIVERSITY  
AGRICULTURAL EXPERIMENT STATION (AES)  
FY23 Maintenance & Repair Projects**

FY22 Pesticide Revenue Projection: **\$200,000**

Project (Activity #)	Building Name	Project Name	M&R Category <sup>(1)</sup>	M&R Class <sup>(2)</sup>	Cost Estimate
3AE231	Animal Science	Fencing Repairs - Various Units	E. Campus Infrastructure	B. Repair	\$20,000
3AE232	Central Feedmill	Bin Replacement	E. Campus Infrastructure	C. Renovation	\$120,000
3AE233	Central Feedmill	General Repairs	E. Campus Infrastructure	B. Repair	\$150,000
3AE234	Cottonwood Field Station	Fencing Replacement	E. Campus Infrastructure	B. Repair	\$15,000
3AE235	Horticulture-Forestry	Cold Room Relocation	C. Programmatic Suitability	C. Renovation	\$140,000
<b>FY23 M&amp;R Projects Total</b>					<b>\$445,000</b>

\*\*Note: The projects on the list are for the full amount and may include funding above and beyond the Pesticide M&R funds.  
As work requests for the individual projects are approved, the additional fund sources will be identified.

Refer to BOR Policy 6:6 Maintenance & Repair

<sup>(1)</sup> M&R Category

- A. Public Health, Safety, and Compliance
- B. Building Integrity
- C. Programmatic Suitability
- D. Energy and Utility Savings
- E. Campus Infrastructure

<sup>(2)</sup> M&R Class

- A. Maintenance
- B. Repair
- C. Renovation
- D. Alteration



**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – N**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**SDSU Football Stadium FY21 Financials**

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND/DISCUSSION**

At the December 2013 Board of Regents meeting, the Board approved the SDSU football stadium project and the authorizing legislation was approved in 2014. A provision within the approval was that SDSU had to provide the Board with annual updates of actual stadium performance compared to the pro forma submitted. In June 2019, the Board approved updates to the football stadium financial reporting requirements, which included the continuation of the SDSU stadium financial report being submitted annually to the full Board as an informational item.

The stadium's fiscal year 2021 actual financial performance, as well as projections for future years are included in Attachment I.

As of June 30, 2021, the stadium fund had a cash balance of \$85k - the stadium M&R fund had a cash balance of \$686k - and the Stadium Debt Service Reserve had a cash balance of \$2.5M.

In terms of changes in income, total revenues decreased by approximately \$2.0M because of an across-the-board reduction due to the COVID-19 pandemic. SDSU transferred additional advertising revenues to the stadium to ensure bond payments were fully funded. In addition, HEERF funds were utilized to cover athletic operations in FY21 rather than stadium funds.

In FY21, total operating expenses were in line with the projected budget. No monies were transferred to the stadium M&R fund due to the shortage of revenues.

(Continued)

\*\*\*\*\*

**INFORMATIONAL ITEM**

### **IMPACT AND RECOMMENDATIONS**

The actual FY21 SDSU stadium financials were considerably affected by the COVID-19 pandemic; however, the debt service coverage ratio is above 1.00. SDSU is projecting a higher debt service coverage ratio moving forward.

### **ATTACHMENTS**

Attachment I – SDSU Football Stadium Financial Information

## SDSU Football Stadium Historical and Projected Financial Update(in \$000's)

Ref		Actuals					Projected					
		FY17	FY18	FY19	FY20	FY21	FY21	FY22	FY23	FY24	FY25	FY26
	<b>OPERATING REVENUES</b>											
1	Ticket Sales - SDSU Football	\$447	\$489	\$322	\$474	\$191	\$541	\$541	\$581	\$581	\$581	\$621
2	Ticket Sales - SDSU Football (Sixth Game)	\$141	\$107	\$140	\$115	\$0	\$116	\$116	\$124	\$124	\$124	\$133
3	Ticket Sales SDSU Football- Demand Games	\$712	\$832	\$571	\$761	\$0	\$810	\$917	\$850	\$963	\$893	\$1,011
4	Facility Fee (\$2/ticket sold)	\$83	\$105	\$65	\$75	\$26	\$105	\$105	\$105	\$105	\$105	\$105
5	Premium Seating Leases	\$2,169	\$1,883	\$2,043	\$1,986	\$1,219	\$1,964	\$2,003	\$2,043	\$2,084	\$2,125	\$2,168
6	Premium Seating Stadium Gifts	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
7	Advertising & Sponsorship	\$0	\$268	\$515	\$283	\$292	\$292	\$300	\$310	\$319	\$328	\$338
	Addtl Advertising funds (Athletics)					\$1,200						
7a	Interest Revenue	\$201	\$31	\$20	\$54	\$67	\$13	\$0	\$0	\$0	\$0	\$0
8	Ticket Sales - Other Events	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
9	Gross Concessions	\$217	\$98	\$65	\$108	\$4	\$113	\$119	\$125	\$131	\$138	\$145
10	Net Catering	\$44	\$45	\$45	\$38	\$0	\$52	\$55	\$57	\$60	\$63	\$66
11	Net Novelties	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
12	Gross Game Day Parking	\$29	\$30	\$29	\$31	\$0	\$33	\$34	\$35	\$36	\$37	\$38
13	Other Revenue	\$47	\$40	\$56	\$53	\$0	\$61	\$64	\$67	\$70	\$74	\$77
14	<b>Total Revenue</b>	<b>\$4,090</b>	<b>\$3,928</b>	<b>\$3,871</b>	<b>\$3,978</b>	<b>\$2,999</b>	<b>\$4,098</b>	<b>\$4,253</b>	<b>\$4,297</b>	<b>\$4,474</b>	<b>\$4,468</b>	<b>\$4,703</b>
15												
16												
17	Existing Football Ticket Sales**	(\$649)	(\$662)	(\$675)	(\$689)	\$0	(\$702)	(\$717)	(\$731)	(\$745)	(\$760)	(\$776)
18	Existing Football Concessions**	(\$40)	(\$41)	(\$42)	(\$42)	\$0	(\$43)	(\$44)	(\$45)	(\$46)	(\$47)	(\$48)
19	Existing Football Event Parking**	(\$38)	(\$39)	(\$40)	(\$40)	\$0	(\$41)	(\$42)	(\$43)	(\$44)	(\$45)	(\$45)
19a	Additional Transfer to Athletic Operations**	(\$280)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
20	<b>TOTAL REVENUES</b>	<b>\$3,083</b>	<b>\$3,186</b>	<b>\$3,114</b>	<b>\$3,207</b>	<b>\$2,999</b>	<b>\$3,311</b>	<b>\$3,451</b>	<b>\$3,478</b>	<b>\$3,638</b>	<b>\$3,617</b>	<b>\$3,834</b>
21												
22	<b>OPERATING EXPENDITURES</b>											
23	Salary - Permanent Staff	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
24	Benefits - Permanent Staff	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
25	General & Administrative	\$29	\$110	\$106	\$63	\$87	\$113	\$114	\$116	\$117	\$118	\$119
26	Utilities	\$48	\$58	\$72	\$64	\$122	\$63	\$65	\$67	\$69	\$71	\$73
27	Annual Facility Operating Costs	\$19	\$20	\$36	\$25	\$79	\$22	\$23	\$23	\$24	\$25	\$25
28	Event Insurance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
29	Advertising	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30	Miscellaneous	\$23	\$28	\$32	\$11	\$9	\$29	\$29	\$29	\$30	\$30	\$30
31	Gameday Expenses	\$57	\$64	\$78	\$118	\$0	\$70	\$72	\$74	\$76	\$79	\$81
32	Insurance/Service Fee (3% Bldg Authority)	\$78	\$78	\$78	\$78	\$78	\$77	\$77	\$77	\$77	\$77	\$77
33	<b>Total Operating Expenses</b>	<b>\$254</b>	<b>\$358</b>	<b>\$402</b>	<b>\$359</b>	<b>\$375</b>	<b>\$374</b>	<b>\$380</b>	<b>\$387</b>	<b>\$393</b>	<b>\$400</b>	<b>\$406</b>
34												
37	<u>Facility Related Expenses and Transfers</u>											
38	Annual Debt Service	\$2,514	\$2,510	\$2,510	\$2,510	\$2,510	\$2,513	\$2,514	\$2,511	\$2,512	\$2,514	\$2,514
39	Stadium Capital Expenditures	\$142	\$244	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
41	M&R Contribution	\$0	\$0	\$287	\$448	\$0	\$609	\$777	\$793	\$809	\$825	\$858
42	M&R Additional Contribution	\$0	\$0	\$0	\$0	\$0	\$200	\$210	\$0	\$0	\$0	\$0
43	Additional Debt Service Reserve	\$0	\$0	\$0	\$54	\$67	\$0	\$0	\$0	\$0	\$0	\$0
44	<b>Total Facility Related Expenses</b>	<b>\$2,656</b>	<b>\$2,754</b>	<b>\$2,797</b>	<b>\$3,012</b>	<b>\$2,577</b>	<b>\$3,322</b>	<b>\$3,501</b>	<b>\$3,304</b>	<b>\$3,321</b>	<b>\$3,339</b>	<b>\$3,372</b>
40	Transfer from Debt Service Reserve	\$0	\$0	(\$267)	\$0	\$0	(\$385)	(\$440)	(\$230)	(\$80)	(\$130)	\$0
45	<b>TOTAL EXPENDITURES</b>	<b>\$2,910</b>	<b>\$3,112</b>	<b>\$2,932</b>	<b>\$3,371</b>	<b>\$2,952</b>	<b>\$3,311</b>	<b>\$3,441</b>	<b>\$3,461</b>	<b>\$3,634</b>	<b>\$3,609</b>	<b>\$3,778</b>
46	Total Revenue / Expenditures net	\$173	\$74	\$182	(\$164)	\$47	\$0	\$9	\$17	\$4	\$8	\$56
47	Ending Cash Balance	\$173	\$247	\$382	\$73	\$85	\$387	\$396	\$414	\$418	\$426	\$482
48	<b>Debt Service Coverage Ratio</b>	<b>1.13</b>	<b>1.13</b>	<b>1.08</b>	<b>1.13</b>	<b>1.05</b>	<b>1.17</b>	<b>1.22</b>	<b>1.23</b>	<b>1.29</b>	<b>1.28</b>	<b>1.36</b>

\*\* Funds normally transferred for athletic operations were not transferred from stadium revenues. They were instead reimbursed by HEERF funds. Replacement revenue calculations provided enough funds to cover the athletic operations. The maintenance and operation costs of the stadium itself could not be covered HEERF funds.

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance** **Consent**

**AGENDA ITEM: 5 – O**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**Reduced Tuition Annual Report**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:5:1](#) – Tuition and Fees: On-Campus Tuition

[SDCL 3-20-1](#) – Reduced Tuition for Certain State Employees

[SDCL 33-6-5](#) – Tuition Benefits for National Guard Members

[SDCL 13-55-2](#) – Veterans Entitled to Free Tuition at State Institutions

[SDCL 13-55-6](#) – Free Education of Children of Residents Who Died During Service in the  
Armed Forces

[SDCL 13-55-10](#) – Free Tuition to Child or Spouse of NG Member Disabled or Deceased  
in the Line of Duty

[SDCL 13-55-11](#) – Free Tuition and Fees for Visually Impaired Persons

[SDCL 13-55-22](#) – Free Tuition for Survivors of Certain Firefighters, Certified Law  
Enforcement Officers and Emergency Medical Technicians

[SDCL 13-55-24](#) – Reduced Tuition for Elementary or Secondary Teachers or Vocational  
Instructors

#### **BACKGROUND/DISCUSSION**

Board of Regents Policy 5:5:1 – Tuition and Fees: On-Campus Tuition outlines the tuition reduction programs available to students. The tuition reduction programs included in this report cover both Board approved and legislatively mandated programs and relate to on-campus courses for the 2021 academic school year (summer 2020, fall 2020, and spring 2021).

#### **BOARD APPROVED PROGRAMS**

- Persons 65 Years of Age or Older (SC): The tuition for resident students sixty-five (65) years of age or older during the calendar year enrolled shall be one-fourth (1/4) of the cost of resident tuition.
- Graduate Fellows and Assistants: (GA/GAS) Resident graduate assistants and graduate student fellows shall be assessed 53% of the resident graduate tuition rate for all on-campus courses, nonresidents shall be assessed 63%.

(Continued)

\*\*\*\*\*

#### **INFORMATIONAL ITEM**

- Reserve Officer Training Corps Cadets (ROT): South Dakota residents who are junior and senior students and who are contracted senior Reserve Officer Training Corps (ROTC) cadets shall be charged fifty-percent (50%) of the undergraduate resident tuition rate established by the Board of Regents for not more than four semesters.
- Western Regional Graduate Program (WRG): Students from the WICHE states can participate in the Western Regional Graduate Program. The graduate programs that have been approved by the Board for South Dakota allow students to pay in-state tuition rates.
- Children of Alumni (COAB/COAD/COAN/COAM/COAS/COAU): Effective summer 2015, first-time freshmen and new transfer students who attend the same university where their parent or legal guardian received a degree, provided the student meets eligibility criteria established by the home institution, shall be assessed the resident tuition rate. This reduced rate is available only at the undergraduate level.
- South Dakota Advantage (ISR): First-time freshmen and new transfer students from Colorado, Iowa, Montana, Nebraska, North Dakota and Wyoming beginning with the summer 2019 term shall be assessed the resident tuition rate. This reduced rate is available only at the undergraduate level.

#### **LEGISLATIVE APPROVED PROGRAMS**

- Child of Deceased Veteran (SDCL § 13-55-6) (CDV): Any person under the age of twenty-five years, a resident of this state, and is a child of a deceased parent, mother or father who was a veteran as defined in § 33-17-2, is entitled to free tuition to pursue any course of study in any state educational institution under the control and management of the Board of Regents.
- Dependents of National Guardsmen Disabled or Deceased in Line of Duty (SDCL § 13-55-10) (DDD): South Dakota residents under the age of 25 years whose father, mother, or spouse died or sustained a total permanent disability resulting from duty as a South Dakota National Guard member, while on state active duty or any authorized training duty, shall be entitled to tuition without cost and be entitled to attend any course or courses of study.
- Employees of the State of South Dakota (SDCL § 3-20-1) (SDE): Employees of the state who meet eligibility requirements and are admitted to the university may be eligible for a fifty-percent (50%) tuition reduction for undergraduate and graduate courses up to a maximum of six credit hours per semester.
- Survivors of Fire Fighters, Certified Law Enforcement Offices and Emergency Medical Technicians (SDCL § 13-55-22) (SFP): If a firefighter or certified law enforcement officer or an emergency medical technician dies as a direct result of

injuries received in performance of official duties, the survivor, upon being duly accepted for enrollment into any state-supported university of higher education or state-supported technical or vocational school, shall be allowed to obtain a bachelor's degree or vocational degree for so long as the survivor is eligible, free of any tuition. However, the bachelor's degree or vocational degree shall be earned within a thirty-six month or eight semester period or its equivalent.

- Certain Elementary and Secondary Teachers and Vocational Instructors (SDCL § 13-55-24) (TC): Certain elementary and secondary school teachers and vocational instructors may pursue any undergraduate or graduate course on campus upon payment of fifty-percent (50%) of tuition and 100% of required fees.
- Veterans and Others Who Performed War Service (SDCL § 13-55-2 through 13-55-4) (QV): Veterans and others who performed active war service may pursue any undergraduate course or courses without payment of charges for tuition for each month of qualified service or major fraction thereof a month in academic time. No eligible person shall be entitled to less than one nor more than four academic years of free tuition. Note: Many veterans will be coded as National Guard (NG), so the actual number of veterans qualifying will be understated.
- Dependents of Prisoner of War or Missing in Action (SDCL § 13-55-9.2) (DPM): Any dependent of a prisoner of war or a person missing in action, upon his being duly accepted for enrollment into any state-supported institution of higher education or state-supported technical or vocational school, shall be entitled to eight semesters or twelve quarters, free of tuition and mandatory fees other than subsistence expenses, for either full or part-time study, for so long as he is eligible.
- Visually Impaired Persons (SDCL §§ 13-55-11 through 13-55-13) (VH): Residents of South Dakota who are visually impaired and are eligible for admission may pursue any course of study without payment of tuition and fees that other students are required to pay directly to the university until they have received two hundred twenty-five (225) semester hours of credit or its equivalent.
- National Guard Members (SDCL § 33-6-5) (NG): All National Guard students are entitled to a benefit of fifty-percent (50%) of the in-state resident tuition to be paid or otherwise credited by the Board of Regents. As of FY13, the Army's regulatory policy no longer allowed federal tuition assistance to be applied toward fees. Because this change would have meant a loss of \$1,800 to a full-time National Guard member, the Board staff worked diligently to find a solution. The Army agreed that the Board could apply the fifty-percent (50%) reduced-tuition benefit to fees, allowing the full tuition to be paid with federal tuition assistance. The Board still only provides a benefit equivalent to fifty-percent (50%) of the tuition, but it is applied to GAF, allowing the student to be eligible for more tuition assistance.

### **IMPACT AND RECOMMENDATIONS**

The Board waived an estimated total of \$1,476,552 in tuition for National Guard members. When added to the \$8,869,535 for all other programs, the total tuition waived was \$10,346,087 for the 2021 academic year.

Attachment I provides the amount of tuition dollars waived for each of the programs listed as well as the amount of student fees, tuition, and housing collected from participants in the reduced tuition programs.

### **ATTACHMENTS**

Attachment I – All Campus Tuition Reduced Tuition Programs for Academic Year 2021 - Estimate of System Tuition Waived/Tuition, Fees, and Housing Collected on Reduced Tuition Programs

**South Dakota Board of Regents**  
**All Campus Reduced Tuition Programs for Academic Year 2021**  
**Estimate of System Tuition Waived/Tuition, Fees, and Housing Collected on Reduced Tuition Programs**

Program	Academic Level	Campus	Number of Students	Credit Hours	Per Cr			Tuition Total	Tuition Total Reduced	Tuition Waived	Student		Total Revenue Collected				
					Regular Cost	Regular Cost	Hour				Fees	Room & Board					
Board Approved																	
COAB-Univ Child of Alum	Undergrad	BHSU	5	116	\$	353.70	\$	41,029	\$	29,157	\$	11,872	\$	6,135	\$	35,292	
COAD-Univ Child of Alum	Undergrad	DSU, NSU	8	175	\$	353.70	\$	61,770	\$	43,896	\$	17,874	\$	26,782	\$	37,392	
COAM-Univ Child of Alum	Undergrad	SDSM&T	32	463	\$	404.00	\$	187,052	\$	119,431	\$	67,621	\$	200,657	\$	288,104	
COAS/COAU-Univ Child of Alum	Undergrad	SDSU, USD	273	6,374	\$	372.40	\$	2,373,715	\$	1,635,275	\$	738,440	\$	2,046,573	\$	2,089,977	
ISCH- Nonresident Indian University of N. Americ	Undergrad	USD	1		\$	372.40	\$	-	\$	256.55	\$	-	\$	1,611	\$	1,611	
ISR - CO/MT/WY/IA/NE/ND Resident	Undergrad	BHSU	374	7,991	\$	353.70	\$	2,826,275	\$	2,008,437	\$	817,838	\$	581,933	\$	1,728,905	
ISR - CO/MT/WY/IA/NE/ND Resident	Undergrad	DSU, NSU	264	5,787	\$	353.70	\$	2,046,947	\$	1,454,567	\$	592,380	\$	782,943	\$	1,695,780	
ISR - CO/MT/WY/IA/NE/ND Resident	Undergrad	SDSM&T	340	5,582	\$	404.00	\$	2,255,039	\$	1,439,821	\$	815,218	\$	2,906,455	\$	4,533,995	
ISR - CO/MT/WY/IA/NE/ND Resident	Undergrad	SDSU, USD	1,896	44,746	\$	372.40	\$	16,663,567	\$	11,479,784	\$	5,183,783	\$	8,779,614	\$	12,377,731	
MIL - Military Reserves	Undergrad	BHSU	1	12	\$	251.35	\$	3,016	\$	250.00	\$	16	\$	2,469	-	\$	5,469
MIL - Military Reserves	Undergrad - Ctr/Remote	BHSU	25	171	\$	351.25	\$	60,064	\$	42,750	\$	17,314	\$	-	\$	42,750	
MIL - Military Reserves	Undergrad	DSU	3	48	\$	251.35	\$	12,065	\$	250.00	\$	65	\$	1,014	\$	12,205	
MIL - Military Reserves	Undergrad - Ctr/Remote	DSU, NSU	71	837	\$	351.25	\$	294,052	\$	209,290	\$	84,762	\$	2,502	\$	211,792	
MIL - Military Reserves	Undergrad	SDSM&T	1	8	\$	257.95	\$	2,064	\$	2,000	\$	64	\$	513	-	\$	2,513
MIL - Military Reserves	Undergrad - Ctr/Remote	SDSU, USD	23	182	\$	351.25	\$	63,928	\$	250.00	\$	45,500	\$	18,428	\$	4,007	-
MIL - Military Reserves	Undergrad	USD	1	26	\$	372.40	\$	9,682	\$	250.00	\$	6,500	\$	3,182	\$	382	-
ROT-ROTC Undergrad Resident Rate	Undergrad	DSU	1	17	\$	251.35	\$	4,273	\$	2,136	\$	2,137	\$	3,065	-	\$	5,201
ROT-ROTC Undergrad Resident Rate	Undergrad	SDSU	4	58	\$	256.55	\$	14,880	\$	128.25	\$	7,439	\$	7,442	\$	7,849	1,554
ROT-ROTC Undergrad Resident Rate	Undergrad	USD	1		\$	256.55	\$	-	\$	128.25	\$	-	\$	818	-	\$	818
SC-Senior Citizen	Graduate	NSU	1	21	\$	329.95	\$	6,929	\$	181.50	\$	3,812	\$	3,118	\$	1,426	-
SC-Senior Citizen	Graduate	SDSM&T	1	6	\$	335.55	\$	2,013	\$	184.60	\$	1,108	\$	905	\$	800	-
SC-Senior Citizen	Undergrad	USD	2	12	\$	256.55	\$	3,079	\$	141.10	\$	1,693	\$	1,386	\$	780	-
SC-Senior Citizen	Graduate	USD	1	3	\$	336.80	\$	1,010	\$	185.25	\$	556	\$	454	\$	164	-
WRG- Western Regional Graduate Prog	Graduate	SDSM&T	17	159	\$	673.50	\$	107,087	\$	335.55	\$	53,352	\$	53,735	\$	30,299	7,843
WRG- Western Regional Graduate Prog	Graduate	USD	5	89	\$	647.55	\$	57,632	\$	336.80	\$	29,975	\$	27,657	\$	6,241	-
Legislative Approved																	
QV-Qualified Veteran Undergrad	Undergrad - Ctr/Remote	BHSU	3	34	\$	351.25	\$	11,943	\$	99.90	\$	3,397	\$	8,546	\$	494	-
QV-Qualified Veteran Undergrad	Undergrad	DSU, NSU	16	196	\$	351.25	\$	68,845	\$	99.90	\$	19,580	\$	49,265	\$	4,392	9,363
QV-Qualified Veteran Undergrad	Undergrad - Ctr/Remote	SDSU, USD	13	97	\$	351.25	\$	34,071	\$	94.70	\$	9,186	\$	24,885	\$	3,434	6,069
SDE-Resident SD Employee	Undergrad	BHSU, DSU, NSU	10	30	\$	251.35	\$	7,541	\$	125.65	\$	3,769	\$	3,772	\$	2,456	-
SDE-Resident SD Employee	Undergrad	SDSM&T	2	6	\$	257.95	\$	1,548	\$	129.00	\$	774	\$	774	\$	893	-
SDE-Resident SD Employee	Undergrad	SDSU, USD	17	84	\$	256.55	\$	21,550	\$	128.25	\$	10,773	\$	10,777	\$	7,194	920
SDE-Resident SD Employee	Grad - Ctr/Remote	BHSU	2	3	\$	465.80	\$	1,397	\$	164.95	\$	903	\$	494	-	\$	-
SDE-Resident SD Employee	Graduate	DSU, NSU	7	45	\$	329.95	\$	14,848	\$	164.95	\$	7,422	\$	7,426	\$	4,122	-
SDE-Resident SD Employee	Graduate	SDSM&T	4	26	\$	335.55	\$	8,724	\$	167.80	\$	4,363	\$	4,361	\$	3,465	-
SDE-Resident SD Employee	Graduate	SDSU, USD	57	310	\$	336.80	\$	104,293	\$	168.40	\$	98,920	\$	5,373	\$	51,557	272
SDE-Resident SD Employee	Grad - Ctr/Remote	SDSU, USD	37	42	\$	465.80	\$	19,564	\$	297.40	\$	12,491	\$	7,073	\$	111	272
TC-Resident Teacher Certificate	Undergrad	BHSU, NSU	2	6	\$	251.35	\$	1,508	\$	125.65	\$	754	\$	754	\$	213	-
NSU, SDSU, USD																	
TC-Resident Teacher Certificate	Undergrad - Ctr/Remote	USD	68	262	\$	351.25	\$	91,862	\$	225.60	\$	58,768	\$	33,094	\$	1,050	-
TC-Resident Teacher Certificate	Graduate	BHSU, NSU	5	17	\$	329.95	\$	5,609	\$	164.95	\$	2,804	\$	2,805	\$	678	-



**South Dakota Board of Regents**  
**All Campus Reduced Tuition Programs for Academic Year 2021**  
**Estimate of System Tuition Waived/Tuition, Fees, and Housing Collected on Reduced Tuition Programs**

Program	Academic Level	Campus	Number of Students	Credit Hours	Per Cr			Tuition Total	Tuition Total Reduced Cost	Tuition Waived	Student Fees	Room & Board	Total Revenue Collected
					Regular	Cr Hour	Hour Reduced						
TC-Resident Teacher Certificate	Grad - Ctr/Remote	BHSU	23	125	\$ 465.80	\$ 58,225	\$ 300.85	\$ 37,606	\$ 20,619	\$ 64	\$ -	\$ -	\$ 37,670
TC-Resident Teacher Certificate	Grad - Ctr/Remote	DSU, NSU	80	437	\$ 465.80	\$ 203,555	\$ 300.85	\$ 131,456	\$ 72,099	\$ 1,625	\$ -	\$ -	\$ 133,081
TC-Resident Teacher Certificate	Grad - Ctr/Remote	SDSM&T	1	3	\$ 465.80	\$ 1,397	\$ 298.00	\$ 894	\$ 503	\$ 72	\$ -	\$ -	\$ 966
TC-Resident Teacher Certificate	Graduate	SDSU, USD	18	137	\$ 336.80	\$ 46,142	\$ 168.40	\$ 23,071	\$ 23,071	\$ 9,946	\$ -	\$ -	\$ 33,016
TC-Resident Teacher Certificate	Grad - Ctr/Remote	SDSU, USD	117	761	\$ 465.80	\$ 354,474	\$ 297.40	\$ 226,321	\$ 128,153	\$ 55	\$ -	\$ -	\$ 226,376
<b>Sub Total of Board and Legislative Approved Programs</b>					3,833	75,503		\$ 19,284,729	\$ 8,869,535				\$ 57,561,961
National Guard Programs								\$ 1,987,734	\$ 1,426,731				
Graduate								\$ 110,312	\$ 49,821				
<b>Total Amount Waived</b>										<b>\$ 10,346,087</b>			

(1) The Board waived a total or a portion of the USF and GAF for Army National Guard members

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance** **Consent**

**AGENDA ITEM: 5 – P**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**FY21 Auxiliary System Agreed-Upon Procedures Report**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:26](#) – Bond Compliance and Management

### **BACKGROUND / DISCUSSION**

A financial statement for the auxiliary system is required by the bond covenants. In order to accomplish this, the Board of Regents (BOR) has retained the Department of Legislative Audit (DLA) to provide an Agreed-Upon Procedures review of the system. The BOR's compliance officer receives the financial statement information from the universities, reviews them, combines them, and prepares the footnotes. Those statements and any working papers are then provided to DLA to perform certain tests that are outlined in the Agreed-Upon Procedures document. The review by Legislative Audit includes the following:

- Verifying that the coverage ratio has been calculated properly;
- Making sure that revenue generated by the auxiliary system stays in the system;
- Checking expenditures to make sure that they are proper; and
- Verifying that the proper amount of funds are being allocated to the Repair & Replacement Reserve (RRR).

For FY21, DLA found no instances of noncompliance with the covenants of the bond. A copy of this year's report is provided as Attachment I. The table on the next page shows the coverage ratios for the last five years for all of the campuses and the system. The covenants require a coverage rate of 1.20 or higher.

	FY21	FY20	FY19	FY18	FY17
<b>BHSU</b>	1.43	1.41	1.50	1.53	1.48
<b>DSU</b>	1.53	1.49	1.41	1.40	1.75
<b>NSU</b>	1.73	1.63	1.51	1.41	1.73
<b>SDSMT</b>	1.35	1.30	1.25	1.38	1.35
<b>SDSU</b>	1.64	1.38	1.49	1.57	1.48
<b>USD</b>	1.81	1.67	1.62	1.62	1.48
<b>System</b>	1.62	1.45	1.49	1.54	1.49

(Continued)

\*\*\*\*\*

### **INFORMATIONAL ITEM**

### **IMPACT AND RECOMMENDATIONS**

The System continues to maintain a coverage ratio around 1.50. This consistency helps the system maintain its excellent credit rating. The additional cushion above the minimum of 1.20 also helps protect the system from occasional drops in enrollment.

### **ATTACHMENTS**

Attachment I – FY21 Agreed-Upon Procedures Report

**SOUTH DAKOTA BOARD OF REGENTS**  
**FINANCIAL STATEMENTS OF THE HOUSING**  
**AND AUXILIARY FACILITIES SYSTEM**  
**INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING**  
**AGREED-UPON PROCEDURES**  
**Fiscal Year Ended June 30, 2021**



**State of South Dakota**  
**Department of Legislative Audit**  
427 South Chapelle  
% 500 East Capitol  
Pierre, SD 57501-5070

BOARD OF REGENTS  
HOUSING AND AUXILIARY FACILITIES SYSTEM  
TABLE OF CONTENTS

Independent Accountant's Report on Applying Agreed-Upon Procedures .....	1
Financial Statements:	
Statement of Net Position .....	4
Statement of Revenues, Expenses and Changes in Net Position .....	5
Notes to the Financial Statements .....	6
Supplementary Schedules:	
Schedule of Pledged Revenues .....	10
Debt Service Schedule .....	11
Black Hills State University .....	12
Dakota State University .....	16
Northern State University .....	20
South Dakota School of Mines and Technology .....	24
South Dakota State University .....	28
University of South Dakota .....	32



427 SOUTH CHAPELLE  
C/O 500 EAST CAPITOL  
PIERRE, SD 57501-5070  
(605) 773-3595

RUSSELL A. OLSON  
AUDITOR GENERAL

## INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Dr. Brian Maher  
Executive Director

and

South Dakota Board of Regents

We have performed the procedures enumerated below, which were agreed to by management of the South Dakota Board of Regents (Board), solely to assist the Board in evaluating its compliance with bond requirements in the Housing and Auxiliary Facilities System for the year ended June 30, 2021. The Board's management is responsible for the Housing and Auxiliary Facilities System financial statements and the underlying accounting records, and for complying with bond requirements.

The South Dakota Board of Regents has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting users in understanding the Board of Regents Housing and Auxiliary System for the year ended June 30, 2021. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, the users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

### Statement of Net Position and Statement of Revenues, Expenses and Changes in Net Position – Agreed-Upon Procedures

- a. *We obtained the Statement of Net Position and the Statement of Revenues, Expenses and Changes in Net Position for the year ended June 30, 2021, as prepared by management. We traced the amounts on the statements to management's worksheets and traced the amounts on management's worksheets to the accounts in the Board's general ledger and other supporting documentation. A materiality limit of 5% was utilized in performing these procedures.*

We found no exceptions exceeding the agreed upon materiality limit of 5% as a result of applying these procedures.

- b. *We traced information in the footnotes to the statements and other supporting documentation.*

We found no exceptions as a result of applying this procedure.

- c. *We traced the information in the supplementary schedules to the Board's general ledger and other supporting documentation. A materiality limit of 5% was utilized in performing this procedure.*

We found no exceptions exceeding the agreed upon materiality limit of 5% as a result of applying this procedure.

#### Compliance – Agreed-Upon Procedures

- d. *We confirmed that transfers made to the Repair and Replacement Reserve Account for each institution were in compliance with bond covenants during the fiscal year ended June 30, 2021.*

The Board's general ledger supported that required minimum distributions were made to the Repair and Replacement Reserve Account in accordance with bond covenants.

- e. *We confirmed that the bond accounts were maintained separately from all other accounts on the accounting system in accordance with bond covenants.*

Separate funds have been established in the Board's general ledger to record bond activity.

- f. *We inspected the Board of Regents meeting minutes for meetings occurring during the fiscal year ended June 30, 2021, and obtained representations from management that none of the facilities of the Housing and Auxiliary Facilities System had been sold or otherwise disposed of contrary to bond covenants as of June 30, 2021.*

No facilities in the Housing and Auxiliary Facilities system were listed in the Board of Regents meeting minutes as being sold or disposed of during the fiscal year ending June 30, 2021. This was confirmed by management's representation.

- g. *We mathematically checked compliance with the rate covenant for each institution which requires the ratio of net revenues to annual debt service to exceed 120%.*

The net revenue to annual debt service ratio exceeded 120% at all universities and for the System as a whole.

We were engaged by the Board to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants and *Government Auditing Standards* promulgated by the Comptroller General of the United States. We were not engaged to and did not conduct an audit, examination, or review of the compliance with bond requirements or of the Housing and Auxiliary Facilities System – Statement of Net Position and Statement of Revenues, Expenses and Changes in Net Position for the year ended June 30, 2021, the objective of which would be the expression of an opinion or conclusion on the compliance with bond requirements or the financial statements referred to above. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the South Dakota Board of Regents Housing and Auxiliary Facilities System and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of management and members of the Board of Regents and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in black ink that reads "Russell A. Olson". The signature is written in a cursive style with a large, stylized 'R' and 'O'.

Russell A. Olson  
Auditor General

October 19, 2021



**SOUTH DAKOTA BOARD OF REGENTS - COMBINED**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 13,135,429.99	\$ 3,248,913.74	\$ 37,923,125.53	\$ 54,307,469.26
Total Assets	<u>\$ 13,135,429.99</u>	<u>\$ 3,248,913.74</u>	<u>\$ 37,923,125.53</u>	<u>\$ 54,307,469.26</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 13,135,429.99	\$ -	\$ 14,875,886.09	\$ 28,011,316.08
Externally restricted (Note 3)	<u>-</u>	<u>3,248,913.74</u>	<u>23,047,239.44</u>	<u>26,296,153.18</u>
Total Net Position	<u>\$ 13,135,429.99</u>	<u>\$ 3,248,913.74</u>	<u>\$ 37,923,125.53</u>	<u>\$ 54,307,469.26</u>

*The accompanying notes are an integral part of these financial statements.*

**SOUTH DAKOTA BOARD OF REGENTS - COMBINED**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
Revenues and other additions:				
Net revenues from bonded facilities (Note 1)	\$ 20,461,459.53	\$ -	\$ -	\$ 20,461,459.53
Investment income	257,287.71	94,085.26	822,531.74	1,173,904.71
Net general activity fee (Note 1)	8,560,819.79	-	-	8,560,819.79
Proceeds from bond issuance (Including capitalized interest)	-	44,636,813.80	-	44,636,813.80
HEERF funds (Note 4)	8,029,975.64	-	-	8,029,975.64
Other income	-	-	125,000.00	125,000.00
Total revenues and other additions	<u>37,309,542.67</u>	<u>44,730,899.06</u>	<u>947,531.74</u>	<u>82,987,973.47</u>
Expenses and other deductions:				
Bond principal payments	-	56,940,000.00	-	56,940,000.00
Bond interest expense	-	10,459,743.27	-	10,459,743.27
Bond capitalized interest expense	-	419,850.00	-	419,850.00
Bond issuance costs	-	308,371.03	-	308,371.03
Trustee fees and bank charges	-	6,837.50	-	6,837.50
General and administrative expenses	-	-	8,514,073.92	8,514,073.92
Total expenses and other deductions	<u>-</u>	<u>68,134,801.80</u>	<u>8,514,073.92</u>	<u>76,648,875.72</u>
Revenues and other additions over (under) expenses and other deductions	37,309,542.67	(23,403,902.74)	(7,566,542.18)	6,339,097.75
Transfers among funds - additions (deductions)				
Transfers for bond payments	(23,456,730.23)	23,456,730.23	-	-
Transfers for renewal and replacement	(12,711,194.48)	-	12,711,194.48	-
Transfers for other	(1,054,410.66)	-	(165,407.73)	(1,219,818.39)
Total transfers among funds - additions (deductions)	<u>(37,222,335.37)</u>	<u>23,456,730.23</u>	<u>12,545,786.75</u>	<u>(1,219,818.39)</u>
Net increase (decrease) in net position	87,207.30	52,827.49	4,979,244.57	5,119,279.36
Beginning net position	13,034,327.58	3,196,086.25	32,943,320.81	49,173,734.64
Prior period adjustment (Note 1)	13,895.11	-	560.15	14,455.26
Ending Net Position	<u>\$ 13,135,429.99</u>	<u>\$ 3,248,913.74</u>	<u>\$ 37,923,125.53</u>	<u>\$ 54,307,469.26</u>

*The accompanying notes are an integral part of these financial statements.*

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Housing and Auxiliary Facilities System (System) is reported in the financial statements of the South Dakota Board of Regents (BOR). The System includes the activity of the Housing and Auxiliary Facilities System Revenue Bonds Series 2006, Series 2007, Series 2008A, Series 2008B, Series 2013A, Series 2014A, Series 2014B, Series 2015, Series 2016, Series 2017, Series 2019A, Series 2019B, and Series 2021 for the year ended June 30, 2021.

The accompanying financial statements have been prepared on the cash basis of accounting and present the financial position and results of financial activity of the System in a format determined by the BOR. The financial statements are not prepared in accordance with generally accepted accounting principles and the notes to the financial statements are not intended to present all disclosures required by generally accepted accounting principles. The significant accounting policies followed are described below.

Revenues from bonded facilities are reported on the Statement of Revenues, Expenses and Changes in Net Position net of maintenance and operating costs. A breakdown of specific revenues and expenses may be found on the supplementary Schedule of Pledged Revenues.

Prior period adjustments were made to Net Position as shown on the Statement of Revenues, Expenses, and Changes in Net Position. These represent adjustments to beginning cash balances for activity in the prior year.

A total column is presented in the statements. The total column includes interfund activity and is not comparable to a consolidated financial statement, but is presented only to facilitate financial analysis.

General Provisions

The Series 2006, Series 2007, Series 2008A, Series 2008B, Series 2013A, Series 2014A, Series 2014B, Series 2015, Series 2016, Series 2017, Series 2019A, Series 2019B, and Series 2021 Bonds are limited obligations of the BOR issued by the Board of Regents of the State of South Dakota, and are secured under the provisions of the Bond Resolution authorizing their issuance. The Bonds are payable and collectible from student housing fees, and the net revenues of the BOR's student housing system and certain auxiliary enterprise facilities and certain other sources as shown in the schedule of pledged revenues. These revenues have been pledged to meet the bond obligations. Neither the credit nor the taxing power of the State of South Dakota nor any state agency, instrumentality, or political subdivision thereof is pledged for the payment of the principal, premium, if any, or interest on the Bonds. The Bonds are not general obligations of the State of South Dakota or any agency, instrumentality, or political subdivision thereof. The South Dakota Board of Regents has no taxing power.

The Series 2006, Series 2007, Series 2008A, Series 2008B, Series 2013A, Series 2014A, Series 2014B, Series 2015, Series 2016, Series 2017, Series 2019A, Series 2019B, and Series 2021 Bonds are not insured.

## Fund Accounting

The assets, liabilities, and net position of the System are reported in three fund groups as follows:

- The Housing and Auxiliary Facilities Revenue Fund is the fund established to collect and record the gross revenue of the auxiliary institutional system. The moneys in the fund shall be applied to pay all necessary operating expenses, which include current maintenance charges, expenses of reasonable upkeep and repairs, properly allocated share of charges for insurance, and all other expenses incidental to the operation of the institutional system, but exclude depreciation.
- The Bond and Interest Sinking Fund Account is the fund established to maintain an amount sufficient to equal the interest then due on the bonds issued and one-half of the principal due on the bonds within the next 12 months. Transfers to this fund are due semi-annually on March 25 and September 25.
- The Repair and Replacement Reserve Account is a fund established to maintain an amount equal to the Repair and Replacement Reserve Requirement of each Bond issue. All moneys and investments so held in this account shall be used and held for use to pay the cost of unusual or extraordinary maintenance or repairs, renewals, renovations and replacements, and renovating or replacement of the furniture and equipment not paid as part of the ordinary maintenance and operation of the facilities constituting the related Institutional System.

## Other Significant Accounting Policies

Other significant accounting policies are set forth in the financial statements and notes thereto.

### Note 2: OUTSTANDING DEBT

The bond principal outstanding at June 30, 2021, was \$3,035,000 for Series 2006; \$4,220,000 for Series 2007; \$2,090,000 for Series 2008A; \$2,455,000 for Series 2008B; \$6,495,000 for Series 2013A Bonds; \$22,505,000 for Series 2014A; \$8,480,000 for Series 2014B; \$17,710,000 for Series 2015; \$17,575,000 for Series 2016; \$81,150,000 for Series 2017; \$11,620,000 for Series 2019A; \$4,495,000 for Series 2019B; and \$38,285,000 for Series 2021.

### Note 3: RESERVE BALANCE

Bond indentures for the Housing and Auxiliary Facilities System require the establishment of a Repair and Replacement Reserve consisting of 10% of the amount

transferred to the Bond and Interest Sinking Fund Account annually for the Institutional System until an amount equal to 5% of the cost of construction, furnishing and equipping of all facilities in such Institutional System has been accumulated. Transfers to the Repair and Replacement Reserve in accordance with the bond indenture requirements are considered Externally Restricted. Balances in Repair and Replacement Reserve Accounts in excess of the transfer requirement are Unrestricted.

Note 4: HEERF and CRF Funding

In response to the COVID-19 pandemic, the universities made the decision, in March 2020, to discontinue classes on campus for the safety of the students and staff. During the current fiscal year (2021), campuses returned to face-to-face instruction. Adjustments were made to allow for some social distancing in the residence halls and meals-to-go in place of normal cafeteria style meal plans. In fiscal years 2020 and 2021, the campuses received two types of emergency relief funds.

One fund source was the Higher Education Emergency Relief Fund (HEERF). This aid was sent directly to the campuses and was to be used for COVID-19 related costs. In FY20, campuses used these funds to help cover refunds issued to students. SDSU chose to cover refunds issued in their parking system. USD, SDSMT, NSU, and BHSU used HEERF funds to cover a piece of the campus's portion of meal plan refunds issued to students and expenses directly related to the pandemic's effect on the cost of operations. For the current fiscal year, campuses were awarded additional funds and were allowed to use those funds to replace lost revenues that were a result of the pandemic. Campuses looked at prior year activity to determine what a normal year might look like and then used the HEERF funds to cover any lost revenues in FY21.

The second type of aid came from the State of South Dakota's Coronavirus Relief Fund (CRF). The State of South Dakota approved the issuance of aid to the campuses to cover housing refunds issued to students and a piece of the campus's portion of the meal plan refunds. Both of these amounts were calculated on a prorated basis determined by the number of days remaining on the students' housing contracts and 100% of the unused portions of their meal plans. This aid was only used in FY20.

## SUPPLEMENTARY SCHEDULES

The accompanying supplementary schedules are presented for additional analysis and are not required as part of the financial statements of the Housing and Auxiliary Facilities System of the South Dakota Board of Regents

**SOUTH DAKOTA BOARD OF REGENTS - COMBINED**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Bookstore	\$ 3,144,180.00	\$ 2,923,024.74	\$ 221,155.26	\$ 3,566,134.76	\$ 3,560,095.20	\$ 6,039.56
Student Center (Non-GAF)	1,304,519.46	1,263,167.18	41,352.28	1,373,695.38	1,421,716.97	(48,021.59)
Food Service	26,334,505.48	25,695,044.19	639,461.29	23,389,763.71	22,582,110.86	807,652.85
Residential Living	36,679,117.27	17,658,718.28	19,020,398.99	32,274,042.82	18,222,382.03	14,051,660.79
Conference Services	13,446.51	19,773.25	(6,326.74)	41,083.24	36,500.96	4,582.28
Wellness Center (Non-GAF)	444,625.26	467,923.16	(23,297.90)	719,681.15	721,752.64	(2,071.49)
Parking	1,337,925.01	499,002.66	838,922.35	1,477,990.18	793,883.51	684,106.67
Other Facility Revenue	-	270,206.00	(270,206.00)	-	268,736.00	(268,736.00)
Revenues from facilities	69,258,318.99	48,796,859.46	20,461,459.53	62,842,391.24	47,607,178.17	15,235,213.07
General Activity Fee	13,226,199.12	4,665,379.33	8,560,819.79	13,313,499.38	4,649,472.70	8,664,026.68
Interest from Investments	1,173,904.71	-	1,173,904.71	999,021.89	-	999,021.89
HEERF Funding (Note 4)	8,029,975.64	-	8,029,975.64	809,193.11	-	809,193.11
CRF Funding (Note 4)	-	-	-	8,430,128.48	-	8,430,128.48
Other Revenue	125,000.00	-	125,000.00	124,999.99	-	124,999.99
Capitalized Interest Applied to Debt Service	420,350.00	-	420,350.00	114,492.50	-	114,492.50
Total	<u>\$ 92,233,748.46</u>	<u>\$ 53,462,238.79</u>	<u>38,771,509.67</u>	<u>\$ 86,633,726.59</u>	<u>\$ 52,256,650.87</u>	<u>34,377,075.72</u>
Annual Debt Service			<u>23,911,500.58</u>			<u>23,659,394.48</u>
Coverage Ratio			1.62			1.45

**SOUTH DAKOTA BOARD OF REGENTS - COMBINED**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 12,530,000.00	\$ 11,129,394.48	\$ 23,659,394.48
2021	13,035,000.00	10,876,500.58	23,911,500.58
2022	13,465,000.00	9,903,956.97	23,368,956.97
2023	14,390,000.00	9,002,517.00	23,392,517.00
2024	14,720,000.00	8,360,586.00	23,080,586.00
2025	15,375,000.00	7,703,103.50	23,078,103.50
2026	13,110,000.00	7,014,950.00	20,124,950.00
2027	12,975,000.00	6,419,967.50	19,394,967.50
2028	13,565,000.00	5,841,512.50	19,406,512.50
2029	12,330,000.00	5,236,015.00	17,566,015.00
2030	11,895,000.00	4,686,900.00	16,581,900.00
2031	11,315,000.00	4,149,982.50	15,464,982.50
2032	11,850,000.00	3,620,080.00	15,470,080.00
2033	12,385,000.00	3,070,042.50	15,455,042.50
2034	12,430,000.00	2,494,870.00	14,924,870.00
2035	9,290,000.00	1,958,831.26	11,248,831.26
2036	9,645,000.00	1,610,288.76	11,255,288.76
2037	6,260,000.00	1,248,025.00	7,508,025.00
2038	6,515,000.00	990,812.50	7,505,812.50
2039	6,785,000.00	722,900.00	7,507,900.00
2040	4,240,000.00	443,750.00	4,683,750.00
2041	3,620,000.00	273,450.00	3,893,450.00
2042	2,435,000.00	135,700.00	2,570,700.00
2043	750,000.00	45,600.00	795,600.00
2044	770,000.00	23,100.00	793,100.00
	<u>\$ 245,680,000.00</u>	<u>\$ 106,962,836.05</u>	<u>\$ 352,642,836.05</u>



# SOUTH DAKOTA BOARD OF REGENTS - BLACK HILLS STATE UNIVERSITY

## HOUSING AND AUXILIARY FACILITIES SYSTEM

### STATEMENT OF NET POSITION - CASH BASIS

JUNE 30, 2021

Unaudited

	Housing & Auxiliary Facilities <u>Revenue Fund</u>	Bond & Interest Sinking Fund <u>Account</u>	Repair & Replacement <u>Reserve Account</u>	(Memorandum Only) <u>Total</u>
<b><u>Assets</u></b>				
Cash and Investments	\$ 803,373.49	\$ -	\$ 2,346,153.55	\$ 3,149,527.04
Total Assets	<u>\$ 803,373.49</u>	<u>\$ -</u>	<u>\$ 2,346,153.55</u>	<u>\$ 3,149,527.04</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 803,373.49	\$ -	\$ 422,959.89	\$ 1,226,333.38
Externally restricted	<u>-</u>	<u>-</u>	<u>1,923,193.66</u>	<u>1,923,193.66</u>
Total Net Position	<u>\$ 803,373.49</u>	<u>\$ -</u>	<u>\$ 2,346,153.55</u>	<u>\$ 3,149,527.04</u>

**SOUTH DAKOTA BOARD OF REGENTS - BLACK HILLS STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 1,200,658.43	\$ -	\$ -	\$ 1,200,658.43
Investment income	2,456.14	-	8,810.70	11,266.84
Net general activity fee	432,408.00	-	-	432,408.00
HEERF funds	832,655.06	-	-	832,655.06
Total revenues and other additions	2,468,177.63	-	8,810.70	2,476,988.33
Expenses and other deductions:				
Bond principal payments	-	1,145,000.00	-	1,145,000.00
Bond interest expense	-	591,137.00	-	591,137.00
Trustee fees and bank charges	-	683.33	-	683.33
General and administrative expenses	-	-	112,424.61	112,424.61
Total expenses and other deductions	-	1,736,820.33	112,424.61	1,849,244.94
Revenues and other additions over (under) expenses and other deductions	2,468,177.63	(1,736,820.33)	(103,613.91)	627,743.39
Transfers among funds - additions (deductions)				
Transfers for bond payments	(1,736,820.33)	1,736,820.33	-	0.00
Transfers for renewal and replacement	(797,785.07)	-	797,785.07	-
Transfers for other	-	-	(274,657.10)	(274,657.10)
Total transfers among funds - additions (deductions)	(2,534,605.40)	1,736,820.33	523,127.97	(274,657.10)
Net increase (decrease) in net position	(66,427.77)	-	419,514.06	353,086.29
Beginning net position	869,801.26	-	1,926,639.49	2,796,440.75
Ending Net Position	\$ 803,373.49	\$ -	\$ 2,346,153.55	\$ 3,149,527.04

**SOUTH DAKOTA BOARD OF REGENTS - BLACK HILLS STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Bookstore	\$ 1,342,151.34	\$ 1,172,247.14	\$ 169,904.20	\$ 1,481,717.54	\$ 1,400,841.17	\$ 80,876.37
Student Center (Non-GAF)	190.65	263.37	(72.72)	3,979.01	6,892.41	(2,913.40)
Food Service	1,591,055.51	1,427,923.51	163,132.00	1,523,345.56	1,351,963.89	171,381.67
Residential Living	2,124,861.61	1,304,806.72	820,054.89	2,315,376.18	1,378,329.61	937,046.57
Conference Services	773.87	5,568.18	(4,794.31)	17,289.94	5,870.00	11,419.94
Parking	82,618.63	30,184.26	52,434.37	121,309.14	50,572.36	70,736.78
Revenues from facilities	5,141,651.61	3,940,993.18	1,200,658.43	5,463,017.37	4,194,469.44	1,268,547.93
General Activity Fee	909,043.59	476,635.59	432,408.00	999,623.24	516,696.69	482,926.55
Interest from Investments	11,266.84	-	11,266.84	20,259.98	-	20,259.98
HEERF Funding	832,655.06	-	832,655.06	43,900.17		43,900.17
CRF Funding	-	-	-	639,306.49		639,306.49
Total	<u>\$ 6,894,617.10</u>	<u>\$ 4,417,628.77</u>	2,476,988.33	<u>\$ 7,166,107.25</u>	<u>\$ 4,711,166.13</u>	2,454,941.12
Annual Debt Service			<u>1,736,137.00</u>			<u>1,741,082.00</u>
Coverage Ratio			1.43			1.41

**SOUTH DAKOTA BOARD OF REGENTS - BLACK HILLS STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 1,100,000.00	\$ 641,082.00	\$ 1,741,082.00
2021	1,145,000.00	591,137.00	1,736,137.00
2022	1,210,000.00	539,013.00	1,749,013.00
2023	1,255,000.00	484,014.00	1,739,014.00
2024	995,000.00	426,836.00	1,421,836.00
2025	1,035,000.00	383,033.00	1,418,033.00
2026	1,080,000.00	337,355.00	1,417,355.00
2027	835,000.00	289,651.00	1,124,651.00
2028	870,000.00	256,402.00	1,126,402.00
2029	905,000.00	221,880.00	1,126,880.00
2030	345,000.00	195,875.00	540,875.00
2031	360,000.00	180,350.00	540,350.00
2032	375,000.00	164,150.00	539,150.00
2033	390,000.00	147,275.00	537,275.00
2034	410,000.00	129,725.00	539,725.00
2035	430,000.00	110,762.50	540,762.50
2036	450,000.00	90,875.00	540,875.00
2037	470,000.00	70,062.50	540,062.50
2038	490,000.00	47,737.50	537,737.50
2039	515,000.00	24,462.50	539,462.50
	<u>\$ 14,665,000.00</u>	<u>\$ 5,331,678.00</u>	<u>\$ 19,996,678.00</u>

**SOUTH DAKOTA BOARD OF REGENTS - DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 787,597.89	\$ 31,562.71	\$ 2,469,471.08	\$ 3,288,631.68
Total Assets	<u>\$ 787,597.89</u>	<u>\$ 31,562.71</u>	<u>\$ 2,469,471.08</u>	<u>\$ 3,288,631.68</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 787,597.89	\$ -	\$ 846,120.27	\$ 1,633,718.16
Externally restricted	<u>-</u>	<u>31,562.71</u>	<u>1,623,350.81</u>	<u>1,654,913.52</u>
Total Net Position	<u>\$ 787,597.89</u>	<u>\$ 31,562.71</u>	<u>\$ 2,469,471.08</u>	<u>\$ 3,288,631.68</u>

**SOUTH DAKOTA BOARD OF REGENTS - DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities <u>Revenue Fund</u></b>	<b>Bond &amp; Interest Sinking Fund <u>Account</u></b>	<b>Repair &amp; Replacement <u>Reserve Account</u></b>	<b>(Memorandum Only) <u>Total</u></b>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 1,329,088.36	\$ -	\$ -	\$ 1,329,088.36
Investment income	24,380.24	611.52	27,245.82	52,237.58
Net general activity fee	376,961.92	-	-	376,961.92
Proceeds from bond issuance (Including capitalized interest)	-	420,350.00	-	420,350.00
HEERF funds	550,270.34	-	-	550,270.34
	<hr/>	<hr/>	<hr/>	<hr/>
Total revenues and other additions	2,280,700.86	420,961.52	27,245.82	2,728,908.20
	<hr/>	<hr/>	<hr/>	<hr/>
Expenses and other deductions:				
Bond principal payments	-	735,000.00	-	735,000.00
Bond interest expense	-	632,096.00	-	632,096.00
Bond capitalized interest expense	-	419,850.00	-	419,850.00
Trustee fees and bank charges	-	1,050.00	-	1,050.00
General and administrative expenses	-	-	63,910.46	63,910.46
	<hr/>	<hr/>	<hr/>	<hr/>
Total expenses and other deductions	-	1,787,996.00	63,910.46	1,851,906.46
	<hr/>	<hr/>	<hr/>	<hr/>
Revenues and other additions over (under) expenses and other deductions	2,280,700.86	(1,367,034.48)	(36,664.64)	877,001.74
Transfers among funds - additions (deductions)				
Transfers for bond payments	(1,367,396.00)	1,367,396.00	-	-
Transfers for renewal and replacement	(1,410,000.00)	-	1,410,000.00	-
	<hr/>	<hr/>	<hr/>	<hr/>
Total transfers among funds - additions (deductions)	(2,777,396.00)	1,367,396.00	1,410,000.00	-
	<hr/>	<hr/>	<hr/>	<hr/>
Net increase (decrease) in net position	(496,695.14)	361.52	1,373,335.36	877,001.74
Beginning net position	1,284,293.03	31,201.19	1,096,135.72	2,411,629.94
	<hr/>	<hr/>	<hr/>	<hr/>
Ending Net Position	\$ 787,597.89	\$ 31,562.71	\$ 2,469,471.08	\$ 3,288,631.68
	<hr/>	<hr/>	<hr/>	<hr/>

**SOUTH DAKOTA BOARD OF REGENTS - DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Student Center (Non-GAF)	\$ 75.00	\$ 19.00	\$ 56.00	\$ 285.00	\$ 75.00	\$ 210.00
Food Service	2,546,485.17	2,474,884.89	71,600.28	2,234,507.49	2,248,273.18	(13,765.69)
Residential Living	2,296,375.47	1,038,943.39	1,257,432.08	1,995,007.85	1,071,099.74	923,908.11
Revenues from facilities	4,842,935.64	3,513,847.28	1,329,088.36	4,229,800.34	3,319,447.92	910,352.42
General Activity Fee	632,213.92	255,252.00	376,961.92	695,886.79	236,343.00	459,543.79
Interest from Investments	52,237.58	-	52,237.58	54,064.10	-	54,064.10
HEERF Funding	\$550,270.34	-	550,270.34	-	-	-
CRF Funding	-	-	-	665,056.99	-	665,056.99
Capitalized Interest Applied to Debt Service	420,350.00	-	420,350.00	114,492.50	-	114,492.50
Total	<u>\$ 6,498,007.48</u>	<u>\$ 3,769,099.28</u>	2,728,908.20	<u>\$ 5,759,300.72</u>	<u>\$ 3,555,790.92</u>	2,203,509.80
Annual Debt Service			<u>1,786,946.00</u>			<u>1,478,420.50</u>
Coverage Ratio			1.53			1.49

**SOUTH DAKOTA BOARD OF REGENTS - DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 700,000.00	\$ 778,420.50	\$ 1,478,420.50
2021	735,000.00	1,051,946.00	1,786,946.00
2022	915,000.00	1,018,276.00	1,933,276.00
2023	1,005,000.00	975,718.00	1,980,718.00
2024	1,060,000.00	928,675.00	1,988,675.00
2025	1,110,000.00	883,447.00	1,993,447.00
2026	950,000.00	835,987.00	1,785,987.00
2027	1,165,000.00	796,739.00	1,961,739.00
2028	1,220,000.00	746,453.00	1,966,453.00
2029	920,000.00	693,785.00	1,613,785.00
2030	935,000.00	653,050.00	1,588,050.00
2031	980,000.00	610,950.00	1,590,950.00
2032	1,030,000.00	561,950.00	1,591,950.00
2033	1,075,000.00	515,600.00	1,590,600.00
2034	1,125,000.00	467,200.00	1,592,200.00
2035	1,170,000.00	416,550.00	1,586,550.00
2036	1,230,000.00	363,850.00	1,593,850.00
2037	1,285,000.00	308,400.00	1,593,400.00
2038	1,335,000.00	256,750.00	1,591,750.00
2039	1,385,000.00	202,900.00	1,587,900.00
2040	1,440,000.00	146,950.00	1,586,950.00
2041	705,000.00	88,650.00	793,650.00
2042	730,000.00	67,500.00	797,500.00
2043	750,000.00	45,600.00	795,600.00
2044	770,000.00	23,100.00	793,100.00
	<u>\$ 25,725,000.00</u>	<u>\$ 13,438,446.50</u>	<u>\$ 39,163,446.50</u>



**SOUTH DAKOTA BOARD OF REGENTS - NORTHERN STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 1,613,200.61	\$ 509,668.83	\$ 4,240,219.46	\$ 6,363,088.90
Total Assets	<u>\$ 1,613,200.61</u>	<u>\$ 509,668.83</u>	<u>\$ 4,240,219.46</u>	<u>\$ 6,363,088.90</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 1,613,200.61	\$ -	\$ 1,995,686.21	\$ 3,608,886.82
Externally restricted	<u>-</u>	<u>509,668.83</u>	<u>2,244,533.25</u>	<u>2,754,202.08</u>
Total Net Position	<u>\$ 1,613,200.61</u>	<u>\$ 509,668.83</u>	<u>\$ 4,240,219.46</u>	<u>\$ 6,363,088.90</u>

**SOUTH DAKOTA BOARD OF REGENTS - NORTHERN STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities <u>Revenue Fund</u></b>	<b>Bond &amp; Interest Sinking Fund <u>Account</u></b>	<b>Repair &amp; Replacement <u>Reserve Account</u></b>	<b>(Memorandum Only) <u>Total</u></b>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 1,114,576.58	\$ -	\$ -	\$ 1,114,576.58
Investment income	-	-	131,945.01	131,945.01
Net general activity fee	392,015.00	-	-	392,015.00
HEERF funds	713,659.37	-	-	713,659.37
	<hr/>	<hr/>	<hr/>	<hr/>
Total revenues and other additions	2,220,250.95	-	131,945.01	2,352,195.96
	<hr/>	<hr/>	<hr/>	<hr/>
Expenses and other deductions:				
Bond principal payments	-	745,000.00	-	745,000.00
Bond interest expense	-	614,142.50	-	614,142.50
Trustee fees and bank charges	-	1,125.00	-	1,125.00
General and administrative expenses	-	-	29,097.88	29,097.88
	<hr/>	<hr/>	<hr/>	<hr/>
Total expenses and other deductions	-	1,360,267.50	29,097.88	1,389,365.38
	<hr/>	<hr/>	<hr/>	<hr/>
Revenues and other additions over (under) expenses and other deductions	2,220,250.95	(1,360,267.50)	102,847.13	962,830.58
Transfers among funds - additions (deductions)				
Transfers for bond payments	(1,359,730.60)	1,359,730.60	-	-
Transfers for renewal and replacement	(922,114.40)	-	922,114.40	-
Transfers for other	(332,229.27)	-	-	(332,229.27)
	<hr/>	<hr/>	<hr/>	<hr/>
Total transfers among funds - additions (deductions)	(2,614,074.27)	1,359,730.60	922,114.40	(332,229.27)
	<hr/>	<hr/>	<hr/>	<hr/>
Net increase (decrease) in net position	(393,823.32)	(536.90)	1,024,961.53	630,601.31
Beginning net position	2,007,023.93	510,205.73	3,215,257.93	5,732,487.59
	<hr/>	<hr/>	<hr/>	<hr/>
Ending Net Position	\$ 1,613,200.61	\$ 509,668.83	\$ 4,240,219.46	\$ 6,363,088.90
	<hr/>	<hr/>	<hr/>	<hr/>

**SOUTH DAKOTA BOARD OF REGENTS - NORTHERN STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Bookstore	\$ 551,944.29	\$ 561,101.12	\$ (9,156.83)	\$ 792,833.06	\$ 866,247.54	\$ (73,414.48)
Student Center (Non-GAF)	1,035.98	31,033.84	(29,997.86)	1,028.40	52,979.82	(51,951.42)
Food Service	1,850,474.96	1,662,852.94	187,622.02	1,762,779.10	1,571,128.75	191,650.35
Residential Living	2,408,483.76	1,442,374.51	966,109.25	2,399,170.73	1,390,725.88	1,008,444.85
Revenues from facilities	4,811,938.99	3,697,362.41	1,114,576.58	4,955,811.29	3,881,081.99	1,074,729.30
General Activity Fee	628,424.00	236,409.00	392,015.00	630,235.00	210,235.00	420,000.00
Interest from Investments	131,945.01	-	131,945.01	99,655.34	-	99,655.34
HEERF Funding	713,659.37	-	713,659.37	42,726.42	-	42,726.42
CRF Funding	-	-	-	613,876.11	-	613,876.11
Total	<u>\$ 6,285,967.37</u>	<u>\$ 3,933,771.41</u>	2,352,195.96	<u>\$ 6,342,304.16</u>	<u>\$ 4,091,316.99</u>	2,250,987.17
Annual Debt Service			<u>1,359,142.50</u>			<u>1,382,766.98</u>
Coverage Ratio			1.73			1.63

**SOUTH DAKOTA BOARD OF REGENTS - NORTHERN STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 740,000.00	\$ 642,766.98	\$ 1,382,766.98
2021	745,000.00	614,142.50	1,359,142.50
2022	785,000.00	582,102.50	1,367,102.50
2023	820,000.00	551,660.00	1,371,660.00
2024	845,000.00	519,452.50	1,364,452.50
2025	885,000.00	483,892.50	1,368,892.50
2026	930,000.00	446,207.50	1,376,207.50
2027	965,000.00	406,120.00	1,371,120.00
2028	1,010,000.00	364,250.00	1,374,250.00
2029	965,000.00	319,975.00	1,284,975.00
2030	655,000.00	277,625.00	932,625.00
2031	675,000.00	252,707.50	927,707.50
2032	705,000.00	224,155.00	929,155.00
2033	735,000.00	194,267.50	929,267.50
2034	760,000.00	163,045.00	923,045.00
2035	705,000.00	134,087.50	839,087.50
2036	730,000.00	108,195.00	838,195.00
2037	375,000.00	81,400.00	456,400.00
2038	390,000.00	66,400.00	456,400.00
2039	405,000.00	50,800.00	455,800.00
2040	425,000.00	34,600.00	459,600.00
2041	440,000.00	17,600.00	457,600.00
	<u>\$ 15,690,000.00</u>	<u>\$ 6,535,451.98</u>	<u>\$ 22,225,451.98</u>

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 279,428.63	\$ 2,707,680.02	\$ 4,131,840.09	\$ 7,118,948.74
Total Assets	<u>\$ 279,428.63</u>	<u>\$ 2,707,680.02</u>	<u>\$ 4,131,840.09</u>	<u>\$ 7,118,948.74</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 279,428.63	\$ -	\$ 2,019,448.29	\$ 2,298,876.92
Externally restricted	<u>-</u>	<u>2,707,680.02</u>	<u>2,112,391.80</u>	<u>4,820,071.82</u>
Total Net Position	<u>\$ 279,428.63</u>	<u>\$ 2,707,680.02</u>	<u>\$ 4,131,840.09</u>	<u>\$ 7,118,948.74</u>

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**

**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**

**FOR THE YEAR ENDED JUNE 30, 2021**

**Unaudited**

	<b>Housing &amp; Auxiliary Facilities <u>Revenue Fund</u></b>	<b>Bond &amp; Interest Sinking Fund <u>Account</u></b>	<b>Repair &amp; Replacement <u>Reserve Account</u></b>	<b>(Memorandum Only) <u>Total</u></b>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 1,482,988.80	\$ -	\$ -	\$ 1,482,988.80
Investment income	67,981.40	39,260.85	78,279.96	185,522.21
Net general activity fee	663,754.79	-	-	663,754.79
HEERF funds	1,114,604.00	-	-	1,114,604.00
Other income	-	-	125,000.00	125,000.00
	<u>3,329,328.99</u>	<u>39,260.85</u>	<u>203,279.96</u>	<u>3,571,869.80</u>
Total revenues and other additions				
Expenses and other deductions:				
Bond principal payments	-	1,285,000.00	-	1,285,000.00
Bond interest expense	-	1,364,510.00	-	1,364,510.00
Trustee fees and bank charges	-	2,195.83	-	2,195.83
General and administrative expenses	-	-	324,994.08	324,994.08
	<u>-</u>	<u>2,651,705.83</u>	<u>324,994.08</u>	<u>2,976,699.91</u>
Total expenses and other deductions				
Revenues and other additions over (under) expenses and other deductions	3,329,328.99	(2,612,444.98)	(121,714.12)	595,169.89
Transfers among funds - additions (deductions)				
Transfers for bond payments	(2,670,614.77)	2,670,614.77	-	-
Transfers for renewal and replacement	(776,136.25)	-	776,136.25	-
	<u>(3,446,751.02)</u>	<u>2,670,614.77</u>	<u>776,136.25</u>	<u>-</u>
Total transfers among funds - additions (deductions)				
Net increase (decrease) in net position	(117,422.03)	58,169.79	654,422.13	595,169.89
Beginning net position	397,554.37	2,649,510.23	3,477,417.96	6,524,482.56
Prior period adjustment	(703.71)	-	-	(703.71)
	<u>279,428.63</u>	<u>2,707,680.02</u>	<u>4,131,840.09</u>	<u>7,118,948.74</u>
Ending Net Position				

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Bookstore	\$ 1,250,084.37	\$ 1,189,676.48	\$ 60,407.89	\$ 1,291,584.16	\$ 1,293,006.49	\$ (1,422.33)
Student Center (Non-GAF)	570.10	-	570.10	4,063.74	6.79	4,056.95
Food Service	2,516,298.35	2,507,018.16	9,280.19	2,350,881.57	2,383,529.49	(32,647.92)
Residential Living	2,864,260.51	1,179,791.46	1,684,469.05	2,488,877.48	1,253,793.67	1,235,083.81
Conference Services	12,672.64	14,205.07	(1,532.43)	23,793.30	30,630.96	(6,837.66)
Other Facility Revenue	-	270,206.00	(270,206.00)	-	268,736.00	(268,736.00)
Revenues from facilities	6,643,885.97	5,160,897.17	1,482,988.80	6,159,200.25	5,229,703.40	929,496.85
General Activity Fee	1,053,907.47	390,152.68	663,754.79	1,844,064.06	413,883.13	1,430,180.93
Interest from Investments	185,522.21	-	185,522.21	163,042.76	-	163,042.76
HEERF Funding	1,114,604.00	-	1,114,604.00	38,104.10	-	38,104.10
CRF Funding	-	-	-	752,434.25	-	752,434.25
Other Revenue	125,000.00	-	125,000.00	124,999.99	-	124,999.99
Total	<u>\$ 9,122,919.65</u>	<u>\$ 5,551,049.85</u>	3,571,869.80	<u>\$ 9,081,845.41</u>	<u>\$ 5,643,586.53</u>	3,438,258.88
Annual Debt Service			<u>2,649,510.08</u>			<u>2,654,620.00</u>
Coverage Ratio			1.35			1.30

**SOUTH DAKOTA BOARD OF REGENTS**  
**SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 1,235,000.00	\$ 1,419,620.00	\$ 2,654,620.00
2021	1,285,000.00	1,364,510.08	2,649,510.08
2022	1,355,000.00	1,301,295.00	2,656,295.00
2023	1,415,000.00	1,234,625.00	2,649,625.00
2024	1,490,000.00	1,165,022.50	2,655,022.50
2025	1,565,000.00	1,091,715.00	2,656,715.00
2026	1,640,000.00	1,014,702.50	2,654,702.50
2027	1,715,000.00	934,007.50	2,649,007.50
2028	1,805,000.00	852,207.50	2,657,207.50
2029	1,560,000.00	766,125.00	2,326,125.00
2030	1,630,000.00	689,550.00	2,319,550.00
2031	1,705,000.00	609,525.00	2,314,525.00
2032	1,790,000.00	525,825.00	2,315,825.00
2033	1,880,000.00	437,950.00	2,317,950.00
2034	1,450,000.00	345,650.00	1,795,650.00
2035	855,000.00	274,481.26	1,129,481.26
2036	890,000.00	237,968.76	1,127,968.76
2037	930,000.00	199,962.50	1,129,962.50
2038	970,000.00	159,725.00	1,129,725.00
2039	1,015,000.00	117,737.50	1,132,737.50
2040	590,000.00	73,800.00	663,800.00
2041	615,000.00	50,200.00	665,200.00
2042	640,000.00	25,600.00	665,600.00
	<u>\$ 30,025,000.00</u>	<u>\$ 14,891,805.10</u>	<u>\$ 44,916,805.10</u>



**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 8,890,356.61	\$ 2.18	\$ 10,691,315.25	\$ 19,581,674.04
Total Assets	<u>\$ 8,890,356.61</u>	<u>\$ 2.18</u>	<u>\$ 10,691,315.25</u>	<u>\$ 19,581,674.04</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 8,890,356.61	\$ -	\$ 711,303.98	\$ 9,601,660.59
Externally restricted	<u>-</u>	<u>2.18</u>	<u>9,980,011.27</u>	<u>9,980,013.45</u>
Total Net Position	<u>\$ 8,890,356.61</u>	<u>\$ 2.18</u>	<u>\$ 10,691,315.25</u>	<u>\$ 19,581,674.04</u>

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 11,059,628.27	\$ -	\$ -	\$ 11,059,628.27
Investment income	162,469.93	41,118.96	254,864.63	458,453.52
Net general activity fee	5,243,937.27	-	-	5,243,937.27
Proceeds from bond issuance (Including capitalized interest)	-	44,216,463.80	-	44,216,463.80
HEERF funds	2,440,735.00	-	-	2,440,735.00
	<hr/>	<hr/>	<hr/>	<hr/>
Total revenues and other additions	18,906,770.47	44,257,582.76	254,864.63	63,419,217.86
	<hr/>	<hr/>	<hr/>	<hr/>
Expenses and other deductions:				
Bond principal payments	-	50,485,000.00	-	50,485,000.00
Bond interest expense	-	5,139,857.77	-	5,139,857.77
Bond issuance costs	-	308,371.03	-	308,371.03
Trustee fees and bank charges	-	1,058.34	-	1,058.34
General and administrative expenses	-	-	4,581,657.95	4,581,657.95
	<hr/>	<hr/>	<hr/>	<hr/>
Total expenses and other deductions	-	55,934,287.14	4,581,657.95	60,515,945.09
	<hr/>	<hr/>	<hr/>	<hr/>
Revenues and other additions over (under) expenses and other deductions	18,906,770.47	(11,676,704.38)	(4,326,793.32)	2,903,272.77
Transfers among funds - additions (deductions)				
Transfers for bond payments	(11,676,706.56)	11,676,706.56	-	-
Transfers for renewal and replacements	(4,827,940.50)	-	4,827,940.50	-
Transfers for other	(722,181.39)	-	-	(722,181.39)
	<hr/>	<hr/>	<hr/>	<hr/>
Total transfers among funds - additions (deductions)	(17,226,828.45)	11,676,706.56	4,827,940.50	(722,181.39)
	<hr/>	<hr/>	<hr/>	<hr/>
Net increase (decrease) in net position	1,679,942.02	2.18	501,147.18	2,181,091.38
Beginning net position	7,211,128.27	-	10,190,168.07	17,401,296.34
Prior period adjustment	(713.68)	-	-	(713.68)
	<hr/>	<hr/>	<hr/>	<hr/>
Ending Net Position	\$ 8,890,356.61	\$ 2.18	\$ 10,691,315.25	\$ 19,581,674.04
	<hr/>	<hr/>	<hr/>	<hr/>

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Student Center (Non-GAF)	\$ 197,040.63	\$ 252,932.02	\$ (55,891.39)	\$ 315,108.29	\$ 366,416.34	\$ (51,308.05)
Food Service	11,706,812.71	11,518,730.19	188,082.52	10,247,695.61	9,748,206.47	499,489.14
Residential Living	18,107,518.00	7,829,780.32	10,277,737.68	15,248,948.78	8,308,782.59	6,940,166.19
Wellness Center (Non-GAF)	282,401.70	419,190.22	(136,788.52)	428,141.10	603,965.57	(175,824.47)
Parking	1,255,306.38	468,818.40	786,487.98	1,356,681.04	743,311.15	613,369.89
Revenues from facilities	31,549,079.42	20,489,451.15	11,059,628.27	27,596,574.82	19,770,682.12	7,825,892.70
General Activity Fee	6,750,958.93	1,507,021.66	5,243,937.27	5,522,593.00	1,254,976.32	4,267,616.68
Interest from Investments	458,453.52	-	458,453.52	380,120.48	-	380,120.48
HEERF Funding	2,440,735.00	-	2,440,735.00	207,656.25	-	207,656.25
CRF Funding	-	-	-	3,519,395.08	-	3,519,395.08
Total	<u>\$ 41,199,226.87</u>	<u>\$ 21,996,472.81</u>	19,202,754.06	<u>\$ 37,226,339.63</u>	<u>\$ 21,025,658.44</u>	16,200,681.19
Annual Debt Service			<u>11,716,765.00</u>			<u>11,725,805.00</u>
Coverage Ratio			1.64			1.38

**SOUTH DAKOTA BOARD OF REGENTS - SOUTH DAKOTA STATE UNIVERSITY**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Total</u>
2020	\$ 6,300,000.00	\$ 5,425,805.00	\$ 11,725,805.00
2021	6,580,000.00	5,136,765.00	11,716,765.00
2022	6,515,000.00	4,472,520.47	10,987,520.47
2023	7,080,000.00	3,900,000.00	10,980,000.00
2024	7,385,000.00	3,596,300.00	10,981,300.00
2025	7,700,000.00	3,275,066.00	10,975,066.00
2026	5,290,000.00	2,939,498.00	8,229,498.00
2027	4,925,000.00	2,703,600.00	7,628,600.00
2028	5,145,000.00	2,480,750.00	7,625,750.00
2029	5,375,000.00	2,247,850.00	7,622,850.00
2030	5,605,000.00	2,006,100.00	7,611,100.00
2031	5,670,000.00	1,759,100.00	7,429,100.00
2032	5,930,000.00	1,502,900.00	7,432,900.00
2033	6,190,000.00	1,234,850.00	7,424,850.00
2034	6,470,000.00	954,900.00	7,424,900.00
2035	4,635,000.00	699,350.00	5,334,350.00
2036	4,790,000.00	545,600.00	5,335,600.00
2037	1,585,000.00	386,600.00	1,971,600.00
2038	1,650,000.00	323,200.00	1,973,200.00
2039	1,720,000.00	257,200.00	1,977,200.00
2040	1,785,000.00	188,400.00	1,973,400.00
2041	1,860,000.00	117,000.00	1,977,000.00
2042	1,065,000.00	42,600.00	1,107,600.00
	<u>\$ 111,250,000.00</u>	<u>\$ 46,195,954.47</u>	<u>\$ 157,445,954.47</u>

**SOUTH DAKOTA BOARD OF REGENTS - UNIVERSITY OF SOUTH DAKOTA**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF NET POSITION - CASH BASIS**  
**JUNE 30, 2021**  
**Unaudited**

	<b>Housing &amp; Auxiliary Facilities Revenue Fund</b>	<b>Bond &amp; Interest Sinking Fund Account</b>	<b>Repair &amp; Replacement Reserve Account</b>	<b>(Memorandum Only) Total</b>
<b><u>Assets</u></b>				
Cash and Investments	\$ 761,472.76	\$ -	\$ 14,044,126.10	\$ 14,805,598.86
Total Assets	<u>\$ 761,472.76</u>	<u>\$ -</u>	<u>\$ 14,044,126.10</u>	<u>\$ 14,805,598.86</u>
<b><u>Net Position</u></b>				
Unrestricted	\$ 761,472.76	\$ -	\$ 8,880,367.45	\$ 9,641,840.21
Externally restricted	<u>-</u>	<u>-</u>	<u>5,163,758.65</u>	<u>5,163,758.65</u>
Total Net Position	<u>\$ 761,472.76</u>	<u>\$ -</u>	<u>\$ 14,044,126.10</u>	<u>\$ 14,805,598.86</u>

**SOUTH DAKOTA BOARD OF REGENTS - UNIVERSITY OF SOUTH DAKOTA**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION - CASH BASIS**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

	Housing & Auxiliary Facilities <u>Revenue Fund</u>	Bond & Interest Sinking Fund <u>Account</u>	Repair & Replacement <u>Reserve Account</u>	(Memorandum Only) <u>Total</u>
Revenues and other additions:				
Net revenues from bonded facilities	\$ 4,274,519.09	\$ -	\$ -	\$ 4,274,519.09
Investment income	-	13,093.93	321,385.62	334,479.55
Net general activity fee	1,451,742.81	-	-	1,451,742.81
HEERF funds	<u>2,378,051.87</u>	<u>-</u>	<u>-</u>	<u>2,378,051.87</u>
Total revenues and other additions	<u>8,104,313.77</u>	<u>13,093.93</u>	<u>321,385.62</u>	<u>8,438,793.32</u>
Expenses and other deductions:				
Bond principal payments	-	2,545,000.00	-	2,545,000.00
Bond interest expense	-	2,118,000.00	-	2,118,000.00
Trustee fees and bank charges	-	725.00	-	725.00
General and administrative expenses	<u>-</u>	<u>-</u>	<u>3,401,988.94</u>	<u>3,401,988.94</u>
Total expenses and other deductions	<u>-</u>	<u>4,663,725.00</u>	<u>3,401,988.94</u>	<u>8,065,713.94</u>
Revenues and other additions over (under) expenses and other deductions	8,104,313.77	(4,650,631.07)	(3,080,603.32)	373,079.38
Transfers among funds - additions (deductions)				
Transfers for bond payments	(4,645,461.97)	4,645,461.97	-	-
Transfers for renewal and replacement	(3,977,218.26)	-	3,977,218.26	-
Transfers for other	<u>-</u>	<u>-</u>	<u>109,249.37</u>	<u>109,249.37</u>
Total transfers among funds - additions (deductions)	<u>(8,622,680.23)</u>	<u>4,645,461.97</u>	<u>4,086,467.63</u>	<u>109,249.37</u>
Net increase (decrease) in net position	(518,366.46)	(5,169.10)	1,005,864.31	482,328.75
Beginning net position	1,264,526.72	5,169.10	13,037,701.64	14,307,397.46
Prior period adjustment	<u>15,312.50</u>	<u>-</u>	<u>560.15</u>	<u>15,872.65</u>
Ending Net Position	<u>\$ 761,472.76</u>	<u>\$ -</u>	<u>\$ 14,044,126.10</u>	<u>\$ 14,805,598.86</u>

**SOUTH DAKOTA BOARD OF REGENTS - UNIVERSITY OF SOUTH DAKOTA**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**SCHEDULE OF PLEDGED REVENUES - CASH BASIS**  
**FOR THE YEARS ENDED JUNE 30, 2021 AND 2020**  
**Unaudited**

	<b>2021</b>			<b>2020</b>		
	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>	<b>Gross Revenues</b>	<b>Maintenance and Operating Costs</b>	<b>Net Revenues Pledged</b>
Student Center (Non-GAF)	\$ 1,105,607.10	\$ 978,918.95	\$ 126,688.15	\$ 1,049,230.94	\$ 995,346.61	\$ 53,884.33
Food Service	6,123,378.78	6,103,634.50	19,744.28	5,270,554.38	5,279,009.08	(8,454.70)
Residential Living	8,877,617.92	4,863,021.88	4,014,596.04	7,826,661.80	4,819,650.54	3,007,011.26
Wellness Center (Non-GAF)	162,223.56	48,732.94	113,490.62	291,540.05	117,787.07	173,752.98
Revenues from facilities	16,268,827.36	11,994,308.27	4,274,519.09	14,437,987.17	11,211,793.30	3,226,193.87
General Activity Fee	3,251,651.21	1,799,908.40	1,451,742.81	3,621,097.29	2,017,338.56	1,603,758.73
Interest from Investments	334,479.55	-	334,479.55	281,879.23	-	281,879.23
HEERF Funding	2,378,051.87	-	2,378,051.87	476,806.17	-	476,806.17
CRF Funding	-	-	-	2,240,059.56	-	2,240,059.56
Total	<u>\$ 22,233,009.99</u>	<u>\$ 13,794,216.67</u>	8,438,793.32	<u>\$ 21,057,829.42</u>	<u>\$ 13,229,131.86</u>	7,828,697.56
Annual Debt Service			<u>4,663,000.00</u>			<u>4,676,700.00</u>
Coverage Ratio			1.81			1.67

**SOUTH DAKOTA BOARD OF REGENTS - UNIVERSITY OF SOUTH DAKOTA**  
**HOUSING AND AUXILIARY FACILITIES SYSTEM**  
**DEBT SERVICE SCHEDULE**  
**FOR THE YEAR ENDED JUNE 30, 2021**  
**Unaudited**

<b><u>Year</u></b>	<b><u>Principal Amount</u></b>	<b><u>Interest Amount</u></b>	<b><u>Total</u></b>
2020	\$ 2,455,000.00	\$ 2,221,700.00	\$ 4,676,700.00
2021	2,545,000.00	2,118,000.00	4,663,000.00
2022	2,685,000.00	1,990,750.00	4,675,750.00
2023	2,815,000.00	1,856,500.00	4,671,500.00
2024	2,945,000.00	1,724,300.00	4,669,300.00
2025	3,080,000.00	1,585,950.00	4,665,950.00
2026	3,220,000.00	1,441,200.00	4,661,200.00
2027	3,370,000.00	1,289,850.00	4,659,850.00
2028	3,515,000.00	1,141,450.00	4,656,450.00
2029	2,605,000.00	986,400.00	3,591,400.00
2030	2,725,000.00	864,700.00	3,589,700.00
2031	1,925,000.00	737,350.00	2,662,350.00
2032	2,020,000.00	641,100.00	2,661,100.00
2033	2,115,000.00	540,100.00	2,655,100.00
2034	2,215,000.00	434,350.00	2,649,350.00
2035	1,495,000.00	323,600.00	1,818,600.00
2036	1,555,000.00	263,800.00	1,818,800.00
2037	1,615,000.00	201,600.00	1,816,600.00
2038	1,680,000.00	137,000.00	1,817,000.00
2039	1,745,000.00	69,800.00	1,814,800.00
	<u>\$ 48,325,000.00</u>	<u>\$ 20,569,500.00</u>	<u>\$ 68,894,500.00</u>



**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – Q (1)**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**NSU Termination of Joint Powers Agreement**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

**BACKGROUND / DISCUSSION**

Northern State University (“NSU”), the Aberdeen School District, and the City of Aberdeen entered into a Joint Powers Agreement dated August 22, 2005 (“JPA”), for the construction and management of the Clark Swisher Activities complex in Aberdeen. The primary purpose of the JPA was to provide a home football stadium for NSU varsity football games. With the recent completion of Dacotah Bank Stadium at NSU, that purpose is no longer necessary, leaving the bulk of the JPA inapplicable. The parties wish to terminate the JPA and replace it with an updated agreement by and between NSU and the Aberdeen School District to address the current facility needs of the parties.

Board of Regents Policy 5:3 – Agreements and Contracts (“Contracts Requiring Board Action...D. Joint powers agreements”), requires Board approval of JPAs. As such, Board approval of the JPA termination set forth in Attachment I is necessary.

**IMPACT AND RECOMMENDATION**

The attached JPA termination will allow NSU, the Aberdeen School District, and the City of Aberdeen to terminate their existing JPA, which no longer accurately reflects the needs of the parties, and replace the same with a new facility use agreement by and between NSU and the Aberdeen School District.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – JPA Termination Agreement

Attachment I, Exhibit A – Agreement for Use of Facilities

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-Q(1):**

I move to approve the Termination of Joint Powers Agreement set forth in Attachment I.

## **AGREEMENT FOR TERMINATION OF JOINT POWERS AGREEMENT**

**IT IS HEREBY AGREED**, by and among Northern State University (“the University”), Aberdeen School District No.6-1 (“School”), and the City of Aberdeen (“City”), in consideration of the mutual promises set forth herein, as follows:

**WHEREAS**, the Parties hereto entered into a Joint Powers Agreement, dated August 22, 2005, for the construction and management of the Clark Swisher Activities Complex (“the facility”); and

**WHEREAS**, one of the primary purposes of said Joint Powers Agreement was to provide a home football stadium for Northern State University varsity football games, with appropriate logos and signage to indicate that the facility is a home football stadium; and,

**WHEREAS**, with the construction of Dacotah Bank Stadium, that purpose is no longer necessary; and,

**WHEREAS**, the Joint Powers Agreement is to be terminated and all of the rights and obligations set forth therein shall be cancelled, and the Parties released from the obligations and promises set forth therein; and,

**WHEREAS**, the University still has need for facility for track practice and for varsity track meets; and,

**WHEREAS**, the School has need for the use of the Barnett Center for certain indoor track meets and other athletic activities; and,

**WHEREAS**, the City has need for the facility for certain purposes; now, therefore,

**IT IS HEREBY AGREED**, in consideration of the mutual agreements set forth herein, as follows:

1. The Joint Powers Agreement dated August 22, 2005, shall be, and is hereby, terminated, all the rights and obligations arising therefrom cancelled, and each Party is hereby released by each of the other Parties for any and all obligations and liabilities arising out of said Joint Powers Agreement.
2. In consideration for the termination of said Joint Powers Agreement, and for the mutual releases of the Parties hereto, and in light of the ongoing

## TERMINATION OF JOINT POWERS AGREEMENT

needs of the Parties hereto to use certain facilities of the other Parties, the School and the University have negotiated and will execute and Agreement for Use of Facilities, a copy of which is labelled **Exhibit A**, and incorporated by this reference herein, and the City and the School have negotiated and will execute an Agreement for Use of Facilities, a copy of which is labelled **Exhibit B**, and incorporated by this reference herein.

Dated: \_\_\_\_\_

**ABERDEEN SCHOOL DIST., NO 6-1**\_\_\_\_\_  
Dr. Becky Guffin, Superintendent\_\_\_\_\_  
Printed Name\_\_\_\_\_  
Brad Olson, Board President\_\_\_\_\_  
Printed Name

Dated: \_\_\_\_\_

**NORTHERN STATE UNIVERSITY**\_\_\_\_\_  
Dr. Neal Schnoor, President\_\_\_\_\_  
Printed Name

Dated: \_\_\_\_\_

**SD BOARD OF REGENTS**\_\_\_\_\_  
Dr. Brian Maher, Executive Director\_\_\_\_\_  
Printed Name

Dated: \_\_\_\_\_

**CITY OF ABERDEEN**\_\_\_\_\_  
Travis Schaunaman, Mayor\_\_\_\_\_  
Printed Name\_\_\_\_\_  
Joe Gaa, City Manager\_\_\_\_\_  
Printed Name

## AGREEMENT FOR USE OF FACILITIES

**THIS AGREEMENT** is entered into by and between Northern State University (“the University”) and the Aberdeen School District No. 6-1 (“the School”) on this the \_\_\_\_ day of \_\_\_\_\_, 2021, for the purposes and in light of the mutual consideration set forth herein.

**WHEREAS**, the Parties hereto, together with the City of Aberdeen, entered into a Joint Powers Agreement, dated August 22, 2005, for the construction and management of the Clark Swisher Activities Complex (“the facility”); and,

**WHEREAS**, one of the primary purposes of said Joint Powers Agreement was to provide a home football stadium for the University varsity football games, with appropriate logos and signage to indicate that the facility is a home football stadium; and,

**WHEREAS**, with the construction of Dacotah Bank Stadium, that purpose is no longer necessary; and

**WHEREAS**, the Joint Powers Agreement is to be terminated and all of the rights and obligations set forth therein are to be cancelled, and the Parties released from the obligations and promises set forth therein; and,

**WHEREAS**, the University still has need for a facility for its track and field program; and,

**WHEREAS**, the School has need for the use of the University’s athletic facilities, primarily the Barnett Center facilities, when the School’s facilities are unavailable; and

**WHEREAS**, to provide for those needs, the Parties hereto enter into this Agreement; now, therefor,

**IT IS HEREBY AGREED**, in consideration of the mutual agreements set forth herein, as follows:

1. The University may have the use of the facility for track and field practices and track and field meets, the use to be governed by the procedures set forth herein, including the use of dressing facilities for track meets.
2. The scheduling of the University track practice and track meets will be arranged by mutual agreement of the University and the School.

3. The School will have first priority in scheduling of the track and field facility for its track practices and track meets. The University shall have second priority for use of the facility for that purpose.
4. In conjunction with its use of the facility as above specified, the University shall provide all personnel on the facility site to conduct said track practices and track meets.
5. In conjunction with its use of the facility as above specified, the University shall be responsible for any custodial costs incurred at the School's negotiated employee rate per hour. The University shall be responsible for any damage done to School property.
6. In conjunction with its use of the facility as above specified, the University shall provide proof of insurance in the form, and at the limits, set forth in the School policy as a condition of the use of the facility.
7. Except as set forth to the contrary herein, all costs of operation and general maintenance of the facility shall be paid by the School.
8. The School shall make all improvements upon the facility's track and field equipment and facilities to render it suitable for high school varsity competition. Any improvements necessary for intercollegiate competition shall be made by the University.
9. The School shall have the use of the University's athletic facilities, as currently provided, particularly the use of the Barnett Center gymnasium, indoor track facilities, and competitive swimming pool, in accordance with the policies and procedures currently in effect for said use.
10. The scheduling of the School's use of said facilities shall be arranged by mutual agreement of the University and the School.
11. The University will have first priority in scheduling the University's athletic facilities.
12. The University agrees to abide by video and music copyright regarding use of the video board and audio equipment. The University should have site licensed video and audio materials and play materials appropriate for use at the facility. In addition, University agrees to indemnify the School and hold it harmless from any and all costs, fees, penalties and damages of any kind; including the payment of the School's reasonable attorney fees, incurred or owed by the School arising out of the performance or play of any

copyrighted music/video during University's use of the School's facilities under this agreement.

13. The University can use the video board to show its own advertising but use of the video board requires play of the School's facilities video board sponsors. Those sponsors need to be played a minimum of twice per event. (Play counts can/should be submitted after the event.) Video board sponsors are listed within the Display Studio Software.
14. The University agrees that the School reserves all concession rights for all school facilities and may assign or operate them according to its own judgment during the term of this agreement.

Dated: \_\_\_\_\_

**ABERDEEN SCHOOL DIST., NO 6-1**

\_\_\_\_\_  
Dr. Becky Guffin, Superintendent

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Brad Olson, Board President

\_\_\_\_\_  
Printed Name

Dated: \_\_\_\_\_

**NORTHERN STATE UNIVERSITY**

\_\_\_\_\_  
Dr. Neal Schnoor, President

\_\_\_\_\_  
Printed Name

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**  
**Consent**

**AGENDA ITEM: 5 – Q (2)**

**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

**BACKGROUND / DISCUSSION**

The South Dakota Department of Transportation (DOT) has partnered with South Dakota State University (SDSU) for well over two decades to operate the South Dakota Local Transportation Assistance Program (SDLTAP). The predecessor to this agreement was approved by the Board in [December 2020](#). This agreement continues that partnership and provides for the same, running from January 1, 2022 through April 30, 2023. DOT will provide up to \$508,754 to SDSU to provide the services contained in the Statement of Work, which is affixed as an exhibit in Attachment I. SDSU will contribute \$16,450 during the term of the agreement.

By way of background, the Federal Highway Administration created the Local Technical Assistance Program (LTAP) in 1982 to provide local agencies with information and training programs to address the maintenance of local roadways and bridges. The LTAP and Tribal Technical Assistance Program (TTAP) are composed of a network of 58 Centers – one in every state, Puerto Rico and regional Centers serving tribal governments. The Centers enable local counties, parishes, townships, cities and towns to improve their roads and bridges by supplying them with a variety of training programs, an information clearinghouse, new and existing technology updates, personalized technical assistance and newsletters.

BOR Policy 5:3 (“Contracts Requiring Board Action...D. Joint powers agreements”), requires Board approval of Joint Powers Agreements (JPA). As such, Board approval of the JPA set forth in Attachment I is necessary.

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_5-Q(2):**

I move to approve proceeding with the Joint Powers Agreement in substantially similar form to that set forth in Attachment I.

**IMPACT AND RECOMMENDATION**

The attached JPA will allow SDSU to continue to receive funding from DOT to jointly operate the SDLTAP.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – Joint Powers Agreement



**JOINT POWERS AGREEMENT FOR A RESEARCH STUDY  
FINANCED WITH FEDERAL FUNDS  
COST REIMBURSEMENT CONTRACT**

**Agreement Number \_\_\_\_\_**

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as "State," and South Dakota State University, of Brookings, South Dakota, referred to in this Agreement as "Contractor."

**BACKGROUND:**

1. State has indicated the need for work described in this Agreement;
2. Contractor has personnel able to perform the work; and
3. State wants Contractor to perform the work.

The parties agree that Contractor will perform the work in accordance with the following:

**Joint Powers**

This Agreement does not establish a separate legal entity, as contemplated by SDCL § 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by Contractor and State. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. No real property will be purchased for use for this Agreement.

**Project Identity**

For purposes of identification, this work will be identified by Project Number HR0018 and the Agreement Number as assigned by State and listed above. All invoices, reports, and correspondence submitted to State in connection with this Agreement will be identified accordingly. All matters relating to this Agreement will be processed through State's Project Manager.

**Scope of Work**

The parties agree to operate the South Dakota Local Transportation Assistance Program (SDLTAP), the mission of which is to disseminate technical materials, information, and training relative to highways and transportation in general to local government.

Contractor will perform those tasks delineated in Contractor's proposal entitled "2022 SDLTAP Work Plan," which is attached to this Agreement and incorporated by reference as **Exhibit A**.

**Organization**

SDLTAP will be operated jointly by Contractor and State.

Any officer, employee, or agent deployed in joint action under this Agreement will remain an employee with his or her agency during participation in joint action under this Agreement. Each agency will retain exclusive responsibility for its officers, agents, and employees while these officers, agents, and employees are deployed in joint action under this Agreement, including, but not limited to, responsibility for regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance, or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

State will contribute training and technical advice as defined in this Agreement. State will provide an in-house contact person whose responsibility will be to coordinate all State efforts in management of SDLTAP. State will provide office space for two (2) SDLTAP staff members who will provide technical assistance in

central South Dakota. All State contributions addressed in this paragraph will constitute matching contributions necessary for the total funding of SDLTAP.

Contractor will physically house SDLTAP. Contractor will employ the director of SDLTAP and staff for technology transfer coordination. Contractor will provide all necessary secretarial and information specialist assistance for the operation of SDLTAP. Contractor's other faculty and staff may contribute time in the preparation and participation in training and other SDLTAP activities.

An advisory board comprising local government representatives will advise SDLTAP. The advisory board will consist of thirteen (13) members appointed by the following organizations:

- South Dakota Department of Transportation (2)
- South Dakota Municipal League (1)
- American Public Works Association, South Dakota Chapter (1)
- South Dakota Association of County Commissioners (1)
- South Dakota Association of County Highway Superintendents (3)
- South Dakota Engineering Society (1)
- Great Plains Tribal Chairman's Association (1)
- Federal Highway Administration, South Dakota Division (1)
- South Dakota Association of Towns and Townships (1)
- Associated General Contractors of South Dakota, Inc. (1)

The parties agree that a representative of State will serve as chairperson of the advisory board.

### **Period of Performance**

Contractor will perform the required work during the period beginning on January 1, 2022, and ending April 30, 2023, unless all parties to this Agreement agree in writing to a time extension.

### **Agreement Price**

Contractor will accept and State will reimburse, as full compensation for all services rendered, materials, and supplies furnished under this Agreement, the actual costs incurred by Contractor in an amount up to, but not exceeding, Five Hundred Twenty-nine Thousand Nine Hundred Eighty-Seven Dollars (\$529,987.00), as specified in the budget in the attached **Exhibit A**.

The parties agree that costs of SDLTAP paid by the Federal Highway Administration Local Technical Assistance Program under this Agreement will not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). This amount will be matched by at least an equal amount of local and state funds. Any funds not obligated by SDLTAP at the end of the period of performance will be withdrawn.

The parties agree that costs of SDLTAP paid by the State Local Road and Bridge Fund under this Agreement will not exceed Three Hundred Seventy-nine Thousand Nine Hundred Eighty-seven Dollars (\$379,987.00). This amount will be used to match federal funds. State will withdraw any funds not obligated by SDLTAP at the end of the period of performance.

Contractor will contribute Sixteen Thousand Nine Hundred Sixty-one Dollars (\$16,961.00).

State will fund all of State's involvement in SDLTAP, including salaries, benefits, indirect costs, and expenses, to a level of approximately Eleven Thousand Two Hundred Ninety-two Dollars (\$11,292.00).

### **Changes in Scope**

Contractor agrees changes in objectives and scope of the work which has significant bearing on the work must have State's written approval prior to proceeding. Contractor must submit to State requests for increases in time or funding before extra work is started and at least thirty (30) days prior to termination of this Agreement. Any increase in time or funding requires State's approval and the execution of a supplemental Agreement, before any extra work is started.

### **Subcontracting**

Contractor will perform all work except specialized services. Specialized services are considered to be those items not ordinarily furnished by Contractor which must be obtained for proper execution of this Agreement. Contractor will not assign, sublet, or transfer this Agreement or any interest under this Agreement unless State grants written permission to do so. Contractor will itemize any subcontracts anticipated at the time of proposal in **Exhibit A** to this Agreement. This does not, however, prohibit the subcontracting of work during the execution of this Agreement provided Contractor obtains State's prior approval.

Costs of subcontracted work incurred prior to execution of the corresponding subcontract will not be eligible for reimbursement.

Each subcontract must contain all of the provisions of this Agreement.

### **Prompt Payment**

Contractor will pay subcontractors or suppliers within fifteen (15) days of receiving payment for work that is submitted for progress payment by State. If Contractor withholds payment beyond this time period, Contractor will submit written justification to State, upon request. If it is determined that a subcontractor or supplier has not received payment due without just cause, State may withhold future estimated payments or may direct Contractor to make such payment to the subcontractor or supplier. Prompt payment will also include retainage monies due to the subcontractor if Contractor elects to utilize retainage on subcontract work. The maximum amount permitted for retainage for any subcontract will be 10%. Retainage will be released within fifteen (15) days of satisfactory completion of the work.

### **Reports**

Contractor will prepare a center assessment report and a program assessment report as required by the Federal Highway Administration's Local Technical Assistance Program and submit it to State for review and comment prior to submission to the Federal Highway Administration.

### **Payment**

State will pay Contractor monthly, based on itemized invoices detailed to show the elements of direct costs incurred, the various additives added to the payroll, and the overhead charges. The itemized invoices will also show all elements of costs paid from funding sources other than State.

Contractor will submit invoices for services rendered and for actual reimbursable expenses incurred during the billing period to the South Dakota Department of Transportation, Office of Research, 700 East Broadway Avenue, Pierre, SD 57501-2586, in triplicate, within forty-five (45) days following the end of the billing period. The invoices and supplements thereto will contain any details that may be required for proper audit. Contractor will not submit billings for costs not permitted under South Dakota statutes or regulations. No payment will be due Contractor until the account has been reviewed and approved by State.

State will make final payment to the Contractor for work accomplished under this Agreement upon acceptance by State. Allowable final costs will be determined in accordance with the provisions of OMB 2 CFR Part 200.

Costs incurred prior to the date this Agreement has been signed by all parties are not eligible for payment.

### **Funding**

The parties understand and agree that funding for this Agreement is dependent upon continued availability of appropriated funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, State may terminate this Agreement. Termination for any of these reasons is not a default by State nor does it give rise to a claim against State.

### **Record Retention and Audit**

All project charges will be subject to audit in accordance with the STATE'S current procedures and U.S. Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200. The CFDA Number for these funds is 20.205. Allowable costs will be determined in accordance with 2 CFR Part 200.

The Contractor will maintain accurate cost accounting systems for all costs incurred under this Agreement and clearly identified with activities performed under this Agreement.

Upon reasonable notice, the Contractor will allow the STATE, through any authorized representative to have access to and the right to examine and copy all records, books, papers, or documents related to services rendered under this Agreement. The Contractor will keep these records clearly identified and readily accessible for a period of three (3) years after the date final payment under this Agreement is made and all other pending matters are closed.

If the Contractor expends Seven Hundred Fifty Thousand Dollars (\$750,000.00) or more in federal funds during any Contractor fiscal year covered, in whole or in part, under this Agreement, then the Contractor will be subject to the single agency audit requirements of the US Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200. If the Contractor expends less than Seven Hundred Fifty Thousand Dollars (\$750,000.00) during any Contractor fiscal year, the STATE may perform a more limited program or performance audit related to the completion of Agreement objectives, the eligibility of services or costs and adherence to Agreement provisions.

### **Publication**

State and the Federal Highway Administration reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and otherwise use, and to authorize others to use, the work for government purposes.

Any party to this Agreement may initiate a request for publication of the final or interim reports, or any portions thereof. No party to this Agreement will publish or otherwise disclose, or permit to be disclosed or published, the results of the work herein contemplated, or any particulars thereof, during the period of this Agreement, without notifying the other parties and securing their consent in writing. Academic theses may be published without written consent, if the publishing party provides the disclaimers contained in this Agreement. Any party may publish without restriction upon termination of this Agreement.

When the scheduled time for presentation of a paper by one party to this Agreement does not permit the formal review and approval of a complete report by another party, abstracts may be used for notification of intent to present a paper based on the work. Such presentations must protect the interests of each party by inclusion of a statement in the paper and in the presentation to the effect that the paper has not been reviewed by the other party or parties.

Both written and oral releases are considered to be within the context of publication. However, there is no intention to limit discussion of the work with small technical groups or lectures to employees or students. Lectures to other groups which describe the plans, but disclose neither data nor results, are permissible.

Any report published by Contractor will contain the following Disclaimer in the credit sheet:

The contents of this report, funded in part through grant(s) from the Federal Highway Administration, reflect the views of the authors who are responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the South Dakota Department of Transportation, the State

Transportation Commission, or the Federal Highway Administration. This report does not constitute a standard, specification, or regulation.

If State and Contractor do not reach agreement relative to the publication of the final report, or any progress reports during the period of this Agreement, State reserves the right to publish independently, in which event the non-concurrence of Contractor will be set forth, if requested by Contractor.

If State does not elect to publish the final report, publication by Contractor will then be a matter of province of Contractor's policy.

Publication by either party will give credit to the other party except: a) if the parties do not reach agreement on any report of the work, or b) if either of the parties requests that its credit acknowledgment be omitted.

### **Ownership of Data**

The ownership of data collected under this Agreement, together with summaries and charts derived therefrom, will be vested jointly with State and Contractor.

### **Proprietary and Patent Rights**

State and Contractor agree that if patentable discoveries or inventions should result from the work conducted under this Agreement, the provisions of **Exhibit C**, attached to and made a part of this Agreement, will apply.

### **Nonexpendable Equipment**

Any item of equipment, including instrumentation or component parts, with an acquisition cost in excess of Five Thousand Dollars (\$5,000.00) will be considered nonexpendable equipment.

If any item of nonexpendable equipment is required to conduct this work and is specified in Contractor's proposal, no further approval is required from State. Any item of nonexpendable equipment not budgeted in Contractor's proposal must have State's prior written approval prior to purchase. Any item of nonexpendable equipment which is budgeted but not specifically identified in Contractor's proposal must have State's written approval prior to purchase.

Title to all nonexpendable equipment will rest with State. Ninety (90) days prior to the end of the period of performance, Contractor will supply to State an itemized list, including descriptions, purchase costs, and estimated salvage value, of all nonexpendable equipment purchased during the course of the work.

If, at the conclusion of the work, Contractor desires to acquire title to nonexpendable equipment from State, Contractor may ask State for title. If State elects to grant title, State will be allowed a credit from Contractor's final payment equal to the current salvage value as determined by mutual agreement between Contractor and State, subject to applicable surplus property laws.

Contractor certifies that no costs for using any item of nonexpendable equipment purchased for the work have been included in the indirect costs that are approved by State for this work.

### **Rental of Space, Equipment, or Facilities**

The actual cost to Contractor of renting any additional space, special equipment, or facilities not owned by Contractor but required for the work and listed in Contractor's proposal are approved by State, subject to a limitation of the period of performance of this Agreement.

State approves the items and classes of items, such as office equipment, typewriters, computers, files, tables, laboratory, or other items shown in Contractor's proposal as the indirect costs of the work. Those costs are included in the Agreement price.

### **Travel**

Contractor will charge no out-of-state travel costs against this Agreement without prior consultation with and written approval of State. For purpose of this Agreement, out-of-state travel is defined as travel to or

from states other than Contractor's location and the State of South Dakota. If no in-state travel is specifically called for in Contractor's proposal but becomes necessary, and travel must have State's prior approval.

### **Americans With Disabilities Act**

Contractor will provide services in compliance with the Americans with Disabilities Act of 1990 and any amendments.

### **Civil Rights**

Contractor will be bound by the requirements of Title VI of the Civil Rights Act of 1964, which is attached as **Exhibit B** and are made a part of this Agreement.

### **Code of Conduct**

Contractor warrants that Contractor has not employed or retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement, and that Contractor has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, State will have the right to annul this Agreement without liability, or, in its discretion, deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee and prosecute under applicable criminal law.

### **Certification Regarding Lobbying**

Contractor certifies, to the best of Contractor's knowledge and belief, that no federal appropriated funds have been paid or will be paid, by or on Contractor's behalf, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement. If any funds other than federal appropriated funds have been paid or will be paid to any of the above-mentioned parties, Contractor will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Contractor will require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients will certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification will be subject to a civil penalty or not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

### **Restriction of Boycott of Israel**

In accordance with the State of South Dakota, Office of the Governor, Executive Order 2020-01, the following will apply to all contracts unless the amount being bid is less than \$100,000.00. By submitting a bid proposal for this contract, the Contractor certifies and agrees the following information is correct for the bidder and all subcontractors (all tiers) and suppliers with five (5) or more employees:

Contractor, in preparing the bid proposal or in considering proposals submitted from qualified potential suppliers and subcontractors, or in the solicitation, selection, or commercial treatment of any supplier or subcontractor; has not refused to transact business activities, has not terminated business activities, and has not taken other similar actions intended to limit its commercial relations, related to the subject matter of the bid proposal, with a person or entity on the basis of Israeli national origin, or residence or incorporation in Israel or its territories, with the specific intent to accomplish a boycott or divestment of Israel in a discriminatory manner. It is understood and agreed that, if this certification is false, such false certification

will constitute grounds for the Department to reject the bid proposal submitted by Contractor on this contract and terminate any contract awarded based on the bid. Contractor agrees to provide immediate written notice to the Department if, during the term of the contract awarded to Contractor, Contractor no longer complies with this certification. Contractor further agrees such noncompliance may be grounds for contract termination.

#### **Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion**

Contractor certifies, by signing this Agreement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

#### **Protection of Contracting Authority**

Contractor and State agree that each will be solely responsible for any and all claims, actions, suits, damages, or liability arising from the negligence of its officers, agents and employees in the performance of this Agreement. Nothing in this Agreement will be construed as a waiver of either party's sovereign immunity or any other defenses allowed by law.

#### **Employment Status**

Any officer, employee, or agent deployed in joint action under this Agreement will remain an officer, employee, or agent of his or her governmental entity during participation in joint action under this Agreement. Contractor and State will each retain exclusive responsibility for their officers, agents, and employees while they are deployed in joint action under this Agreement, including, but not limited to regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

#### **Worker Protection**

Contractor will perform all work within a highway right-of-way in accordance with State's standards for work zone traffic control and to request necessary traffic control from State two (2) weeks in advance of anticipated work.

Contractor agrees that all of Contractor's employees working within a highway right-of-way who are exposed either to traffic (vehicles using the highway for purposes of travel) or to work vehicles or construction equipment will wear high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled "American National Standard for High-Visibility Safety Apparel and Headwear" (see Section 1A.11), or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure.

#### **Reporting of Injury or Loss**

Contractor will report to State any event encountered in the course of performance of this Agreement which results in injury to any person or property, or which may otherwise subject Contractor, or State, its officers, agents, or employees to liability. Contractor will report any such event to State immediately upon discovery.

Contractor's obligation under this section will only be to report the occurrence of any event to State and to make any other report provided for by Contractor's duties or applicable law. Contractor's obligation to report will not require disclosure of any information subject to privilege or confidentiality under law (such as attorney-client communications). Reporting to State under this section will not excuse or satisfy any obligation of Contractor to report any event to law enforcement or other entities under the requirements of any applicable law.

#### **Termination of Agreement**

This Agreement may be terminated upon (30) days' written notice by either party. If Contractor breaches any of the terms or conditions of this Agreement, this Agreement may be terminated by State at any time with or without notice.

If the Agreement may be terminated by State without fault on the part of Contractor, Contractor will deliver to State all work product completed to the date of termination. Such work product will be the property of State and Contractor will be paid for work performed and delivered up to the date of termination. The value of the work performed and services rendered and delivered, and the amount to be paid as actual costs will be mutually satisfactory to State and to Contractor. Actual costs to be reimbursed will be determined by audit of such costs to the date of termination except that actual costs to be reimbursed will not exceed the Agreement Price.

If the services of Contractor are terminated by State for fault on the part of Contractor, the Agreement will be null and void, and State will be entitled to recover payments made to Contractor on the work which is the cause of the at-fault termination. Contractor will be paid only for work satisfactorily performed and delivered to State up to the date of termination. Any payments due to Contractor at the time of termination may be adjusted to cover any additional costs to State due to Contractor's default. After audit of Contractor's actual costs to the date of termination and after determination by State due to Contractor's default, State will determine the amount to be paid to Contractor.

Upon termination, State may take over the work and may award another party an agreement to complete the work under this Agreement. If, after State terminates for a default by Contractor, it is determined that Contractor was not at fault, Contractor will be paid for eligible services rendered and expenses incurred up to the date of termination.

State reserves the right to suspend this Agreement at any time. Such suspension may be initiated by State giving Contractor written notice and will be effective as of the date established in the suspension notice. Payment for Contractor's services will be made by State to the date of such suspension, in accordance with the above paragraphs.

#### **Severability**

If any court of competent jurisdiction holds any provision of this Agreement unenforceable or invalid, such holding will not invalidate or render unenforceable any other provision of this Agreement.

#### **Supersession**

All other prior discussions, communications, and representations concerning the subject matter of this Agreement are superseded by the terms of this Agreement, and except as specifically provided in this Agreement, this Agreement constitutes the entire agreement with respect to its subject matter.

#### **Controlling Law**

This Agreement will be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement will be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

#### **Disputes**

Prior to the filing of any suit or claim arising under this Agreement, the parties agree to discuss the matter in good faith to find a resolution to the matter. In the event such negotiation does not result in a settlement the parties may file suit in an appropriate court of proper jurisdiction.

#### **Other Conditions**

None.

#### **Signatures**

By signature of their representatives below, each party certifies that approval of this Agreement by ordinance, resolution, or other appropriate means has been obtained by that party's governing body or officer pursuant to SDCL §§ 1-24-3 and 1-24-6.



## South Dakota State University

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Joel M. Jundt

Title: Department Secretary

Date: \_\_\_\_\_

## Recommended

By: \_\_\_\_\_

Name: Thad M. Bauer

Title: Research Program Manager

Date: \_\_\_\_\_

Approved as to Form:

By: Dustin W. DeBoer

Special Assistant Attorney General

**State Agency Coding (MSA Center): 111224***State Agency MSA Company for which contract will be paid: 2033/3040**Object/Subobject MSA account to which voucher will be coded: 52041400**Name and phone number of contact person in State Agency who can provide additional information regarding this contract: Thad Bauer, 605.773.4404, thad.bauer@state.sd.us*

**Acknowledgment**

STATE OF SOUTH DAKOTA     )  
   )   SS  
 COUNTY OF BROOKINGS     )

On this the \_\_\_\_ day of December, 2021, before me \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, who acknowledged himself/herself to be the \_\_\_\_\_ of South Dakota State University, a university, and that he/she, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the university by himself/herself as such officer.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
 Notary Public

[Notary Seal]

My commission expires: \_\_\_\_\_

**Acknowledgment**

STATE OF SOUTH DAKOTA     )  
   )   SS  
 COUNTY OF HUGHES         )

On this the \_\_\_\_ day of December, 2021, before me \_\_\_\_\_, a notary public, personally appeared Joel M. Jundt, Secretary of the State of South Dakota, Department of Transportation, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
 Notary Public

[Notary Seal]

My commission expires: \_\_\_\_\_

## EXHIBIT B

STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES  
APPENDIX A & E  
MARCH 1, 2016

During the performance of this Agreement, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

During the performance of this Agreement, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

**Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 and 508 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

**EXHIBIT C****PROPRIETARY AND PATENT RIGHTS**

(1) Contractor agrees to disclose each subject invention to State within a reasonable time after it becomes known to Contractor personnel responsible for the administration of patent matters, and that State may receive title to any subject invention not disclosed to it within such time.

(2) Contractor agrees to make a written election within two (2) years after disclosure to State (or such additional time as may be approved by State) whether Contractor will retain title to a subject invention: provided, that in any case where publication, on sale, or public use, has initiated the one (1) year statutory period in which valid patent protection can still be obtained in the United States, the period for election may be shortened by State to a date that is not more than sixty (60) days prior to the end of the statutory period: and provided further, that State may receive title to any subject invention in which Contractor does not elect to retain rights or fails to elect rights within such times.

(3) When Contractor elects rights in a subject invention, Contractor agrees to file a patent application prior to any statutory bar date that may occur under 35 USCS Section 1 et seq. due to publication, on sale, or public use, and will thereafter file corresponding patent applications in other countries in which Contractor wishes to retain title within reasonable times, and that State may receive title to any subject inventions in the United State or other countries in which Contractor has not filed patent applications on the subject invention within such times.

(4) With respect to any invention in which Contractor elects rights, State and United States government will have a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of State or the United States Government any subject invention throughout the world: provided, that the funding agreement may provide for such additional rights; including the right to assign or have assigned foreign patent rights in the subject invention, as are determined by State or United States Government as necessary for meeting the obligations of the United States under any treaty, international agreement, arrangement of cooperation, memorandum of understanding, or similar arrangement, including military agreement relating to weapons development and production.

(5) State retains the right to require periodic reporting on the utilization or efforts at obtaining utilization that are being made by Contractor or Contractor's licensees or assignees: provided, that any such information as well as any information on utilization or efforts at obtaining utilization obtained as part of a proceeding under 35 USCS Section 203 will be treated by State as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under 5 USCS Section 552.

(6) Contractor agrees that in the event a United States patent application is filed by or on Contractor's behalf or by any assignee of Contractor there will be included within such application and any patent issuing thereon, a statement specifying that the invention was made with State support and that State has certain rights in the invention.

(7) In the case Contractor is a nonprofit organization, (A) Contractor agrees to prohibit the assignment of rights to a subject invention in the United States without the approval of State, except where such assignment is made to an organization which has as one of its primary functions the management of inventions (provided that such assignee will be subject to the same provisions as Contractor): (B) Contractor will share royalties with the inventor; (C) except with respect to a funding agreement for the operation of a Government-owned-contractor-operated facility, that the balance of any royalties or income earned by Contractor with respect to subject inventions, after payment of expenses (including payments to inventors) incidental to the administration of subject inventions, will be utilized for the support of scientific research or education; (D) that, except where it proves infeasible after a reasonable inquiry, in the licensing of subject inventions will be given to small business firms; and (E) with

respect to funding agreement for the operation of a Government-owned-contractor-operated facility, (i) that after payment of patenting costs, licensing costs, payments to inventors, and other expenses incidental to the administration of subject inventions, 100 percent of the balance of any royalties or income earned and retained by Contractor during any fiscal year up to an amount equal to 5 percent of the annual budget of the facility, will be used by Contractor for scientific research, development, and education consistent with the research and development mission and objectives of the facility, including activities that increase the licensing potential of other inventions of the facility; provided that if said balance exceeds 5 percent of the annual budget of the facility, that 75 percent of such excess will be paid to State and the remaining 25 percent will be used for the same purposes as described above in this clause (D); and (ii)) that, to the extent it provides the most effective technology transfer, the licensing of subject inventions will be administered by Contractor employees on location at the facility.

(8) The requirements of 35 USCS Sections 203 and 204 apply to this research.

(9) If Contractor does not elect to retain title to a subject invention in cases subject to this section, State may consider and after consultation with Contractor grant requests for retention of rights by the inventor subject to the provisions of 35 USCS Section 202 and regulations promulgated hereunder.

**2022 SDLTAP WORK PLAN**

**SUBMITTED TO**

**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION (SDDOT)**

**AND**

**THE FEDERAL HIGHWAY ADMINISTRATION (FHWA)**

**BY**

**SOUTH DAKOTA STATE UNIVERSITY (SDSU)**

**SOUTH DAKOTA LOCAL TRANSPORTATION  
ASSISTANCE PROGRAM (SDLTAP)**

**Located at SD State University Jerome J. Lohr College of Engineering**

**PREPARED BY:**

**Greg Vavra, Program Manager, SDLTAP**

Total funding for this project is **\$558,241**. Of that amount, **\$150,000** is requested from the Federal Highway Administration's Local Technical Assistance Program (LTAP). The remaining amount of **\$408,241** will be obtained from various state and local agencies as outlined in Attachment 3. Contract period is 16 months: January 1, 2022 to April 30, 2023.

---

Greg Vavra  
SDLTAP Program Manager

---

Nadim Wehbe, PhD, PE  
SDLTAP Director

---

Bruce Berdanier, PE, LS, FASCE, Dean  
Jerome J. Lohr College of Engineering

---

Daniel Scholl VP  
For Research & Sponsored Programs

**SOUTH DAKOTA LOCAL TRANSPORTATION  
ASSISTANCE PROGRAM (SDLTAP)**

**WORK PLAN AND BUDGET  
FOR CONTRACT YEAR 2022**



## TABLE OF CONTENTS

INTRODUCTION	3
<u>BRIEF REVIEW OF SDLTAP ACTIVITIES IN 2021</u>	<u>4</u>
<u>HOW SDLTAP WILL DELIVER ITS SERVICES IN 2022</u>	<u>6</u>
ACTIVITY PLAN TO ADDRESS THE FOUR FHWA FOCUS AREAS FOR LTAP/TTAP	9
1. ROADWAY AND WORKER SAFETY	9
2. INFRASTRUCTURE MANAGEMENT	10
3. WORKFORCE DEVELOPMENT	10
4. MISCELLANEOUS SERVICE	11
ATTACHMENT 1: SDLTAP STAFF	12
ATTACHMENT 2: GEOGRAPHIC STAFF RESPONSIBILITIES	15
ATTACHMENT 3: PROPOSED BUDGET FOR 2022 CALENDAR YEAR	16
ATTACHMENT 4: ANNUAL WORK PLAN ADDENDUM	17

## INTRODUCTION

The South Dakota Local Transportation Assistance Program (SDLTAP) has now served local transportation agencies throughout South Dakota for 33 years. The program was established in 1988 and has operated continuously since that time. The SDLTAP maintains a strong reputation for meeting its customers on their premises, listening to their needs and delivering quality service to them. Services have been extended where possible to tribal transportation departments, private contractors involved in local projects and the engineering consulting community. Strong partnerships have been built with many agencies and companies to support both SDLTAP and those we work with. The 2022 SDLTAP Work Plan provides a summary of the services provided in the past year and plans for service and the methods of assisting our clients in the coming year.

The SDDOT Office of Research oversees the SDLTAP program and provides insight to the program, manages the financial and contractual agreements between the DOT, FHWA and SDSU, and approves out of state travel requests for LTAP staff. The Office of Research also provides office space for SDLTAP technical assistance providers who work from Pierre. Research Program Manager Thad Bauer coordinates two semi-annual LTAP Advisory Board meetings attended by the entire SDLTAP staff, SDLTAP Advisory Board members, and various partners in the transportation industry.

The SDLTAP Advisory Board consists of members of various associations and organizations with which we have direct contact. The Advisory Board members represent:

- South Dakota Department of Transportation
- Federal Highway Administration
- South Dakota Association of Counties
- South Dakota Municipal Street Managers Association
- South Dakota Associated General Contractors
- South Dakota Association of Towns and Townships
- American Public Works Association
- Great Plains Tribal Chairman's Association
- South Dakota Association of County Highway Superintendents
- South Dakota Engineering Society.
- SD APWA

The Advisory Board oversees the LTAP program and offers input as to what LTAP is doing positively and where the individual groups would like to see improvements or opportunities for their customers. Advisory Board meetings are held to update members on current activities and reflect on results following the previous meeting.

## REVIEW OF SDLTAP ACTIVITIES IN 2021

As of October 1, 2021, SDLTAP conducted or actively participated in 50 training sessions in 2021. The data compiled thus far shows 1,175 people participated in 2,430 cumulative hours of training. To accomplish this, significant use of partnerships continues to be a great help to SDLTAP. Our greatest support is from the SDDOT, which allows access to their video conference network, works with us to develop and provide training, coordinates communication and meetings with our Advisory Board, allocates, and approves our funding. Another key partnership is training delivery via the Transportation Learning Network (TLN). The single greatest benefit of the TLN is being able to offer management level courses for our customers, which would cost a great deal if we had to bring the instructors to our state. Our customers are also able to access recorded trainings and make them available to their staff at any time.

Again, in 2022, there will continue to be a greater emphasis on returning to face-to-face training in classrooms and the field. Our customers responded very favorably as reflected in their interest and willingness to attend. Greg Vavra, Program Manager, Andrew Peterson, Field Services Manager, and field staff have devoted a significant amount of time to facilitate increased personal contact and in-house training to meet customer needs. Greg's experience in local transportation and good communication skills have been put to good use in the classroom and the field. Classroom and field training in the use of motor graders in gravel construction and maintenance continues to be the most requested service in this area. We will also look at new ways to reach our customers through online platforms where we can remotely communicate with customers anywhere at any given time. We currently have access to many online training options that we are trying to integrate into our customers training plans.

In 2021, SDLTAP staff has increased its ability to train. We continue to cross train each staff member on many different subjects allowing us to meet the training demands. The ability of staff members to train and present will ease the pressure from other staff members and allows us to be more efficient in our travels. With the addition of Gill on the staff, we have revamped our asphalt training presentations. We have created a series of five different modules of pavement maintenance. Asphalt maintenance is our second most requested training we deliver.

Building upon work in previous years, SDLTAP staff provided technical assistance in aggregate quality to many agencies in 2021. We continue to see lack of a defined specification for gravel road projects, chip seal projects, base construction and bedding for pipe or box culvert construction. SDLTAP is continuing to provide guidance on the cost associated with non-specified material which leads to a significant decrease in life

cycle costs of projects. Testing and inspecting of materials is a very important part of the overall performance of the project and continual reminders to our customers are essential in this process.

In general, all SDLTAP staff members have been called on to provide more and more on-site technical assistance to county, city, town, township and tribal transportation agencies. The scope of this work is very broad. Some examples are:

- 1) Proposed access and problems with existing agribusiness access routes, which nearly always involve impact on the surface from heavy trucks, but sometimes safety and geometry issues as well.
- 2) Aging, failing culverts and small structures on the local road system are becoming a very big issue. We estimate requests for information on this matter doubled this past year.
- 3) General road safety issues ranging from simple questions on sign installation to realignment of road sections to correct safety problems.
- 4) Assistance with processes such as gravel road reshape, placing new surface gravel and the correct way of preparing the surface for stabilization.
- 5) Assistance in assessing road conditions and making presentations to commissions and councils.
- 6) Providing resources and information to elected officials to help guide decisions which will impact their respective organizations moving forward.

SDLTAP coordinated three conferences in 2021. In February, SDLTAP managed the Virtual 60th Annual SD Asphalt Conference. The conference was well received, with 185 in attendance. The Asphalt Conference was geared towards bringing the locals back to the conference and this proved to be successful. We are also reaching other organizations by building an agenda suited for workforce development through management and engineers. In October, SDLTAP was to host the 35th Annual Regional Local Road Conference in Rapid City, SD. Although all the planning and registration was complete for this conference, it was ultimately cancelled due to the COVID-19 Pandemic. We will move forward with plans to host the 2022 Regional Local Road Conference in Sioux Falls. Our hope is to build on the past and bring a new group of individuals and vendors to the conference with the move to Sioux Falls. We will once again utilize the volunteer services of Kris Jacobsen from the South Dakota Association of Counties to manage our increasing number of vendors at this conference. We are

already making changes to bring an even better conference in 2022. Finally, in December, SDLTAP coordinated the annual SD Association of Towns and Townships Annual Meeting, which will be held in Watertown on December 1-2. These three conferences will bring over 600 local road managers, engineers, and elected officials together to provide training and networking opportunities. SDLTAP also supports the annual County and Municipal League conventions and is committed to build on these accomplishments in 2022.

### **HOW SDLTAP WILL DELIVER ITS SERVICES IN 2022**

SDLTAP's general scope of service will be delivered in five primary ways:

- 1) Visit each county in SD at least once within two years. County highway departments will be visited along with cities, towns and townships as time allows.
- 2) Provide technical assistance upon request, either on-site if needed, or by phone or email. Facebook will continue to be used for general information updates.
- 3) Develop and provide formal training in workshops, seminars, or conference presentations. Some delivery by web and video conference will also be done.
- 4) Continue conference support for the local highway and street management associations, as well as overall management of the Regional Local Road Conference in Sioux Falls and the SD Asphalt Conference in Pierre.
- 5) Visit each new highway superintendent within the first three months of employment. This is key to the success of many of the new superintendents who have little or no managerial experience. Supply them with necessary documents and books to insure they have the needed resources to perform their duties.

There will be continued emphasis on face-to-face training and additional hands-on field demonstration which has proven to be a great need. Customer feedback was very positive again in 2020. It will be hard to expand those activities, but we are committed to sustain them. SDLTAP will continue using video conferencing and webinar delivery when possible. The website and our Facebook page will be expanded to provide basic information on training and information delivery. We will strive to do Facebook posts at least once or twice a week. We utilize Facebook as another tool to communicate with our customers. We post trainings, important information and conference activities. We see Facebook as another platform of communication and utilize it as such. On occasion we do get technical assistance requests through the direct messaging feature. The number of Facebook followers continue to grow. Partnerships with other organizations will continue to be a critical link to reach customers and to provide some financial and logistical support. Our primary partner continues to be SDDOT and its Office of Research.

Working with Mr. Thad Bauer, SDDOT Research Program Manager, and the Local Government Assistance Office, we will continue to coordinate many activities with the SDDOT.

Use of SDDOT sites on the Dakota Digital Network in-state video conferencing system for access to 14 sites will be continued across the state at no charge. The reduction in travel for virtually anyone to less than 75 miles to participate in training is a great benefit. Using the same sites, we will continue to use the Transportation Learning Network (TLN) to both deliver and receive training cooperatively with four other states – CO, ND, WY, and MT. Other web-based training will be used as opportunities arise. We continue to evaluate this with special attention to the topic and time needed for delivery. Web-based delivery does not work for all topics and does not suit all presenters. A survey was completed to look at our customer's desires on how we operate the TLN sites. It was unanimous that our customers would like LTAP to host sites and make sure the connection is fully functional.

On-site training, either in the classroom, or in the field will continue. A mix of training delivery is necessary to serve SDLTAP customers. Classroom followed by field training has proven to be the most effective way to convey information. We will carefully evaluate how to be as effective as possible in time allocation, location, and content of our training. Gravel road related training will continue to be our priority but will be expanded to build upon what we have learned specific to material quality and good stabilization techniques where needed. We intend to offer this in several locations across the state. Three to five counties can be accommodated at each classroom location. Field demonstrations with smaller groups allowing hands-on instruction in the use of the motor grader will be conducted as time allows. We intend to cooperatively offer training to counties as hosts and include townships, towns, tribes and contractors as much as possible.

In 2022, SDLTAP plans to collaborate with NDLTAP to provide a series of training events. The two organizations will team up to provide training in many areas of the two states where we can efficiently travel and reach many customers. Each program has experts in many different technical areas which we will utilize to strengthen the areas of weakness in our training programs. We will work on three major topics with the expansion of curriculum as needed in the area we are training. The primary training will consist of bridge training, gravel road maintenance and materials and pavement maintenance. We will choose other topics as needed and defined by the region we will be training within. Our partnership with NDLTAP has been proven very successful in the past and we will expand the partnership in 2022.

We will expand our service in providing the best advice possible to rehabilitate aging and deteriorating asphalt surfaces. We have added to our knowledge base and training

resources on this topic looking at gravel, stabilized gravel, and blotter surfacing alternatives. A life-cycle cost calculation tool, which was originally developed by SDLTAP using a simple Microsoft Excel™ spreadsheet, was modified by the Upper Great Plains Transportation Institute and is now available online to help local management and elected officials make databased decisions on the best rehabilitation option.

Some time and effort need to be reserved in 2022 to accommodate special requests from our customers, such as more requests for on-site evaluation of road surfaces, culverts, traffic safety issues, right-of-way problems to name a few. This often leads to follow-up requests to attend commission, council or board meetings which are often held in the evenings to present recommended solutions. As in the past, we continue to recognize it may be difficult to sustain all the service we are promising to our customers. We will strive to be as efficient as possible in scheduling training, making sure advertising reaches everyone who may wish to attend to avoid duplicate requests for the same service by a neighboring agency and use electronic delivery when possible.

Once again, the plans we have for serving our customers can only happen with good partnerships. We remain committed to maintain or build partnerships with others to serve our customers. At the same time, we will strive to avoid unethical situations such as allowing a corporate sponsor to use a training forum to exclusively promote their product. Our primary partners are:

- SD Department of Transportation
- SD Association of County Highway Superintendents (SDACHS)
- SD Association of Towns and Townships (SDATAT)
- SD Street Maintenance Managers Association (SDSMMA)
- SD Counties (County Commissioners & County Officials)
- SD Associated General Contractors-Highway & Heavy Construction Division (SDAGC)
- Safety Benefits Inc
- South Dakota Engineering Society
- SD Municipal League (SDML)
- North American Salt Inc
- Butler Machinery Company
- SD Chapter of the APWA
- Gravel Roads Academy
- Dust Busters Inc
- RDO Equipment
- Other LTAPs nationwide

- Recognize our partnership with NELTAP, COLTAP, NDLTAP, WYLTAP and MTLTAP as partners in the Regional Local Road Conference.

Department visits to local highway and street departments will continue as staff time allows. Our priorities are accommodating direct requests for on-site assistance, visiting new managers, and identifying local agencies that have demonstrated success in managing their road and street systems. If an agency is willing to share, staff members will travel there, gather information, and get photos (if applicable) so the technology or methods can be transferred to others. These visits will generally be accomplished in assigned geographic areas as shown in Attachment 2 on page 13 of this document.

The SDLTAP will continue to support several conferences, conventions, and meetings across the state. Examples are the SD Association of County Highway Superintendent's Annual Short Course and Summer Meetings, the SD Street Maintenance Managers Association's Spring and Fall Meetings, and the SD Association of Towns and Townships Annual Road Conference. This includes not only making presentations, but also sitting on planning committees for some of these conferences, as well as providing audio/visual equipment support, if needed. SDLTAP will take the lead in facilitating the Annual Regional Local Road Conference and managing the SD Asphalt Conference in 2022. From these activities, we not only maintain direct contact with our customers, but also gain valuable input for future training needs and technical assistance. Support will also be given to the SD County Association, South Dakota Towns and Townships and Municipal League Annual Conventions, along with the Elected Official's Workshops.

SDLTAP is planning to see an increase in visits and training opportunities with the closing of the TTAP centers nationwide. Although a new program is in place to support the Tribes, our relationship with the Tribes has led them to LTAP for their training needs. With the geographic diversity of the tribes, it will require some additions to our training curriculum as well as staff time devoted to ensuring their needs are being met.

We continue to explore delivery of more service via our website, but strict content supervision is still an issue in that area. Our Facebook page has proven to be a great tool for keeping our customers aware of our services and activities. Our toll-free number 1-800-422-0129 and generic email address [sdltap@sdstate.edu](mailto:sdltap@sdstate.edu) will continue to be available for any LTAP customer to reach us for direct technical assistance.

## **ACTIVITY PLAN TO ADDRESS THE FOUR FHWA FOCUS AREAS FOR LTAP/TTAP**

### **1. ROADWAY AND WORKER SAFETY**

- a. Conduct Mine Safety and Health Administration (MSHA) compliance training in ±35 locations across SD in partnership with Safety Benefits, Inc.



- b. Offer both Work Zone and Routine Traffic Control training as an in-house seminar upon request.
- c. Advertise the ATSSA Northland Chapter's "How To" Safety Conference.
- d. Advertise appropriate highway and worker safety courses offered via the TLN.
- e. Do additional work on documentation of safety issues on local roads to improve our training visuals and content.
- f. Support the SDDOT Transportation Safety Conference.
- g. Emphasize safety in every presentation that is applicable.

## **2. INFRASTRUCTURE MANAGEMENT**

- a. Continue to partner with the SDDOT Office of Research to update cost data in the Surface Selection Criteria Study previously published in 2004.
- b. Work with NDSU to deliver an online platform for our customers to evaluate costs of doing business and to define costs more accurately in their five-year plans.
- c. Continue to work on developing resources and training about alternatives to paving.
- d. Provide technical assistance during on-site visits utilizing the experience of our staff at a practical level.
- e. Manage the 2022 SD Asphalt Conference. Andrew will serve as the conference coordinator and three of our staff members will serve on the planning committee. All are actively involved in recruiting speakers and/or making presentations.
- f. Continue to study the impact of Agribusiness and Industrial and Commercial Development on SD local roads and streets. We continue to add to our training resources on this topic and will present updated information as opportunities arise.
- g. Share results of the SDDOT Gravel Guidelines project with all customers and work towards a final report with the contractor.

## **3. WORKFORCE DEVELOPMENT**

- a. Provide training in fundamental design and material specifications as requested.
- b. Provide hands-on instruction on surface maintenance of gravel surfaced roads along with rehabilitation if requested.
- c. Provide Management training if requested. (This has been a great challenge. We see the need for this, but customers often do not.)

- d. Conduct department visits to all new highway superintendents to make them aware of LTAP services.
- e. Assist the SD Association of County Highway Superintendents with training and oversight of the exam for the SD Highway Superintendent Certification Program.

#### 4. MISCELLANEOUS SERVICE

- a. Maintain our toll-free number for our customers, LTAP/TTAP, or others to reach us for assistance.
- b. Hold a staff/team development activity twice annually.
- c. Continue promoting social media in delivering information on our Facebook site.
- d. Continue to serve as conference coordinator and host the Regional Local Road Conference to be held in Sioux Falls, SD in 2022. Trudy Anderson, SDLTAP's Program Assistant, will continue to manage registration and budget for the conference as a service to our neighbors in eight surrounding states.
- e. Strive to continue to provide miscellaneous services to our friends and partners around the country such as sharing of our large photo log, presentations, and other resources.
- f. Support the National and Regional LTAP/TTAP Conference and NACE Conference.
- g. Support SDDOT in various research projects and deliver the findings to our customers in a timely manner.
- h. Support the EDC initiatives that the DOT has adopted and bring awareness and training to our customers that are pertinent to the locals.

The budget allocated to accomplish these activities is shown in Attachment 3, page 16.

## ATTACHMENT 1: SDLTAP STAFF

## Office and Administrative Staff:

Dr. Nadim Wehbe, P.E., Director

Mr. Greg Vavra, Program Manager

Mr. Andrew Peterson, Field Services Manager

Ms. Trudy Anderson, Program Assistant

## Field Staff:

Mr. Cliff Reuer, Technical Assistance Provider, Western Area

Mr. Chuck Fromelt, Technical Assistance Provider, NE & SE Areas

Mr. Gill Hedman, Technical Assistance Provider, Central

## ABBREVIATED RESUMES OF STAFF - 2021



Dr. Nadim Wehbe, PhD., PE-Nadim is the John M. Hanson Professor in Structural and Construction Engineering and head of the Civil and Environmental Engineering department. He also has served as the SDSU program director of the Mountain Plains Consortium (MPC) University Transportation program since he established the program in 2007. His main research interests include resilient and sustainable transportation infrastructural systems and bridge engineering. He is a fellow of the American Society of Civil Engineers (F.ASCE), the American Concrete Institute (FACI), and the Structural Engineering Institute (F.SEI).



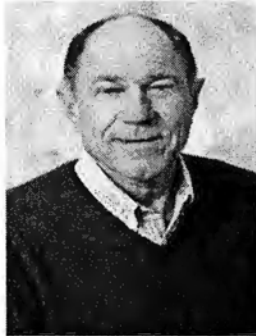
Greg Vavra-In October 2012, Greg started as SDLTAP's Field Services Manager and became Program Manager in October 2015. He previously worked as Jerauld County's Highway Superintendent for 18 years and has served as Mayor of Wessington Springs for the past 13 years. Greg provides technical assistance in gravel road maintenance, culvert installation, presentation development, and various cooperative efforts. He has extensive background in county and township maintenance and has served as Past President and Secretary treasurer for the SDACHS Association.



Andrew Peterson -Andrew joined LTAP as the field services manager in March 2016. He received his Bachelor of Science degree from South Dakota State University in Construction Management with a minor in Business. He served in the Air National Guard as a Pavement and Construction Equipment Specialist. Before starting at LTAP, Andrew worked for Knife River Midwest in Sioux City, IA as project manager and estimator, where he managed asphalt projects in Nebraska, Iowa, and South Dakota.



Trudy Anderson – Trudy joined LTAP in July 2017. She worked 9 years for SDSU in the Division of Technology & Security as a Budget Assistant. Prior to working for SDSU, she worked in various administrative and accounting positions in Brookings. Trudy has an associate degree in Executive Secretarial from Nettleton College, Sioux Falls, SD.



Cliff Reuer-Cliff worked for the SDDOT for 40 years as a Field Technician, Highway Beautification Agent, Maintenance Analyst, Project Engineer, Traffic and Safety Engineer and at the Office of Project Development. He has a Bachelor of Science degree from SDSU in Agricultural Business (Economics). Cliff has received specialized training from Northwestern University - Traffic Institute at Evanston, IL, training from the Institute of Transportation Engineers (ITE) and from the FHWA. Cliff joined SDLTAP in 2010



Chuck Fromelt-Chuck joined SDLTAP in June 2015 and has a life-long background in the road and bridge environment. Chuck holds an AAS in Civil Engineering Technology from the ND State School of Science. He has 22 years of experience as a certified Day County Highway Superintendent and has eight years of experience leading and managing the construction, development, and designs for Waste Management and Tricon-Kent Construction. Chuck was president of the SD Association of County Highway Superintendents (SDACHS) and has served as a committee member of Bylaws and Resolutions of SDACHS, and as an executive board member of SDACHS.



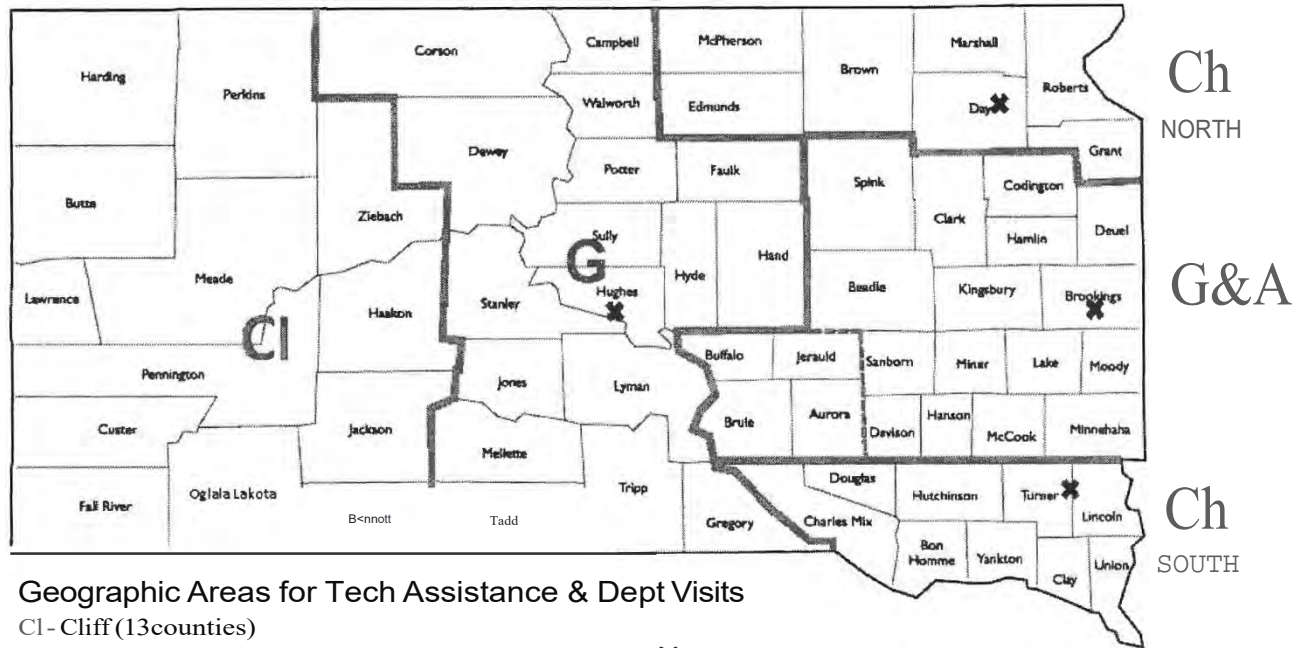
**Gill Hedman-Gill** joined SDLTAP in July 2017 and has been involved in road and bridge for many years. Gill is a graduate of the South Dakota School of Mines in 1975 with a BS in Civil Engineering. Gill worked 29+ years with South Dakota Department of Transportation the last 25 as Pavement Design Engineer specializing in pavement design, pavement rehabilitation, and pavement preservation activities.

**Staff Changes:**

None

## ATTACHMENT 2: GEOGRAPHIC STAFF RESPONSIBILITIES

This map shows the general geographic areas covered by each of the four members of the field staff in doing on-site technical assistance or local department visits.



## Geographic Areas for Tech Assistance &amp; Dept Visits

Cl- Cliff (13 counties)

G – Gill (17 counties)

Location of SDLTAP Staff X

G&A -Greg & Andrew (20 counties)

Ch- Chuck (16 counties)

SALARY AND WAGES	FTE	SDSU		SDDOT	Total
		Billed	Donated	Donated	
Director (N Wehbe) (Less 10% Donated)	0.10	10,866	7,244		\$ 18,110
Program Manager (Vavra)	1.00	72,985			\$ 72,985
Program Assistant (Anderson)	1.00	40,674			\$ 40,674
Field Services Manager (Peterson)	1.00	65,616			\$ 65,616
Technical Assistance Provider (Fromelt)	0.40	20,402			\$ 20,402
Technical Assistance Provider (Reuer)	0.40	23,536			\$ 23,536
Technical Assistance Provider (Hedman)	0.40	19,315			\$ 19,315
SDDOT Contact (Bauer)	0.05			5,426	\$ 5,426
SDDOT Contact (Twiss)	0.05			2,008	\$ 2,008
<b>Subtotal</b>	<b>4.40</b>	<b>253,393</b>	<b>7,244</b>	<b>7,434</b>	<b>\$ 268,071</b>
FRINGE BENEFITS		SDSU		SDDOT	Total
		Billed	Donated	Donated	
SDSU (15.0%+9,872/FTE) -- PT FTE/Fringe at 9%		76,170	1,580		\$ 77,750
SD DOT (51.9% S&W)				3,858	\$ 3,858
<b>Subtotal</b>		<b>76,170</b>	<b>1,580</b>	<b>3,858</b>	<b>\$ 81,607</b>
TRAVEL & PERDIEM		SDSU		SDDOT	Total
		Billed	Donated	Donated	
National/Regional LTAP Travel		15,000			\$ 15,000
All Other Travel-Trng & Tech Support		15,000			\$ 15,000
Advisory Board		500			\$ 500
<b>Subtotal</b>		<b>30,500</b>			<b>\$ 30,500</b>
VEHICLES		SDSU		SDDOT	Total
		Billed	Donated	Donated	
Car Lease at SDSU		16,800			\$ 16,800
Car Lease in Pierre		9,600			\$ 9,600
<b>Subtotal</b>		<b>26,400</b>			<b>\$ 26,400</b>
PUBLICATIONS AND POSTAGE		SDSU		SDDOT	Total
		Billed	Donated	Donated	
Newsletters & Marketing		1,000			\$ 1,000
<b>Subtotal</b>		<b>1,000</b>			<b>\$ 1,000</b>
OTHER DIRECT COSTS		SDSU		SDDOT	Total
		Billed	Donated	Donated	
Supplies & Copying		1,500			\$ 1,500
Telephones		3,840			\$ 3,840
Meeting Rooms		1,500			\$ 1,500
National LTAP Dues		750			\$ 750
Publications & Videos		2,000			\$ 2,000
Training Consultants		12,000			\$ 12,000
Training Computers & Equipment		5,000			\$ 5,000
<b>Subtotal</b>		<b>26,590</b>	<b>-</b>	<b>-</b>	<b>\$ 26,590</b>
<b>TOTAL DIRECT COSTS</b>		<b>414,053</b>	<b>8,824</b>	<b>11,292</b>	<b>\$ 434,169</b>
INDIRECT COSTS		SDSU		SDDOT	Total
		Billed	Donated	Donated	
SDSU (28%) total direct billed & (1.34%) donated costs		115,935	5,548		\$ 121,483
SDSU (29.34%) of total direct donated costs			2,589		\$ 2,589
<b>Subtotal</b>		<b>115,935</b>	<b>8,137</b>		<b>\$ 124,072</b>
<b>GRAND TOTAL by Organization</b>		<b>529,987</b>	<b>16,961</b>	<b>11,292</b>	<b>\$ 558,241</b>

FUNDING SOURCES	AMOUNT	PERCENT
FHWA Local Technical Assistance Program	\$ 150,000	26.87
SD Local Road & Bridge Fund	\$ 379,987	68.07
SDSU (donated)	\$ 16,961	3.04
SDDOT (donated)	\$ 11,292	2.02
<b>TOTAL</b>	<b>\$ 558,241</b>	<b>100.00</b>

## ATTACHMENT 4: ANNUAL WORK PLAN ADDENDUM

LTAP Center: South Dakota

Period of Performance: October 1, 2021 - December 31, 2021

Address the following components (only address time of addendum)

- No change in center personnel resources.
- Planned training. See Table 1 below.
- We continue to work on state works groups. Ex. STIP, EDC, and research panels.
- We will continue as much as in-person training as possible. Due to covid-19 we know these numbers will be significantly lower than previous years. The training groups are limited in numbers only doing small groups 3-10 people at a time will significantly impact overall training numbers and personnel trained.

## TRAINING

Six training courses will be presented during the fourth quarter of CY2020:

Course Title	Delivery Method	Duration (hours)	Delivery Period (month/year)	Delivery Location	Trainer/ Organization
New Supt Cert.	In Person	6	Oct 2020	Pierre	SDLTAP
Motor Grader	In Person	8	Oct & Nov 2020	Multiple	SDLTAP
Flagger	In Person	3	Oct 2020	Watertown	SDLTAP
Region Training	In Person	6	Nov & Dec 2020	Multiple	SDLTAP
SD Association of Towns and Townships	In Person	8	Dec	Huron	SDLTAP
Snow and Ice	In Person	3	Dec	Multiple	SDLTAP

## BUDGET

We expect to expend approximately 25% of the CY2021 budget during this quarter of the year. Exact expenditure amounts will not be known until mid-January 2022.



# **SOUTH DAKOTA BOARD OF REGENTS**

## **Informational Items** **Consent**

**AGENDA ITEM: 5 – R**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**Interim Actions of the Executive Director**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:5](#) – Executive Director

[BOR Policy 2:23](#) – Program and Curriculum Approval

[BOR Policy 5:4](#) – Purchasing

[BOR Policy 6:6](#) – Maintenance and Repair

### **BACKGROUND / DISCUSSION**

Per Board of Regents Policy, the Executive Director is granted authority to act on and/or authorize approval of various requests on behalf of the Board. In instances where these actions occur, the Executive Director shall provide to the Board a summary of these requests and approvals at each regularly scheduled Board meeting.

A portion of the interim actions of the Executive Director often include authorizing maintenance and repair projects submitted by the campuses whose costs range between \$50,000 and \$250,000 using institutional funds, donations, or funds not previously approved by the Board. Other finance-related action may also be the purchase of assets between \$250,000 and \$500,000 as well as any emergency approval of maintenance and repair projects.

### **IMPACT AND RECOMMENDATION**

The list provided in Attachment I summarizes the interim actions taken by the Executive Director, or his designee.

### **ATTACHMENTS**

Attachment I – Interim Actions of the Executive Director

\*\*\*\*\*

**INFORMATIONAL ITEM**

## INTERIM ACTIONS

---

### Maintenance and Repair Projects ((\$50,000 - \$250,000))

---

#### South Dakota School of Mines and Technology

**Howard Peterson Hall/Surbeck - Heat Exchanger Repair:** SDSMT requests approval to utilize \$95,000 in auxiliary funds to replace a non-functional heat exchanger in Howard Peterson Hall/Surbeck. SDSMT will hire a mechanical contractor to complete the replacement using three quotes and requests this project be delegated to the university.

**Campus Wide - Energy Conservation Measures:** SDSMT requests approval to complete an audit, design, bid, and construction for a Campus Wide Energy Conservation Measures project. The \$95,000 requested will be funded from local tuition and fee maintenance and repair funds.

#### South Dakota State University

**CMP - Architectural Services IDIQ:** SDSU requests approval to use \$150,000 from various fund sources to move forward the SDSU Indefinite Delivery/Indefinite Quantity Contract for Architectural Services. This request is not for a specific project; the projects that receive these services will pay for the cost of the IDIQ. The specific projects which utilize this IDIQ contract will have their own unique OSE and university project number. The IDIQ contract is for one year and is renewable up to three years. An RFQ will be issues to solicit firms.

**DeHaan Equestrian Center #1809 & 1823:** SDSU requests approval to expend \$100,000 of local maintenance and repair funds for the full design and construction for repairs to the DeHaan Equestrian Center office building (#1809), arena (#1823), and grounds. Scope of work includes replacing exhaust pipes, replacing electrical outlets, installing weather stripping on doors, and installing snow/ice guards on the roof - all on the arena; installing new siding, gutters, windows, and doors on the office/house; making grounds improvements consisting of re-gravelling the driveway, landscaping at the bunker, and completing a concrete walking path. SDSU requests the project to be delegated to SDSU. The work will be completed using standing contractors and Facilities and Services maintenance services staff.

**Solberg Hall - Replace Duct Insulation on Rooftop AHU:** SDSU requests approval to utilize \$50,000 in general funds leftover from a prior year's project to replace the duct insulation on the rooftop of Solberg Hall. This amount will cover the full design and construction for the replacement of the ductwork insulation on the roof of Solberg Hall. This insulation has deteriorated significantly and will need to be completely removed and replaced with new insulation and a new protective jacket. This work will be completed by SDSU's standing HVAC contractor. SDSU requests this project be delegated to the university.

**Yeager Hall - Mechanical Systems and Upgrades:** SDSU requests approval to use a total of \$216,926 for the design and construction of several maintenance and repair items related to the plumbing, mechanical, and HVAC systems serving Yeager Hall. This project will replace a significant portion of the domestic water piping serving the facility. The piping is galvanized steel, which is prone to leaking and is at the end of its useful life. The project will secondly extend the campus chilled water into the building and add a chilled water meter for billing purposes. The final item that will be addressed with this project is the upgrade of the aging building automation system (BAS) controllers throughout the facility. These controllers are at the end of their useful life and are no longer supported by Johnson Controls. This project will replace these controllers with new technology. This work will be completed using SDSU's existing standing contractors for mechanical and temperature control. SDSU is requesting delegation to the university. This project was originally approved in February of 2021, but HEFF dollars have been added to it to fund the asbestos abatement needed in the basement mechanical room.

---

### **Course Modifications**

---

Since the approval of the revisions to BOR Policy 2:23 at the March 2017 BOR meeting, all subsequent course modifications approved by the System Vice President for Academic Affairs can be found on the Institutional Curriculum Requests webpage at the following link:

[https://www.sdbor.edu/administrative-offices/academics/aac/Institutional\\_Curriculum\\_Requests/Pages/default.aspx](https://www.sdbor.edu/administrative-offices/academics/aac/Institutional_Curriculum_Requests/Pages/default.aspx)

---

### **Substantive Program Modifications**

---

Since the approval of the revisions to BOR Policy 2:23 at the March 2017 BOR meeting, all subsequent substantive program modifications approved by the System Vice President for Academic Affairs can be found on the Institutional Substantive Program Modification Requests webpage at the following link:

[https://www.sdbor.edu/administrative-offices/academics/aac/Sub\\_Program\\_Mod\\_Requests/Pages/default.aspx](https://www.sdbor.edu/administrative-offices/academics/aac/Sub_Program_Mod_Requests/Pages/default.aspx)

---

### **Reduced Tuition Externally Sponsored Courses**

---

All requests for reduced tuition externally sponsored courses approved by the System Vice President for Academic Affairs can be found on the Special Tuition Rates Requests webpage at the following link:

[https://www.sdbor.edu/administrative-offices/academics/aac/Special\\_Tuition\\_Rate\\_Requests/Pages/default.aspx](https://www.sdbor.edu/administrative-offices/academics/aac/Special_Tuition_Rate_Requests/Pages/default.aspx)

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – S**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Capital Projects List**

**CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 5-14-1](#) – Classification of Capital Improvements

[SDCL 5-14-2](#) – Supervision by Bureau of Administration of capital improvement projects -  
Payment of appropriated funds

[SDCL 5-14-3](#) – Preparation of plans and specifications for capital improvements - State  
building committees - Approval by board or commission in charge of  
institution

[BOR Policy 6:4](#) – Capital Improvements

**BACKGROUND/DISCUSSION**

The attached list identifies the current capital improvement projects within the Board of Regents system and each project's regental building committee representative, estimated dollar amount, the source of funds, and the current status.

The review and approval of capital improvement projects involves several phases, and Board approval is required before a project may advance from one stage to another. Institutions may request exemption from this approval process for any maintenance and repair project after the preliminary facility statement. As a reminder, the review and approval steps for capital projects are as follows:

1. Submission of Preliminary Facility Statement for Board approval (proposal and justification).
2. Submission of work request for the Office of the State Engineer (OSE) and appointment of the Building Committee if an A/E firm is needed for development of the Facility Program Plan. OSE begins architect evaluation process and Building Committee interviews and selects architect.
3. Submission of Facility Program Plan (programmatic justification and detail, identification of financing fund source).

(Continued)

\*\*\*\*\*

**INFORMATIONAL ITEM**

4. Legislative approval is required for all facilities outside of the auxiliary system and can be sought when funding is available or will be part of the Board's Ten-Year Plan.
5. Final Design Plan presented to Building Committee for initial approval prior to Board approval.
6. Final Design Plan submitted for Board approval.
7. Building Committee approves bid if within project approved limits and carries the project oversight from this point forward.
8. Board approves bid if there are substantive changes from Program Plan.

Once the bids are approved by the Building Committee or the Board and the financing plan is in place, the project proceeds to construction.

The list indicates if the projects were included in the 2005 or the 2012 Ten-Year Plans.

#### **IMPACT AND RECOMMENDATIONS**

N/A

#### **ATTACHMENTS**

Attachment I – December 2021 Capital Projects List

## South Dakota Board of Regents Capital Improvement Projects - December 2021

Facility Name	Ten-Year Plan	Legislative Action / YR	Fund type	Legislative / Approved Amount	Most Recent Board Action	Current Project Status	Projected Completion Date	Building Committee Rep.
<b>ACADEMIC FACILITIES</b>								
<b>Black Hills State University</b>								
E. Y. Berry Library Renovation	FY12 10 Yr Plan	HB1051-2012 HB1045-2020 SB43-2020	FY22 HEFF Bonds Other M&R Bonding	\$3,000,000 \$3,972,345 <u>\$2,400,000</u> \$9,372,345	Oct-20 Design Plan	Construction	2022	Bastian
BHSU-RC Addition & Renovation for West River Nursing			General HEFF Private	\$8,000,000 \$5,114,644 \$2,000,000	Oct-21 Program Plan	Planning	2025	Partridge
Lyle Hare Stadium Renovation					Jun-16 Facility Stmt	Planning	2024	Bastian
<b>Dakota State University</b>								
Event Center			Private	\$28,047,000	Oct-21 Program Plan	CM Selection Design	2024	Rave
Madison Cyber labs (MadLabs)		HB1057-2018	Private	\$18,000,596	Oct-17 Design Plan	Completed	March-2020	Rave
<b>Northern State University</b>								
Regional Sports Complex		HB1037-2019	Private	\$33,000,000	Jun-19 Design Plan	Construction	2021	Thares
Lincoln Hall Replacement			General Funds	\$29,500,000	Oct-21 Facility Program Plan	A/E Selection	2024	Thares
<b>South Dakota School of Mines and Technology</b>								
Mineral Industries Building		SB156-2021	Private Local State	\$12,000,000 \$3,000,000 <u>\$19,000,000</u> \$34,000,000	Mar-21 Program Plan	CM Selection Design		Wink
Music Center (Old Gym) Renovation			Private		Oct-14 Facility Stmt	Planning		Wink
Student Innovation Center			Private		Jun-14 Facility Stmt	A/E Selection		Wink
Devereaux Library Renovation		HB1046-2020	HEFF Bonds General Funds M&R HEFF M&R Auxiliary Revenues Private	\$4,000,000 \$1,350,000 \$500,000 \$100,000 <u>\$1,000,000</u> \$6,950,000	Dec-20 Facility Design	Construction		Bastian
Stadium Renovation			HEFF Funds Local Private		Dec-19 Facility Stmt	A/E Selection		Bastian

## South Dakota Board of Regents Capital Improvement Projects - December 2021

	Facility Name	Ten-Year Plan	Legislative Action / YR	Fund type	Legislative / Approved Amount	Most Recent Board Action	Current Project Status	Projected Completion Date	Building Committee Rep.	
South Dakota State University	Animal Disease Research & Diagnostic Lab (ADRDL) - Addition & Renovations		HB1080-2016 SB172-2017	Livestock Disease Emergency	\$1,575,000	Oct-16	Final Inspection	2020	Rave	
				2018 State Bonded	\$50,039,637	Design Plan				
				LDE/Animal Ready Fund	\$2,600,000					
				Local	\$6,000,000					
				ADRDL Fees	<u>\$1,105,000</u>					
					\$61,319,637					
	Berg Ag Hall Renovate 1st & 2nd floors - Phase 2			Donations	\$1,000,000	May-21	Bid	2023	Roberts	
				HEFF M&R	\$7,284,159	Design Plan				
				Precision Ag Funds	<u>\$100,000</u>	(Revised)				
					\$8,384,159					
	Dairy Unit - Dairy Research and Training Facilities		HB 1153- 2021	Private	\$7,500,000	Apr-20	Design	2023	Stork	
				General Funds	<u>\$7,500,000</u>	Facility Stmt				
					\$15,000,000					
	Lincoln Hall - Renovation			Private	\$3,500,000	Oct-21	Bid	2023	Bastian	
				HEFF M&R	\$3,616,880	Design Plan				
2021 HEFF Bonds				<u>\$10,000,000</u>	(Revised)					
				\$17,116,880						
Outdoor Sports Support Facility		SB 51-2018	Business and Athletic Income	\$600,000	Dec-17 Program Plan	Planning	2022	Venhuizen		
Raven Precision Agricultural Center - Phase 1		HB1264-2018	Local	\$7,500,000	Dec-18	Final Inspection	2021	Venhuizen		
			General Funds	\$2,000,000	Design Plan					
			Private	\$16,600,000						
			2019 State Bonds	<u>\$20,000,000</u>						
				\$46,100,000						
Rodeo Grounds Practice Facility			Private	TBD	Apr-20 Facility Stmt	Planning	TBD	Stork		
Sanford Jackrabbit Athletic Center Wrestling Addition		SB 28-2021	Private	\$4,900,000	Oct-21	Bid	2022	Roberts		
					Design Plan (Revised)					
SJ Marshall Center - Addition, Phase 2			HEFF M&R	\$6,000,000	20-Dec	Phased Project	TBD	TBD		
			Private	\$46,000,000	Facility Program Plan	Design				
			Other	TBD						
The Barn Renovation (replaces the Visual Arts Project in the 2012 Capital Project)	FY12 10 Yr Plan	HB1051-2012	2027 HEFF Bonds	\$7,500,000	Jun-2020	Planning	TBD	Bastian		
			Private	\$3,315,000	Facility Stmt					
				<u>\$10,815,000</u>						
Utility Repairs & Upgrades - Water, Sanitary Sewer, Storm Sewer	FY12 10 Yr Plan	HB1051-2012	2027 HEFF Bonds	\$5,000,000	Mar-16	Phased Project	2029	Roberts		
			HEFF M&R	<u>\$5,043,000</u>	Program Plan	Design & Construction				
				\$10,043,000						
University of South Dakota	Dakota Dome Renovation		HB1060-2018	Private	\$14,500,000	Oct-18	Final Inspection	2020	Stork	
				Local	\$8,719,888	Design Plan				
				HEFF M&R	<u>\$5,400,398</u>					
					\$28,620,286					
	National Music Museum		HB1065-2018	Private	\$9,095,000	Dec-18	Final Inspection	2020	Stork	
				HEFF M&R	<u>\$1,500,000</u>	Design Plan				
					\$10,595,000					
	Health Science Building	SB40-2020		HEFF Bond	\$7,500,000	Oct-21	Construction	2022	Stork	
				M&R Bond	\$5,000,000	Design Plan				
				One-Time State Funds	\$5,000,000	(Revised)				
				Private Funds	\$4,500,000					
				Local Funds	<u>\$875,000</u>					
					\$22,875,000					
	South Dakota School for the Blind & Visually Impaired	New School		HB1071-2018	Private GOED	\$11,847,916 <u>\$5,000,000</u> \$14,347,916	Aug-18 Facility Design Plan	Final Inspection	2020	Thares

## South Dakota Board of Regents Capital Improvement Projects - December 2021

Facility Name	Ten-Year Plan	Legislative Action / YR	Fund Type	Legislative / Approved Amount	Most Recent Board Action	Current Project Status	Projected Completion Date	Building Committee Rep.
<b>REVENUE FACILITIES</b>								
<b>Black Hills State University</b>								
University Wellness Center Addition			General & Private		Dec-16 Facility Stmt	Planning		Partridge
<b>Dakota State University</b>								
New Residence Hall & Student Life Facility			Auxiliary Bonds Private	\$12,000,000 \$500,000 \$12,500,000	Dec-19 Design Plan	Completed	Aug-21	Roberts
<b>Northern State University</b>								
N/A								
<b>South Dakota School of Mines and Technology</b>								
Surbeck Center Addition			Private		Apr-14 Facility Stmt	A/E Selection		Wink
<b>South Dakota State University</b>								
Pierson Hall Renovations			Rent Revenues		Apr-21 Facility Stmt	A/E Selection	2023	NA Exempted
<b>University of South Dakota</b>								
Wellness Center Expansion			Auxiliary Funds Auxiliary Bonds Private Funds Local Funds	\$5,000,000 \$3,900,000 \$9,000,000 \$7,100,000 \$25,000,000	Oct-21 Facility Program Plan	Design	2024	Roberts

### Board Action:

- 1) Preliminary Facility Statement
- 2) Facility Program Plan
- 3) Design
- 4) Bid - Board approves substantive changes from program Plan

### Project Status:

- 1) Planning
- 2) A/E Selection
- 3) Design
- 4) Bid
- 5) Construction



**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**  
**Consent**

**AGENDA ITEM: 5 – T**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Building Committee Report**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 6:5](#) – Building Committees

**BACKGROUND / DISCUSSION**

This is a review of the actions taken by the building committees since the last Board meeting.

On November 5, 2021, the building committee for the NSU New Business School, represented by Regent Thares, chose to enter into negotiations with the firm of Co-Op Architecture to serve as the projects architect.

On November 10, 2021, the building committee for the Mines Mineral Industry Building, represented by Regent Wink, approved the Facility Design Plan for the project.

On November 23, 2021, the building committee for the SDSU Lincoln Musical Hall Phase II Renovation, represented by Regent Bastian, approved the low bid and four alternates from Sunkota and Gil Haugan Construction at a total of \$9,640,370.

**IMPACT AND RECOMMENDATIONS**

None

**ATTACHMENTS**

None

\*\*\*\*\*

**INFORMATIONAL ITEM**

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance**

**AGENDA ITEM: 6 – A**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**FY23 Governor's Recommended Budget**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 4-7-7](#) – Annual Budget Estimates Submitted by Budget Units

[SDCL 4-7-9](#) – Preparation and submission of budget report to Legislature

### **BACKGROUND / DISCUSSION**

On the first Tuesday of December every year, the Governor presents the recommended budget for the next fiscal year to the State Legislature and the public. Governor Noem gave her FY23 budget address on Tuesday, December 7, 2020 at 1:00 pm. In the address, Governor Noem stated that South Dakota saw historic revenue growth in FY21. The State finished FY21 with an \$86 million surplus and ongoing general fund receipts are up another 7.3% through the first four months of FY22 and total general fund receipts are up 11.4% above last year's numbers. With the increased general fund revenues, the FY22 revenue projection has been revised to account for an \$129.3 million increase and another \$13.2 million in ongoing revenues are anticipated for FY23.

The Governor is recommending a 6% market adjustment pay increase for state employees and no changes to the employer paid portion of the State Employee Health Insurance Plan were recommended for FY23.

### **IMPACT AND RECOMMENDATIONS**

#### **Base General Funding**

The Governor is proposing a base general fund increase of \$3,100,429 for the Board of Regents. The proposed increase includes \$1,740,031 for maintenance and repair to get to 1.75% of replacement value, \$938,277 for system-wide utilities, \$491,000 for expansion of course offerings by the Center for Statewide E-Learning at Northern State University, \$88,050 for a project manager for Coyote Small Business Consulting at the University of South Dakota. Additionally, the Governor is recommending reductions of \$6,929 for the critical deferred maintenance lease payment and \$150,000 for the South Dakota School for the Deaf due to a change in the Harrisburg contract. Further details are found in Attachment I.

\*\*\*\*\*

### **INFORMATIONAL ITEM**

Proposed FY22 General Bill Amendment

The Governor's budget recommendation also includes amendments to the FY22 General Bill that provides \$209,080 in general funds to Black Hills State University for the Ellsworth Airforce Base contract and \$409,606 in general funds for system-wide utilities.

FY22 Special Appropriations

Two capital projects, funded by the state's American Rescue Plan federal funds allocations, were recommended as FY22 emergency special appropriations by the Governor: \$29,500,000 for construction of Northern State University's Lincoln Hall replacement and \$8,000,000 for Black Hills State University's West River Health Science Center renovation and expansion.

**ATTACHMENTS**

Attachment I – FY23 Budget Request Summary – Governor's Recommended

South Dakota Board of Regents FY23 Board of Regents Request and Governor's Recommended				
	Base General Fund	FTE	Base General Fund	FTE
<b>FY22 Base General Fund Budget</b>	\$235,934,255	5,160.2	\$235,934,255	5,160.2
<b>Priorities</b>	<b>Requested</b>		<b>Recommended</b>	
General Fund M&R	\$6,457,093	0.0	\$1,740,031	0.0
USD - Law Enforcement Training	\$400,000	0.0	\$0	0.0
NSU E-Learning - Course Expansion	\$491,000	0.0	\$491,000	0.0
SDSU Extension - Small Meat Processor Training	\$150,000	0.0	\$150,000*	0.0
USD - Coyote Small Business Consulting	\$300,000	0.0	\$88,050	0.0
<b>Base Budget Maintenance</b>				
Utilities Adjustment	\$1,024,442	0.0	\$938,277	0.0
Lease Adjustment	(\$6,929)	0.0	(\$6,929)	0.0
SDSD Harrisburg Contract Adjustment	(\$150,000)	0.0	(\$150,000)	0.0
<b>FY23 Requested and Recommended</b>	\$8,665,606	0.0	\$3,100,429	0.0
<b>FY23 Total Base Funding Recommended</b>	\$244,599,861	5,160.2	\$239,034,684	5,160.2
<b>Increase without Salary Policy</b>	3.5%	0.0%	1.3%	0.0%
<b>One-Time General Fund Requests</b>				
BHSU - EAFB Contract	\$209,080	0.0	\$209,080**	0.0
System - Pay off Debt at CCSF	\$14,000,000	0.0	\$0	0.0
System - Pay off GAF-Funded Debt	\$20,000,000	0.0	\$0	0.0
DSU/SDSU Extension - Cyber Ag Program	\$1,250,000	0.0	\$0	0.0
SDSU - High Performance Computing	\$1,935,993	0.0	\$0	0.0
BHSU - West River Nursing Renovation/Expansion	\$8,000,000	0.0	\$8,000,000***	0.0
NSU - Lincoln Hall Renovation/Expansion	\$29,500,000	0.0	\$29,500,000***	0.0
SDSMT - Ascent Innovation Building Purchase	\$5,250,000	0.0	\$0	0.0
<b>One-Time Federal ARPA Fund Requests</b>				
BHSU - Technology Funding	\$585,117	0.0	\$0	0.0
BHSU - Wellness Center Addition/Expansion	\$6,690,254	0.0	\$0	0.0
DSU - Information Assurance Lab Repair/Upgrade	\$1,800,000	0.0	\$0	0.0
NSU - Student Programming & Education Space	\$440,000	0.0	\$0	0.0
NSU E-Learning - Course Expansion	\$99,925	0.0	\$0	0.0
SDSMT - Website Redesign/New CMS	\$380,000	0.0	\$0	0.0
USD - Coyote Business Consulting	\$1,680,000	0.0	\$0	0.0
System - Tutoring and Peer Mentoring	\$587,622	0.0	\$0	0.0
System - Expand Wireless Access Points	\$1,491,000	0.0	\$0	0.0
System - Deferred M&R	\$65,599,000	0.0	\$22,930,000****	0.0
System - VOIP for DSU and SDSMT	\$517,500	0.0	\$0	0.0
System - Classroom Upgrades – HDMI and Web Conference	\$1,457,017	0.0	\$0	0.0
System - Student Mental Tele-Health	\$5,000,000	0.0	\$0	0.0
System - Outdoor Facility Projects	\$9,400,000	0.0	\$0	0.0
System - Network Security	\$4,472,000	0.0	\$0	0.0
System - Stipend for Facilities and Custodial Employees	\$655,000	0.0	\$0	0.0
<b>FY23 Tuition Fund Authority Requests</b>				
Authority Changes	(\$4,858,673)	(24.0)	(\$4,858,673)	(24.0)
<b>FY23 Federal and Other Fund Authority Requests</b>				
Authority Changes	(\$8,972,000)	(36.0)	(\$8,972,000)	(36.0)
<b>FY23 Informational Federal and Other Fund Authority Requests</b>				
Authority Changes	1,068,000	13.0	\$1,068,000	13.0
*The Governor is recommending other fund authority for this base request.				
** The Governor is recommending an FY22 General Bill Amendment for this one-time funding request.				
***The Governor is recommending the use of the state's American Rescue Plan Act (ARPA) funds for this project.				
****The Governor is recommending the use of the state's ARPA funds for water and wastewater projects.				

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – B**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**Economic Impact Study Report**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

[BOR Policy 5:4](#) – Purchasing

**BACKGROUND/DISCUSSION**

The last Economic Impact study of the South Dakota public university system was done in 2016. The study has been invaluable as we share and discuss the impact of higher education activities, spending, and employment on the South Dakota economy.

A Request for Proposals for an updated Economic Impact study was issued in February of 2021. Interviews were conducted in June of 2021, and Parker Phillips was selected to complete the project.

Members of the Parker Phillips team will be on site to present their report and answer questions pertaining to the results of the study and the methodology used.

**IMPACT AND RECOMMENDATIONS**

Not Applicable

**ATTACHMENTS**

Attachment I - Parker Phillips' Economic Impact Study Report

\*\*\*\*\*

**INFORMATIONAL ITEM**





# South Dakota Public Higher Education:

Educating South Dakota's  
Workforce of Today  
and Tomorrow

**Board of Regents**

---

ECONOMIC  
IMPACT REPORT

Prepared by  
*Parker Phillips*  
assess. analyze. assert!

2021





# Table of Contents

INTRODUCTION	7
ABOUT THE STUDY	8
STATE OF HIGHER EDUCATION IN SOUTH DAKOTA	11
FUELING SOUTH DAKOTA'S ECONOMY	12
CASE STUDY: USD MED SCHOOL GRADS OFFER HOPE	14
STRENGTHENING SOUTH DAKOTA'S WORKFORCE	16
A DEGREE MAKES A LIFELONG IMPACT ON SOUTH DAKOTA	18
CASE STUDY: NSU BUILDS COMMUNITY CONFIDENCE	21
CASE STUDY: EDUCATING OUR VETERANS	22
GENERATING LOCAL AND STATE TAX REVENUES	23



CASE STUDY: A PROFILE OF PHILIP, SOUTH DAKOTA	25
A NEIGHBORLY SPIRIT	26
GIVING BACK TO SOUTH DAKOTA	27
FRIDAY NIGHT LIGHTS	28
CASE STUDY: UNIVERSITIES ENHANCE THE QUALITY OF LIFE	30
TRANSFORMATIVE RESEARCH IN SOUTH DAKOTA	31
CASE STUDY: PREPARING A FUTURE YET TO BE IMAGINED	32
CONCLUSION	33

**APPENDICES**

A: TERMS AND DEFINITIONS	34	B: STATE & COUNTY IMPACTS	35
C: DATA AND METHODS	36	D: FAQs	38



# South Dakota Higher Education

## STRENGTHENING SOUTH DAKOTA'S WAY OF LIFE

**1**

- \$2.1 billion** in economic impact
- 12,354 jobs** supported and sustained
- \$74.1 million** in local and state taxes

## OPEN ACCESS SUPPORTS LIMITLESS POTENTIAL

**2**

- 34,520 total students
- 6,655 graduates each year
- 21,423 students from SD attending university
- 46% of students stay in SD to live and work
- 4.2% are first-generation college students
- 2.6% of students are American Indian
- 79% of students receive financial aid (grants, loans, and/or scholarships)

## HOMEOWNED CREDENTIALS TO SUPPORT OUR HOMETOWNS

**3**

- 2,990 nurses
- 294 doctors
- 3,914 teachers
- 303 lawyers
- 378 pharmacists

## NIMBLY RESPONDING TO WORKFORCE NEEDS

**4**

South Dakota public institutions are addressing significant workforce and education gaps in business, finance, early childhood education, teaching, accounting, sustainability studies, hospitality management, agriculture, general studies, health professions, and psychology.

Expansion of master's degree programs in registered nursing and business management.

## ENGAGED, EFFICIENT & LEAN

**5**

- Consolidation of administrative functions yields cost savings
- Reducing majors to avoid duplication and low enrollment
- Collaboration between USD, DSU, and the Community College for Sioux Falls
- West River Health Sciences Center is a BHSU and SDSU collaboration to expand nursing and health occupations in western South Dakota

# Makes an Impact

## DUAL ENROLLMENT

5,746 students enrolled in 8,078 courses at six universities

189 high schools participating

Cost savings of dual enrollment saves the students and saves the state

## INDEPENDENT BUT COORDINATED STRATEGY

6 universities

1 master plan to educate professionals of the future

1 overarching governance body – South Dakota Board of Regents

1 unified vision with six voices

1 South Dakota

## ENRICHING ECONOMIC ENGINES

\$168.5 million research impact generated and 974 jobs supported and sustained

437 engineering graduates

374 information technology graduates

338 agriculture and veterinary sciences graduates

## COMMUNITY HUBS

\$13 million in volunteerism with nearly 550,000 hours

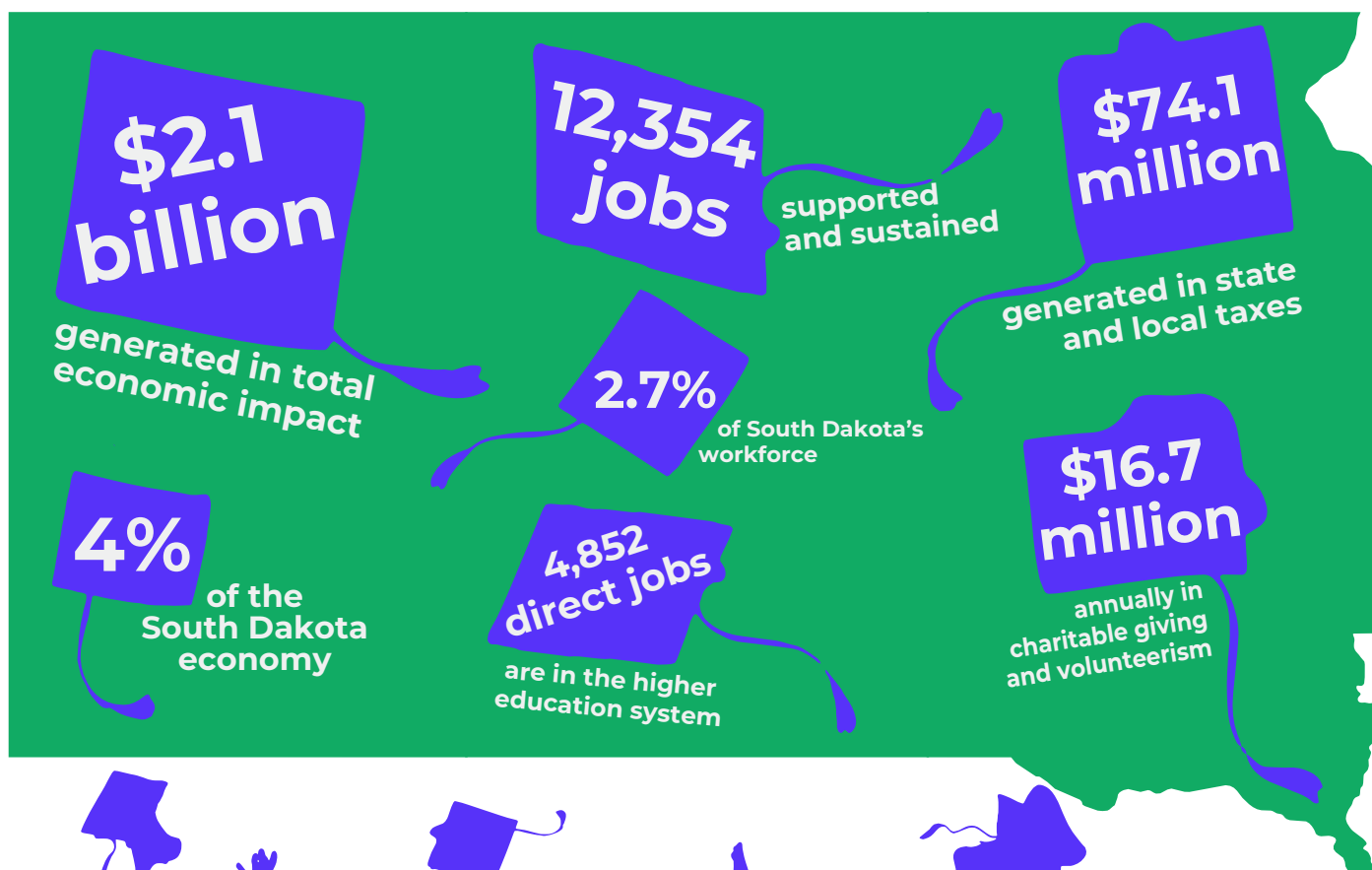
\$3.8 million in philanthropy for community charities

\$16.8 million in total giving by faculty, staff, and students

## BLOOM WHERE YOU'RE PLANTED

\$300.9 billion in impact generated from alumni over their 40-year careers supporting 1.9 million jobs

104,937 alumni living and working in the state



”

“Our public universities are working as one to serve the education and workforce needs of South Dakota. Our regental system serves the distinctive needs of our students and demands of industry while being careful stewards of the state’s dollars.”

Dr. Brian Maher  
Executive Director & CEO,  
South Dakota Board of Regents



# Introduction

South Dakota's six public universities each have a unique identity.

And under the strong leadership of the Board of Regents, together they form a coordinated, unified system in which each performs a vital function in educating the sons and daughters of South Dakota. From their beginnings as typical schools before South Dakota was admitted to the Union to the cutting-edge research and first-class education they provide today, the universities have been the backbone of higher education in the Mount Rushmore State. Every year more than 30,000 students from small towns and big cities across the state attend Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, and the University of South Dakota. The South Dakota Board of Regents oversees these universities with nimble precision that allows South Dakota to stay at the forefront of a changing world.

The South Dakota regental system plays a powerful role in the state's economy. Taken together, they supported a total of **12,354 jobs** across the six universities<sup>1</sup> and administrative offices and generated **\$2.1 billion** in annual economic impact in the fiscal year 2019.



**BLACK HILLS**  
STATE UNIVERSITY



**NORTHERN**



**SOUTH DAKOTA MINES**



UNIVERSITY OF  
**SOUTH DAKOTA**

<sup>1</sup> Public universities in this study refer to those under the South Dakota Board of Regents: Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, and The University of South Dakota.

# About the Study

In July 2021, the South Dakota Board of Regents (SDBOR) engaged Parker Philips Inc. to measure the economic contribution of public higher education overall and of each of South Dakota's six universities, individually. This analysis aims to tell the university system's story from a numbers and narrative perspective. To develop this report, Parker Philips gathered student, financial, and employment data about each university, visited and toured each campus, conducted multiple interviews, and researched secondary data and information to inform the writing and critical messages.

Financial  
& Data  
Gathering

Campus Visits  
& Key  
Stakeholder  
Interviews

Analysis  
&  
Reporting

## OVERVIEW

**Methodology:** IMPLAN

**Geography:** South Dakota

**Fiscal Year:** 2019 (FY 19)

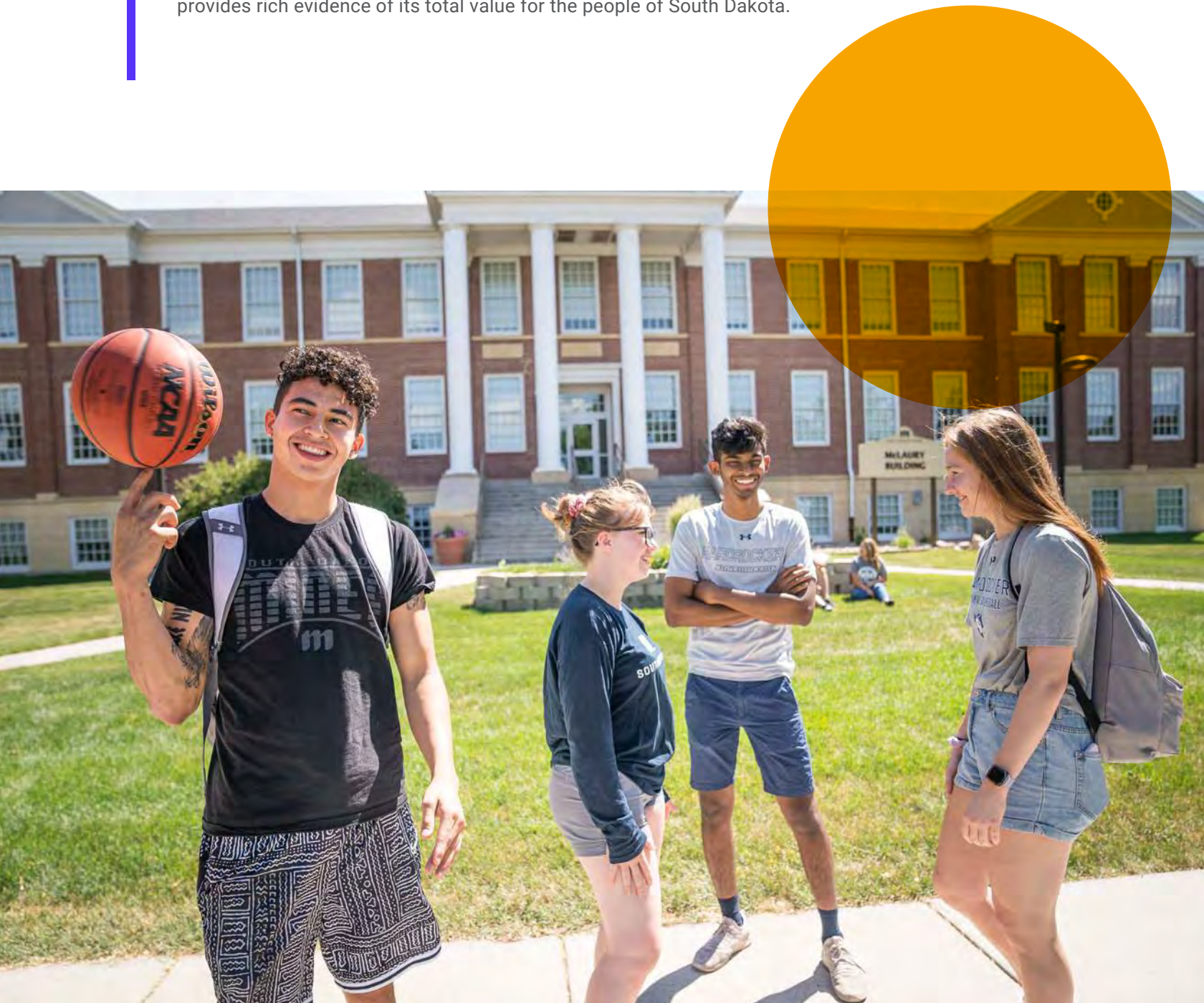
**Institutions Included:** Black Hills State University  
Dakota State University  
Northern State University  
South Dakota School of Mines & Technology  
South Dakota State University  
University of South Dakota  
South Dakota Board of Regents





In October 2021, the task force released a report that includes 35 separate recommendations across several areas. Recommendations include a range of cost-saving measures, including combining some administrative systems across universities and consolidating contracts, targeted consolidation of some academic programs, and expanded use of data to address issues such as enrollment trends, class size, program size, and central office staffing and functions. The Board of Regents is committed to full consideration of each recommendation in the coming months.

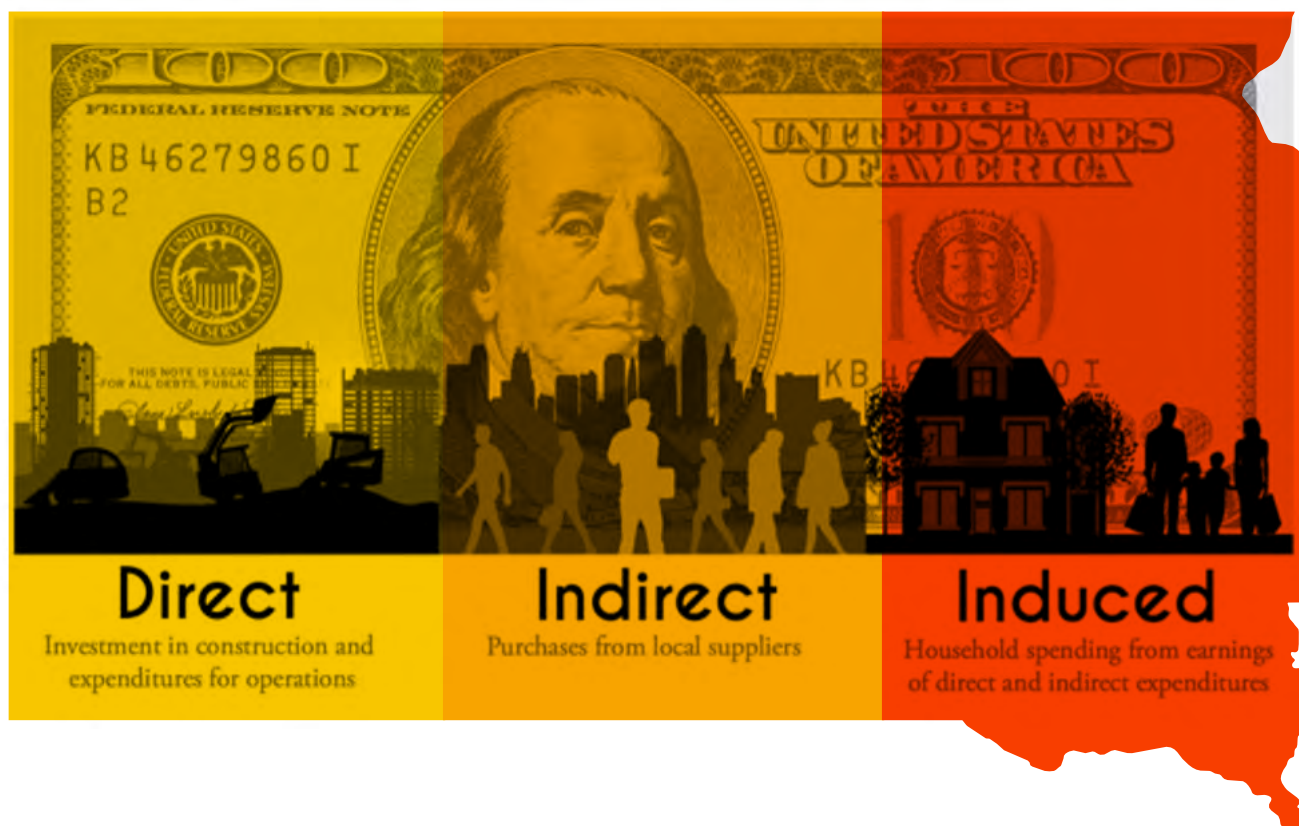
As America's economy continues to adjust to rapidly changing circumstances in this country and across the world, South Dakota's public universities have never been more important. By delivering efficient, high-quality postsecondary education aligned to the current and emerging workforce and talent needs of South Dakota, the state's six universities are the foundation of South Dakota's well-being — both now and in the future. This report details the total economic impact of South Dakota's public university system and provides rich evidence of its total value for the people of South Dakota.





The primary tool used in the performance of this study is the input-output model and data set developed by IMPLAN Group LLC. Financial data used in this study was obtained from SDBOR and included the following data points: operational expenditures, capital expenditures, and payroll and benefits for employees for FY 19. Secondary data was used to estimate spending by visitors (day and overnight) and students (undergraduate and graduate) exclusive of tuition and fees. Additional information on the methodology and assumptions used to complete this study can be found in Appendix C.

The impact presented in this analysis is broken down into three categories: direct impact, indirect impact, and induced impact. The indirect and induced impacts are commonly referred to as the “multiplier effect.” The graphic below provides an overview of the types of impact detailed in this report.





---

# State of Higher Education in South Dakota

---

South Dakota's public university system occupies a uniquely important place in state residents' economic and social well-being. Enrolling more than 33,000 students across its six institutions and awarding over 6,600 undergraduate and advanced degrees each year. South Dakota's public universities are a primary economic engine of the state. This is underscored by the fact that the state is home to only five private, nonprofit four-year colleges and universities. South Dakota's public university system is an integral part of the state's future.

Like nearly every state in the country, South Dakota's public universities face undeniable challenges – declining population, decreased student enrollment, affordability of higher education, and decreased state appropriations.

- As the numbers of high school graduates have dropped, total enrollment in the state's public universities has declined 8.1% over the past five years with enrollment shifts varying substantially across the six institutions.
- According to the State Higher Education Executive Officers (SHEEO), education appropriations per FTE in South Dakota have decreased 29.1% since 1980, and in 2019 public institutions received \$5,817 per full-time equivalent student – about 71% of the U.S. average. The state has increased financial aid during that time period; in two decades the amount of state aid has increased 4,274% and has risen from .1% to 4.7% of all education appropriations.
- Among six neighboring states (Iowa, Minnesota, Montana, Nebraska, North Dakota, and Wyoming), the annual cost for undergraduate tuition and fees in South Dakota is second only to Minnesota. Total costs for tuition, fees, and room and board were \$16,251 in South Dakota's public universities in 2019.

South Dakota's public universities are tackling these unprecedented challenges and will develop new strategies and tactics to ensure that they serve the state's economic and social well-being. The Board of Regents, individual universities, and statewide leadership are working together to ensure an efficient and effective public higher education system that serves the needs of South Dakota's citizenry.

---

## Senate Bill 55

Senate Bill 55 was enacted by the South Dakota Legislature in 2020 requiring the Board of Regents to form a task force to review the operations of the six public universities and provide a set of recommendations to increase efficiency and achieve cost savings. This request aligned well with the mission of the Board of Regents to ensure that taxpayer and student dollars that flow to the six public universities are being used as effectively as possible. Task force members met collectively six times and convened 20 subcommittee meetings as they conducted this work.



# Fueling South Dakota's Economy

Universities contribute to the local and statewide economies through their expenditures on operations, capital projects, wages, the spending of students off campus, and the spending of visitors to campus. The direct, day-to-day expenditures of the universities, combined with student and visitor spending, cause a ripple effect throughout the statewide economy. The total economic impact of the universities in FY 19 totaled **\$2.1 billion**, which is **4% of the South Dakota economy**. This contribution to the local and statewide economies is a point-in-time snapshot depicting how the expenditures of the university system and its faculty, staff, students, and visitors make an impact.

## Operations and Spending Contribution

The universities' operations and capital spending in FY 19 contributed a total of **\$1.8 billion**. The universities' operations generated \$1.1 billion in direct economic impact, \$305.2 million in indirect economic impact, and \$420.9 million in induced economic impact.

## Student Spending Contribution

South Dakota's public university students contributed a total of **\$273.5 million** to the state's economy in FY 19 as a result of their spending. They generated \$180.1 million in direct economic impact, \$47.5 million in indirect economic impact, and \$45.9 million in induced economic impact.

## Visitor Spending Contribution

Visitor spending contributed a total of **\$55.0 million**. Visitors to all universities generated \$33.3 million in direct economic impact, \$11.6 million in indirect economic impact, and \$10.1 million in induced economic impact.

## Combined Economic Impact (FY 19)

**\$1,777,172,334**

total operations  
spending

Direct Spending: **\$1,051,077,820**

Indirect Spending: **\$305,178,631**

Induced Spending: **\$420,915,883**

**\$273,543,921**

total student  
spending

Direct Spending: **\$180,099,960**

Indirect Spending: **\$47,561,254**

Induced Spending: **\$45,882,707**

**\$55,022,986**

total visitor  
spending

Direct Spending: **\$33,342,449**

Indirect Spending: **\$11,555,809**

Induced Spending: **\$10,124,728**

**\$2,105,739,241**

total combined  
economic impact

Total Direct Spending: **\$1,264,520,229**

Total Indirect Spending: **\$364,295,694**

Total Induced Spending: **\$476,923,318**

Source: Parker Phillips using IMPLAN with data from SDBOR



# Case Study:



## USD MED SCHOOL GRADS OFFER HOPE TO SOUTH DAKOTA'S HEALTHCARE DESERTS

"Healthcare deserts" — areas that lack basic access to adequate medical care — exist in most parts of South Dakota. According to the South Dakota Department of Health, healthcare deserts exist in 52 of the state's 66 counties in 2021. Lack of access to mental healthcare is even more acute, existing in 60 counties. Whether due to a shortage of primary care physicians or nurses, the absence of hospitals and trauma centers within a reasonable driving distance, or a lack of internet to access telemedicine, many South Dakotans struggle to address their medical needs. As a result, the physical and economic well-being of rural communities are at risk.

The University of South Dakota's Sanford School of Medicine has been nationally recognized for its sustained efforts to fill these gaps. In 2017, the school received the highest honor conferred upon medical schools by the Association of American Medical Colleges, the Spencer Foreman Award for Outstanding Community Service. The award recognizes schools with a long-standing commitment to partnering with communities to meet medical needs. USD's medical school stood out largely because of its reach statewide, with students spreading out across the state to learn, work, and serve in both cities and rural communities across South Dakota.

These students are supported by programs like Frontier and Rural Medicine, or FARM, which pairs medical students with family physicians in rural communities such as Milbank, Parkston, Winner, and Pierre. FARM helps students learn what it's like to work and thrive in small-town clinics and hospitals.

Dr. Matthew Owens, a 1993 graduate of USD Sanford School of Medicine who is board certified in family medicine and operates a rural practice in Redfield, SD, is making an impact by serving a community of about 2,200 residents in the northeast quadrant of the state. He joins four other USD Sanford School of Medicine MD graduates practicing in a small 17-bed hospital attached to a rural health clinic. "I don't think you're going to recruit a lot of physicians into rural South Dakota from outside the state. USD Sanford School of Medicine drives rural healthcare in South Dakota and makes our small communities strong," says Owens. This healthcare system is a major economic engine of the area, employing 129 healthcare professionals ranging from speech therapists to nurses and hospital administrators to cleaning crews.







“I’ve been in Redfield for 20 years. I am part of the community. I support my patients, and they support me and my family. You can’t put a price tag on that.”

Dr. Matthew Owens  
Physician, Redfield, SD

# Strengthening South Dakota's Workforce

South Dakota's six public universities support a total of **12,354 full- and part-time jobs** throughout the state — 2.7% of South Dakota's workforce. Indirect and induced jobs are also generated via construction for campus projects, retail, restaurants, daycare, real estate, and banking — to name a few.

**4,852 direct jobs** at South Dakota  
Public Higher Educational  
Institutions **support an additional  
7,502 jobs**





## Jobs Generated by University Operations

University operations supported and sustained a total of 9,426 jobs: 4,852 direct jobs, 1,792 indirect jobs, and 2,782 induced jobs.

## Jobs Generated by Student Spending

South Dakota state university students supported and sustained a total of 2,411 jobs as a result of student spending: 1,845 direct jobs, 263 indirect jobs, and 303 induced jobs.

## Jobs Generated by Visitor Spending

Visitors to all universities supported and sustained a total of 517 jobs as a result of their spending: 376 direct jobs, 74 indirect jobs, and 67 induced jobs.

Based on analysis by industry sectors, other jobs supported by the university's economy outside of the higher education and healthcare sectors include jobs in real estate, retail, and services (e.g., restaurants, child-care centers, and entertainment).

## Combined Employment Impact (Jobs, FY 19)

<b>9,426</b> total operations contribution (jobs)	Direct Contribution: <b>4,852</b>
	Indirect Contribution: <b>1,792</b>
	Induced Contribution: <b>2,782</b>
<b>2,411</b> total student contribution (jobs)	Direct Contribution: <b>1,845</b>
	Indirect Contribution: <b>263</b>
	Induced Contribution: <b>303</b>
<b>517</b> total visitor contribution (jobs)	Direct Contribution: <b>376</b>
	Indirect Contribution: <b>74</b>
	Induced Contribution: <b>67</b>
<b>12,354</b> total combined contribution (jobs)	Total Direct Contribution: <b>7,073</b>
	Total Indirect Contribution: <b>2,129</b>
	Total Induced Contribution: <b>3,152</b>

Source: Parker Phillips using IMPLAN with data from SDBOR

# A Degree Makes a Lifelong Impact on South Dakota

A higher education credential changes outcomes not just for individuals but also for their families and the entire South Dakota economy and quality of life. College degrees lead to opportunities for a lifelong career, financial stability, and better overall health and well-being. In today's world, educational attainment plays an even more significant role in other aspects of people's lives — it increases opportunity and improves overall quality of life and longevity.

## Increased Lifelong Earnings

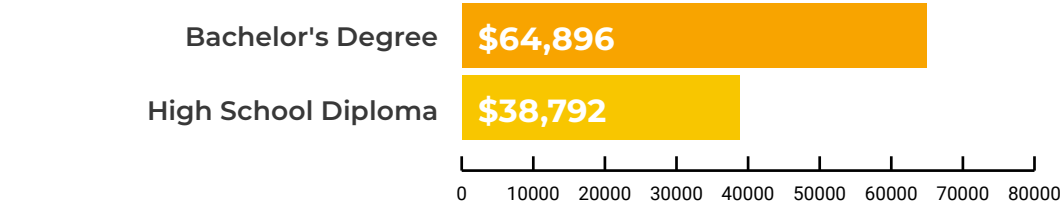
Pursuing a college degree is an investment in future earnings and a higher quality of life. Education is the clearest personal pathway to increased earnings and economic security. The relationship between higher education and higher lifetime earnings is well-established. The median salary of an individual increases by **67.3% from a high school degree to a bachelor's degree.**<sup>2</sup> The earning power of a college degree is experienced over a career and a lifetime. People with a bachelor's degree earn an average of \$1 million more over the course of their 40-year career than those with a high school diploma.

According to the U.S. Bureau of Labor Statistics, the average salary earned by a person with a bachelor's degree in the United States (U.S.) is \$64,896, which is \$33 per hour. This does not include the benefits packages and fringe benefits offered as a part of a regular compensation package. Future earnings will be higher or lower based on degree type.



## U.S. Median Wage by Degree Type

67.3% increase in annual median earnings



Source: U.S. Bureau of Labor and Statistics

<sup>2</sup> All salary data is sourced from the U.S. Bureau of Labor and Statistics. <https://www.bls.gov/careeroutlook/2020/data-on-display/education-pays.htm>

## Decreasing Crime and Associated Costs

Decades of research has shown that educational attainment decreases a person's likelihood of engaging in criminal activity. A community's education level correlates to how safe it is — better-educated communities have lower levels of crime, and therefore need fewer public dollars for incarceration and the criminal justice system. In 2015, South Dakota reported spending over \$73 million on its prison systems across the state — about \$20,700 per inmate.<sup>3</sup> South Dakota benefits from a strong and well-supported public university system because more college graduates mean less crime, more community engagement, and a larger share of tax dollars available to invest in improving the lives of South Dakotans.

### Unemployment and Earnings by Degree Type, 2019

	Unemployment Rate	Median Annual Earnings	Median Weekly Earnings	Difference in Annual Earnings Over Previous Degree Type	% Change Over Previous Degree
Doctorate Degree	1.1%	97,916	\$1,883	\$20,072	1.2%
Master's or Professional Degree	2.0%	\$77,844	\$1,497	\$12,948	20.0%
Bachelor's Degree	2.2%	\$64,896	\$1,248	\$18,772	40.7%
Associate Degree	2.7%	\$46,124	\$887	\$2,808	6.5%
Some College but No Degree	3.3%	\$43,316	\$833	\$4,524	11.7%
High School Diploma	3.7%	\$38,792	\$746	\$8,008	26.0%
Less Than a High School Diploma	5.4%	\$30,784	\$592		

Source: U.S. Bureau of Labor and Statistics, 2019  
Analysis by Parker Philips, Inc.

<sup>3</sup> Vera Institute of Justice.

<https://www.vera.org/publications/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends-prison-spending>



# South Dakota's Talent Base Makes an Impact

The impact of South Dakota's college graduates during the course of their careers is significant. In 2019, more than 6,665 students graduated from South Dakota's public higher education institutions. Many graduates plant their roots in the communities where they earned their degree, shoring up the strength of available human capital. Relationships formed between the universities and private corporations such as Sanford Health, Nieman Enterprises, and Agtegra Cooperative help grow and sustain the workforce and economic activity throughout South Dakota.

South Dakota public higher education's alumni that stay in the state to live and work after graduation make an outsized impact on the state's economy. The earnings of the **104,937 alumni** from South Dakota's public institutions living and working in South Dakota over the course of their 40-year careers will total **\$287.5 billion**, support and sustain a cumulative total of **1,913,003 jobs**, and generate **\$12.9 billion** in tax impacts at the local and state levels.

## Increasing Longevity and Quality of Life

Education level plays a major role in determining an individual's quality of life. In the past 20 years, the life expectancy gap between the most educated and the least educated Americans has widened. Americans with less education are more likely to have serious health conditions than those with a higher level of education. Year after year, data from the Bureau of Labor Statistics shows that people with a university credential are more likely to have higher wages, employer-sponsored healthcare, paid vacation and leave, retirement savings, and work in lower-risk occupations. Educational attainment also usually leads to the ability to live in a safer neighborhood, which is also a social determinant of health.<sup>4</sup>

Educational attainment is a contributing factor to being able to have a better understanding of health issues, being able to self-advocate, and choosing a healthier lifestyle. People with a higher education are less likely to experience the stress created by social and economic troubles associated with lower earnings and less education. Highly educated adults are more likely to have stronger and broader social networks,<sup>5</sup> which yields access to financial, emotional, and psychological resources, thereby reducing stress and providing coping mechanisms to protect them from adverse health effects. Higher education, among many other social determinants of health, matters to health outcomes.

<sup>4</sup> Healthy People 2020. <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/enrollment-in-higher>

<sup>5</sup> Bauldry, Shawn. Conditional Health-Related Benefits of Higher Education: An Assessment of Compensatory versus Accumulative Mechanisms.

Published online 2014 Apr 12. doi: 10.1016/j.socscimed.2014.04.005

# Case Study:



## COMMUNITY RESOURCES ARE A TANGIBLE VOTE OF CONFIDENCE IN NSU

Over the past 10 years, the Aberdeen community has contributed about \$150 million to Northern State University (NSU). That's a stunning amount of money from any city — particularly from one with a population of less than 30,000. It is tangible evidence that Aberdeen connects its future with the success of NSU.

State Senator Casey Crabtree attended NSU in the early 2000s and has first-hand knowledge of NSU's uniquely important relationship with Aberdeen and the entire northern region of South Dakota. "Walking around the NSU campus, you can really see what private investment has done for the university. It all came from people who really cared enough to make a difference in their community," said Senator Crabtree.

The \$150 million NSU has received in local investments has gone a long way toward strengthening NSU's educational offerings and expanding opportunities for local residents to take advantage of the University's rich array of extracurricular offerings. From 2013 to 2021, local contributions have contributed to student scholarships, supported the construction of the Jewett Science Education Center, and provided enhancements to the Regional Sports Complex and athletic fields and facilities. Local dollars also contributed to the renovation of the Johnson Fine Arts Center — a facility that annually hosts more than 65 concerts, theater performances, and community events and welcomes more than 7,600 guests per year.



“The university is incredibly important not only to the Aberdeen community but to the whole region. It’s our No. 1 tool to not only attract new workforce from other states, but to develop our own workforce right here in South Dakota. That’s why folks in Aberdeen are investing in NSU. When students have a great experience at NSU, they’ll stay and continue to be part of the workforce and carry on the legacy of Northern.”

Casey Crabtree  
South Dakota State Senator

# Case Study:



## OFFERING A DISTINCTIVE COLLEGE EDUCATION TO THOSE WHO SERVE OUR COUNTRY WITH DISTINCTION



The U.S. military is one of the backbones of South Dakota's economy and culture. It is the second-largest employer in South Dakota, powered in large part by historic Ellsworth Air Force Base (EAFB). Established a few miles from Rapid City in 1941, EAFB has served a role in several wars and as home base to critically important Air Force defense operations and training. EAFB is home to about 8,000 people including military members, their families, and civilian employees, and is one of the largest employers in the region. About 3,800 veterans also call western South Dakota home.

Black Hills State University (BHSU) has a 60-year history of supporting western South Dakota's military by offering courses at Ellsworth Air Force Base. This fall, the partnership has been elevated to a new level. BHSU competed for and won a contract to operate a local campus on base, delivering distinctive undergraduate and graduate programs to those who serve our country with distinction.

“The Air Force is technically driven, and this partnership with Black Hills State University will further develop these airmen's knowledge. They're learning the critical thinking skills the Air Force needs in maintaining airplanes and staffing hospitals.”

Roger Wilson  
Chief, Education and Training  
Ellsworth Air Force Base

# Generating Local and State Tax Revenues

The universities' employees, suppliers, and related constituencies contribute to the local and statewide tax bases. In FY 19, the universities contributed an estimated **\$74.1 million** (\$41.0 direct and \$33.1 million indirect and induced) through local spending (operational, capital, students, and visitors) as well as direct and indirect support of jobs. At the state and local levels, South Dakota's public universities contribute to the tax base through their purchasing, student, and visitor spending. Specific taxes include employee and employer contributions to state and local social-insurance funds, sales and use taxes, personal property taxes, taxes paid on motor-vehicle licenses, and payments of fines and fees

## Combined State and Local Tax Impacts (FY 19)

	SUB COUNTY GENERAL	SUB COUNTY SPECIAL DISTRICTS	COUNTY	STATE	TOTAL
<b>DIRECT</b>	<b>\$7,859,825</b>	<b>\$9,008,904</b>	<b>\$3,633,987</b>	<b>\$20,510,042</b>	<b>\$41,012,758</b>
<b>INDIRECT</b>	<b>\$2,246,345</b>	<b>\$2,580,333</b>	<b>\$1,024,027</b>	<b>\$5,673,003</b>	<b>\$11,523,708</b>
<b>INDUCED</b>	<b>\$4,227,382</b>	<b>\$4,856,512</b>	<b>\$1,925,657</b>	<b>\$10,586,108</b>	<b>\$21,595,659</b>
<b>TOTAL</b>	<b>\$14,333,552</b>	<b>\$16,445,749</b>	<b>\$6,583,671</b>	<b>\$36,769,153</b>	<b>\$74,132,125</b>

Source: Parker Philips using IMPLAN with data from SDBOR





# Case Study:



## DSU APPLIED RESEARCH LAB – CUTTING EDGE OF CYBERSECURITY

Dakota State University (DSU) is small but mighty. The 3,200-student university in Madison is a national leader in cyber education and currently holds four Centers of Academic Excellence designations from the NSA and Department of Homeland Security: Cyber Defense Education, Cyber Defense Research, Cyber Operations, and Cyber Defense Consultative Regional Resource Center. Graduates of DSU's cybersecurity majors are in demand: The Beacom College of Computer and Cyber Sciences has a 96% placement rate for undergraduates and a 100% placement rate for graduate students.

Madison Cyber Labs — affectionately known as MadLabs® — is a perfect example of how DSU's cybersecurity expertise keeps our country safe while also contributing to the economy of the Madison region and beyond. MadLabs® draws new talent to the state and the region, attracting elite scholars, researchers, professionals, and partnerships with government, businesses, nonprofits, and other higher education institutions. This \$18-million, 40,000-square-foot building is the first research facility of its kind in the Great Plains.

The MadLabs® building and its associated programs are the result of a fruitful partnership between the university, the state, the federal government, and private donors. This includes \$30 million from PREMIER Bankcard President and CEO Miles Beacom and his wife Lisa, along with Denny Sanford, owner of the Sioux Falls-based First PREMIER Bank and PREMIER Bankcard. Their gift is one of the largest single gifts to higher education in South Dakota history — and it's generating a ripple effect across the region. Additional support includes a \$10 million pledge from Governor Daugaard's Future Fund. The private and public funding sources are being leveraged to draw an additional \$20 million in support from federal sources and private donors. The synergy created by this coalition of advocates for higher education will support South Dakotans for generations to come.



“We can keep our very, very best and brightest students here after graduation to work in South Dakota at MadLabs®. And they're doing work of national security importance.”

Dr. Josh Pauli  
Executive Director, DSU Applied Research Lab

# Case Study:



## Homegrown Credentials to Support our Hometowns: **A South Dakota Town**

### Spotlight on: **Philip, SD**

South Dakota is a small-town state. Over 150 towns and municipalities house less than 1,000 residents, and another 60 have populations of 6,000 or less. Dotted across the landscape, these small towns and rural communities form the fiber of South Dakota's culture, providing a strong sense of community and a fierce loyalty to the South Dakota way of life.

Sometimes it's easy to forget that South Dakota's college graduates are in many ways the foundation of its small communities. Whether it's the pharmacist who shows a senior how to use a new medication, the teacher who educates a future governor, the accountant who supports the local grocery store, the health professional who delivers babies, the undertaker who helps families navigate the passing of a family member, or the lawyer who provides advice to family farms and ranches — South Dakota's college graduates provide the stability, services, and talent that keep its communities thriving.

The town of Philip provides a case in point. With a little under 800 permanent residents, Philip is located halfway between Pierre and Rapid City in the western part of South Dakota. This small town is a powerhouse in its region, providing a local hospital, nursing home and medical facilities; a public school district including a rural school; a locally owned pharmacy; a newspaper; a bank, a funeral home, and several local businesses.

Philip's residents don't have to drive 90 to 100 miles to meet their necessities — the town prides itself on having what they need. As a result, Philip is home to a growing number of young families eager to provide their children with the benefits of a small-town life with the advantages that Philip's strong cadre of college-educated professionals provide.

Courtney Kjerstad, owner of Philip's Dakota Country Pharmacy, is one of those professionals. Born and raised in another South Dakota small town — Gettysburg — Kjerstad graduated from SDSU and received her Doctor of Pharmacy degree in 2011. After spending two years in Arizona working for a large pharmacy chain, Kjerstad and her husband decided to return to South Dakota to raise their family.

"After having our first child, we decided it was time to move home and give our children the same wonderful opportunities we had growing up in rural South Dakota," said Dr. Courtney Kjerstad, owner, Dakota Country. "We found opportunity in the wonderful community of Philip, and we became owners of Dakota Country Pharmacy in 2014."



**"I can't imagine doing anything else with my career because I love the satisfaction of knowing each and every one of my customers."**

**Dr. Courtney Kjerstad, owner, Dakota Country Pharmacy**

---

# A Neighborly Spirit

---

The spirit of South Dakota is neighbor helping neighbor, whether they are in Sioux Falls or Hill City. South Dakotans share a common spirit and set of values that are rooted in a love of the land and giving back to community. There is no shortage of ways that students, faculty, and staff give back to those in need with their time and their money. The presence of these universities in a community gives residents access to arts and cultural events, sporting events, and workout facilities that would otherwise not be available.

The USD music department staffs the National Music Museum in Vermillion, giving the community access to historical and archival information or the opportunity to see a student performance in the new Janet L. Wanzek Performance Hall.

NSU students support the South Dakota School for the Blind and Visually Impaired (SDSBVI) by assisting as student teachers and by volunteering to help in classes. SDSBVI students also use the NSU campus for mobility training.

Black Hills State University hosts the Madeline A. Young Distinguished Speaker Series. Community members and students can attend the speaker series that brings in world-class speakers such as novelist Michael Chabon, United Nations Ambassador Jeane Kirkpatrick, actor Danny Glover, and writer and Pulitzer Prize winner Doris Kearns Goodwin.



# Giving Back to South Dakota

All of South Dakota benefits from the volunteerism and charitable giving of faculty, staff, and students. Based upon assumptions derived from the U.S. Census Bureau and the Points of Light Foundation regarding donation amounts and volunteerism rates by age, income level, and employment status, it is estimated that staff, faculty, and students give nearly \$3.8 million annually in charitable donations and volunteer for almost 550,000 hours, valued at almost \$13.0 million. In FY 19, the combined impact of charitable giving and volunteerism totaled nearly \$16.8 million. These benefits were in addition to the \$2.1 billion annual economic impact.

## Charitable Giving and Volunteer Impact of All Universities

Staff and Faculty Charitable Giving	\$2,493,042
Student Charitable Giving	\$1,285,870
Total Charitable Giving	\$3,778,912

Staff and Faculty Volunteerism Hours	67,291
Student Volunteerism Hours	482,590
Total Volunteerism Hours	549,881

Value of Staff and Faculty Volunteerism Hours	\$1,585,386
Value of Student Volunteerism Hours	\$11,369,811
Total Value of Volunteerism Hours	\$12,955,197

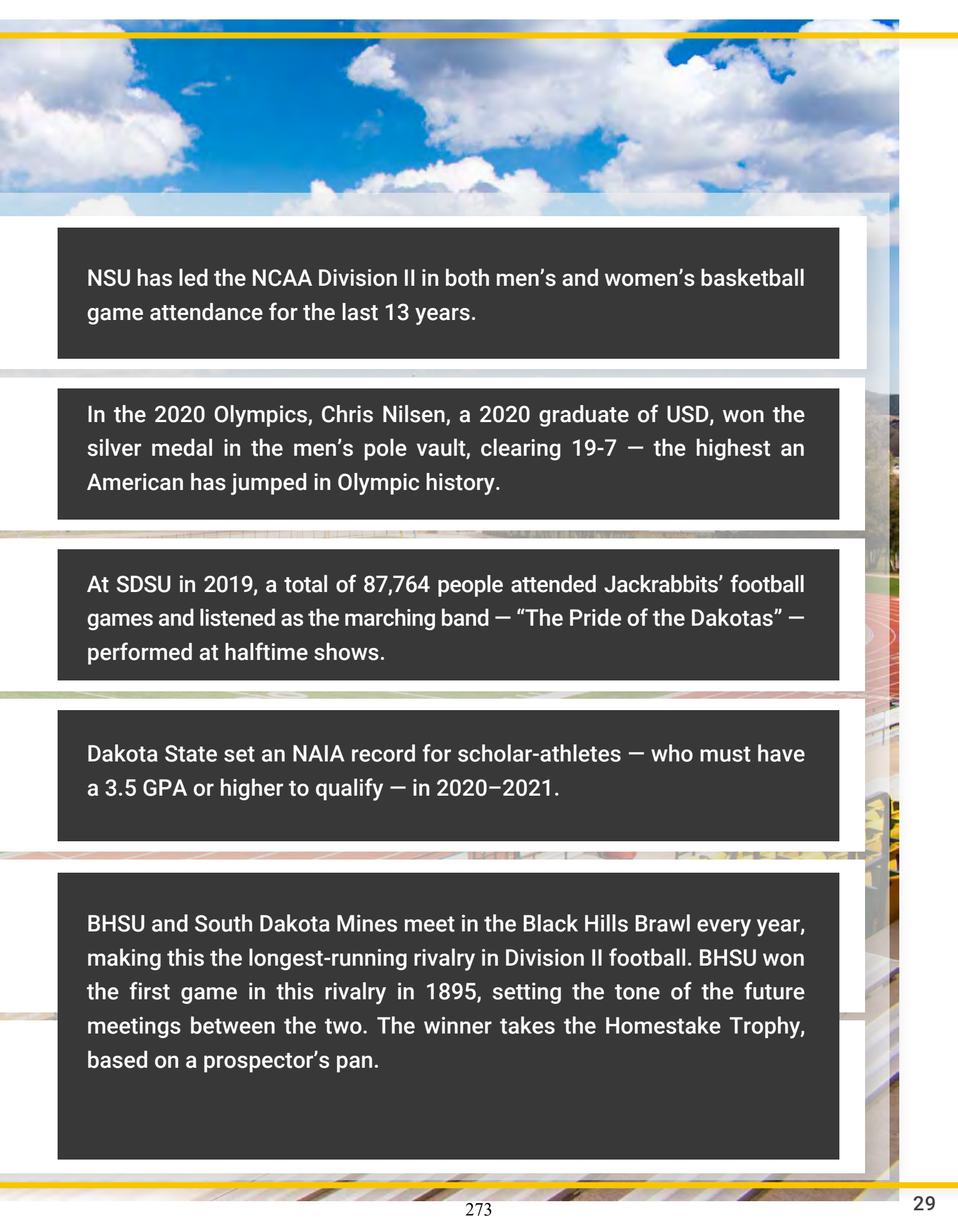
Grand Total	\$16,734,109
-------------	--------------



# Friday Night Lights

Rooting for the home team is integral to life in college towns across South Dakota. These universities are gathering places that create and strengthen the sense of community as South Dakotans gather to cheer on the home team. Towns from Spearfish to Vermillion are behind these student-athletes.





NSU has led the NCAA Division II in both men's and women's basketball game attendance for the last 13 years.

In the 2020 Olympics, Chris Nilsen, a 2020 graduate of USD, won the silver medal in the men's pole vault, clearing 19-7 — the highest an American has jumped in Olympic history.

At SDSU in 2019, a total of 87,764 people attended Jackrabbits' football games and listened as the marching band — "The Pride of the Dakotas" — performed at halftime shows.

Dakota State set an NAIA record for scholar-athletes — who must have a 3.5 GPA or higher to qualify — in 2020–2021.

BHSU and South Dakota Mines meet in the Black Hills Brawl every year, making this the longest-running rivalry in Division II football. BHSU won the first game in this rivalry in 1895, setting the tone of the future meetings between the two. The winner takes the Homestake Trophy, based on a prospector's pan.

# Case Study:



## SOUTH DAKOTA'S UNIVERSITIES ENHANCE THE QUALITY OF LIFE IN THEIR HOST COMMUNITIES



The value of a university cannot be fully captured in dollars and cents. A university is an integral part of the fabric of its host community. It can serve as a hub for social gatherings, recreation, sporting events, and the arts — creating a sense of community that is vital to the well-being of its residents and acting as a magnet that local businesses use to attract new talent to the area. Universities can also partner with businesses in the region to ensure their graduates have the skills and experience needed to hit the ground running and join the local economy. In turn, a university benefits from the engagement and talents of its hometown residents as they come to campus to cheer on sports teams, participate in charity events, and host student interns in local businesses. In university towns, both the community and the campus reap benefits too rich to capture in numbers alone.

Northern State University (NSU) is an integral part of the Aberdeen community — and locals don't take it for granted. Matt Campbell is CEO of MyPlace Hotels, an Aberdeen-based hospitality company with annual revenues of nearly \$90 million and over 50 hotels in 27 states. Campbell has particular insight into NSU's impact on the city of Aberdeen. For example, the university's athletic teams and alumni events draw visitors near and far to hotels in his network and others, as well as to local restaurants and shopping venues.

But even more important are the strong partnerships between Northern and local businesses that create a pipeline for placing talented interns and graduates into careers that will keep them in Aberdeen for years to come. Campbell points to long-standing relationships with academic department heads and deans that funnel Northern's best and brightest into the city's growing economy.

“When you look at the value of Northern, and why it's important to Aberdeen, it goes beyond economic impact. We don't have a town or an economy at all without Northern grads coming to work for us — whether that's at a local restaurant in town or owning and managing a business. Thirty-four percent of my company's employees have a degree from Northern. That's pretty impressive.”

Matt Campbell, President and CEO, MyPlace Hotels

# Transformative Research in South Dakota

South Dakota relies upon higher education to provide training and skills for the next wave of discovery in the state. Through cutting-edge healthcare, cybersecurity, and environmental research, as well as driving innovation fueled by the demands of South Dakota’s agricultural industry, the public higher education sector is reimagining the state’s future while enriching its traditional industries.

In FY 19, the universities expended \$106 million on research-related activities, with \$95.4 million being expended in the state. The **impact of research totaled \$168.5 million, supported 974 jobs, and generated \$3.6 million in state and local taxes.** With over \$86 million brought into South Dakota from outside of the state, research represents a net new influx of dollars to the economy.

<b>\$86.2 MILLION</b> <b>IN FEDERAL AWARDS</b> (INCLUDES \$17.1 MILLION FROM THE NIH AND \$16.2 MILLION FROM NSF.)	<b>\$17.4 MILLION</b> <b>IN STATE AWARDS</b>	<b>\$3.2 MILLION</b> <b>IN PRIVATE AWARDS</b>	<b>\$6.8 MILLION</b> <b>IN OTHER AWARDS</b>
--	---	--	--

Research commercialization from the South Dakota School of Mines & Technology, South Dakota State University, and the University of South Dakota for FY17 through FY21 is shown in the table below.

All Universities State and Local Tax Impacts (FY 19)			
	EMPLOYMENT (JOBS)	ECONOMIC OUTPUT	STATE & LOCAL TAX IMPACT
DIRECT	517	\$95,413,490	\$1,117,578
INDIRECT	245	\$41,018,437	\$997,729
INDUCED	212	\$32,090,113	\$1,453,999
TOTAL	974	\$168,522,040	\$3,569,306

Source: SDBOR with analysis by Parker Phillips, Inc.

## Research Commercialization Activity

	PATENTS FILED	PATENTS ISSUED	LICENSE AGREEMENTS SIGNED	LICENSE AGREEMENTS SIGNED WITH START-UPS	INVENTION DISCLOSURES COMING FROM RESEARCH
FY 17	25	11	9	6	77
FY 18	26	14	12	3	44
FY 19	17	7	5	1	38
FY 20	17	16	6	3	39
FY 21	21	9	9	5	34

Source: SDBOR



# Case Study:



**SOUTH DAKOTA MINES**

**PREPARING SOUTH  
DAKOTA FOR A FUTURE  
YET TO BE IMAGINED**

South Dakota's future is bright. With a wealth of talent and a bedrock foundation of agriculture, the state is strengthening those economic sectors and fueling the growth of emerging economic drivers with the new discoveries, innovation, abundant talent, and entrepreneurial excellence that South Dakota's state university system provides. South Dakota university faculty and researchers have received more than \$17 million in federal NSF and NIH grants in 2019 and been granted 17 patents for their cutting-edge ideas and inventions.



A case in point is the South Dakota Mines' Entrepreneur-in-Residence (EIR) program, which provides experienced mentors to coach university business start-ups. EIR's proven track record of success is well-known. As evidence of the success of the program, South Dakota Mines' start-ups have won the South Dakota Governor's Giant Vision Competition in three out of the past four years. In 2021, EIR lists nearly 30 local business leaders serving as mentors with expertise ranging from building and growing start-ups to healthcare management, digital strategy development, marketing, supply chains, and software and product development.

Craig Arnold is one of those EIR mentors. Arnold's leadership experience spans more than 30 years, including technology start-ups, biotechnology, and biofuels, as well as leadership positions in philanthropy, computer technology, and the aerospace industry.



”

According to Arnold, EIR gives future entrepreneurs “the opportunity to sit with a bunch of us old-timers and tell us a story about their great idea. And we can help them figure out how to launch — how to turn that idea into a new venture. Students need to know what they are paying all this money for and how to get their return on investment. The EIR program helps make sure they get that return.”

Craig Arnold, South Dakota Entrepreneur

---

# Conclusion

---

South Dakota's public higher education institutions are essential to the state's success from a workforce perspective. With the South Dakota Board of Regents at the helm, the system is adapting to the changing demographic, financial, and workforce needs of the state. Each university is an integral part of the higher education delivery system in South Dakota – they are vital to their individual communities and to the students they serve. There is little doubt that these universities understand how to best serve the needs of their students and the people of South Dakota. The impact of these institutions goes beyond economics – they are a part of the social fabric of the state.



# Appendix A: Terms & Definitions

<b>Study Year</b>	FY 2019
<b>Dollar Year</b>	Presented in 2019 dollars
<b>Total Economic Output/ Economic Impact</b>	Includes organizational spending on operations, capital expenditures, labor income expenditures, and value added to the economy as a result of expenditures made by an organization. It is the combined impact of direct, indirect, and induced impacts.
<b>Direct Economic Impact</b>	All direct expenditures made by an organization due to its operating expenditures. These include operating expenditures, capital expenditures, and pay and benefits expenditures.
<b>Indirect Economic Impact</b>	The indirect impact includes the impact of local industries buying goods and services from other local industries. The cycle of spending works its way backward through the supply chain until all money is spent outside of the local economy, either through imports or by payments to value added (multiplier effect).
<b>Induced Economic Impact</b>	The response by an economy to an initial change (direct effect) that occurs through re-spending of income received by a component of value added. IMPLAN's default multiplier recognizes that labor income (employee compensation and proprietor income components of value added) is not lost to the regional economy. This money is recirculated through household spending patterns causing further local economic activity (multiplier effect).
<b>Multiplier Effect</b>	The multiplier effect is the additional economic impact created as a result of the organization's direct economic impact. Local companies that provide goods and services to an organization increase their purchasing by creating a multiplier (indirect/supply-chain impacts). Household spending generated by employees of the organization and the organization's suppliers create a third wave of multiplier impact (induced/household-spending impacts).
<b>Government Revenue/ State and Local Tax Impact</b>	Government revenue or tax revenue that is collected by governmental units at the state and local levels in addition to those paid directly by an organization. This impact includes taxes paid directly by the organization itself, employees of the organization, and vendors who sell products to the organization and at the household level.
<b>Direct Employment</b>	Total number of employees, both full-time and part-time, at the organization based on total jobs, not FTEs.
<b>Indirect Employment</b>	Additional jobs created as a result of an organization's economic impact. Local companies or vendors that provide goods and services to an organization increase their number of employees as purchasing increases, thus creating an employment multiplier.
<b>Induced Employment</b>	Additional jobs created as a result of household spending by employees of an organization and the employees of vendors. This is another wave of the employment multiplier.



# Appendix B: State & County Impacts

## Impact of Black Hills State University



	State	Lawrence County
Economic	\$135.9 million	\$81.5 million
Employment	1,019 jobs	611 jobs
Local & Tax Impact	\$5.0 million	\$2.9 million

## Impact of Dakota State University



	State	Lake County
Economic	\$137.4 million	\$82.4 million
Employment	908 jobs	545 jobs
Local & Tax Impact	\$5.7 million	\$3.4 million

## Impact of Northern State University



	State	Brown County
Economic	\$180.7 million	\$108.4 million
Employment	1,008 jobs	605 jobs
Local & Tax Impact	\$6.8 million	\$4.1 million

## Impact of South Dakota School of Mines and Technology



	State	Pennington County
Economic	\$131.4 million	\$78.9 million
Employment	916 jobs	550 jobs
Local & Tax Impact	\$4.3 million	\$1.3 million

## Impact of South Dakota State University



	State	Brookings County
Economic	\$936.3 million	\$561.8 million
Employment	4,848 jobs	2,909 jobs
Local & Tax Impact	\$31.6 million	\$19.0 million

## Impact of University of South Dakota



	State	Clay County
Economic	\$478.9 million	\$287.3 million
Employment	3,368 jobs	2,021 jobs
Local & Tax Impact	\$18.7 million	\$11.2 million



# Appendix C: Data & Methods

Data used to complete the contribution analysis was provided by the South Dakota Board of Regents and the university. Data supplied included operating expenditures, capital spending, pay and benefits, and total employees. Primary and secondary data was used to complete the input-output models in IMPLAN. The study approach and economic-impact findings are a conservative estimate of impact and are based on actual financial information. The study is a snapshot of the economic impact of the university.

---

## OVERVIEW AND THE IMPLAN MODEL

The most common and widely accepted methodology for measuring the economic impacts of economic sectors is input-output (I-O) analysis. At its core, an I-O analysis is a table that records the flow of resources to and from companies/organizations and individuals within a region at a given time. For a specified region such as a state of the nation, the input-output table accounts for all dollar flows among different sectors of the economy in a given period. With this information, a model can then follow how a dollar added into one sector is spent and re-spent in other sectors of the economy, generating outgoing ripples of subsequent economic activity. This chain of economic activity generated by one event is called the “economic multiplier” effect.

The primary tool used in the performance of this study is the I-O model and dataset developed and maintained by IMPLAN Group LLC (formerly Minnesota IMPLAN Group Inc.). IMPLAN is a widely accepted and used software model first developed by the U.S. Forest Service in 1972. Data used in the baseline IMPLAN model and data set come largely from federal-government databases. The input-output tables themselves come from the Bureau of Economic Analysis. Much of the annual data on labor, wages, final demand, and other market data comes from the Bureau of Labor Statistics, the U.S. Census Bureau, and other government sources.

Government agencies, companies, and researchers use IMPLAN to estimate the economic activities associated with spending in a particular industry or on a particular project. The IMPLAN model extends conventional I-O modeling to include the economic relationships among government, industry, and household sectors, allowing IMPLAN to model transfer payments such as taxes. Producers of goods and services must secure labor, raw materials, and other services to produce their product.

The resources transferred to the owners of that labor or those raw materials and services are then spent to secure additional goods and services or inputs to the products they sell. For example, an organization in a region may develop a company that produces tractors with a value of \$1 million. However, to produce that product, they may be required to spend \$500,000 in wages and benefits, \$200,000 to suppliers of tractor parts, \$100,000 for electricity, \$50,000 for transportation of goods and raw materials to and from the plant, and \$50,000 in various professional services associated with operating a business (e.g., attorneys and accountants). The suppliers will, in turn, spend those resources on labor and raw materials necessary to produce tractors. Workers and the owners of the company will buy goods and services from other firms in the area (e.g., restaurants and gas stations) and pay taxes. The suppliers, employees, and owners of this second tier will, in turn, spend those resources on other goods and services whether within the study region or elsewhere. The cycle continues until all of the money leaves the region.

---

## IMPLAN METHODOLOGY

The model uses national production functions for over 536 industries to determine how an industry spends its operating receipts to produce its commodities. These production functions are derived from U.S. Census Bureau data. IMPLAN couples the national production functions with a variety of county-level economic data to determine the impacts at a state and congressional-district level. IMPLAN collects data from a variety of economic data sources to generate average output, employment, and productivity for each industry in a given county. IMPLAN combines this data to generate a series of economic multipliers for the study area. The multiplier measures the amount of total economic activity generated by a specific industry's spending an additional dollar in the study area. Based on these multipliers, IMPLAN generates a series of tables to show the economic event's direct, indirect, and induced impacts to gross receipts, or output, within each of the model's more than 536 industries.

The model calculates three types of effects: direct, indirect, and induced. The economic impact of BHSU is the sum of these three effects.

---

## CONSIDERATIONS CONCERNING IMPLAN

There are three important points about the use of IMPLAN (or any other input-output model):

It is a fixed-price model. The model assumes that changes in consumption are not limited by capacity and do not affect prices. This assumption does not cause a problem for the analysis presented here because we are taking a snapshot of South Dakota in a specific year.

As in many studies using this type of model, the direct impacts are not calculated by the model; they are a reflection of actual spending levels and patterns created by South Dakota. Changing the level of direct spending allows us to calculate the magnitude of the indirect and induced effects associated with the initial level of spending.

Because the model continues to calculate additional spending until all of the money leaves the region (i.e., "leakage"), the larger and more economically diverse the region, the longer it will take for spending to leave the region and the larger the impact is likely to be. For example, employees of South Dakota may spend some amount of their income on buying a car. If there are no car manufacturers in their state or county, this spending will leave the region and the multiplier effect will stop. At the national level, some portion of that same spending by that same individual may go to a national auto producer. That spending would lead to more spending at the national level than would be captured by a more regional model. The national impact will be larger than the sum in the individual states, and the individual state impact will be larger than the sum of the impacts in its congressional districts.

# Appendix D: FAQ's

---

## WHAT IS AN ECONOMIC-CONTRIBUTION ANALYSIS?

Technically, this study is a contribution analysis. The study quantifies the economic contribution of the university in terms of economic impact, jobs, and local and state tax revenue. The study calculates how spending by employees, visitors, and students contributes to the economy of South Dakota and beyond. It examines how expenditures create additional impact in the economy directly and through the multiplier.

For the purposes of this study, an economic contribution is defined as the gross changes in South Dakota's existing economy that can be attributed to the universities. Contribution analysis is a descriptive analysis that tracks gross economic activity: how spending by the university and its constituencies cycles dollars through the economy. The university's economic-contribution analysis does not consider how spending at this university may crowd out spending at another college or university within the state. This type of analysis is one of the most common that is performed and is often mislabeled as an economic-impact study. Please note that while the terms used to express the contribution of South Dakota to the statewide economy are referred to as economic impact, this is a contribution analysis.

Spending by students, staff, and faculty who are explicitly participating in activities associated with South Dakota's output represents a "stemming-from effect" and could also be considered a direct effect of the higher-education industry. For example, a student who attends classes and spends \$10 on lunch at a local restaurant is a stemming-from effect of the university. This contribution analysis then follows the direct economic activity and associated stemming-from effects through the economy, with the output of each sector broken down and attributed to expenditures on intermediate inputs or to value-added components such as labor, taxes, and returns to capital. Output multipliers, which are sector- and region-specific, are derived from the appropriate model and relate an industry's economic activity (or changes in the industry's economic activity) to gross sales in the other sectors of the regional economy.

The contribution analysis does not account for the fact that if a student attending class were a local resident, then the \$10 they spent on lunch potentially represents \$10 they are not spending at another restaurant elsewhere in town. The direct effect in a contribution analysis includes purchases by students from in and out of state and is neither a measure of changes to the state's economic base nor a measure of the value added to the region above what was paid to input suppliers.

---

## WHAT SHOULD YOU REMEMBER ABOUT THE STUDY WHEN YOU READ IT?

- It is a point-in-time calculation of impact for FY 19.
- It quantifies the amount of impact that the universities produce each year.
- The economic numbers can fluctuate from year to year based on operational spending, capital spending, pay and benefits, number of employees, number of students, and state appropriation.
- This is an economic-contribution analysis that casts a broader net to calculate impact than an economic-impact study.
- These are conservative numbers and adhere to industry-respected protocols.

---

## WHAT METHODOLOGY WAS USED TO COMPLETE THIS STUDY?

IMPLAN data and software were used to conduct this economic-contribution analysis. The IMPLAN database is built using county, state, ZIP code, and federal economic statistics that are specialized by region, not estimated from national averages, to measure the contribution or impact of an organization's economic activity.

---

## WHAT WERE THE MULTIPLIERS FOR THIS STUDY?

The multipliers used in this study range from 1.8 to 2.1. The multipliers are derived through the input-output models created using the IMPLAN software based upon industries selected during the modeling process.

---

## WHAT DATA DOES THIS STUDY USE TO CALCULATE THE ECONOMIC IMPACT?

Primary data used in this analysis is for FY 19 and was obtained from the South Dakota Board of Regents and the university.

Data addresses the following subjects:

- Operating expenditures.
- Capital expenditures.
- Pay and benefits by employee type.
- Number and types of students (all in-state and out-of-state students included).
- Athletics.
- Volunteerism.
- Charitable giving.
- Alumni data.

Secondary data was used to estimate the following:

- Student spending habits based on the universities' budgets for spending (full- and part-time undergraduate and graduate students, excluding tuition and fees).
- Visitor numbers and visitor spending habits (day and overnight visitors).

---

## WHAT ARE THE COMMUNITY-BENEFIT IMPACTS BASED UPON?

Charitable-giving impacts are based upon assumptions found in the U.S. Census donor data. These models do not assume a 100% participation rate for staff, faculty, and students and are not based on averages. Some colleges and universities had primary data available on volunteerism, and in those cases actual hours were used in the calculation. For the purposes of this study, it is assumed that 24.9% of staff and faculty donate an average of \$2,064 annually and 14.9% of students donate an average of \$250 each year.

Volunteer impacts are based upon assumptions found in the U.S. Census, and the value of a volunteer hour was obtained from the Points of Light Foundation and is estimated at \$23.56 per hour.

---

## WHY DID THE SDBOR COMMISSION A STUDY?

The SDBOR commissioned the analysis to quantify the impact of all six public higher education institutions in its system. SDBOR and the university have a number of helpful tools to explain the value proposition for supporting higher education; this independent study is one way to help explain its worth. In trying to explain the value of South Dakota public higher education to internal and external constituents, it is important to quantify the workforce and economic gains realized throughout the state. There are many ways to view the impact and value of a university and university system — economic impact is one.

---

## WHY DOES THIS STUDY LOOK DIFFERENT FROM OTHERS WE HAVE SEEN PUBLISHED?

The veracity of the data and methodology are consistent with industry-standard protocols for conducting an effective economic-impact study that is conservative. The data is an independent assessment of the university's contribution to the overall economy — the numbers drive the message, not the other way around. The report is designed to make the data analysis accessible to all readers.





**Get in touch now**

---

**306 E Capitol Ave  
Suite 200  
Pierre, SD 57501  
605.773.3455**

**[info@SDBOR.edu](mailto:info@SDBOR.edu)**

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – C**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**SDBOR Policy 5:3 – Agreements and Contracts Revisions (First and Final Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND / DISCUSSION**

The implementation of the Contract Lifecycle Management (CLM) system (aka Contracts+) began in February 2021, with the project going live on August 1, 2021. As a result, Board of Regents Policy 5:3 – Agreements and Contracts has been updated to include definitions and the required usage of Contracts+.

**IMPACT AND RECOMMENDATIONS**

The Business Affairs Council discussed the CLM project and its use moving forward at both its August and September 2021 meetings, with the following recommendations, which have been included in the policy changes:

- A written contract is required for all service-related contracts regardless of cost or term.
- Contracts+ must be utilized for all service-related contracts with a total financial obligation of \$4,000 or more and a term extending beyond 60 days.
- A general encumbrance shall be used whenever a contract is processed through Contracts+ and requires a payment obligation.
- Exceptions can be authorized by the Vice President of Finance for each institution.
- Institutions may require more stringent requirements if desired.

**ATTACHMENTS**

Attachment I – BOR Policy 5:3 – Agreements and Contracts

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-C:**

I move to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of BOR Policy 5:3 – Agreements and Contracts as shown in Attachment I.

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Agreements and Contracts

**NUMBER:** 5:3

---

#### A. PURPOSE

To establish a policy and procedure for the execution, contract review, ~~and~~ signatory authority and payment tracking for all agreements and contracts.

#### B. DEFINITIONS

1. **Contract Lifecycle Management:** A software system used to initiate, execute, and store all system-wide contracts.
2. **General Encumbrance:** A pre-expenditure that is posted against a Banner Fund Source. Encumbrances are liquidated as payments are processed. ~~None~~
3. **Contract or Agreement:** A legally binding written document signed by both parties.

**Formatted:** Indent: Left: 0.5", Space Before: 0 pt, No bullets or numbering

**Formatted:** List Paragraph, Indent: Left: 0.25", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

#### C. POLICY

The South Dakota Board of Regents has the power to make contracts for service, erection of buildings, purchase of lands, materials, and supplies needed by the institutions, with the exception of supplies and equipment and services that are under the jurisdiction of the Bureau of Administration.

To promote the efficient operation of the institutions under its control, the Board has categorized the contracts commonly made on behalf of the institutions and delegated its authority to enter into certain of these contracts as set forth in this article.

##### 1. **Contracts Requiring Board Action**

- 1.1. Leases of real property (land and generally whatever is erected, growing upon or affixed in a permanent or semi-permanent manner to the land) involving acquisition or conveyance of interests lasting more than five years and exceeding \$50,000 per year. Renewal of interest in property for subsequent periods requires Board approval.
- 1.2. Equipment leases exceeding \$100,000 per year, excluding master lease agreements that have been executed by a designee in the Board office and have had legal counsel review.
- 1.3. Joint powers agreements.



- 1.4. Interstate agreements.
- 1.5. Affiliation agreements and other agreements that provide for joint sponsorship of educational programming for which credit shall be awarded.
- 1.6. Contracts and agreements relating to the creation and operation of off-campus instructional sites that are intended to operate for one academic year or more.
- 1.7. Contracts that arise in connection with the issuance of revenue bonds.
- 1.8. Contracts regarded by institutional chief executive officers as having significant policy implications.

## **2. Contracts Requiring Action by the Executive Director**

- 2.1. Any contract, excluding purchase orders for equipment or supplies (see BOR Policy 5:4) or other than leases of real property (see section 1 above) having a term greater than five years and an annual cost exceeding \$50,000, or an annual cost of more than \$250,000 per year.
- 2.2. Articulation agreements or other agreements that provide assurances that credits for academic work granted or certified by other institutions shall be accepted for transfer credit.
- 2.3. Capital improvement contract documents.
- 2.4. Contracts on behalf of the system.
- 2.5. Contracts arising in connection with organizational entities administered by the executive director.

## **3. Contracts Acted Upon by Institutional Chief Executive Officer**

All other contracts and agreements may be entered into by the institutional executive officer or his/her designee.

## **4. Legal Review of Contract Terms**

Where an institution initiates a contract, it shall assume responsibility for securing legal review of the draft contract. Where an institution routinely enters into contracts of like kind or subject matter, it shall assume responsibility for development of a standard form contract or contract rider acceptable to the general counsel. Provisions of other contracts may be accepted if they conform to provisions previously approved by general counsel. Otherwise, the institution proposing to accept the contract should secure a legal opinion concerning the unapproved provision.

## **5. Procedures**

- 5.1. Each institution shall develop a process for the internal review/approval of all contracts.
  - 5.1.1. Procedures shall be established by each institution to enable the institution to reconcile the amount of any contract with the amount actually expended at any given date by complying to the items set forth in 5.2 of this policy. This policy pertains to all contracts being held at the institution in accordance with

the procedure for records retention established by the Bureau of Administration.

- 5.1.2. Copies of any contracts entered into by an institution must be submitted upon request to the Board's general counsel.

5.2. Each institution shall utilize the contract lifecycle management (CLM) software and the general encumbrance feature in the Enterprise Resource Planning (ERP) system in order to remain in compliance by efficiently tracking payments towards contracts.

5.2.1 A written contract is required for all service-related contracts regardless of cost or term.

5.2.2 The CLM must be utilized for all service-related contracts with a total financial obligation that is greater than or equal to \$4,000 and a term extending beyond 60 days.

5.2.3 A general encumbrance shall be used whenever a contract is processed through the CLM and requires a payment obligation. Exceptions can be authorized by the Vice President of Finance for each institution.

5.2.4 Institutions may require more stringent requirements if desired.

Formatted: Normal, Indent: Left: 0.88", Hanging: 0.63"

Formatted: Font: (Default) Times New Roman

## 6. Delegation of Signature Authority

- 6.1. The executive director and the institutional chief executive officers may delegate the power granted hereunder to subordinates as is consistent with sound administrative practices. Such delegation shall not change the requirement that the necessary supporting documentation be assembled and approved prior to execution of a contract. No contract entered into shall become effective until executed by the Board, executive director, institutional chief executive officer, or by a person exercising powers delegated hereunder.
- 6.2. All contracts for consulting services shall be sent to the Office of the State Auditor per Administrative Rule 03:05:05:04.
- 6.3. Each written contract in an amount of \$10,000 or more must be recorded on the SD Open Records website as required by SDCL 1:27-46. Contracts funded with externally funded research are exempt from this requirement.
- 6.4. Each contract shall be reviewed and monitored for compliance with conflict of interest per SDCL 5-18A-17 and Board policy 4:35.
- 6.5. A central filing system for all consultant contracts and 1099 reportable contracts utilizing Banner Account Codes 744XXX (consulting or contractual) shall be maintained by each institution under the Board of Regents.

## 7. Additional Contract Sources

7.1. Refer to the following BOR policies for additional contract requirements:

- 2:12 – Distance Education
- 2:13 – Third Party Requests for Academic Credit
- 5:4 – Purchasing
- 5:5:3 – Tuition and Fees: Special Course Types

## FORMS / APPENDICES:

None

## SOURCE:

SDCL 13-49-15, 13-49-16 and chapter 5-18A, B & D; BOR June 1989; Sept. 1991; May 1993; June 2002; August 2002; March 2006; August 2012; December 2013; October 2018; December 2021.

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance**

**AGENDA ITEM: 6 – D**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**HEFF Cash Flow Statement**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 13-51-2](#) – Educational Facilities Fund

[SDCL 13-53-15](#) – Receipt by State Treasurer of Institutional Moneys

[SDCL 13-53-15.3](#) – Medical School Funds

### **BACKGROUND / DISCUSSION**

The primary source of dollars to fund construction, maintenance, and renovation of university academic facilities is the tuition dollars placed into the Higher Education Facilities Fund (HEFF). Starting in FY17, the percentage contributed to HEFF is 11.5% of all tuition dollars, with the exception of the first \$1,521,740 of medical school tuition revenue, which is not subject to HEFF. HEFF is also assessed on all self-support credit hours as of 2009. The reduction from 20% to 11.5% reflects the pay-off of the HEFF Series 2008 bond (\$8,612,640) and redirecting the \$704,077 payment to the tuition freeze, and increasing the tuition fee base by rolling the university support fee into tuition. While the percentage was reduced from 20% to 11.5%, the same amount of revenue to support HEFF debt and maintenance and repair is generated because it is assessed on a much larger base.

Attachment I is a cash flow statement for the Higher Education Facilities Fund as of October 2021. The statement presents actual and planned revenues and expenditures for FY18 through FY35. The statement includes the following data and assumptions:

- FY18 through FY21 are actuals and FY22 through FY35 are projections.
- FY22 tuition revenue estimates and beyond are based upon FY21 actuals with a 2.0% tuition increase and stable enrollments.
- Interest earnings of three percent on the unobligated cash balance for FY22 including \$3.0M to \$4.0M of unspent maintenance and repair funds thereafter.
- A change from principal only payments on the SDSU Performing Arts Center to principal and interest in FY22, results in approximately a \$510,000 increase in HEFF obligations.
- Bonding \$10.5M in capital projects in FY22 and \$12.5M in FY27 at four percent interest and for 25 years. This bonding would complete the 2012 Ten-Year Capital Plan.

(Continued)

\*\*\*\*\*

### **INFORMATIONAL ITEM**

The 11.5% of tuition revenues generated for FY20 were \$1,305,194 lower than the projection from October 2019, while the revenues generated for FY21 were \$804,746 higher than the projection from October 2020. Prior to the rebound in FY21, the variance between actual and projected revenue was more than \$2.0M, putting a significant burden on HEFF. As a result, FY22 through FY27 saw a decline in the projected funds available for M&R allocation as well as a decrease in the reserve fund from \$4.0M to \$3.0M.

The ending cash assumes that the campuses will catch-up on their M&R expenditures in FY22 by spending all of the obligated funds except \$3,000,000. The drop in cash from 2021 to 2022 reflects that assumption. Because annual revenues do not come in until September, the cash balance at fiscal year-end must be sufficient to pay approximately one-half of the annual lease payment which is due in August. Debt capacity and cash flows must both be considered prior to issuing new debt. We would only fund projects when capacity is available to debt service the leases and when sufficient cash is available to meet the annual debt payment.

## **IMPACT AND RECOMMENDATIONS**

The remaining projects on the 2012 Ten-Year Plan can be found in Attachment II. Based on current assumptions and revenues, \$10.5M of projects can be bonded in FY22 and \$12.5M in FY27. If this timeline holds true, it will have taken us 15 years to complete the projects that we originally thought we had the cash flow to complete in 10 years.

Since both the USD Allied Health Facility (\$7.5M) and the E.Y Berry Library (\$3.0M) projects were approved during the 2020 legislative session and those projects are already in progress, we are moving forward with a \$10.5M bond issuance this fiscal year. In FY22, the fund also picked up the interest costs portion of the debt service for the SDSU Performing Arts Center, of around \$510,000 per year. The remaining SDSU projects totaling \$12.5M will not be bonded until FY27 based on current projections.

## **ATTACHMENTS**

Attachment I – HEFF Cash Flow Statement (October 2021)

Attachment II – 2012 Ten-Year Plan

**Board of Regents  
HEFF Cash Flow Statement  
October 2021**

A	B	C	D	E = C + D	F	G	H = F + G	I = B + E - H	J	K = I - J
<b>Fiscal Year</b>	<b>Beginning Balance July</b>	<b>Net 11.5% Tuition</b>	<b>Interest Revenue</b>	<b>Total Revenue</b>	<b>FY M&amp;R Expenditures</b>	<b>Lease Payment</b>	<b>Total Expenditures</b>	<b>Ending Cash</b>	<b>Obligated Unexpended</b>	<b>Unobligated Funds</b>
2018	27,584,821	27,015,890	533,255	27,549,144	14,624,633	14,075,654	28,700,287	26,433,678	16,921,710	9,511,968
2019	26,433,678	26,619,716	460,852	27,080,568	16,873,736	14,009,610	30,883,346	22,630,899	15,149,664	7,481,235
2020	22,630,899	26,165,832	654,245	26,820,078	18,990,746	14,013,347	33,004,093	16,446,884	11,226,940	5,219,944
2021	16,446,884	26,211,930	1,071,199	27,283,129	11,910,638	14,414,703	26,325,341	17,404,672	13,130,991	4,273,681
2022	17,404,672	26,736,169	522,140	27,258,309	22,847,760	16,200,590	39,048,350	5,614,631	3,000,000	2,614,631
2023	5,614,631	27,270,892	168,439	27,439,331	12,500,000	16,403,566	28,903,566	4,150,395	3,000,000	1,150,395
2024	4,150,395	27,816,310	124,512	27,940,822	12,500,000	16,404,759	28,904,759	3,186,458	3,000,000	186,458
2025	3,186,458	28,372,636	95,594	28,468,230	12,000,000	16,374,383	28,374,383	3,280,304	3,000,000	280,304
2026	3,280,304	28,940,089	98,409	29,038,498	12,000,000	16,160,058	28,160,058	4,158,744	3,000,000	1,158,744
2027	4,158,744	29,518,891	124,762	29,643,653	13,500,000	15,774,487	29,274,487	4,527,910	3,000,000	1,527,910
2028	4,527,910	30,109,268	135,837	30,245,106	14,500,000	15,128,004	29,628,004	5,145,011	4,000,000	1,145,011
2029	5,145,011	30,711,454	154,350	30,865,804	16,250,000	15,086,455	31,336,455	4,674,360	4,000,000	674,360
2030	4,674,360	31,325,683	140,231	31,465,914	17,500,000	14,055,431	31,555,431	4,584,842	4,000,000	584,842
2031	4,584,842	31,952,196	137,545	32,089,742	18,500,000	13,524,645	32,024,645	4,649,939	4,000,000	649,939
2032	4,649,939	32,591,240	139,498	32,730,738	19,500,000	13,462,771	32,962,771	4,417,906	4,000,000	417,906
2033	4,417,906	33,243,065	132,537	33,375,602	20,500,000	10,539,450	31,039,450	6,754,059	4,000,000	2,754,059
2034	6,754,059	33,907,926	202,622	34,110,548	21,500,000	10,486,539	31,986,539	8,878,068	4,000,000	4,878,068
2035	8,878,068	34,586,085	266,342	34,852,427	22,500,000	9,479,973	31,979,973	11,750,522	4,000,000	7,750,522

Notes:

1. Fiscal years 2018-2021 are actuals.
2. 3.0% interest earnings calculation based on the ending cash balance plus \$3,000,000 for unexpended M&R funds.
3. 3% decline in enrollment for FY21, no tuition increase. FY22 and each year thereafter, tuition revenue is increased by 2.0%.
4. Additional capital projects of \$10.5M would be bonded in FY22 and \$12.5M in FY27. This would complete the 2012 Ten-Year Capital Plan.
5. All figures for periods after FY21 are estimates.
6. Reduction of "Reserve" balance to \$3.0M for FY22-FY27. This also includes reductions in HEFF allocations for those years.

**2012 Ten-Year Plan Proposed Funding Schedule**  
10/1/2021

<u>Project</u>		<u>Fund Sources</u>				<u>Bonded</u>			<u>Proposed Bonding</u>	
		<u>HEFF Bonds</u>	<u>Other Bonds</u>	<u>Other Funds</u>	<u>Project Total</u>	<u>FY2014</u>	<u>FY2015</u>	<u>FY2017</u>	<u>FY22</u>	<u>FY27</u>
<b>Infrastructure Projects**</b>										
BHSU	Infrastructure Repair and Upgrade	\$4,000,000		\$500,000	\$4,500,000	\$4,000,000				\$0
DSU	Energy Efficiency and ADA Compliance	\$1,275,000		\$0	\$1,275,000	\$1,275,000				\$0
NSU	Street Improvements	\$600,000		\$0	\$600,000	\$600,000				\$0
SDSM&T	Utility Infrastructure	\$2,740,000		\$500,000	\$3,240,000	\$2,740,000				\$0
SDSU	Utility Tunnel, Steam/Condensate Infrastructure Repair & Modernization	\$7,000,000		\$10,434,000	\$17,434,000	\$7,000,000				\$0
SDSU	Utility Repairs & Upgrades - Water, Sanitary Sewer, Storm Sewer	\$5,000,000		\$5,043,000	\$10,043,000	\$0				\$5,000,000
USD	Mechanical Overhaul & Modernization	\$8,000,000		\$2,000,000	\$10,000,000	\$8,000,000				\$0
		\$28,615,000		\$18,477,000	\$47,092,000	\$23,615,000	\$0	\$0	\$0	\$5,000,000
<b>Building Projects</b>										
BHSU	Jonas Science Renovation	\$1,250,000		\$2,900,000	\$4,150,000	\$1,250,000				\$0
BHSU	E. Y. Berry Library Renovation	\$3,000,000		\$1,500,000	\$4,500,000	\$0			\$3,000,000	\$0
DSU	Information Systems Building	\$6,000,000		\$5,400,000	\$11,400,000	\$0	\$6,000,000			\$0
NSU	Johnson Fine Arts Center Renovation and Addition	\$5,000,000		\$9,108,648	\$14,108,648	\$5,000,000				\$0
SDSM&T	Chemistry/Chemical Engineering Renovation **	\$6,040,000		\$519,000	\$6,559,000	\$0	\$6,040,000			\$0
SDSU	New Headhouse & Greenhouses	\$1,000,000		\$3,414,000	\$4,414,000	\$1,000,000				\$0
SDSU	Architecture, Math & Engineering	\$10,000,000		\$5,755,142	\$15,755,142	\$10,000,000				\$0
SDSU	Visual Arts Facility	\$7,500,000		\$4,900,000	\$12,400,000	\$0				\$7,500,000
SDSU	Performing Arts Center	\$13,000,000		\$35,391,807	\$48,391,807	\$0		\$13,000,000		\$0
SDSU	New Cow-Calf Research & Education Unit - Volga	\$900,000	\$2,000,000	\$1,732,500	\$4,632,500	\$900,000				\$0
USD	Science, Health, and Research Lab Building*	\$9,695,000		\$3,904,085	\$13,599,085	\$8,695,000				\$0
USD	Patterson Hall Renovation	\$5,500,000		\$250,000	\$5,750,000	\$6,500,000				\$0
USD	Allied Health Facility	\$7,500,000		\$0	\$7,500,000	\$0			\$7,500,000	\$0
		\$76,385,000	\$2,000,000	\$74,775,182	\$153,160,182	\$33,345,000	\$12,040,000	\$13,000,000	\$10,500,000	\$7,500,000
<b>Total Infrastructure Plus Building Projects</b>		\$105,000,000	\$2,000,000	\$93,252,182	\$200,252,182	\$56,960,000	\$12,040,000	\$13,000,000	\$10,500,000	\$12,500,000

\*\* Other funds will come from campus HEFF M&R allocations.

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 6 – E**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**SDSMT Mineral Industries Building Facility Design Plan (FDP)**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 5-14-1](#) – Classification of Capital Improvements

[SDCL 5-14-2](#) – Supervision by Bureau of Administration of Capital Improvement Projects  
– Payment of Appropriated Funds

[SDCL 5-14-3](#) – Preparation of Plans and Specifications for Capital Improvements – State  
Building Committees – Approval by Board or Commission in Charge of  
Institution

[BOR Policy 6:4](#) – Capital Improvements

[BOR Policy 6:6](#) – Maintenance and Repair

#### **BACKGROUND / DISCUSSION**

The South Dakota School of Mines & Technology (SDSMT) requests approval of the Facility Design Plan for the construction of a new Mineral Industries building. The Preliminary Facility Statement and Program Plan were approved at the June 2014 BOR meeting and March 2021 BOR meeting, respectively. The original request was to renovate the current facility. The cost to renovate the building was estimated at \$28M and the cost to construct a new building was estimated at \$34M. To better serve the disciplines for the next 60 years, the direction changed to a new building, with the current building being torn down.

#### **IMPACT AND RECOMMENDATIONS**

The new building will be 63,800 square feet. It will provide classroom space used by the entire university as well as laboratory and administrative space for the Departments of Geology and Geological Engineering, Mining Engineering and Management, and Materials and Metallurgical Engineering. The building also supplies space for multi-user research laboratories such as the Engineering and Mining Experiment Station (EMES). South Dakota Mines is one of only five universities in the nation that retains a core

(Continued)

\*\*\*\*\*

#### **DRAFT MOTION 20211208\_6-E:**

I move to approve SDSMT's Facility Design Plan for the Mineral Industries Building at a cost not to exceed \$34,000,000 funded by a combination of General, Private, and University Funds.



expertise in all the areas that support the development of critical resources and minerals. The need for modernized space is even more pressing now that the Caterpillar MineStar Research Consortium has been announced, as this is the first step in creating a world class industries resource research center at the university. Additionally, the building will help increase the research enterprise and recruitment of talented students and faculty. The new building will support the mission of the university by providing efficient and modern facilities that meet the needs of the campus now and into the future.

Construction Funding Sources:

\$19,000,000 General Funds  
 \$12,000,000 Private Funds  
 \$3,000,000 University Funds  
**Total: \$34,000,000**

Initial Cost Estimate:

Construction Cost Estimate	\$29,160,990
Commissioning	\$99,010
OSE Fees	\$120,000
Architect/Engineer Fees and Expenses	\$2,220,000
Pre-Construction Fee	\$70,000
Testing	\$30,000
Construction Contingency (8%)	included
FF&E (including IT/BIT)	\$2,300,000
Bidding Contingency (10%)	included

**Total Estimated Project Costs** **\$34,000,000**

**ATTACHMENTS**

Attachment I – SDSMT Facility Design Plan, New Mineral Industries Building

## South Dakota School of Mines & Technology

### Facility Design Plan

### New Mineral Industries Building

#### **Introduction:**

The South Dakota School of Mines & Technology requests approval of the Facility Design Plan for the construction of a new Mineral Industries building. The Preliminary Facility Statement and Facility Program Plan were approved at the June 2014 BOR meeting and March 2021 BOR meeting, respectively. The original request was to renovate the current facility. The cost to renovate the building was estimated at \$28M and the cost to construct a new building was estimated at \$34M. To better serve the disciplines for the next 60-yrs, the direction changed to the new building with the current building being torn down.

The new building will be 63,800 sq ft. It will provide classroom space used by the entire university as well as laboratory and administrative space for the Departments of Geology and Geological Engineering, Mining Engineering and Management, and Materials and Metallurgical Engineering. The building also supplies space for multi-user research laboratories such as the Engineering and Mining Experiment Station (EMES). South Dakota Mines is one of only five universities in the nation that retain a core expertise in all the areas that support the development of critical resources and minerals. The need for modernized space is even more pressing now that the Caterpillar Minestar Research Consortium has been announced as this is the first step in creating a world class industries resource research center at the university. Additionally, the building will help increase the research enterprise and recruitment of talented students and faculty. The new building will support the mission of the university by providing efficient and modern facilities that meet the needs of the campus now and into the future.

#### **a. Architectural, mechanical, and electrical schematic design:**

##### **Architectural:**

The new Mineral Industries building will be 63,800 sq ft located between the O'Harra administrative building and the James E. Martin Paleontology Research Lab on the south side of campus. The building will consist of masonry, cast stone and aluminum curtain wall glazing systems supported by a structural steel column, beam and joist system. The roofing will be a combination of rubber membrane and metal roofing. The project will be striving to achieve LEED (Leadership in Energy and Environmental Design) Certified rating and therefore will be utilizing building materials that have low VOC (volatile organic compounds) materials and high performance mechanical and electrical systems.

In considering the design as a whole, the building is organized with three driving factors in mind: 1) efficient space utilization 2) efficient MEP distribution and 3) incorporation of highly collaborative areas. With those criteria in mind, each of the building floorplates are organized with a double loaded east-west corridor that connects each program area to the atrium as well as outdoor areas on the East and West. Office areas are located on the 2nd and 3rd floors. Teaching and research areas make up all three floors. Vibration sensitive and heavy floor loading requirement equipment are located on the first floor where isolated slab areas will be utilized to accomplish the needed vibration criteria. Reference Attachment A for building plans.

**Mechanical:**

The mechanical systems for this building will be connected to the campus chiller and steam/condensate loops. This will be a cost effect strategy for the new building. The mechanical systems will be designed to be efficient and meet LEED Certified rating requirements.

Other utilities to be noted include the extension of the domestic water from the south. The sanitary sewer will be connected near the building site with relocation of some existing sanitary sewer in the building footprint. Gas tie in will not be needed for the new building, but will be stubbed into the building if future connections are needed. The existing gas line under the building footprint will be relocated.

All mechanical equipment will be tied into the Universities building automation system for monitoring of equipment and addressing heating/cooling issues within the building remotely if needed.

A NFPA 13 compliant wet-pipe sprinkler system will provide full coverage for the building. Quick-response sprinklers will be used throughout the facility. Offices and classrooms will be classified as light hazard. Laboratories, storage rooms, custodial closets, and mechanical rooms will be classified as Ordinary Hazard, Group 1 or Group 2, depending on the specific requirements.

**Electrical:**

Primary electrical service to the facility will be a new pad mounted transformer located on the east side of the new building. The new transformer will be connected to an existing utility pad mounted switch. Service entrance cabling will be copper and will be routed outside the building from the service transformer to a single-ended, main service switchboard located in the main electrical room on the first floor. All necessary metering and switching requirements will be

provided as required. All site electrical equipment including the pad mounted transformer and stand by generator will be located away from main building entries.

Lighting throughout the building will be LED (Light Emitting Diode) type fixtures and lighting levels will comply with applicable standards and energy code requirements. Lighting will be a combination of 2x2, 2x4, and Linear LED light fixtures. Lighting in offices, meeting rooms, labs, study rooms, and classrooms will be fully dimmable, and the building will have occupancy sensor controls to reduce energy consumption while providing flexibility to the occupants.

Voice and data systems will include jacks, cabling, conduit, racks, patch panels, testing, camera's, TV's, projectors, and card access.

A digital, addressable type, fire alarm control system with voice evacuation capabilities will be provided to satisfy all Life Safety and Code requirements. The system will be designed in accordance with all current codes and standards and will also satisfy all current accessibility guidelines. In addition, all necessary connections will be made for 24-hour fire alarm system monitoring.

**b. Changes from Facility Program Plan:**

The square footage has changed from 90,000 sq ft to 63,800 sq ft to keep the project in budget. The offices have moved to the 2<sup>nd</sup> and 3<sup>rd</sup> floors and some atrium space has been used to house graduate student space. One flexible lab space and one classroom were removed from the plan. There will no longer be a large penthouse. There may be a screen wall, but it will depend on costs.

**c. Impact to existing building or campus-wide heating/cooling/electrical systems:**

The building will be connected to the existing campus chiller, steam/condensate, and electrical loops providing the most cost-effective operating methods for this building. Studies have been completed to ensure capacity within each loop.

**d. Total project estimates:**

Funding Sources –

\$19M General Funds  
 \$12M Private Funds  
 \$3M University Funds

The funding available is \$34M. The following is the breakdown of the project estimate:

Construction Cost Estimate	\$29,160,990
Commissioning	\$99,010
OSE Fees	\$120,000
Architect/Engineer Fees and Expenses	\$2,220,000
Pre-Construction Fee	\$70,000
Testing	\$30,000
Construction Contingency (8%)	included
FF&E/Moving (including IT/BIT)	\$2,300,000
Bidding Contingency (10%)	included
<b>TOTAL ESTIMATED PROJECT COSTS</b>	<b>\$34,000,000</b>

**e. Changes from cost estimate for operation or M&R expenses:**

No changes from the Program Plan.



301

ATTACHMENT A









ATTACHMENT 1

9

303







LEGEND

- CP 1 Survey Control Point
- +3223.39 Spot Elevation
- EH#1 Borehole
- S Sanitary Sewer Line
- SS Sanitary Sewer Manhole
- CW Clean Out
- W Water Line
- PIV Post Indicator Valve
- CS Curb Stop
- GH Gate Valve
- HY Fire Hydrant
- ICV Irrigation Control Valve
- CWS Chilled Water Supply Pipe
- CWR Chilled Water Return Pipe
- CA Compressed Air Pipe
- CS Chilled Water Supply Pipe
- CR Chilled Water Return Pipe
- HW Hot Water Heating Supply Pipe
- HR Hot Water Heating Return Pipe
- FO Fiber Optic Line
- C 3 - 4" Conduits (From Record Drawings)
- UP Underground Power Line
- Light Pole
- JB Electrical Junction Box
- G Gas Line
- GM Gas Meter
- DS Down Spout
- RD Roof Drain
- TI Type B Inlet
- SM Storm Sewer Manhole
- Sign
- T Tree (Deciduous)
- TD Tree Trunk Diameter
- TC Tree (Coniferous)
- TD Tree Trunk Diameter
- B Bush
- ET Edge of Trees
- WB Wooden Bench
- CG Curb & Gutter
- RW Retaining Wall
- DP Detectable Warning Panel
- RIP Riprap
- C1 Contour (1')
- C5 Contour (5')

Note Regarding Utilities  
Unless otherwise noted, utility locations shown are based on field marked locations provided by South Dakota One Call, and where possible, field measurements. Existence and location of actual utilities may vary from that shown. Contractor must verify location of all utilities before excavation.

Note Regarding Irrigation System  
Irrigation system exists throughout the site. Some irrigation control valves were tied in during the survey and are shown hereon. Full extent of system is not reflected hereon as it was not located with One Call utility locate.

Bench Marks  
USGS Brass Cap on the top step of the north side of the McLaury Building  
NGVD 29  
E=3216.57

Table of Control Points				
Number	Northing	Eastings	Elevation	Description
6	8838.7280	10332.6210	3253.16	5"R" Rebar
25	8913.8890	10599.3320	3227.65	5"R" Rebar
26	8841.7940	10807.0590	3228.83	5"R" Rebar
27	9074.0760	10638.2750	3216.12	5"R" Rebar
30	8808.8830	10560.5190	3240.43	5"R" Rebar
31	8668.1970	10655.1650	3239.18	5"R" Rebar

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

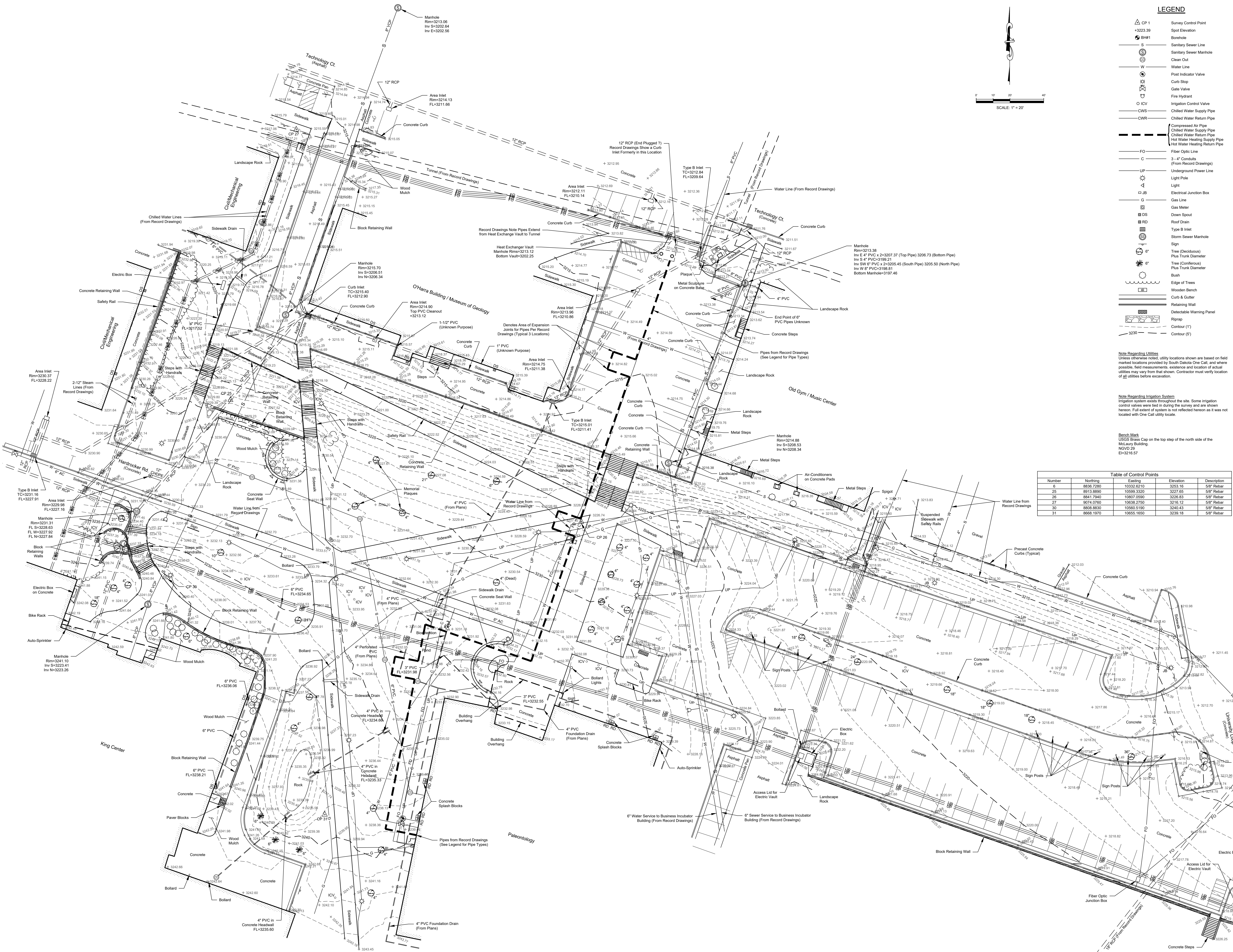
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

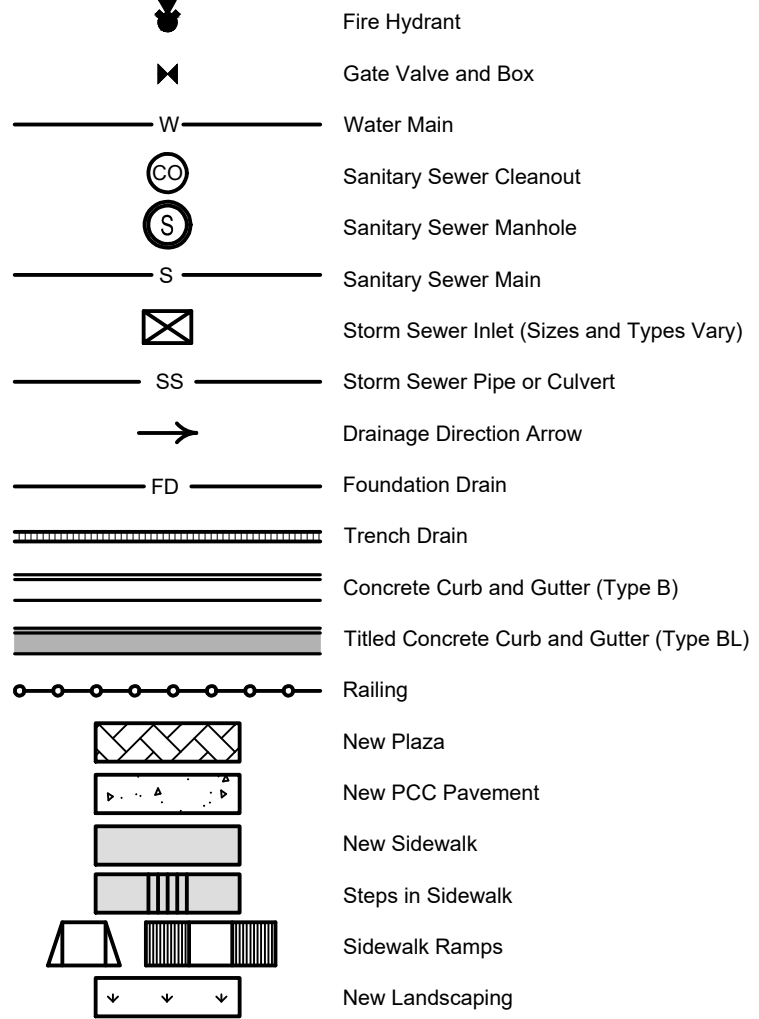
Existing Topography

C1



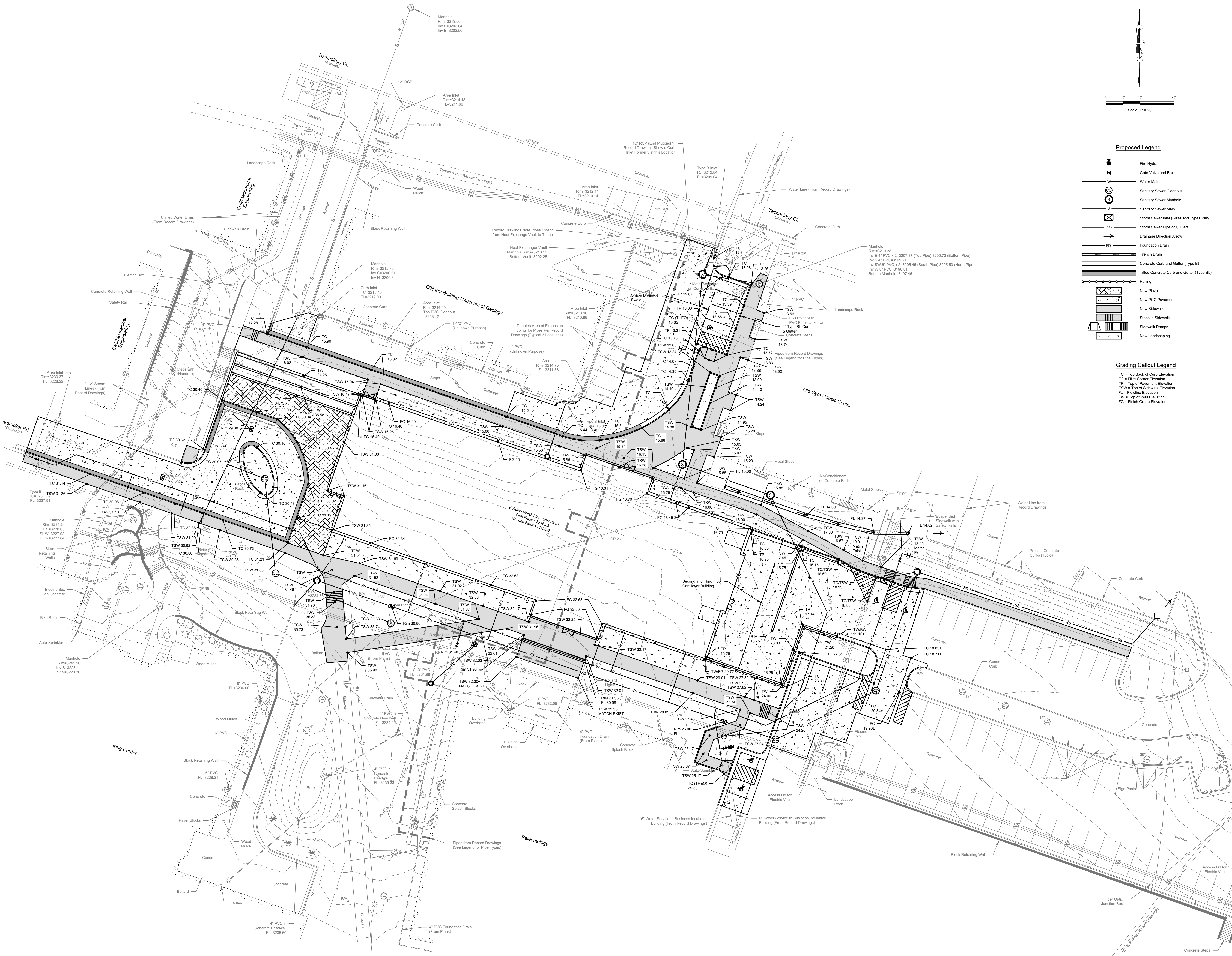


Proposed Legend



Grading Callout Legend

TC = Top Back of Curb Elevation  
FC = Fillet Corner Elevation  
TP = Top of Pavement Elevation  
TSW = Top of Sidewalk Elevation  
FL = Flowline Elevation  
TW = Top of Wall Elevation  
FG = Finish Grade Elevation



Design Development

South Dakota Mines - Mineral Industries Center of Excellence

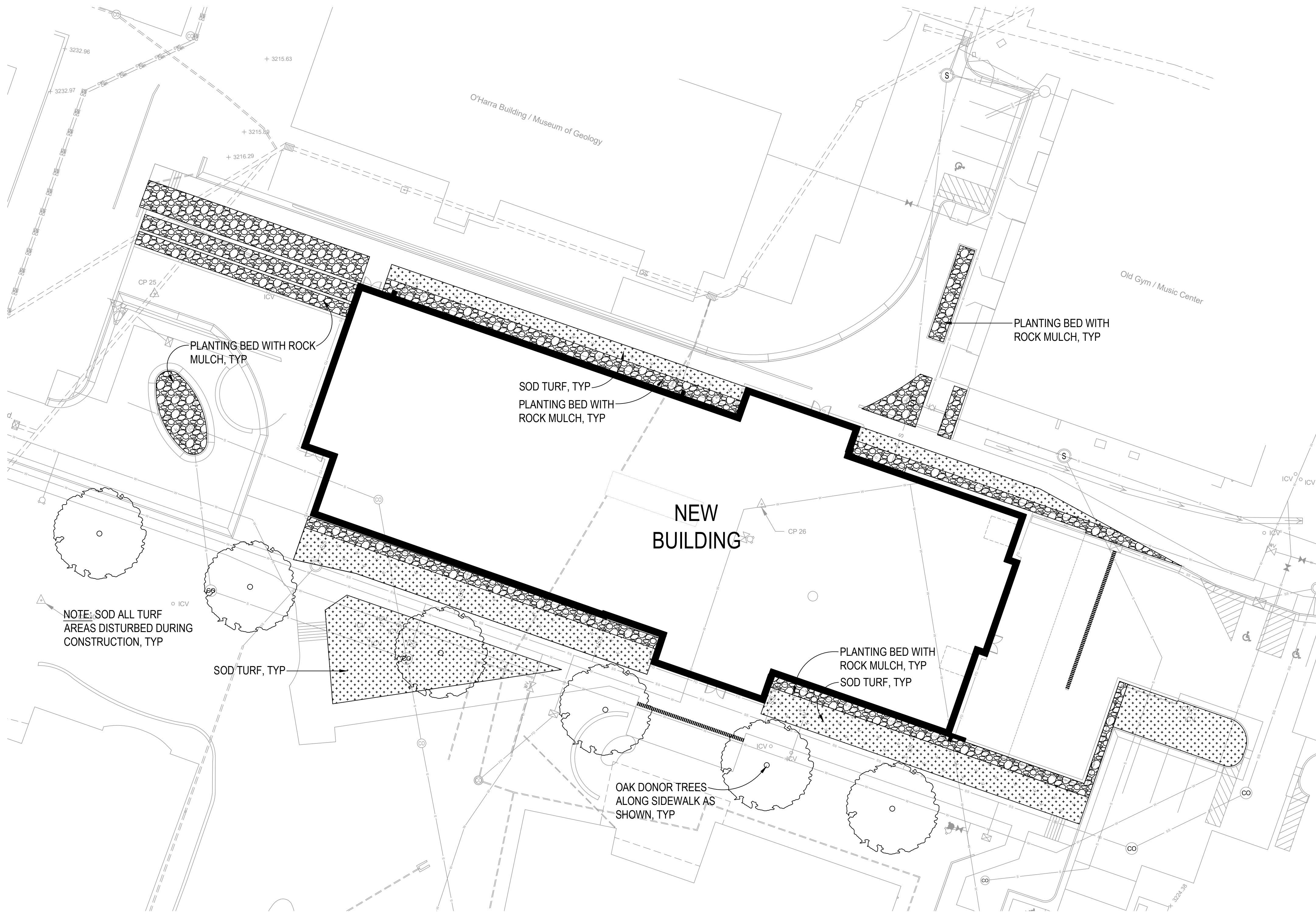
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Grading with Demolition  
Items Removed





 **SITE LANDSCAPE PLAN**  
SCALE: 1"=20'-0"

**Design Development**

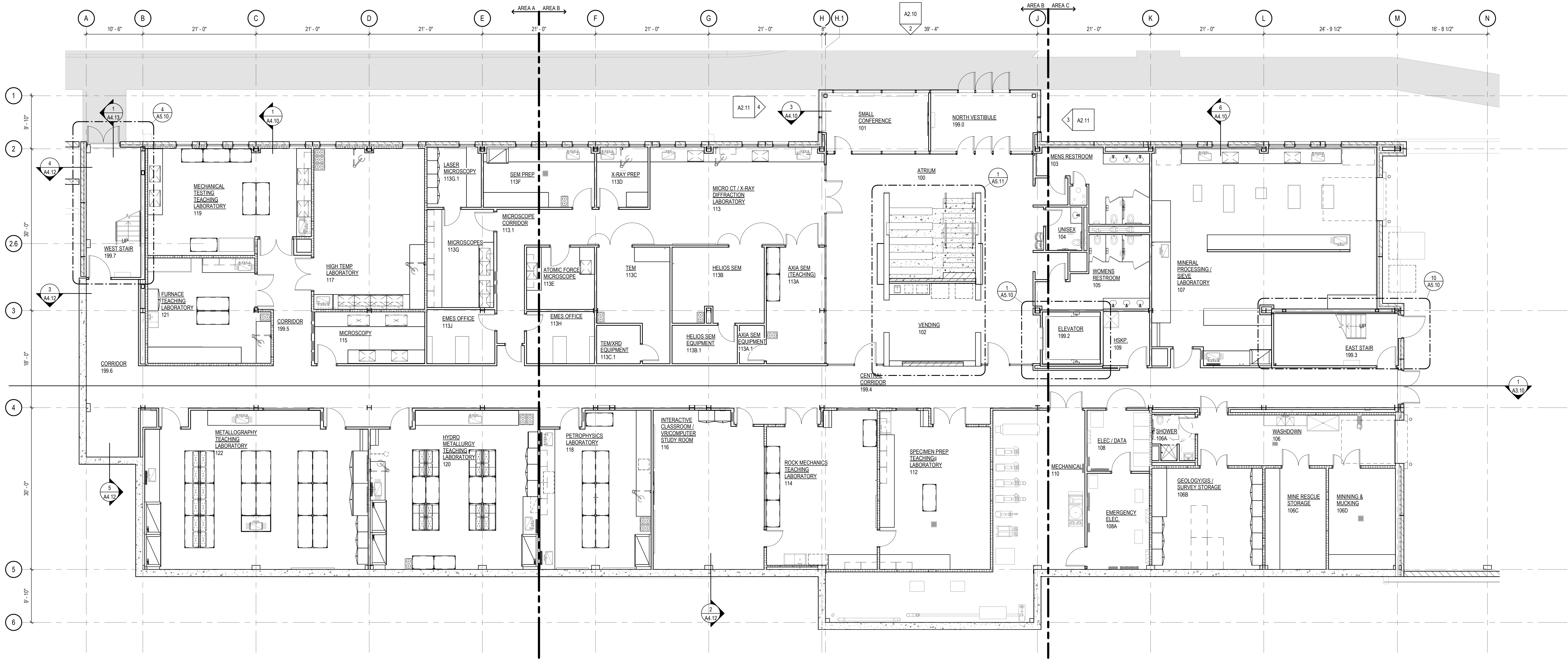
**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY  
NOT FOR CONSTRUCTION





**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**GENERAL PLAN NOTES**

- ALL INTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF MASONRY, FACE OF CONCRETE, AND TO FACE OF GYP. BOARD, TYP.
- ALL EXTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF STUD AND FACE OF CONCRETE.
- CONSTRUCTION OF WALLS ARE DESIGNATED STARTING ON TAG SIDE OF WALL.
- REFER TO STRUCTURAL DRAWINGS FOR GROUTING AND REINFORCEMENT OF CMU WALLS.
- ALL INTERIOR WALL FRAMING NOTED IN WALL TYPE SCHEDULE EXTENDS TO STRUCTURAL DECKING, BRACE AS REQUIRED. PROVIDE DEEP LEG SLIP TRACK AT TOP OF ALL INTERIOR WALLS / STUDS EXTENDING TO STRUCTURE TO ALLOW FOR DEFLECTION OF STRUCTURE.
- INTERIOR DOOR FRAMES SHALL BE INSTALLED WITH THE HINGE SIDE OF DOOR FRAME 4" FROM ADJACENT WALL, UNLESS OTHERWISE DIMENSIONED.
- PROVIDE BULLNOSE UNITS @ ALL DOOR AND WINDOW OPENINGS, END WALLS, AND OUTSIDE CORNERS IN CMU WALLS.
- ALL STEEL STUDS ARE MIN. 25 GA. UNLESS NOTED OTHERWISE. 20 GA STEEL STUDS REQUIRED AT ALL CEMENTITIOUS BACKER BOARD AND ABUSE RESISTANT GYPSUM BOARD AS SPECIFIED.
- 5/8" CEMENTITIOUS BACKER BOARD SHALL BE SUBSTITUTED FOR GYP. BOARD IN ALL LOCATIONS WHERE CERAMIC AND/OR PORCELAIN WALL TILE FINISHES ARE TO BE INSTALLED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PRICING AND INSTALLATION OF APPROPRIATE FRAMING NEEDED FOR WALLS HEIGHT. REFER TO "INTERIOR STEEL STUD FRAMING GAGE TABLE (1)" ON SHEET A0.00 FOR FRAMING GAGES AND STUD SIZING REQUIREMENTS.
- REFER TO CODE COMPLIANCE PLANS FOR LOCATION OF FIRE RATED WALLS AND SMOKE SEPARATION WALL LOCATIONS AND REQUIREMENTS.
- ALL OPENINGS IN RATED ASSEMBLIES SHALL BE SEALED WITH FIRE / SMOKE RATED MATERIALS AND ASSEMBLIES. INSTALL RATED JOINT SEALANTS AT BOTH FACES OF PARTITIONS, AT PERIMETERS, AND THROUGH FIRE RATED ASSEMBLIES. REFERENCE CODE COMPLIANCE PLANS FOR LOCATION OF RATED ASSEMBLIES.
- ALL STC-RATED WALL ASSEMBLIES AND PARTITIONS INDICATED SHALL HAVE STAGGERED SHEATHING AND GYP. BOARD JOINTS ON OPPOSITE SIDES OF ASSEMBLIES. REFERENCE WALL TYPE SCHEDULE FOR SOUND ATTENUATION INSULATION REQUIRED WITHIN STUD CAVITIES. SEAL ASSEMBLIES AT CONSTRUCTION PERIMETERS, DECKING MATERIAL (TOP & BOTTOM), BEHIND CONTROL JOINTS, AND AT ALL OPENINGS AND PENETRATIONS WITH A CONTINUOUS BEAD OF ACOUSTICAL JOINT SEALANT. INSTALL ACOUSTICAL JOINT SEALANTS AT BOTH FACES OF ASSEMBLIES.
- ALL SPANDREL GLAZING SHALL HAVE METAL STUD AND GPDW FURRING WALLS AT INTERIOR SIDE OF GLAZING WHERE EXPOSED TO VIEW.
- ALL WALL BOARD IN MECHANICAL ROOMS SHALL BE MOLD & MOISTURE RESISTANT.

**Design Development**

**South Dakota Mines - Mineral Industries Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

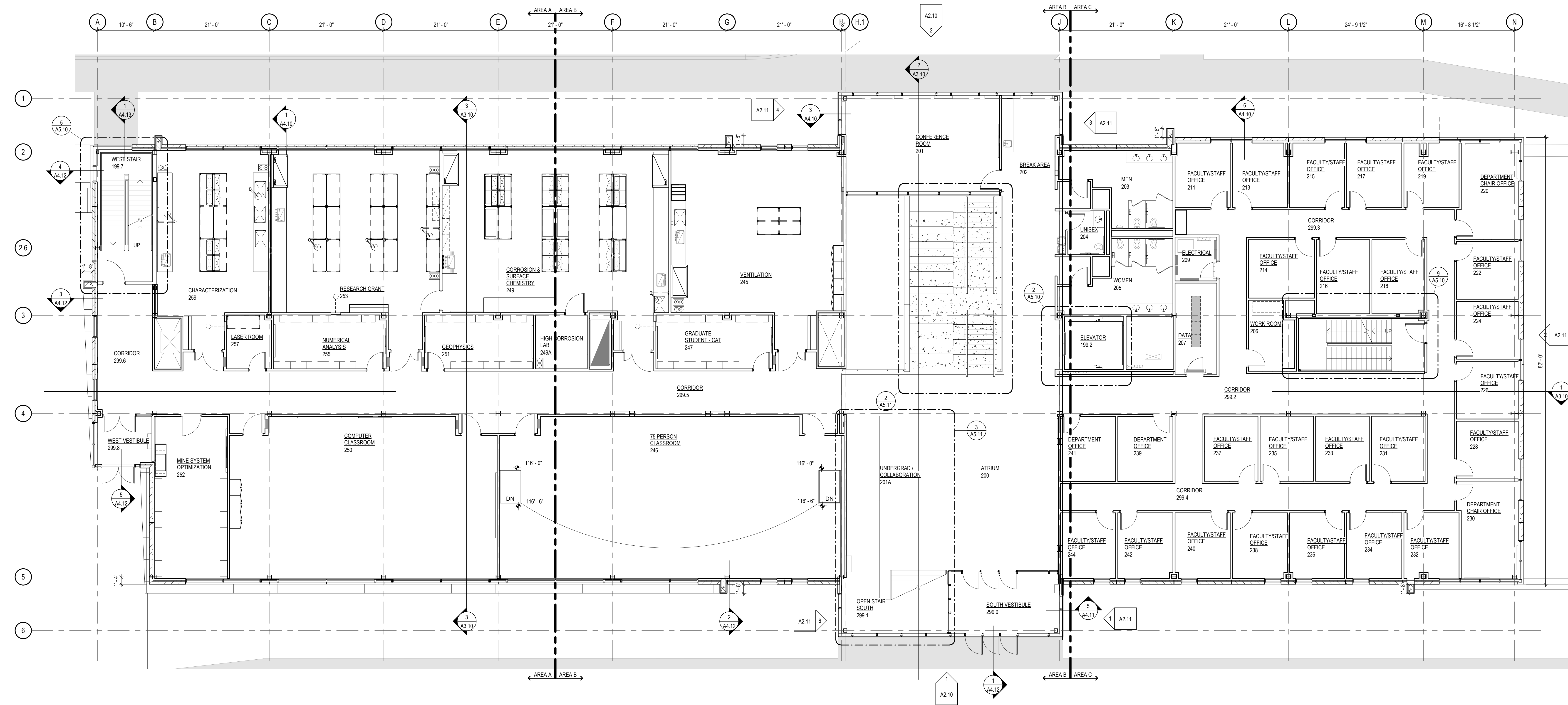
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor Plan

**A1.11**



**1 SECOND FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

### GENERAL PLAN NOTES

- ALL INTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF MASONRY, FACE OF CONCRETE, AND TO FACE OF GYP. BOARD, TYP.
- ALL EXTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF STUD AND FACE OF CONCRETE.
- CONSTRUCTION OF WALLS ARE DESIGNATED STARTING ON TAG SIDE OF WALL.
- REFER TO STRUCTURAL DRAWINGS FOR GROUTING AND REINFORCEMENT OF CMU WALLS.
- ALL INTERIOR WALL FRAMING NOTED IN WALL TYPE SCHEDULE EXTENDS TO STRUCTURAL DECKING, BRACE AS REQUIRED. PROVIDE DEEP LEG SLIP TRACK AT TOP OF ALL INTERIOR WALLS / STUDS EXTENDING TO STRUCTURE TO ALLOW FOR DEFLECTION OF STRUCTURE.
- INTERIOR DOOR FRAMES SHALL BE INSTALLED WITH THE HINGE SIDE OF DOOR FRAME 4" FROM ADJACENT WALL, UNLESS OTHERWISE DIMENSIONED.
- PROVIDE BULLNOSE UNITS @ ALL DOOR AND WINDOW OPENINGS, END WALLS, AND OUTSIDE CORNERS IN CMU WALLS.
- ALL STEEL STUDS ARE MIN. 25 GA. UNLESS NOTED OTHERWISE. 20 GA STEEL STUDS REQUIRED AT ALL CEMENTITIOUS BACKER BOARD AND ABUSE RESISTANT GYPSUM BOARD AS SPECIFIED.
- 5/8" CEMENTITIOUS BACKER BOARD SHALL BE SUBSTITUTED FOR GYP. BOARD IN ALL LOCATIONS WHERE CERAMIC AND/OR PORCELAIN WALL TILE FINISHES ARE TO BE INSTALLED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PRICING AND INSTALLATION OF APPROPRIATE FRAMING NEEDED FOR WALLS HEIGHT. REFER TO "INTERIOR STEEL STUD FRAMING GAGE TABLE (1)" ON SHEET A0.00 FOR FRAMING GAGES AND STUD SIZING REQUIREMENTS.
- REFER TO CODE COMPLIANCE PLANS FOR LOCATION OF FIRE RATED WALLS AND SMOKE SEPARATION WALL LOCATIONS AND REQUIREMENTS.
- ALL OPENINGS IN RATED ASSEMBLIES SHALL BE SEALED WITH FIRE / SMOKE RATED MATERIALS AND ASSEMBLIES. INSTALL RATED JOINT SEALANTS AT BOTH FACES OF PARTITIONS, AT PERIMETERS, AND THROUGH FIRE RATED ASSEMBLIES. REFERENCE CODE COMPLIANCE PLANS FOR LOCATION OF RATED ASSEMBLIES.
- ALL STC-RATED WALL ASSEMBLIES AND PARTITIONS INDICATED SHALL HAVE STAGGERED SHEATHING AND GYP. BOARD JOINTS ON OPPOSITE SIDES OF ASSEMBLIES. REFERENCE WALL TYPE SCHEDULE FOR SOUND ATTENUATION INSULATION REQUIRED WITHIN STUD CAVITIES. SEAL ASSEMBLIES AT CONSTRUCTION PERIMETERS, DECKING MATERIAL (TOP & BOTTOM), BEHIND CONTROL JOINTS, AND AT ALL OPENINGS AND PENETRATIONS WITH A CONTINUOUS BEAD OF ACOUSTICAL JOINT SEALANTS AT BOTH FACES OF ASSEMBLIES.
- ALL SPANDREL GLAZING SHALL HAVE METAL STUD AND OPDW FURRING WALLS AT INTERIOR SIDE OF GLAZING WHERE EXPOSED TO VIEW.
- ALL WALL BOARD IN MECHANICAL ROOMS SHALL BE MOLD & MOISTURE RESISTANT.

### Design Development

### South Dakota Mines - Mineral Industries Center of Excellence

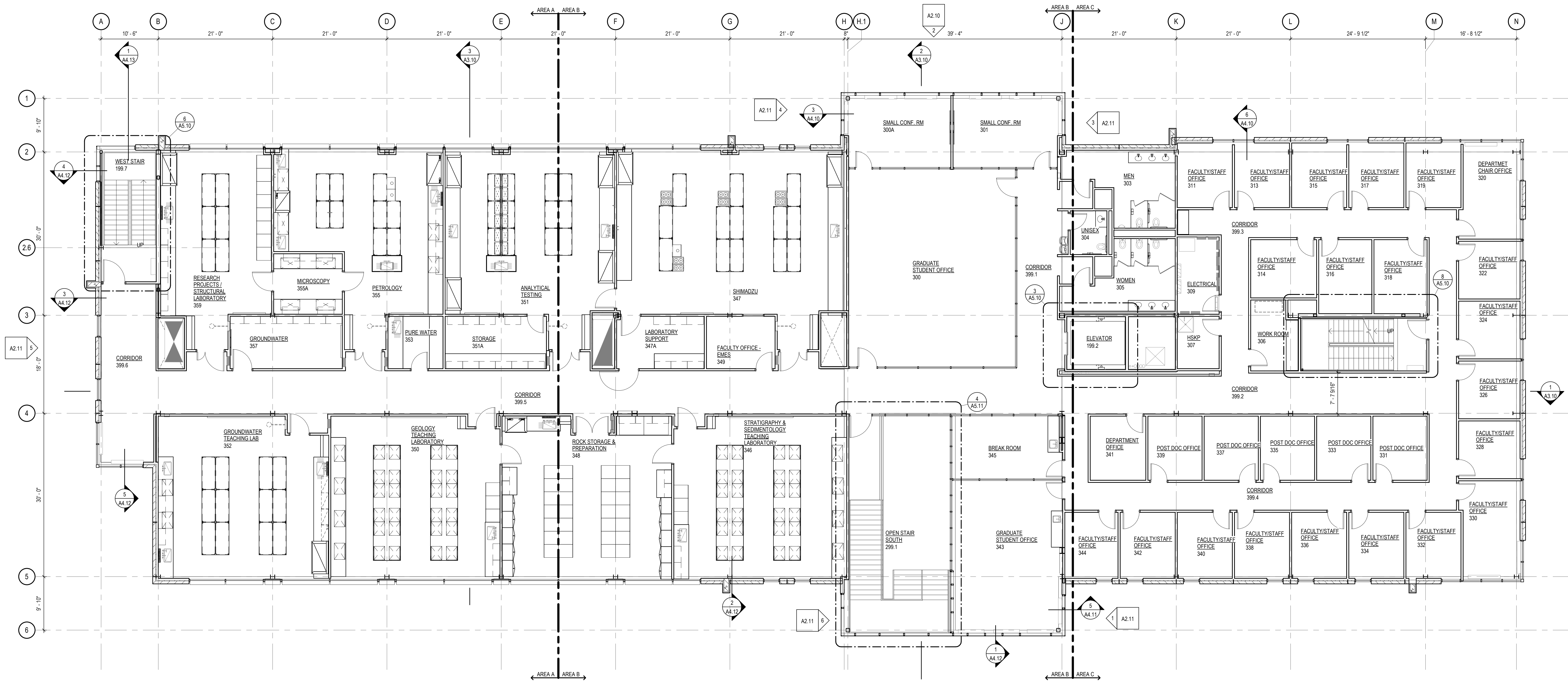
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor Plan

**A1.12**



1 THIRD FLOOR PLAN  
SCALE: 1/8" = 1'-0"

GENERAL PLAN NOTES

- ALL INTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF MASONRY, FACE OF CONCRETE, AND TO FACE OF GYP. BOARD, TYP.
- ALL EXTERIOR WALL / GENERAL PLAN DIMENSIONS ARE TO FACE OF STUD AND FACE OF CONCRETE.
- CONSTRUCTION OF WALLS ARE DESIGNATED STARTING ON TAG SIDE OF WALL.
- REFER TO STRUCTURAL DRAWINGS FOR GROUTING AND REINFORCEMENT OF CMU WALLS.
- ALL INTERIOR WALL FRAMING NOTED IN WALL TYPE SCHEDULE EXTENDS TO STRUCTURAL DECKING, BRACE AS REQUIRED. PROVIDE DEEP LEG SLIP TRACK AT TOP OF ALL INTERIOR WALLS / STUDS EXTENDING TO STRUCTURE TO ALLOW FOR DEFLECTION OF STRUCTURE.
- INTERIOR DOOR FRAMES SHALL BE INSTALLED WITH THE HINGE SIDE OF DOOR FRAME 4" FROM ADJACENT WALL, UNLESS OTHERWISE DIMENSIONED.
- PROVIDE BULLNOSE UNITS @ ALL DOOR AND WINDOW OPENINGS, END WALLS, AND OUTSIDE CORNERS IN CMU WALLS.
- ALL STEEL STUDS ARE MIN. 25 GA. UNLESS NOTED OTHERWISE. 20 GA STEEL STUDS REQUIRED AT ALL CEMENTITIOUS BACKER BOARD AND ABUSE RESISTANT GYPSUM BOARD AS SPECIFIED.
- 5/8" CEMENTITIOUS BACKER BOARD SHALL BE SUBSTITUTED FOR GYP. BOARD IN ALL LOCATIONS WHERE CERAMIC AND /OR PORCELAIN WALL TILE FINISHES ARE TO BE INSTALLED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PRICING AND INSTALLATION OF APPROPRIATE FRAMING NEEDED FOR WALLS HEIGHT. REFER TO "INTERIOR STEEL STUD FRAMING GAGE TABLE (1)" ON SHEET A0.00 FOR FRAMING GAGES AND STUD SIZING REQUIREMENTS.
- REFER TO CODE COMPLIANCE PLANS FOR LOCATION OF FIRE RATED WALLS AND SMOKE SEPARATION WALL LOCATIONS AND REQUIREMENTS.
- ALL OPENINGS IN RATED ASSEMBLIES SHALL BE SEALED WITH FIRE / SMOKE RATED MATERIALS AND ASSEMBLIES. INSTALL RATED JOINT SEALANTS AT BOTH FACES OF PARTITIONS, AT PERIMETERS, AND THROUGH FIRE RATED ASSEMBLIES. REFERENCE CODE COMPLIANCE PLANS FOR LOCATION OF RATED ASSEMBLIES.
- ALL STC-RATED WALL ASSEMBLIES AND PARTITIONS INDICATED SHALL HAVE STAGGERED SHEATHING AND GYP. BOARD JOINTS ON OPPOSITE SIDES OF ASSEMBLIES. REFERENCE WALL TYPE SCHEDULE FOR SOUND ATTENUATION INSULATION REQUIRED WITHIN STUD CAVITIES. SEAL ASSEMBLIES AT CONSTRUCTION PERIMETERS, DECKING MATERIAL (TOP & BOTTOM), BEHIND CONTROL JOINTS, AND AT ALL OPENINGS AND PENETRATIONS WITH A CONTINUOUS BEAD OF ACOUSTICAL JOINT SEALANT. INSTALL ACOUSTICAL JOINT SEALANTS AT BOTH FACES OF ASSEMBLIES.
- ALL SPANDREL GLAZING SHALL HAVE METAL STUD AND GPDW FURRING WALLS AT INTERIOR SIDE OF GLAZING WHERE EXPOSED TO VIEW.
- ALL WALL BOARD IN MECHANICAL ROOMS SHALL BE MOLD & MOISTURE RESISTANT.

Design Development

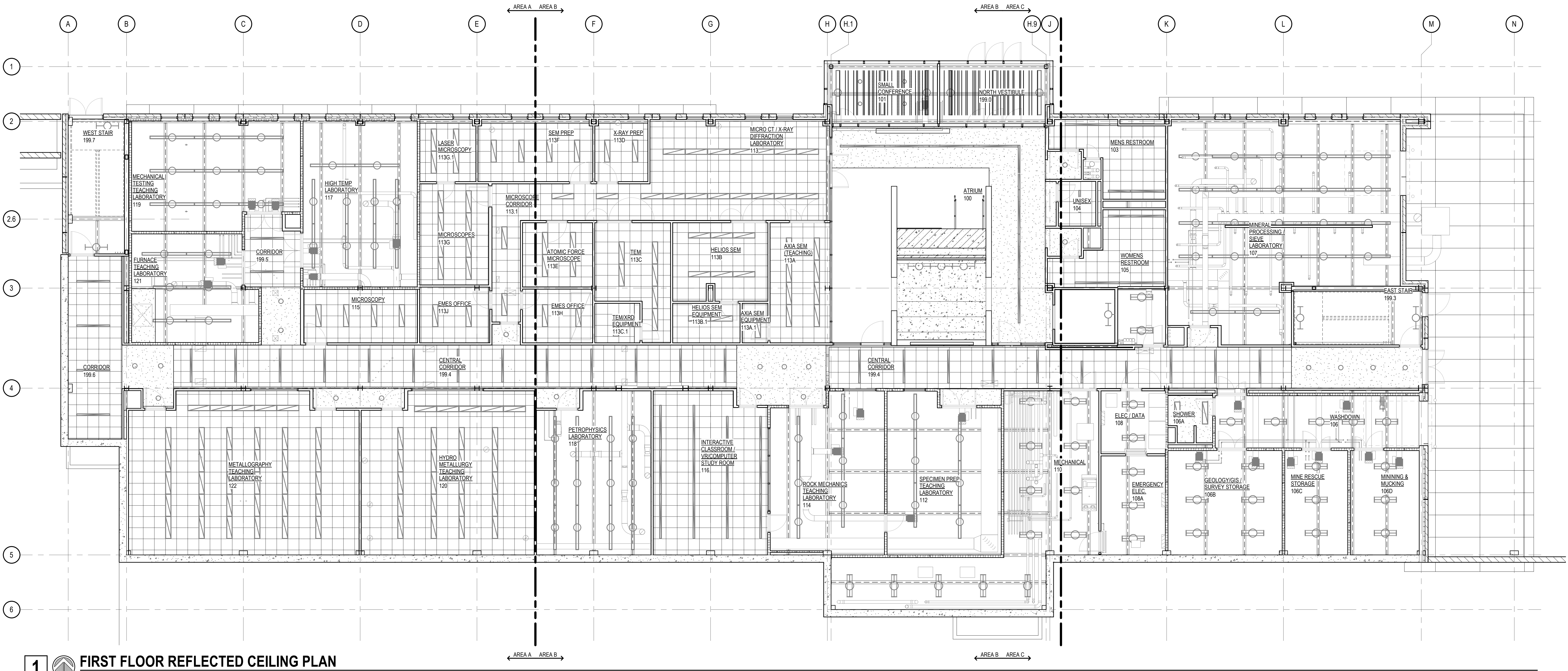
South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





## REFLECTED CLG GENERAL NOTES:

- GPW BULKHEADS SHALL BE FRAMED WITH 25 GAUGE 3/8" STEEL STUDS @ 16" O.C. AND 5/8" TYPE 'X' GPW TO 6" ABOVE FINISH CEILING. BRACE AS REQUIRED.
- LIGHTING FIXTURES AND MECHANICAL DIFFUSERS / GRILLES ARE SHOWN FOR REFERENCE ONLY. SEE ELECTRICAL AND MECHANICAL DRAWINGS FOR EXACT LOCATIONS.
- ELEVATION TAGS ARE IN REFERENCE TO ARCHITECTURAL ELEVATIONS.
- WHERE CEILINGS ARE EXPOSED TO STRUCTURE ABOVE, PAINT ALL UNFINISHED MATERIALS OVERHEAD INCLUDING, BUT NOT LIMITED TO ROOF DECKING, DUCTS, PIPES, CONDUITS & JUNCTION BOXES. SEE FINISH SHEETS FOR PAINT.
- PROVIDE ACCESS PANELS AS REQUIRED IN HARD LID CEILINGS. COORDINATE WITH MECHANICAL AND ELECTRICAL ACCESS REQUIREMENTS.

## REFLECTED CLG LEGEND

	5/8" SUSPENDED GPW CEILING SYSTEM
	ACOUSTICAL PANEL CEILING SYSTEM. SEE ROOM FINISH SCHEDULE & RCP FOR TYPE.
	2x2 ACCESS PANEL. REF: SPEC.
	RECESSED & PENDANT MOUNTED LIGHT FIXTURES. REF: ELECTRICAL
	RECESSED DOWNLIGHT. REF: ELECTRICAL
	EXIT SIGNAGE. REF: ELECTRICAL
	RETURN AIR / EXHAUST AIR GRILLE. REF: MECHANICAL
	SUPPLY AIR DIFFUSER. REF: MECHANICAL

## RCP ABBREVIATIONS

APC - ACOUSTICAL PANEL CEILING  
MPS - METAL PANEL SOFFIT  
GPW - GYPSUM DRY WALL  
AFB - ACOUSTICAL FELT BAFFLE

## Design Development

### South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

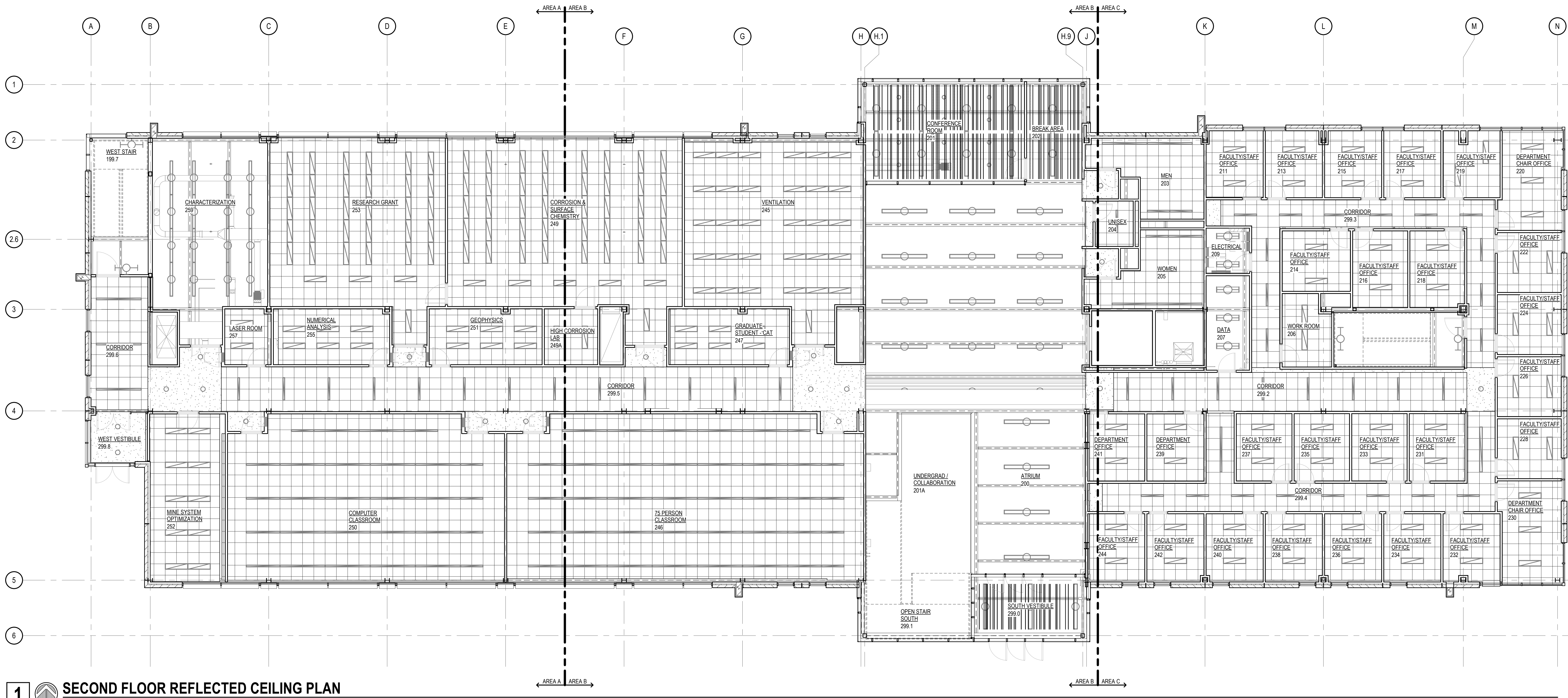
## DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor Reflected  
Ceiling Plan

# A1.21





REFLECTED CLG GENERAL NOTES:

- GPW BULKHEADS SHALL BE FRAMED WITH 25 GAUGE 3 5/8\"/>
- LIGHTING FIXTURES AND MECHANICAL DIFFUSERS / GRILLES ARE SHOWN FOR REFERENCE ONLY. SEE ELECTRICAL AND MECHANICAL DRAWINGS FOR EXACT LOCATIONS.
- ELEVATION TAGS ARE IN REFERENCE TO ARCHITECTURAL ELEVATIONS.
- WHERE CEILINGS ARE EXPOSED TO STRUCTURE ABOVE, PAINT ALL UNFINISHED MATERIALS OVERHEAD INCLUDING, BUT NOT LIMITED TO ROOF DECKING, DUCTS, PIPES, CONDUITS & JUNCTION BOXES. SEE FINISH SHEETS FOR PAINT.
- PROVIDE ACCESS PANELS AS REQUIRED IN HARD LID CEILINGS. COORDINATE WITH MECHANICAL AND ELECTRICAL ACCESS REQUIREMENTS.

REFLECTED CLG LEGEND

	5/8\"/>
	ACOUSTICAL PANEL CEILING SYSTEM. SEE ROOM FINISH SCHEDULE & RCP FOR TYPE.
	2x2 ACCESS PANEL. REF: SPEC.
	RECESSED & PENDANT MOUNTED LIGHT FIXTURES. REF: ELECTRICAL.
	RECESSED DOWNLIGHT. REF: ELECTRICAL.
	EXIT SIGNAGE. REF: ELECTRICAL.
	RETURN AIR / EXHAUST AIR GRILLE. REF: MECHANICAL.
	SUPPLY AIR DIFFUSER. REF: MECHANICAL.

RCP ABBREVIATIONS

APC - ACOUSTICAL PANEL CEILING  
MPS - METAL PANEL SOFFIT  
GPW - GYPSUM DRY WALL  
AFB - ACOUSTICAL FELT BAFFLE

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

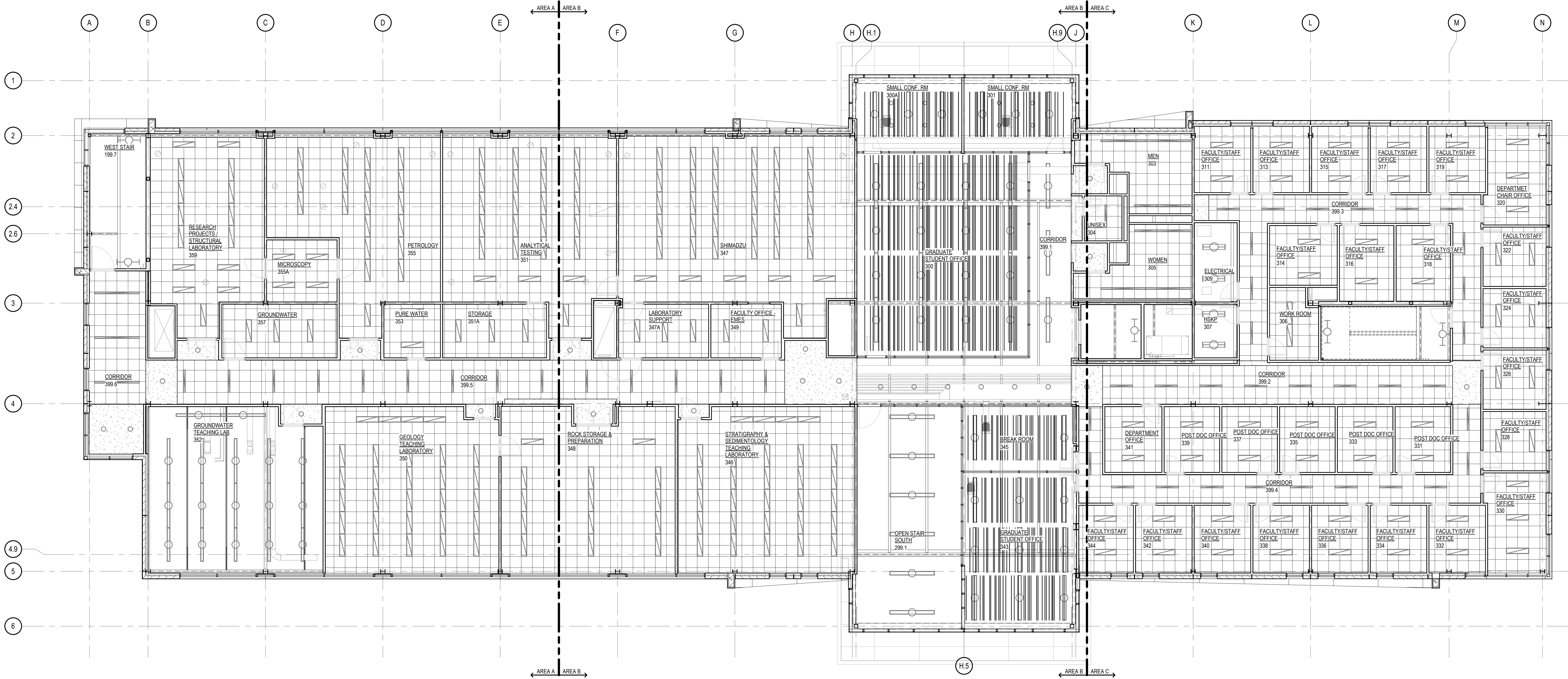
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY SUBMISSION AND REVIEW ONLY -- NOT FOR CONSTRUCTION.

Second Floor Reflected Ceiling Plan

A1.22



**1 THIRD FLOOR REFLECTED CEILING PLAN**  
SCALE: 1/8" = 1'-0"

### REFLECTED CLG GENERAL NOTES:

- GPW BULKHEADS SHALL BE FRAMED WITH 25 GAUGE 3/8" STEEL STUDS @ 16" O.C. AND 5/8" TYPE 'X' GPW TO 6" ABOVE FINISH CEILING. BRACE AS REQUIRED.
- LIGHTING FIXTURES AND MECHANICAL DIFFUSERS / GRILLES ARE SHOWN FOR REFERENCE ONLY. SEE ELECTRICAL AND MECHANICAL DRAWINGS FOR EXACT LOCATIONS.
- ELEVATION TAGS ARE IN REFERENCE TO ARCHITECTURAL ELEVATIONS.
- WHERE CEILINGS ARE EXPOSED TO STRUCTURE ABOVE, PAINT ALL UNFINISHED MATERIALS OVERHEAD INCLUDING, BUT NOT LIMITED TO ROOF DECKING, DUCTS, PIPES, CONDUITS & JUNCTION BOXES; SEE FINISH SHEETS FOR PAINT.
- PROVIDE ACCESS PANELS AS REQUIRED IN HARD LID CEILINGS. COORDINATE WITH MECHANICAL AND ELECTRICAL ACCESS REQUIREMENTS.

### REFLECTED CLG LEGEND

	5/8" SUSPENDED GPW CEILING SYSTEM
	ACOUSTICAL PANEL CEILING SYSTEM. SEE ROOM FINISH SCHEDULE & RCP FOR TYPE.
	2x2 ACCESS PANEL. REF. SPEC.
	RECESSED & PENDANT MOUNTED LIGHT FIXTURES. REF. ELECTRICAL
	RECESSED DOWNLIGHT. REF. ELECTRICAL
	EXIT SIGNAGE. REF. ELECTRICAL
	RETURN AIR / EXHAUST AIR GRILLE. REF. MECHANICAL
	SUPPLY AIR DIFFUSER. REF. MECHANICAL

### RCP ABBREVIATIONS

APC - ACOUSTICAL PANEL CEILING  
MPS - METAL PANEL SOFFIT  
GPW - GYPSUM DRY WALL  
AFB - ACOUSTICAL FELT BAFFLE

### Design Development

### South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

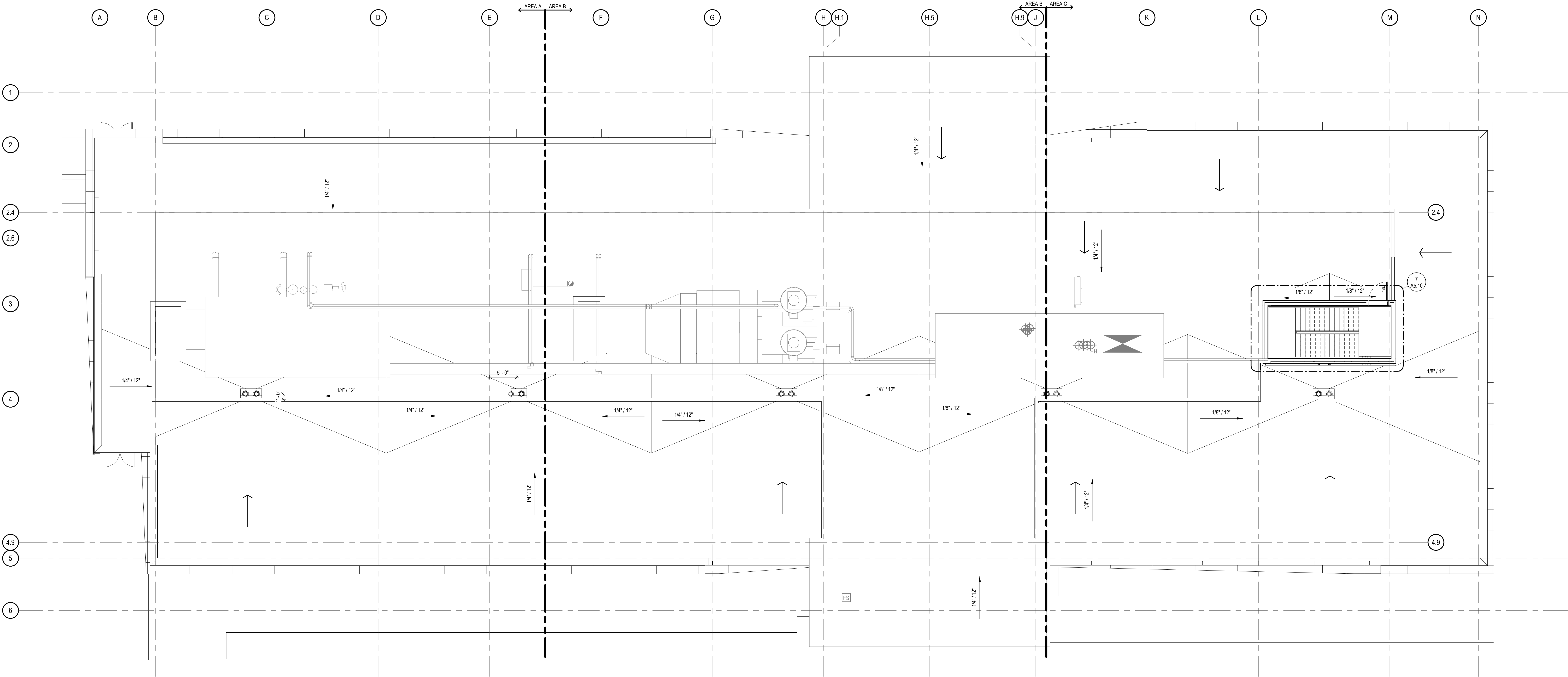
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

### DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor Reflected  
Ceiling Plan

# A1.23



**1 ROOF PLAN**  
SCALE: 1/8" = 1'-0"

**ROOF PLAN GENERAL NOTES:**

- ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH - THE NRCA ROOFING MANUAL- MEMBRANE ROOF SYSTEMS - 2007.
- ROOFING SYSTEM SHALL BE A **60mil FULL FASTENED TPO ROOFING SYSTEM OVER POLYISOCYANURATE ROOF INSULATION. SYSTEM SHOULD QUALIFY FOR A MINIMUM 20 YEAR WARRANTY.**
- ROOF INSULATION THICKNESS SHALL BE PROVIDED AS NOTED ON ROOF PLAN.
- THE ROOF SLOPE SHALL BE 1/4" PER FOOT UNLESS INDICATED OTHERWISE OR AS REQUIRED FOR CRICKETS AND SADDLES. SLOPE DIRECTION IS DOWN AS INDICATED. SLOPE IS NOTED IN DISTANCE PER FOOT.
- TYPICAL NOTATION (1'-4 1/2" @ g) INDICATES THE HEIGHT OR THICKNESS OF MATERIALS ABOVE THE ROOF DECK INCLUDING TAPERED POLYISOCYANURATE INSULATION, AND/OR TYP. BASE POLYISOCYANURATE INSULATION THICKNESS. SLOPE REQUIREMENTS DICTATE THICKNESSES- VERIFY THICKNESS INDICATIONS.
- PROVIDE CHAMFERS, CRICKETS AND SADDLES AS REQUIRED @ INSULATION HEIGHT TRANSITIONS & OBSTRUCTIONS TO DRAINAGE.
- VERIFY ALL MECHANICAL PENETRATIONS WITH MECHANICAL AND FOOD SERVICE DRAWINGS AND MECHANICAL CONTRACTOR.
- PROVIDE ROOF WALKWAY PADS MIN 30" WIDE IN WALK-WAY AREAS TO AND AROUND MECHANICAL EQUIPMENT, & @ TOP & BOTTOM OF LADDER LOCATIONS, & DOWNSPOUT LOCATIONS AS PER THE ROOFING MANUFACTURER'S ROOFING WARRANTY REQUIREMENTS.
- INSTALL ROOF DRAINS IN ACCORDANCE WITH NRCA ROOFING MANUAL. INSTALL NEW ACCESSORIES AS REQUIRED PER ORIGINAL MANUFACTURER.
- INSTALL THROUGH WALL SCUPPERS, CONDUCTOR HEADS AND DOWNSPOUTS IN ACCORDANCE WITH SHEET METAL AND AIR CONDITIONING CONTRACTORS NATIONAL ASSOCIATION (SMACNA) AND NATIONAL ROOFING CONTRACTORS ASSOCIATION (NRCA) ROOFING MANUAL.
- INSTALL MECHANICAL EQUIPMENT WITH 12" MINIMUM TO TOP OF CURB FROM ADJACENT NEW ROOF MEMBRANE & PROVIDE 2-PIECE FLASHING ADJUST CURBS AS NECESSARY TO MAINTAIN MINIMUM FLASHING REQUIREMENTS.

1	KEY NOTES (ROOF PLAN ONLY)
1	

ROOF DRAIN AREA CALCULATIONS			
	FLAT AREA	VERTICAL AREA/2	TOTAL SQUARE FOOTAGE
DRAIN 1	3,913 SF	185 SF	4,098 SF
DRAIN 2	3,900 SF	102 SF	4,002 SF
DRAIN 3	4,590 SF	420 SF	5,010 SF
DRAIN 4	4,628 SF	458 SF	5,086 SF
DRAIN 5	4,393 SF	191 SF	4,584 SF

**Design Development**

**South Dakota Mines - Mineral Industries Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**

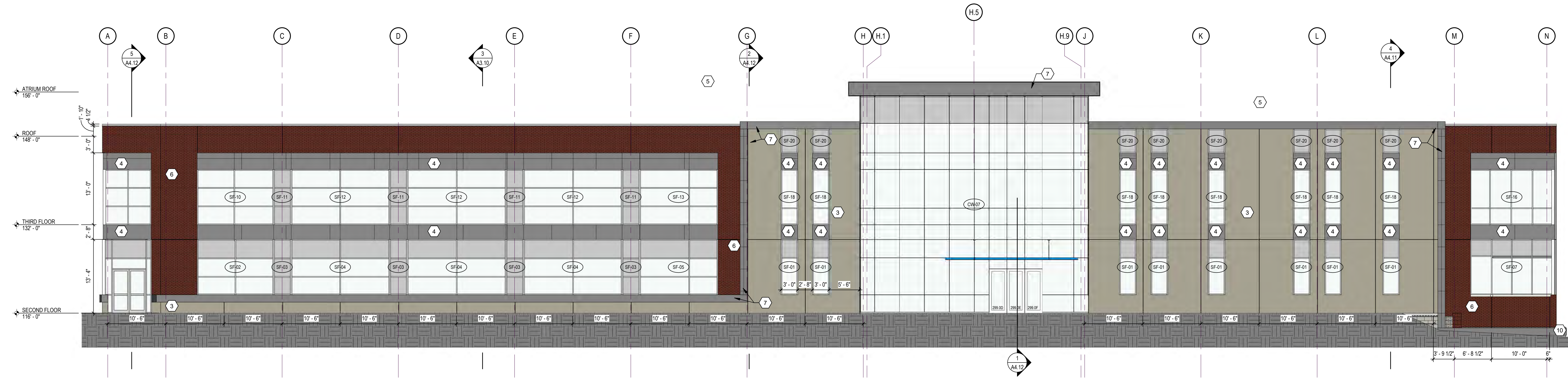
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Roof Plan

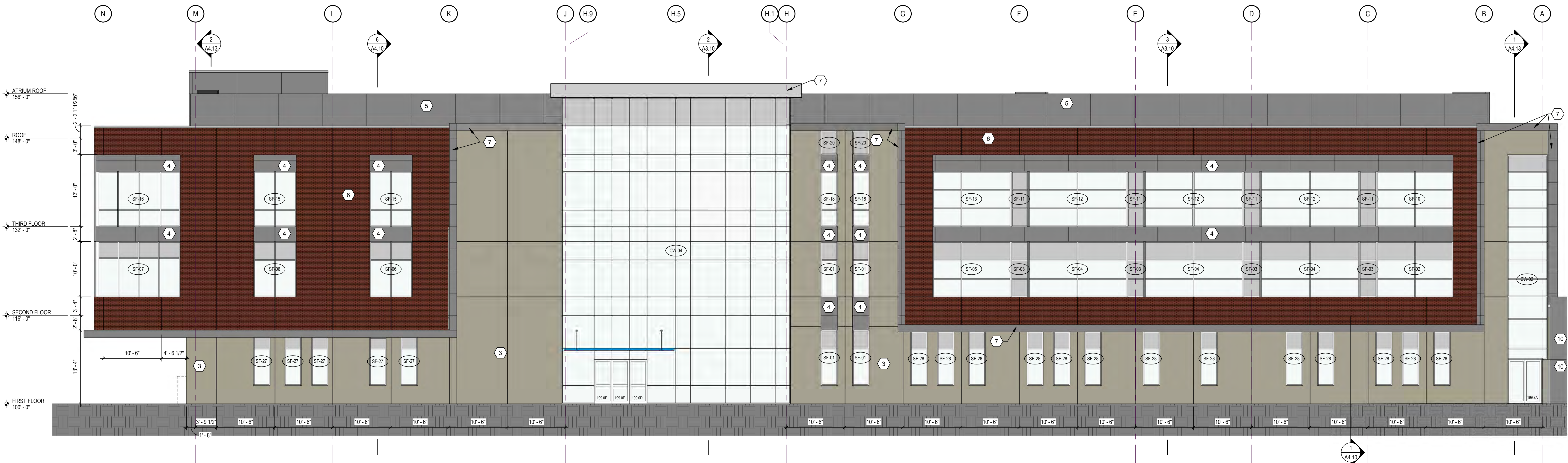
**A1.30**



1	KEY NOTES (EXTERIOR ELEVATIONS ONLY)
1	STORE FRONT GLAZING
3	PRECAST COLORED CONCRETE PANEL
4	INSULATED METAL PANEL
5	METAL PANEL SCREEN WALL
6	PRECAST CONCRETE PANEL WITH BRICK INLAY
7	METAL PANEL FASCIA AND SOFFIT
8	OVERHEAD DOORS
9	BOLLARDS
10	RETAINING WALL



1 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

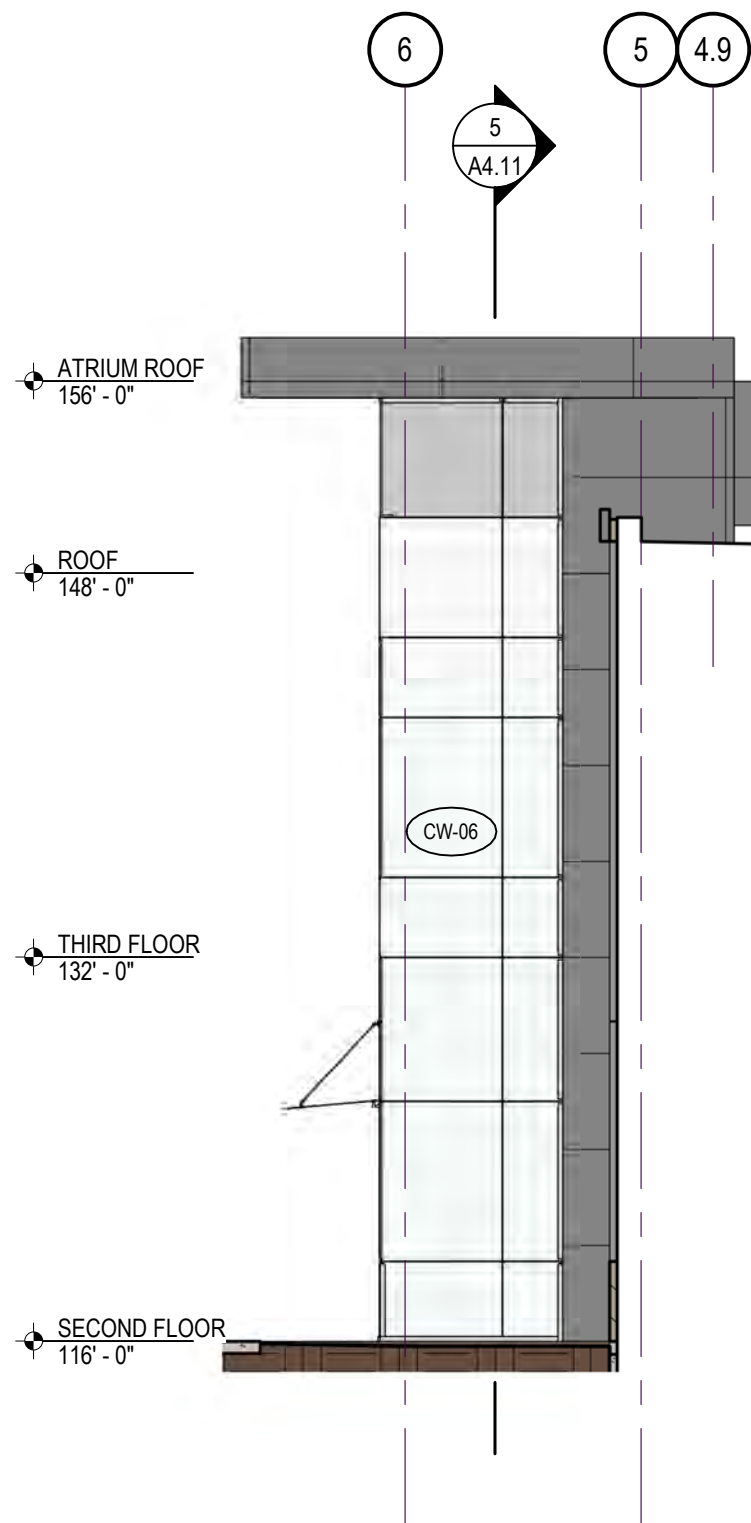
DRAFT  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Exterior Elevations

A2.10



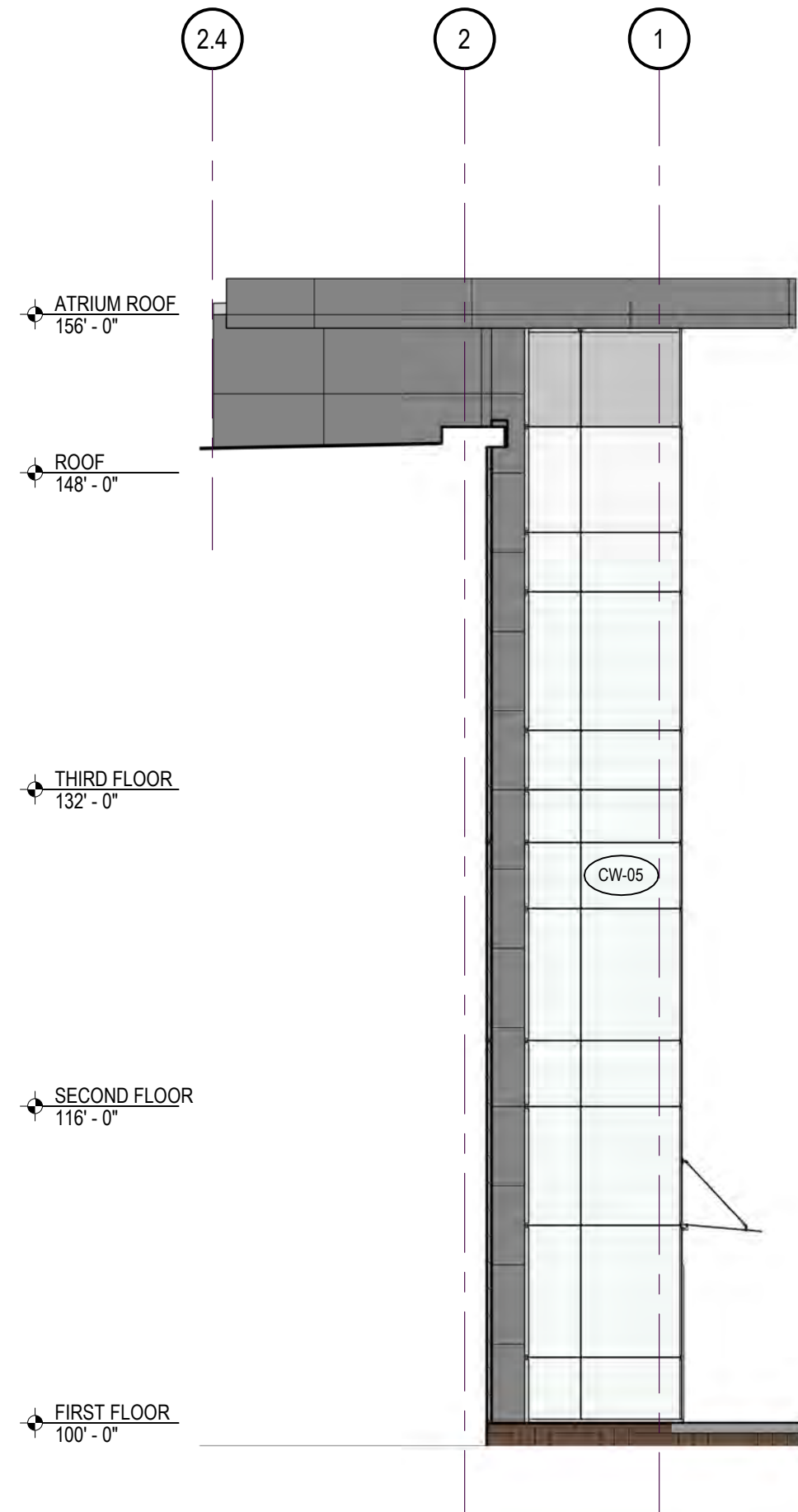
1	KEY NOTES (EXTERIOR ELEVATIONS ONLY)
1	STORE FRONT GLAZING
3	PRECAST COLORED CONCRETE PANEL
4	INSULATED METAL PANEL
5	METAL PANEL SCREEN WALL
6	PRECAST CONCRETE PANEL WITH BRICK INLAY
7	METAL PANEL FASCIA AND SOFFIT
8	OVERHEAD DOORS
9	BOLLARDS
10	RETAINING WALL



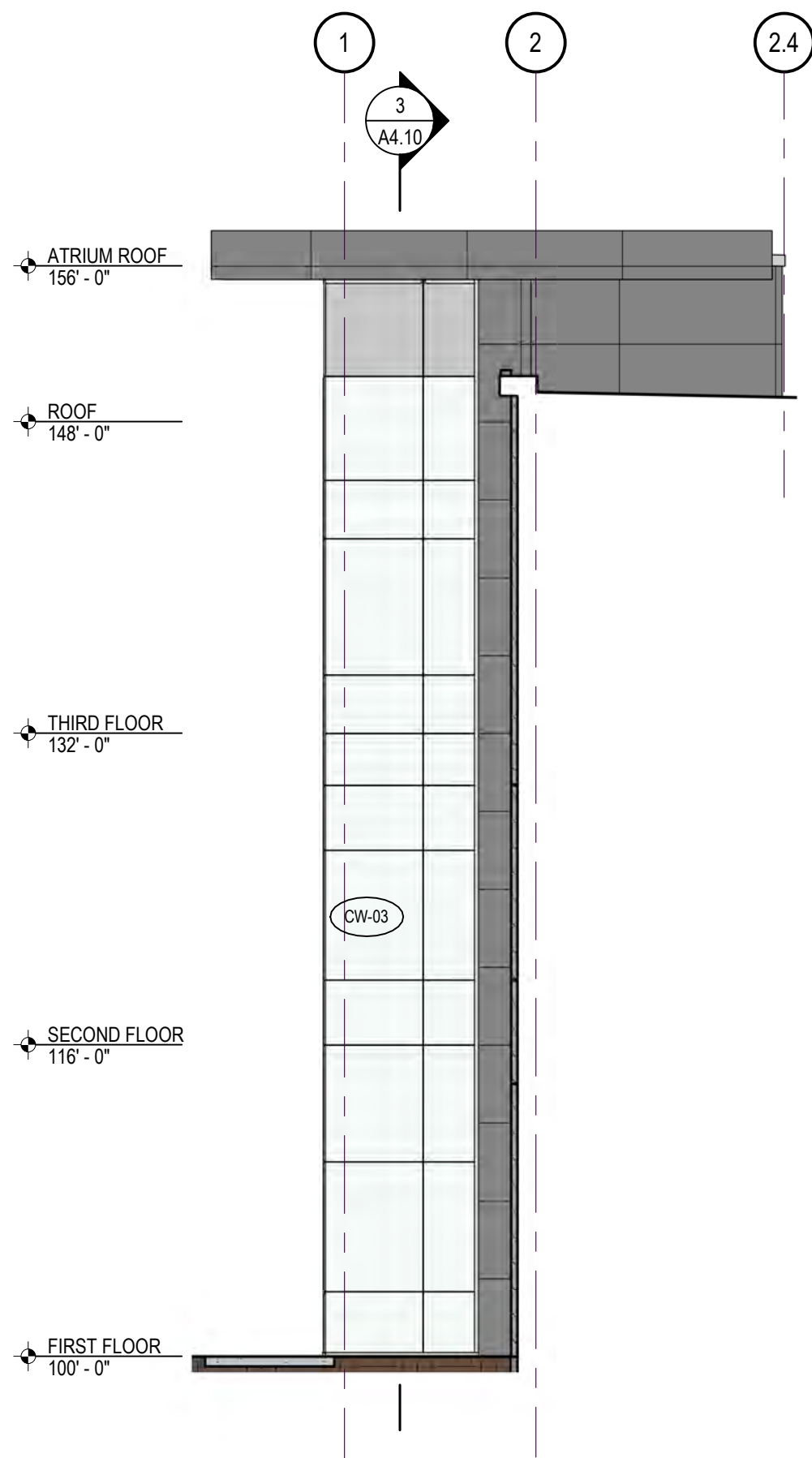
1 ELEVATION ATRIUM S - EAST  
SCALE: 1/8" = 1'-0"



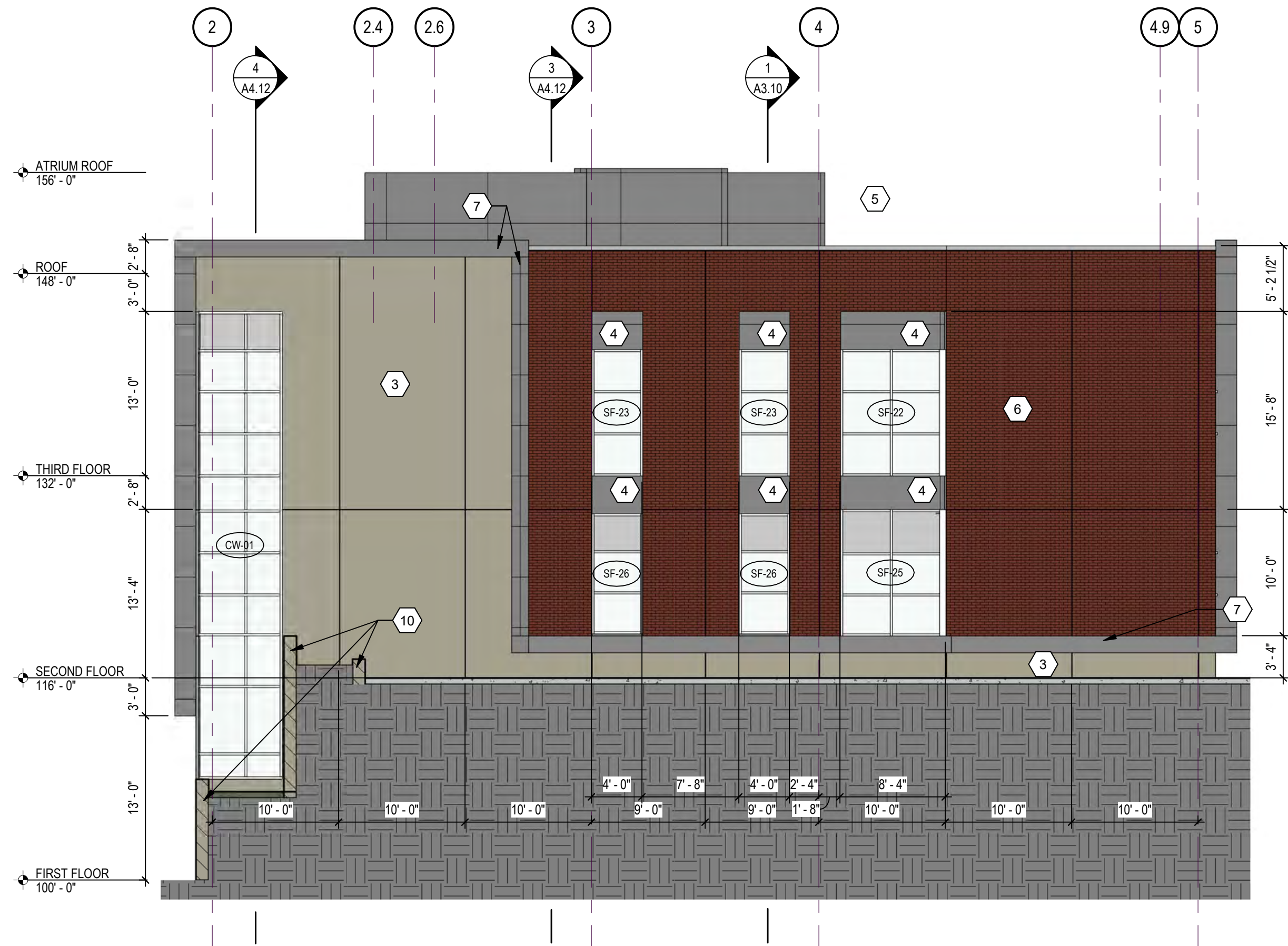
2 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



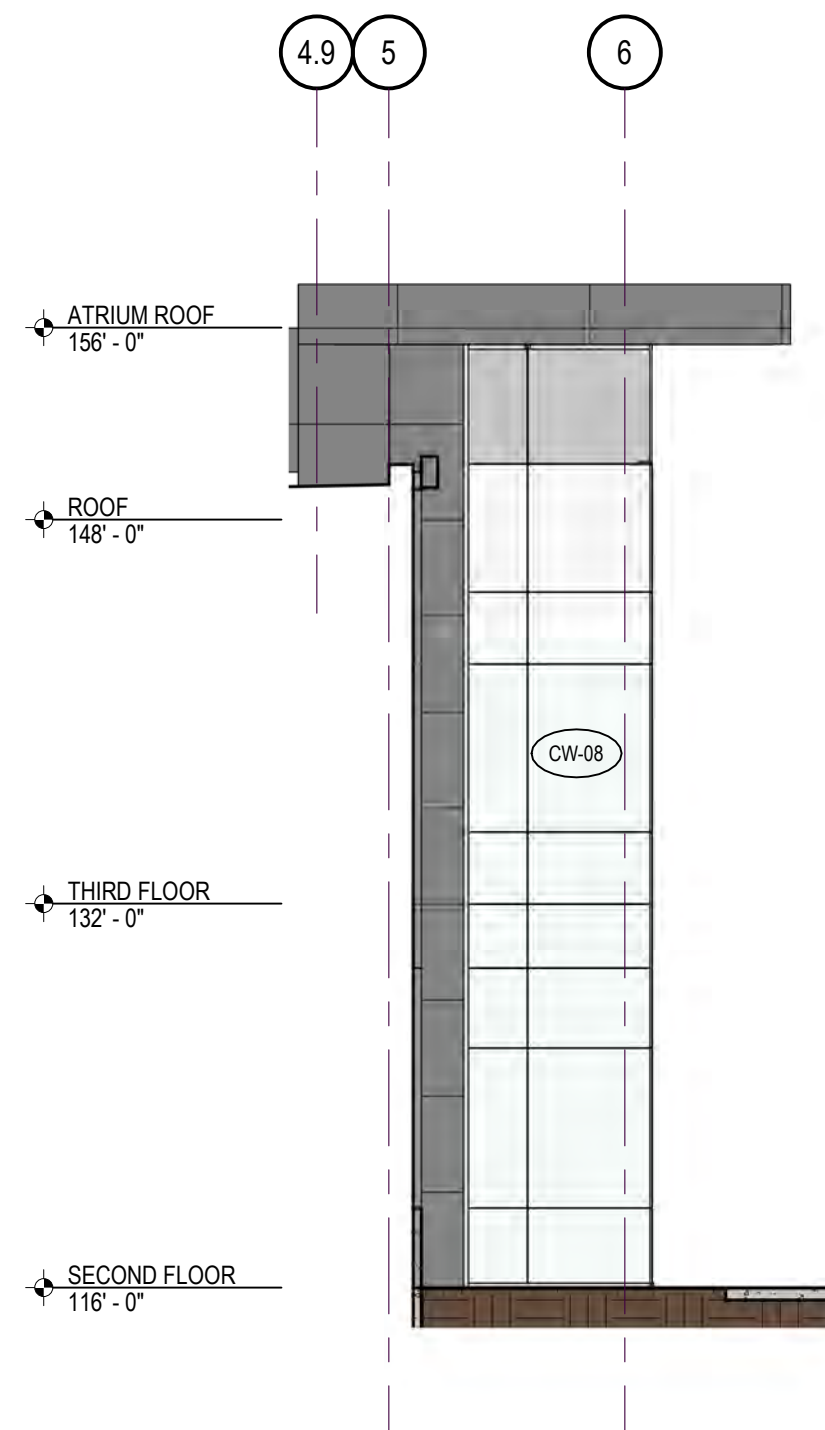
3 ELEVATION ATRIUM N - EAST  
SCALE: 1/8" = 1'-0"



4 ELEVATION ATRIUM N - WEST  
SCALE: 1/8" = 1'-0"



5 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



6 ELEVATION ATRIUM S - WEST  
SCALE: 1/8" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

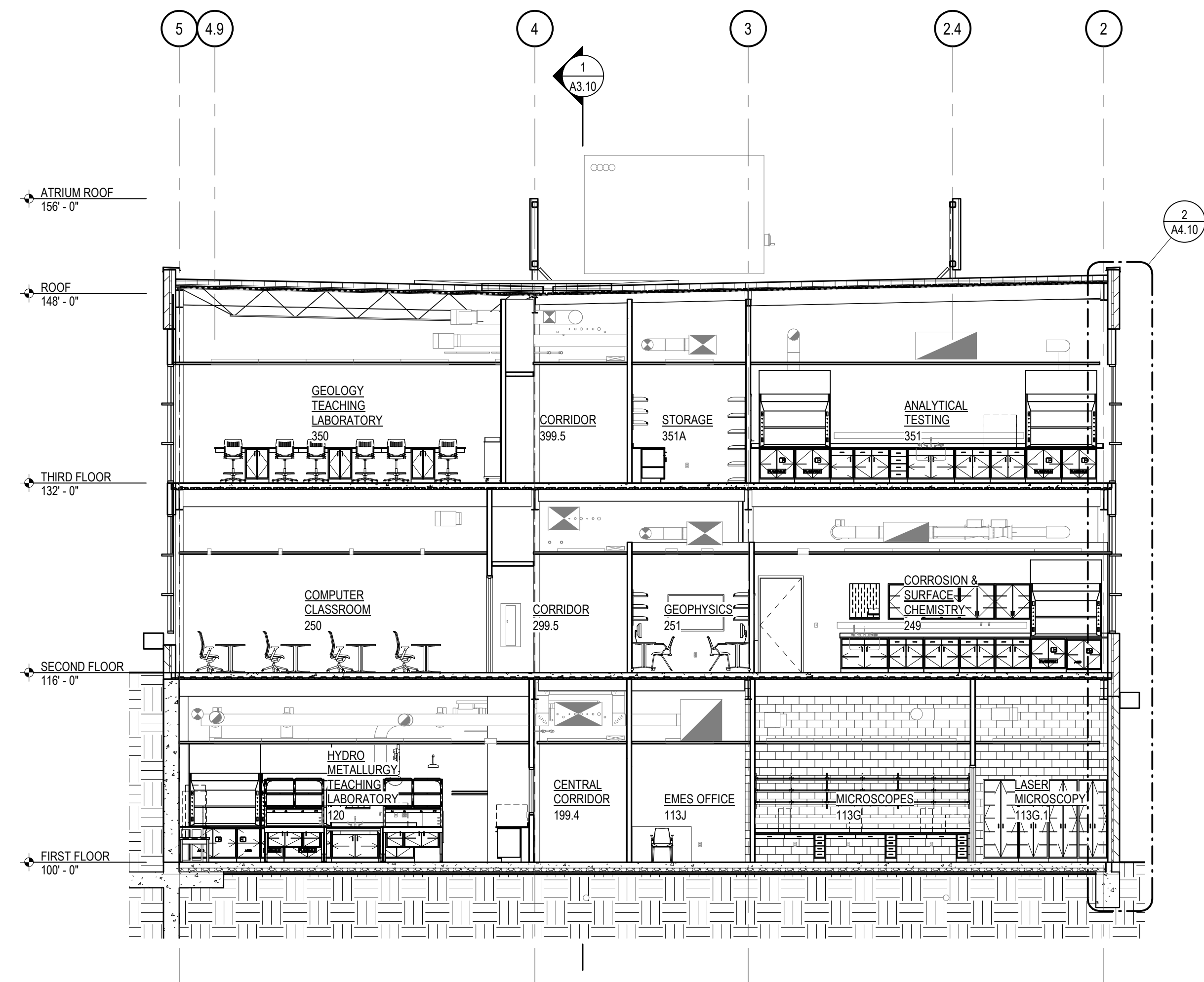
DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

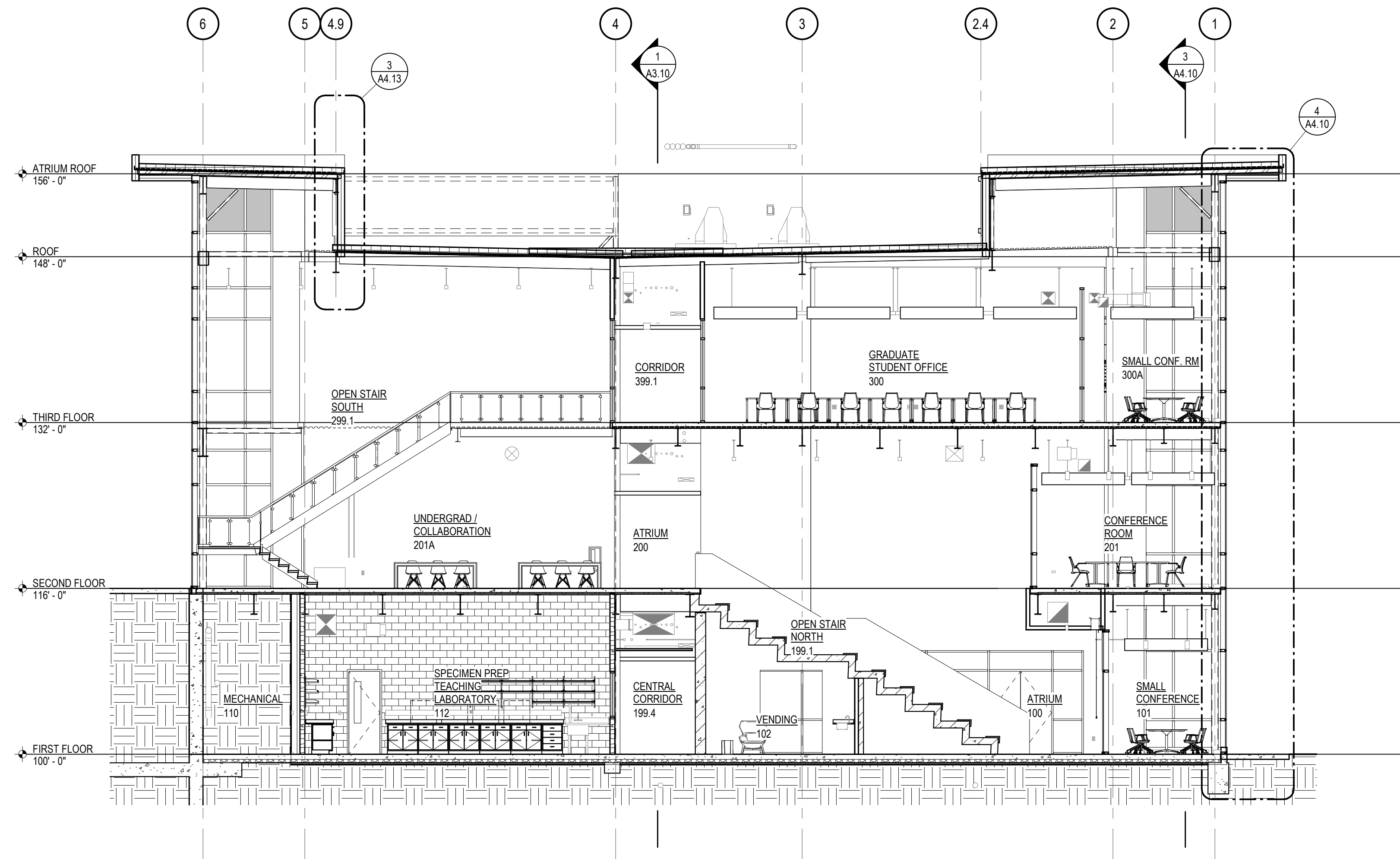
Exterior Elevations

A2.11

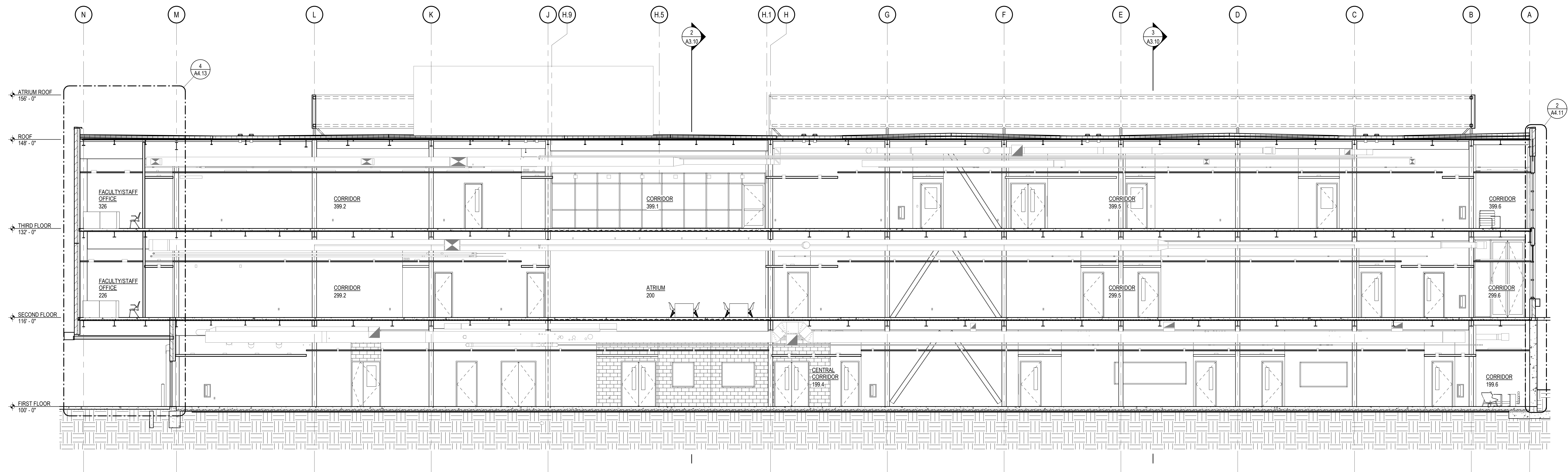




3 N-S BUILDING SECTION 2  
SCALE: 1/8" = 1'-0"



2 N-S BUILDING SECTION 1  
SCALE: 1/8" = 1'-0"



1 E-W BUILDING CROSS SECTION  
SCALE: 1/8" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

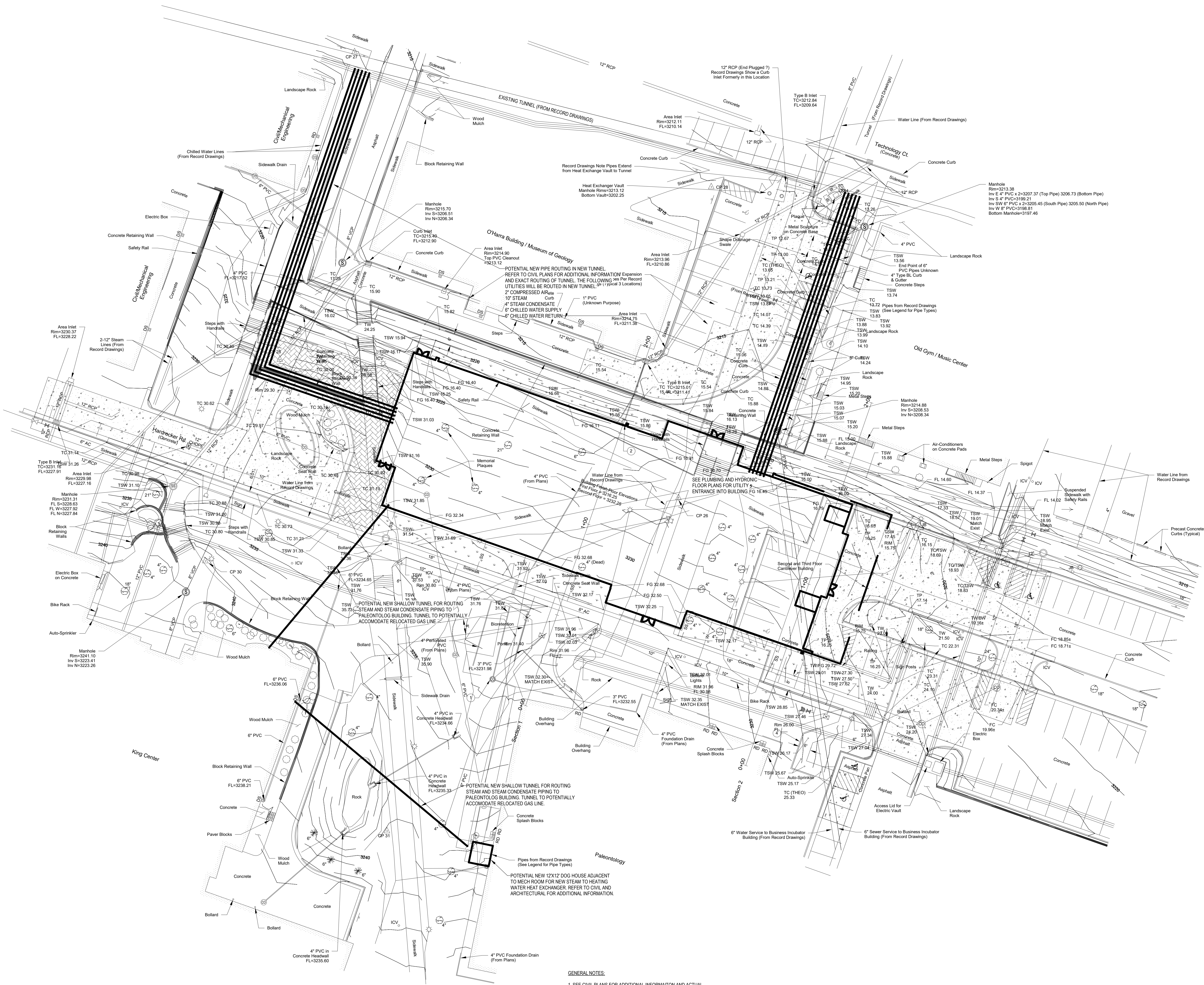
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Building Cross Sections

A3.10





Mechanical Site Plan  
SCALE: 1" = 20'-0"

- GENERAL NOTES:
1. SEE CIVIL PLANS FOR ADDITIONAL INFORMATION AND ACTUAL TUNNEL ROUTING AND DETAILS.
  2. MULTIPLE ROUTING OPTIONS ARE SHOWN AND ARE CURRENTLY BEING EVALUATED. FINAL ROUTING WILL BE DETERMINED IN SUBSEQUENT DESIGN PHASES.
  3. SIZES SHOWN ARE PRELIMINARY AND WILL BE REFINED IN SUBSEQUENT DESIGN PHASES.

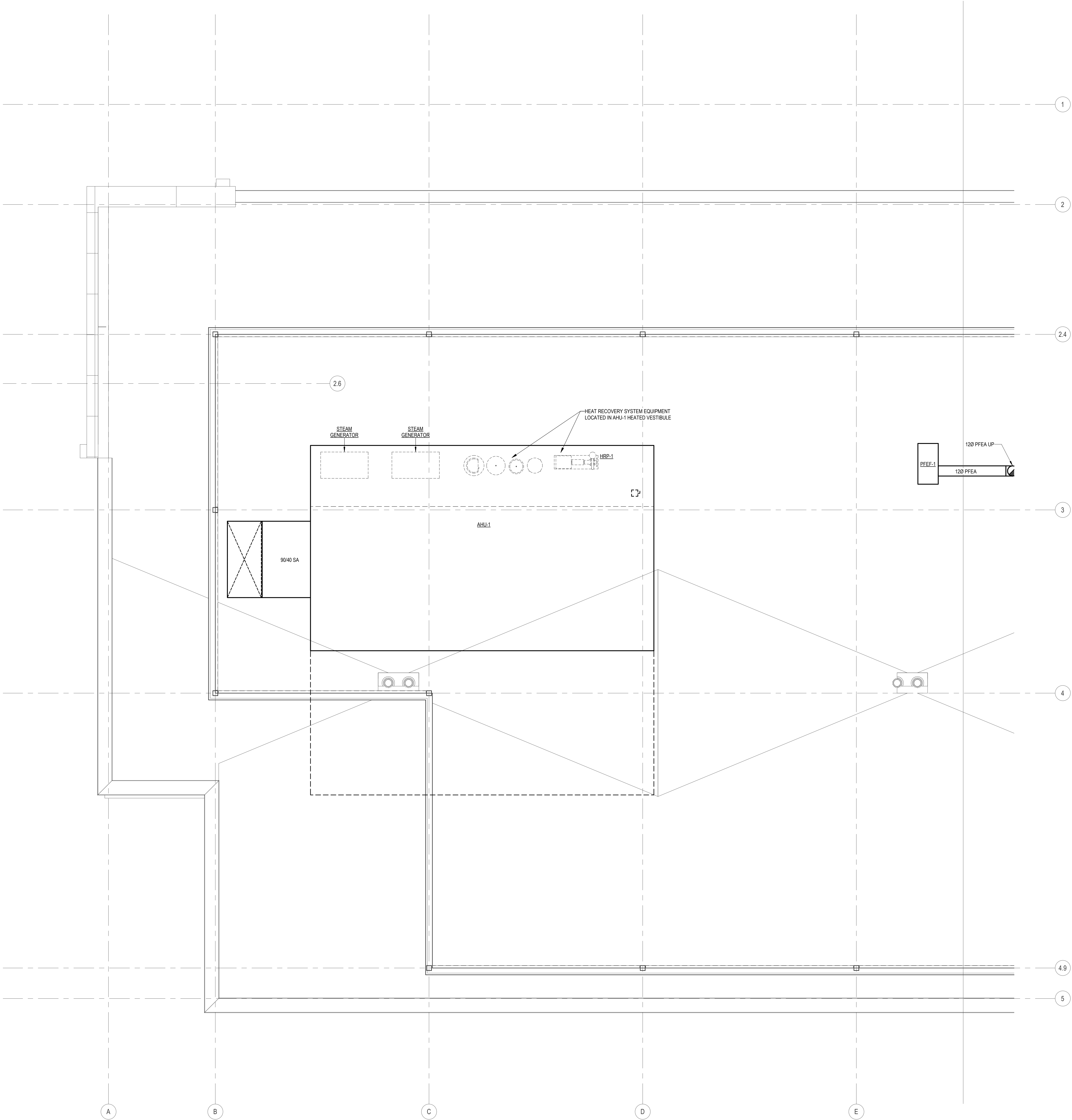
Design Development

South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



**Design Development**

**South Dakota Mines - Mineral Industries Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

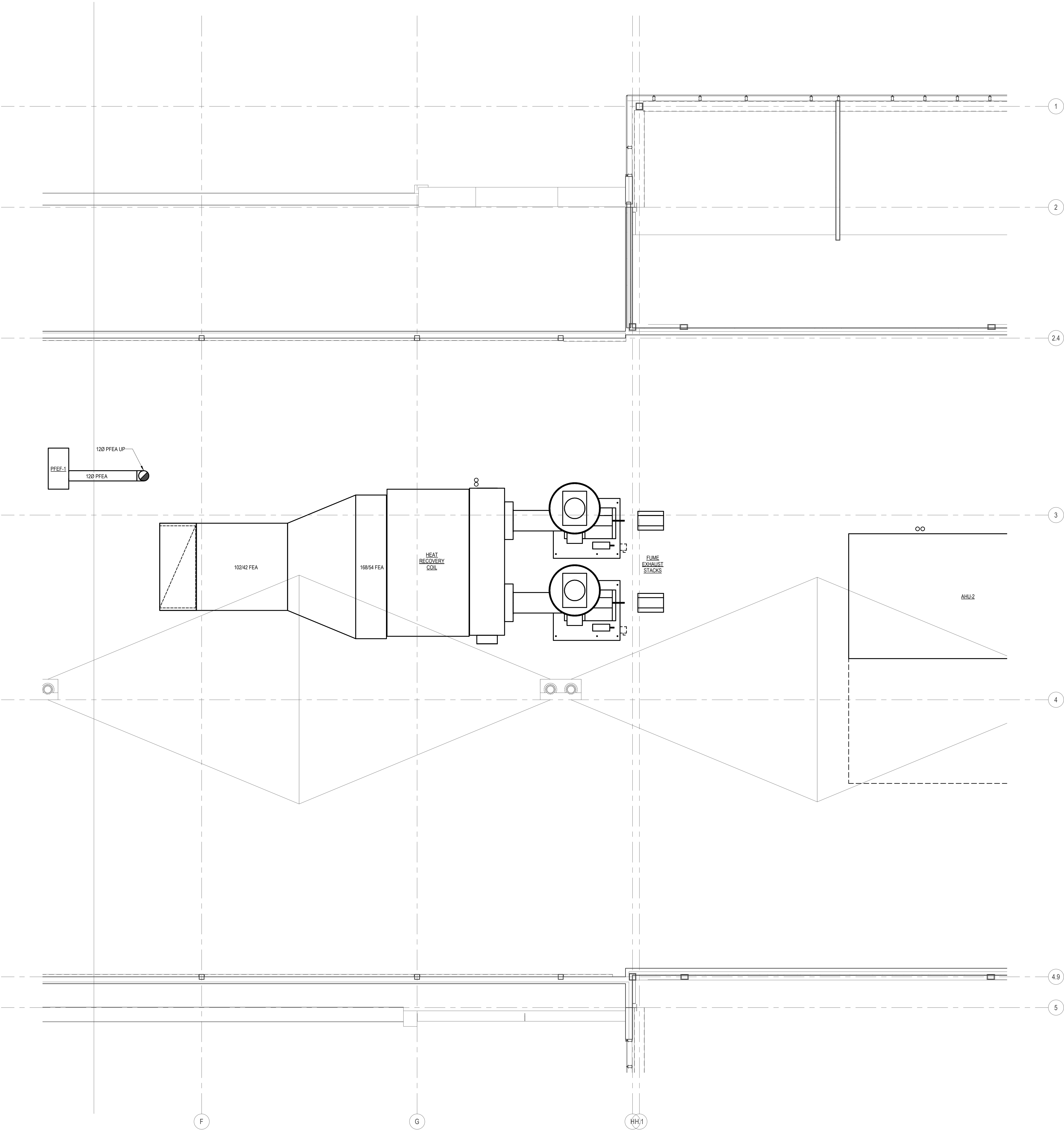
**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Mechanical Roof Plan -  
Area A

**M1.11**

**FOURTH FLOOR HVAC PLAN - AREA A**  
SCALE: 1/4" = 1'-0"





FOURTH FLOOR HVAC PLAN - AREA B  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

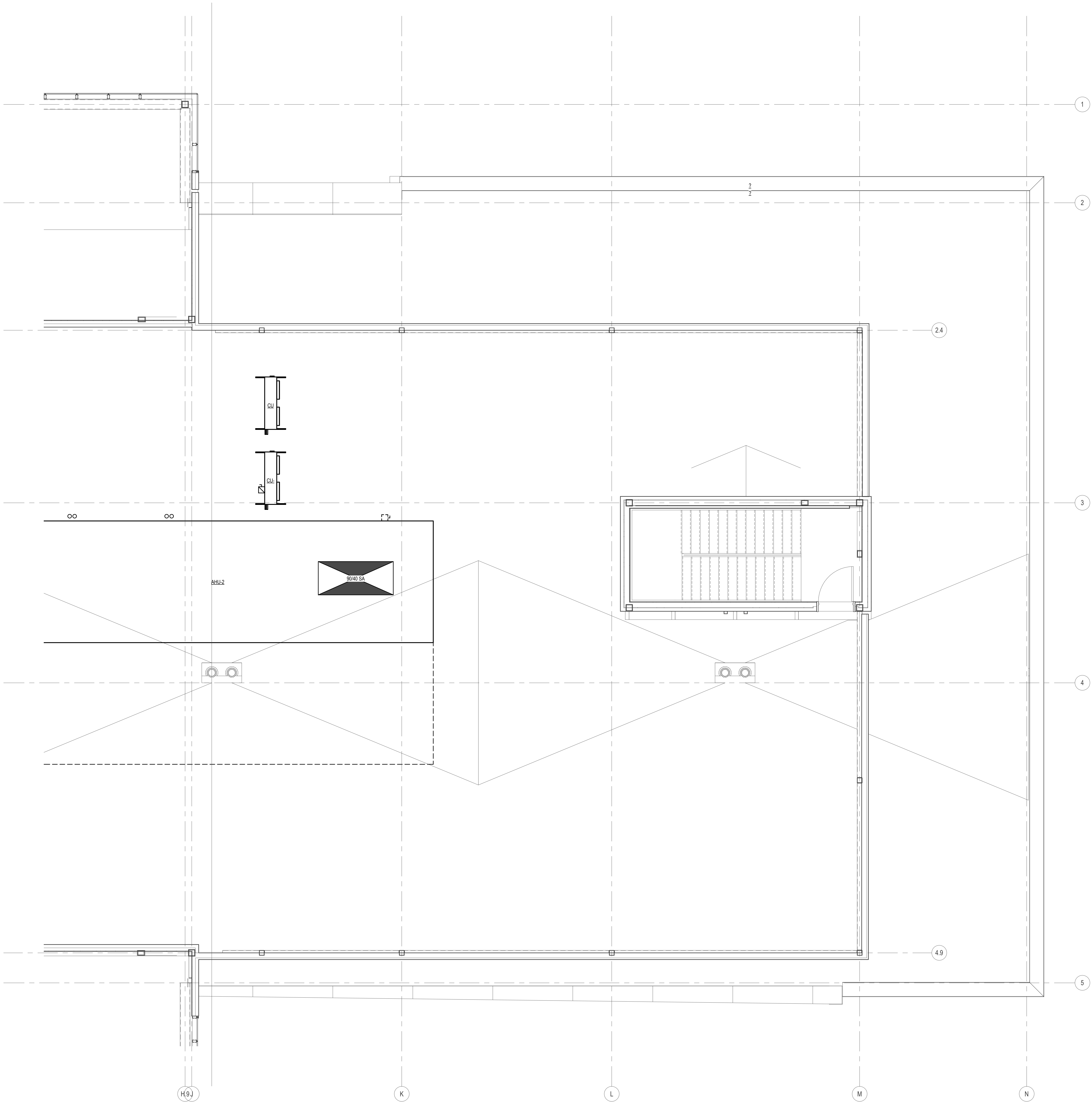
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Mechanical Roof Plan - Area B

M1.12



**FOURTH FLOOR HVAC PLAN - AREA C**  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

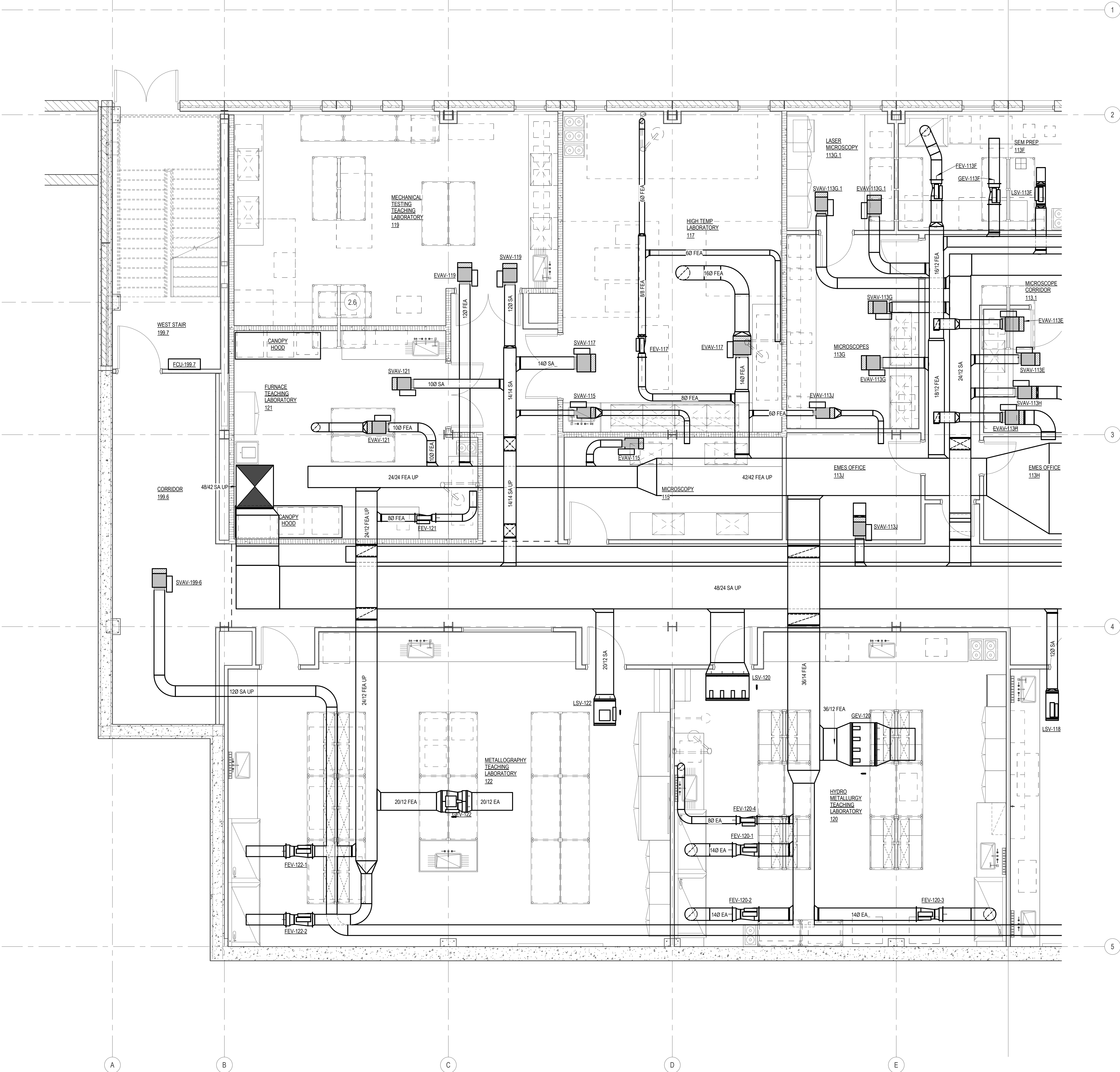
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Mechanical Roof Plan -  
Area C

**M1.13**



FIRST FLOOR HVAC PLAN - AREA A  
SCALE: 1/4" = 1'-0"

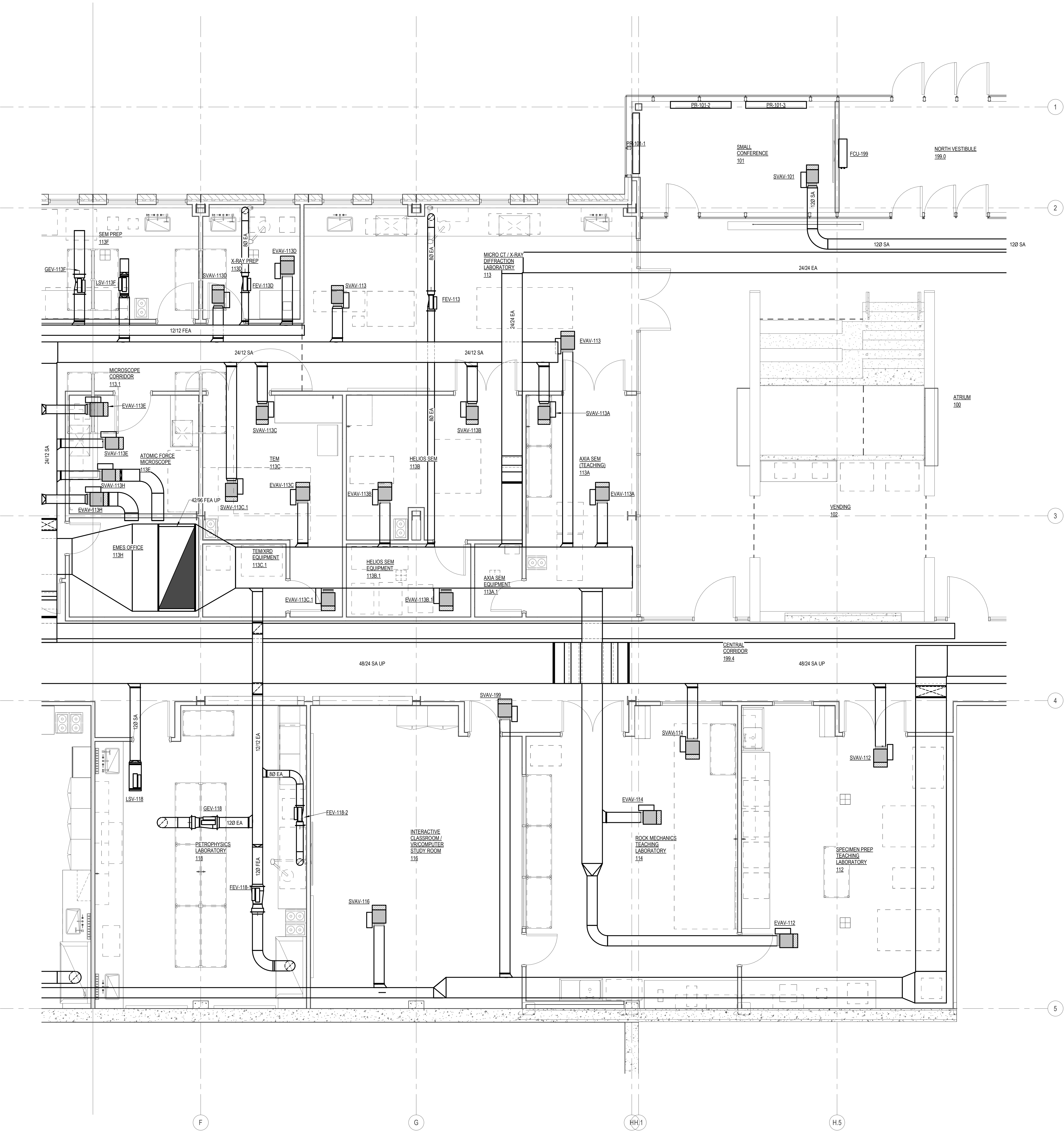
Design Development

South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



FIRST FLOOR HVAC PLAN - AREA B  
SCALE: 1/4" = 1'-0"

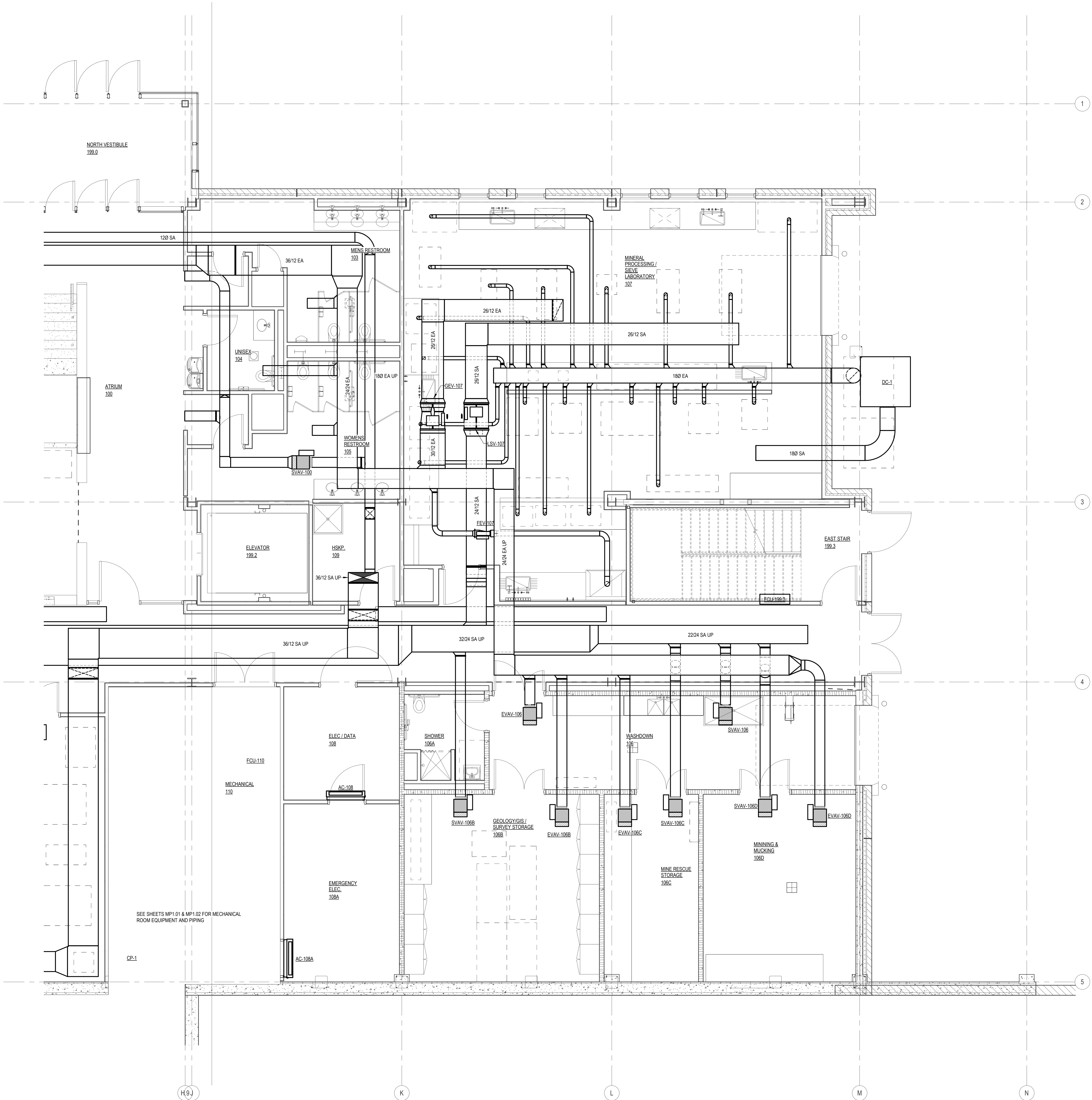
Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



**FIRST FLOOR HVAC PLAN - AREA C**  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

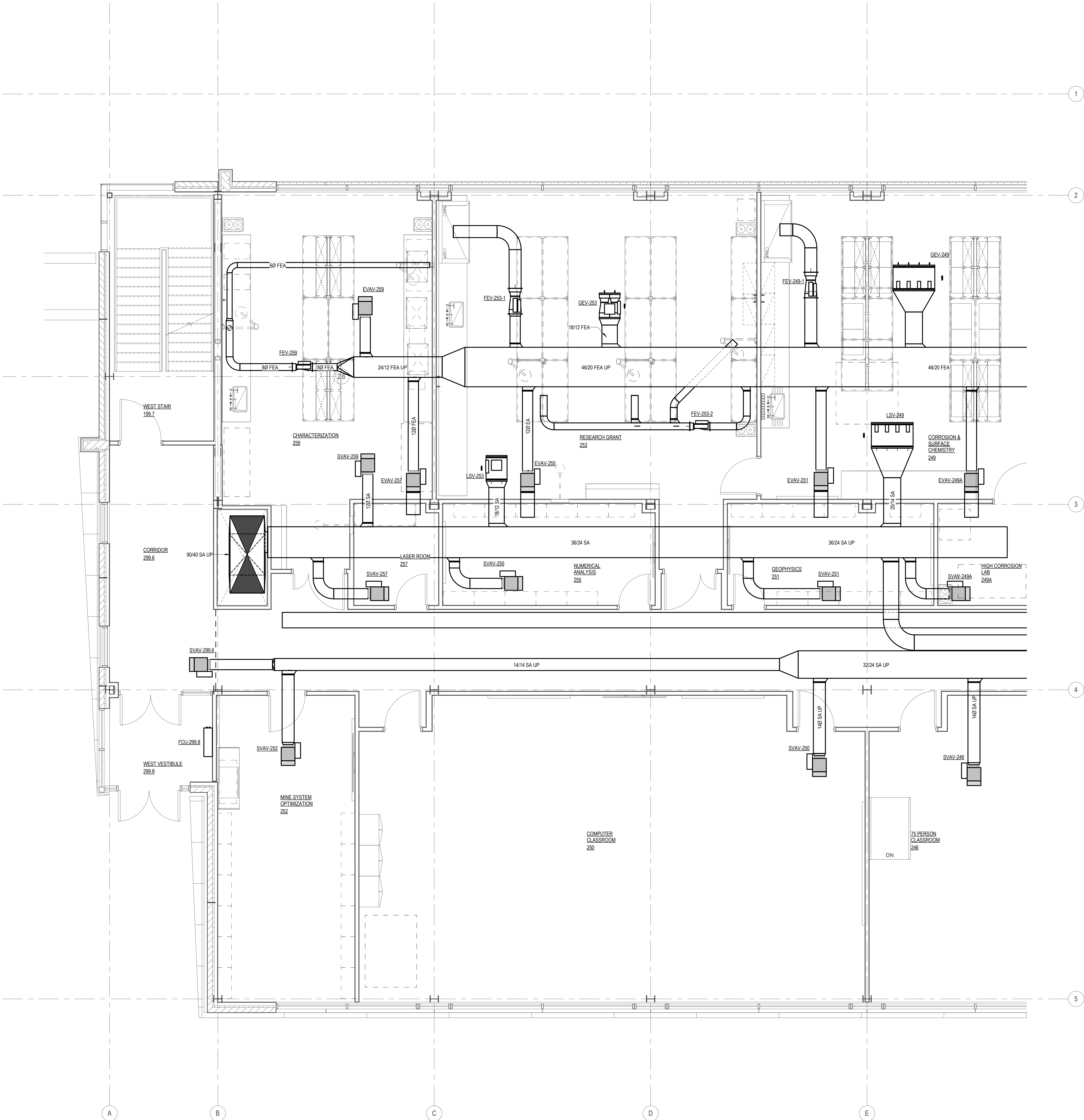
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor HVAC Plan -  
Area C

**M2.13**



Design Development

South Dakota Mines - Mineral Industries Center of Excellence

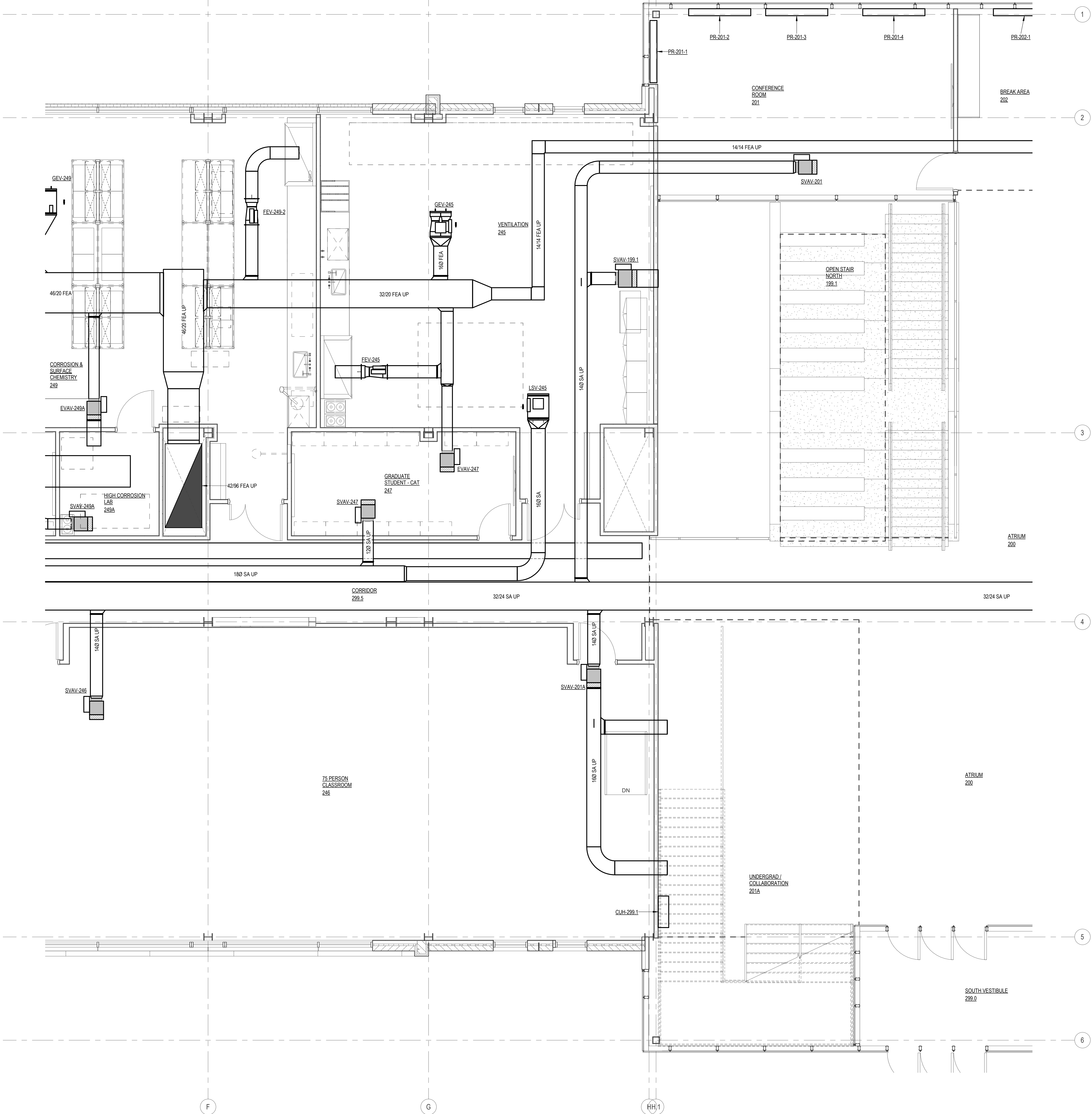
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

SECOND FLOOR HVAC PLAN - AREA A  
SCALE: 1/4" = 1'-0"





**SECOND FLOOR HVAC PLAN - AREA B**  
SCALE: 1/4" = 1'-0"

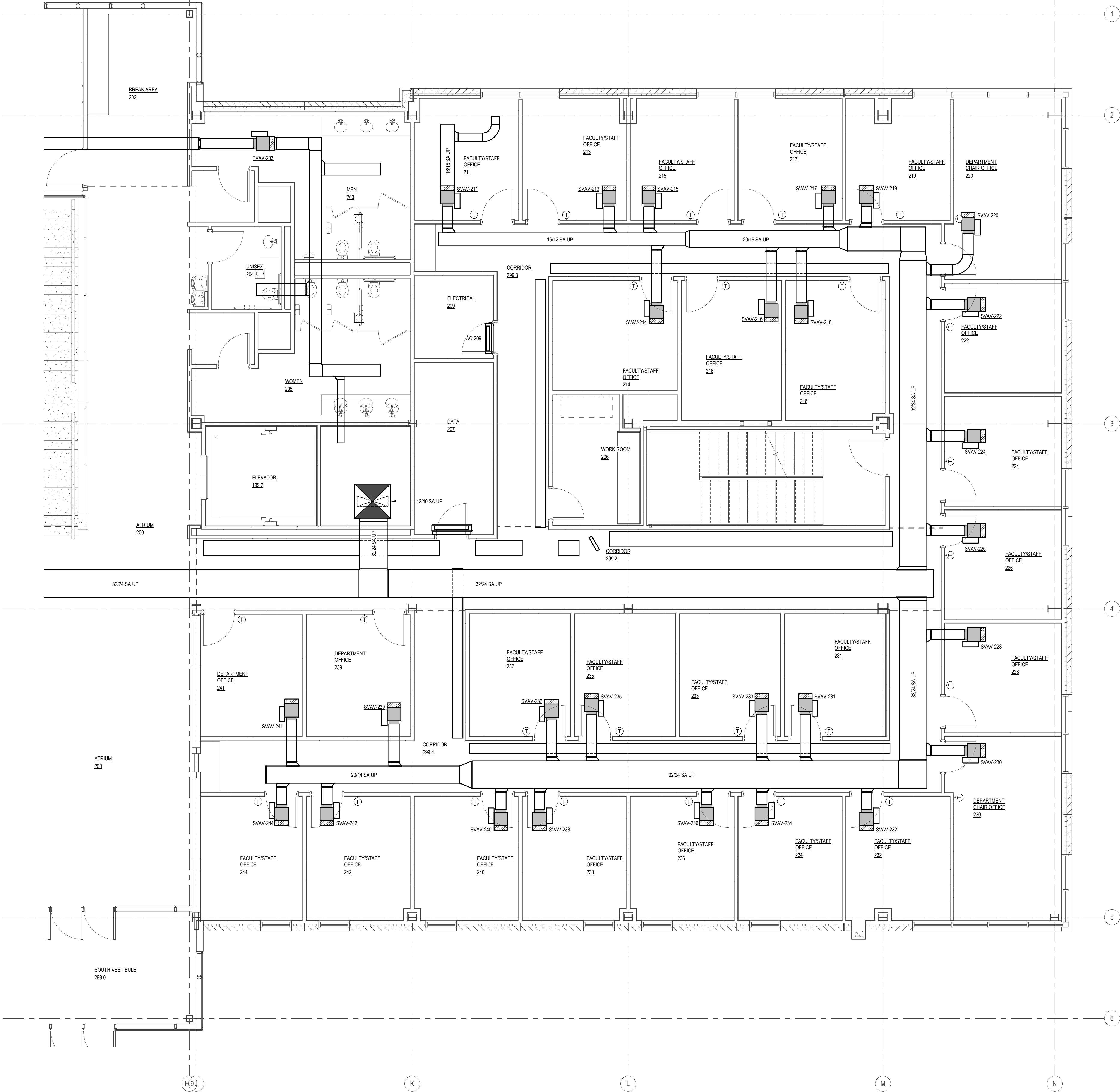
**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



SECOND FLOOR HVAC PLAN - AREA C  
SCALE: 1/4" = 1'-0"

Design Development

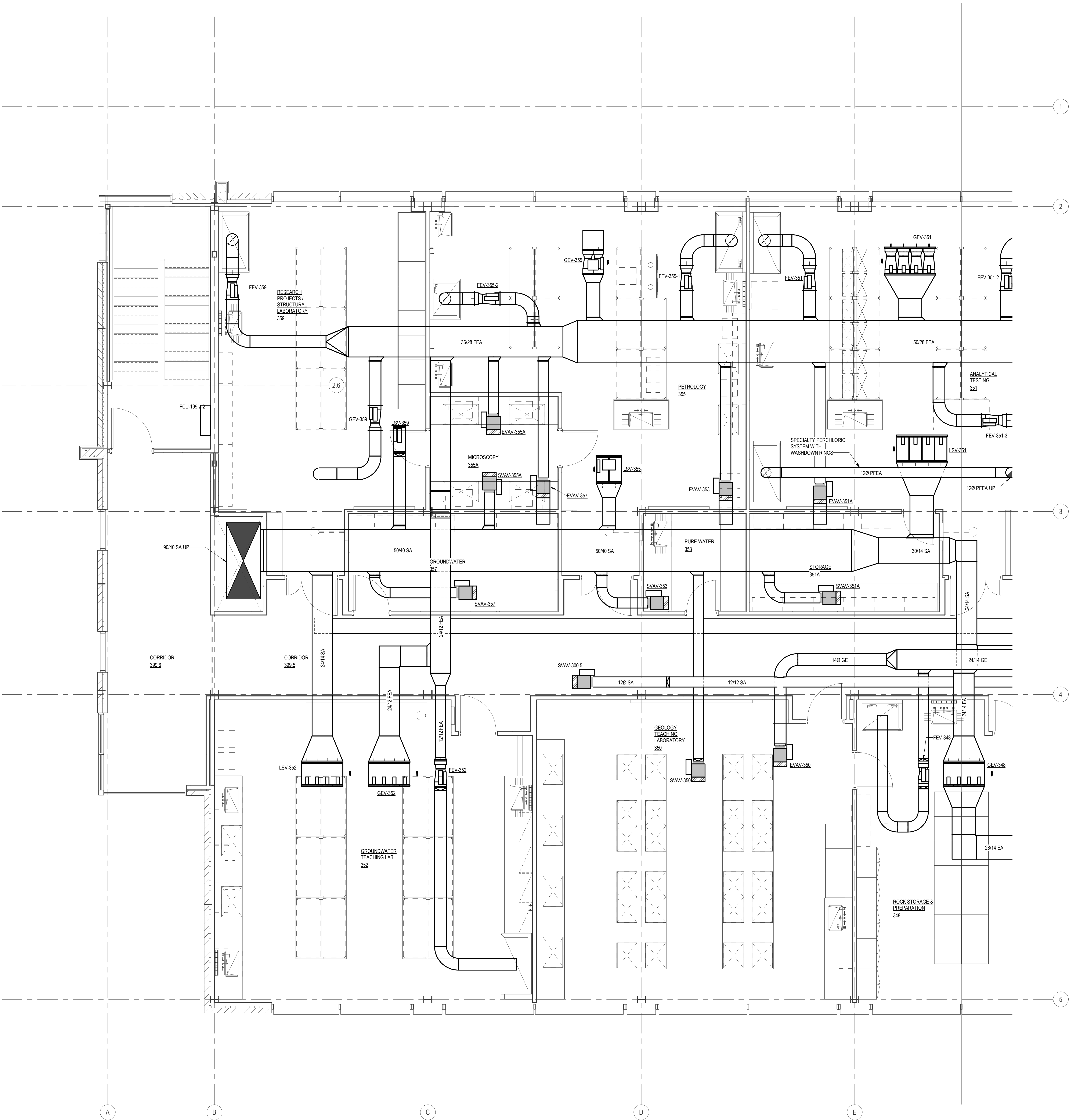
South Dakota Mines - Mineral Industries Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





THIRD FLOOR HVAC PLAN - AREA A  
SCALE: 1/4" = 1'-0"

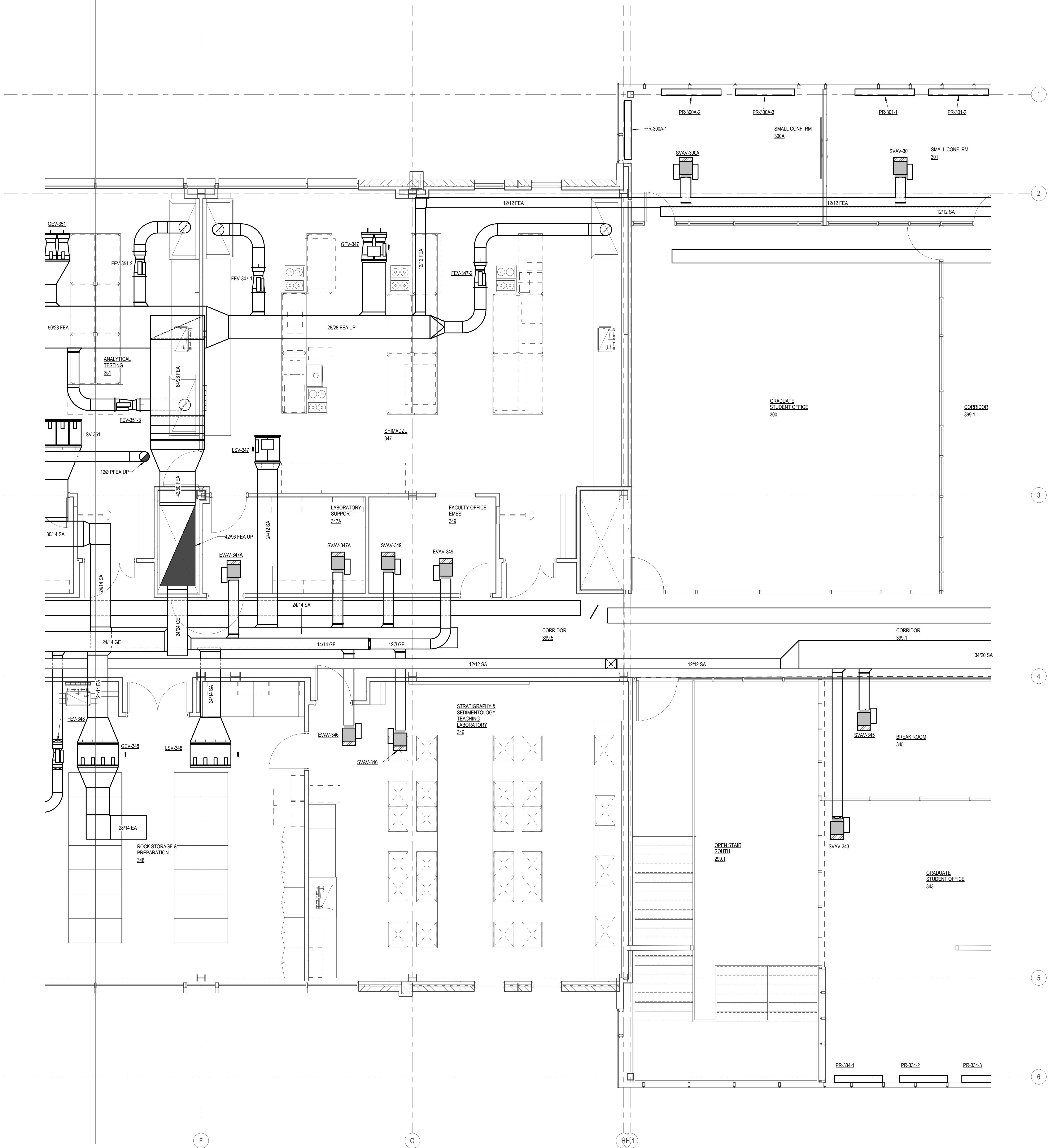
Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



THIRD FLOOR HVAC PLAN - AREA B  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

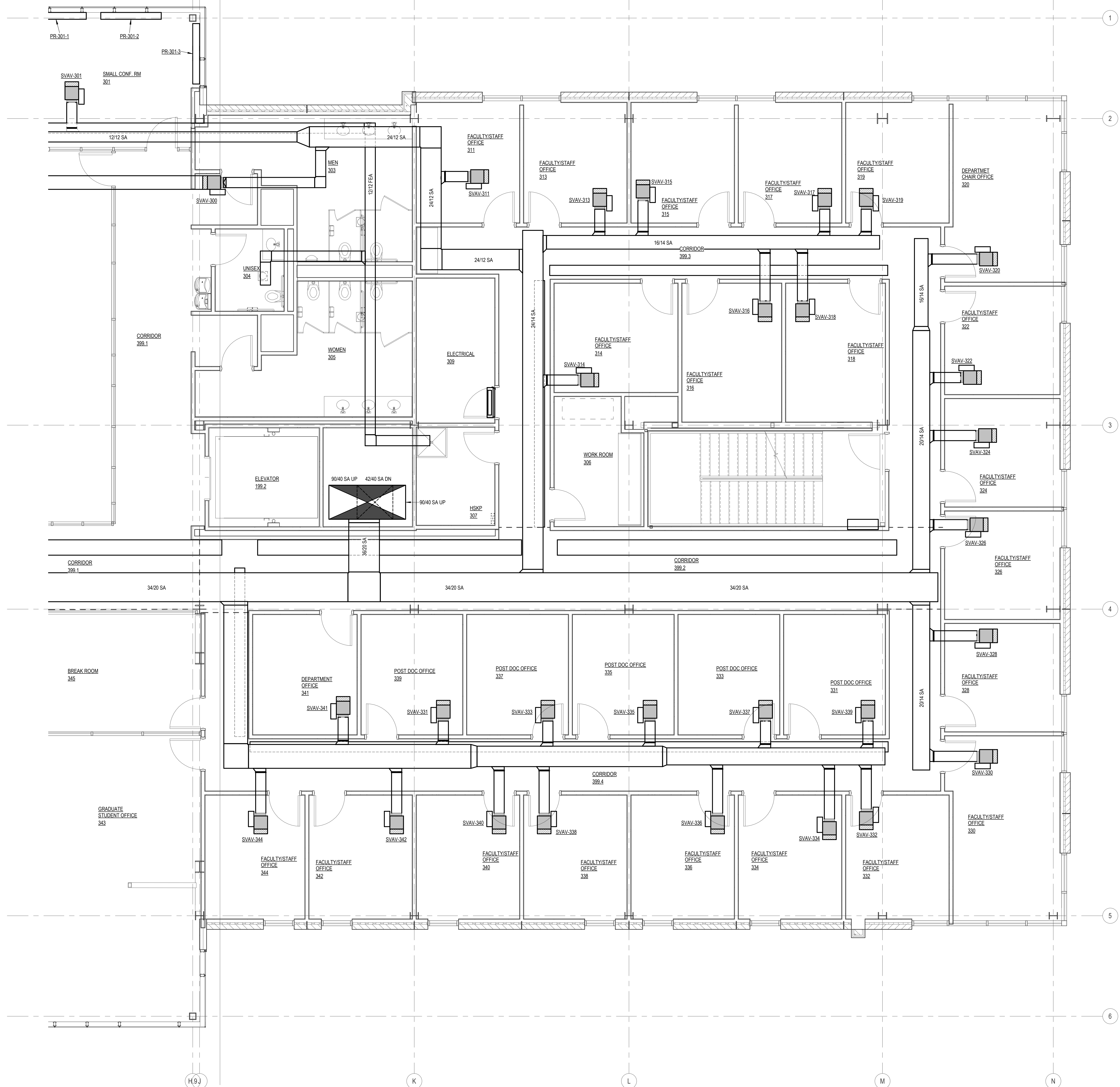
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION

Third Floor HVAC Plan -  
Area B

M2.32



## Design Development

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

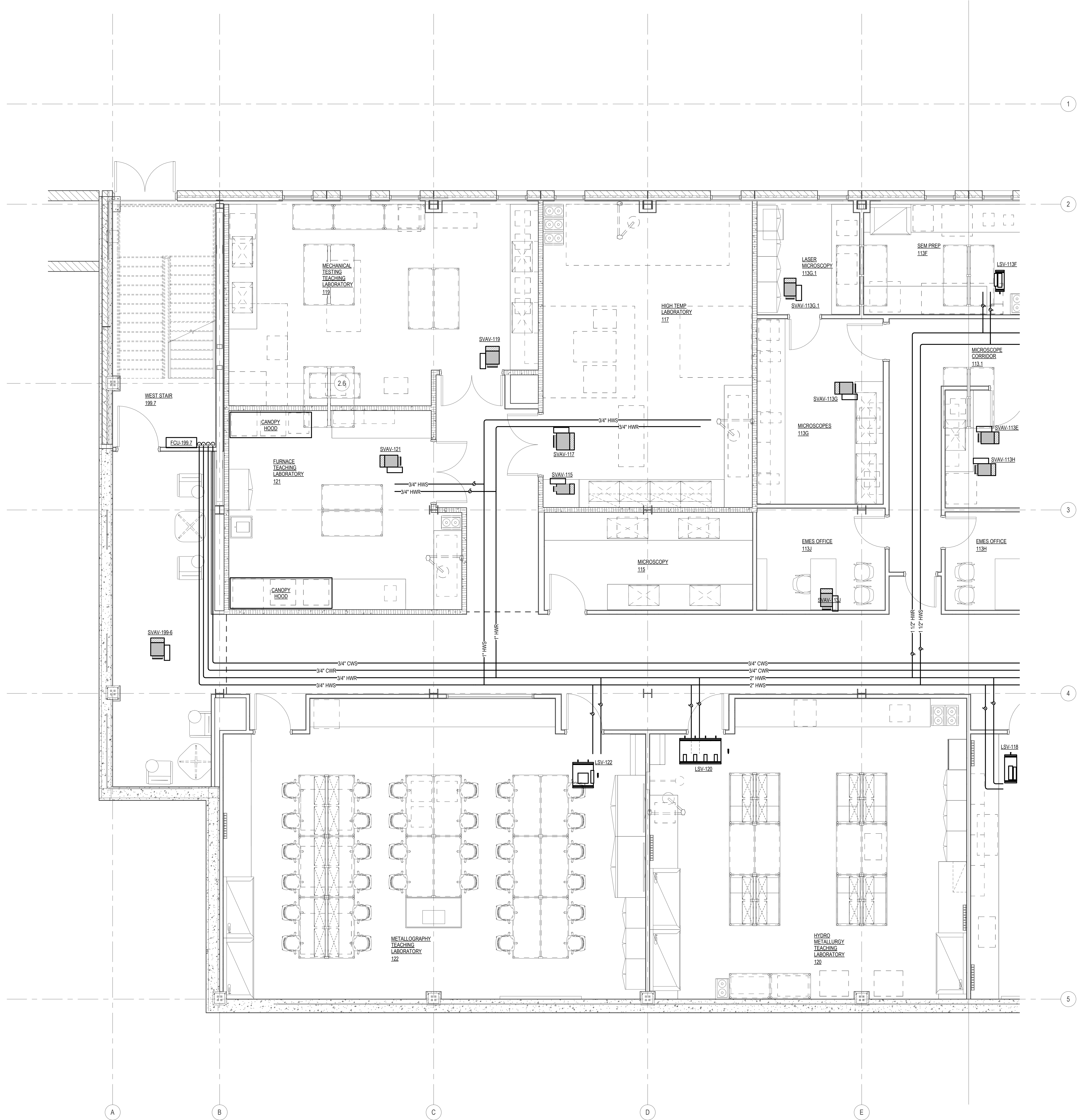
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor HVAC Plan -  
Area C

## M2.33



FIRST FLOOR HVAC PIPING PLAN - AREA A  
SCALE: 1/4" = 1'-0"

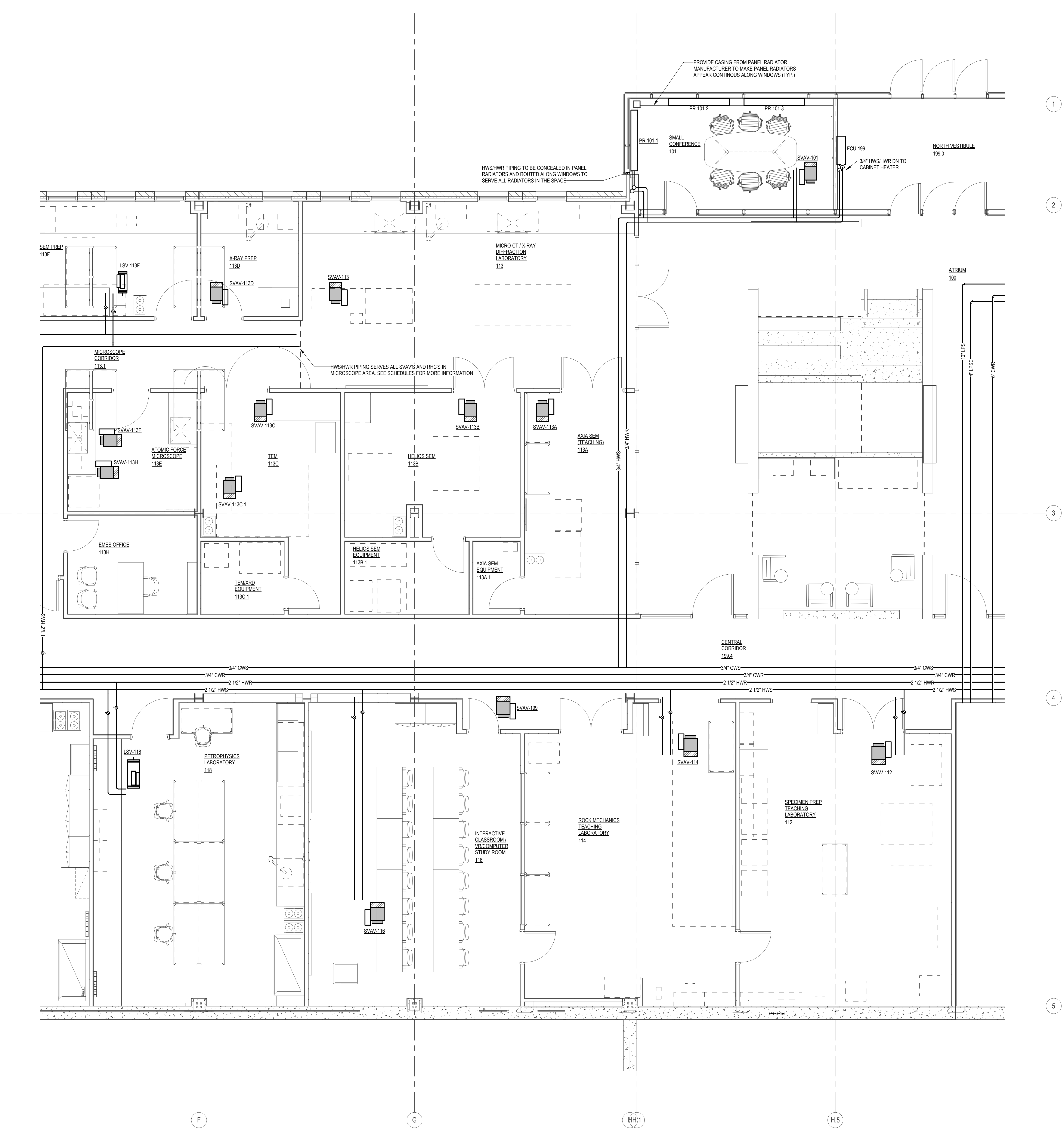
Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



**FIRST FLOOR HVAC PIPING PLAN - AREA B**  
SCALE: 1/4" = 1'-0"

**Design Development**

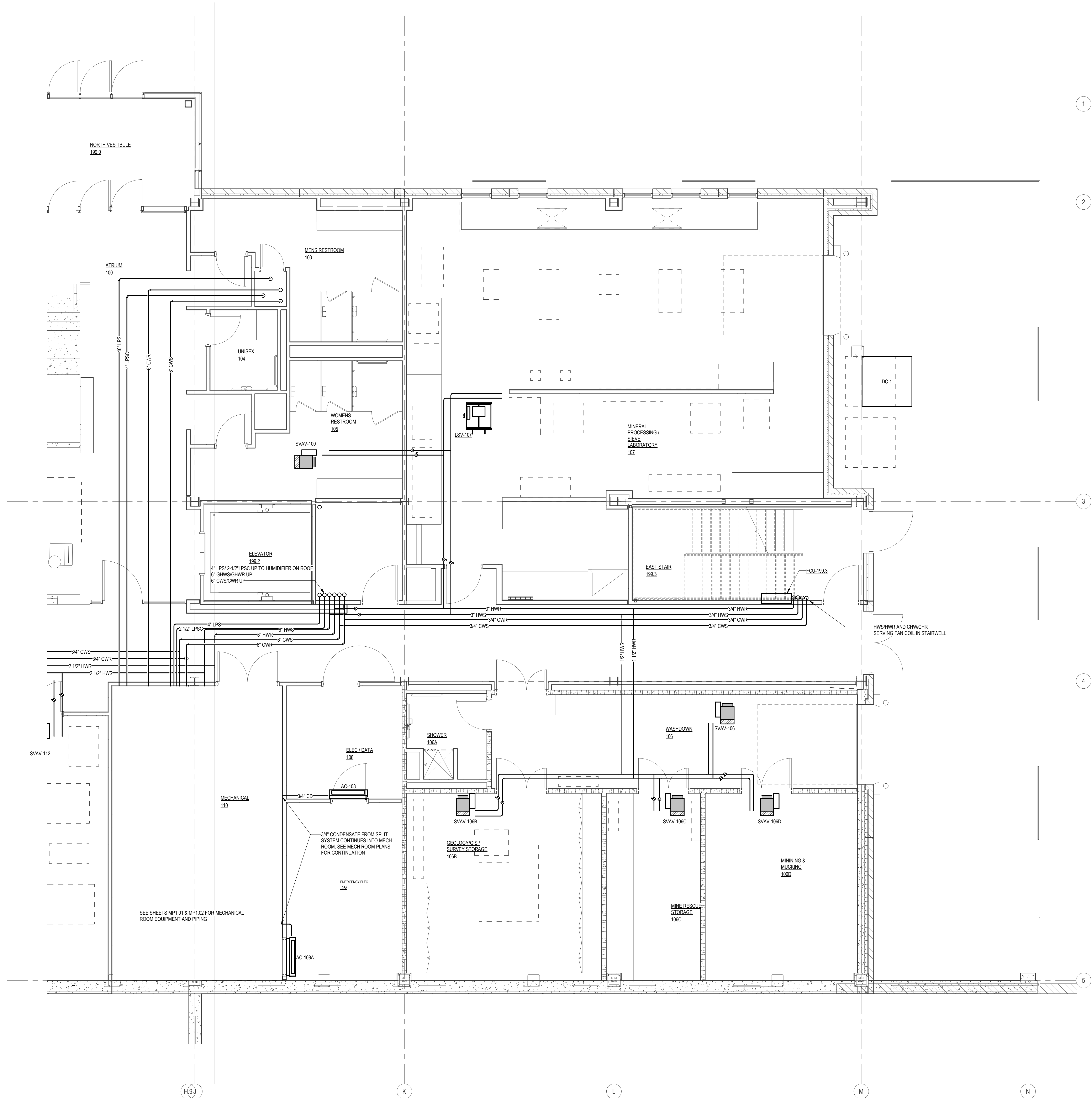
**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





FIRST FLOOR HVAC PIPING PLAN - AREA C  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

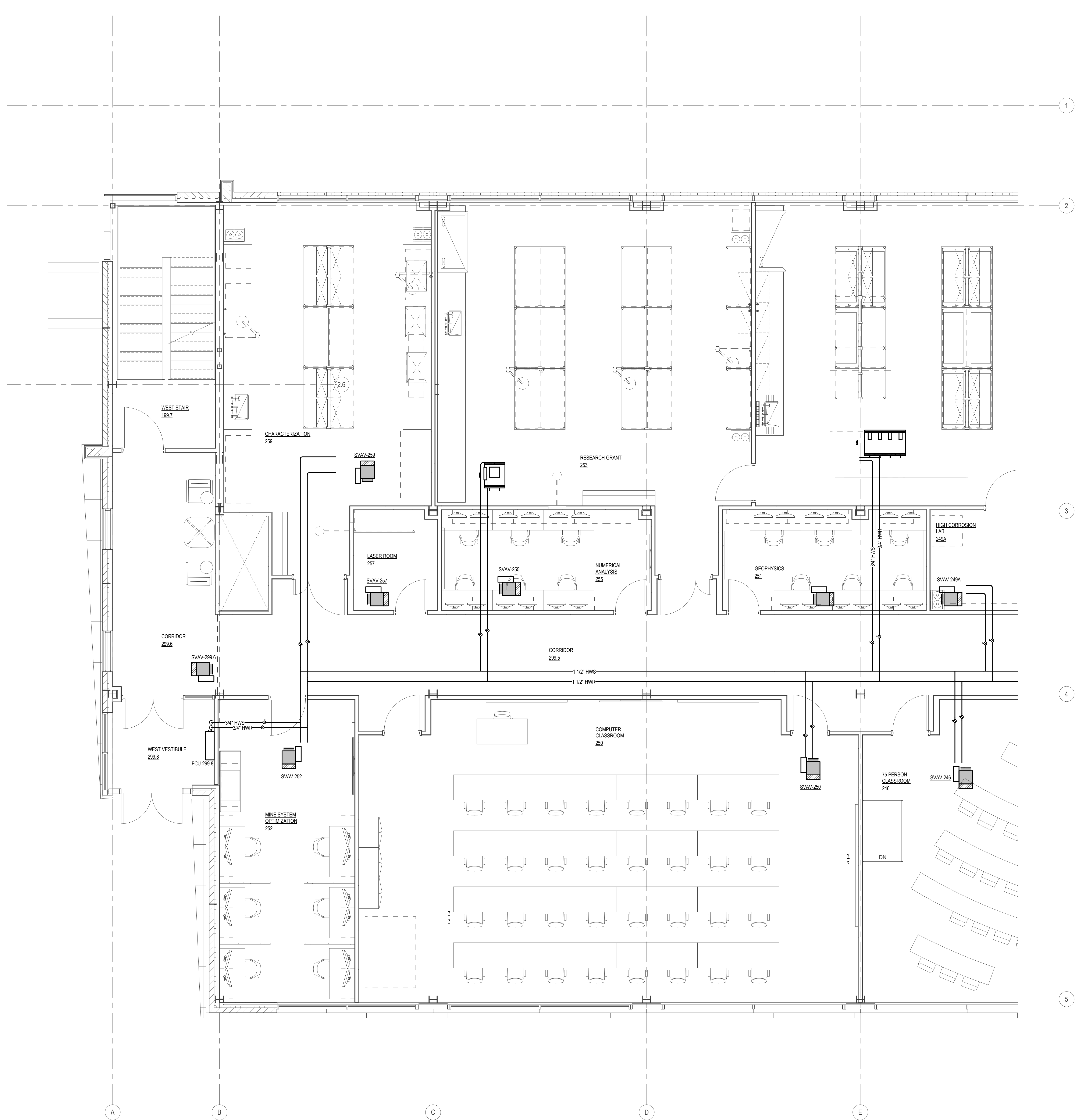
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor HVAC Piping  
Plan - Area C

M3.13



**SECOND FLOOR HVAC PIPING PLAN - AREA A**  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

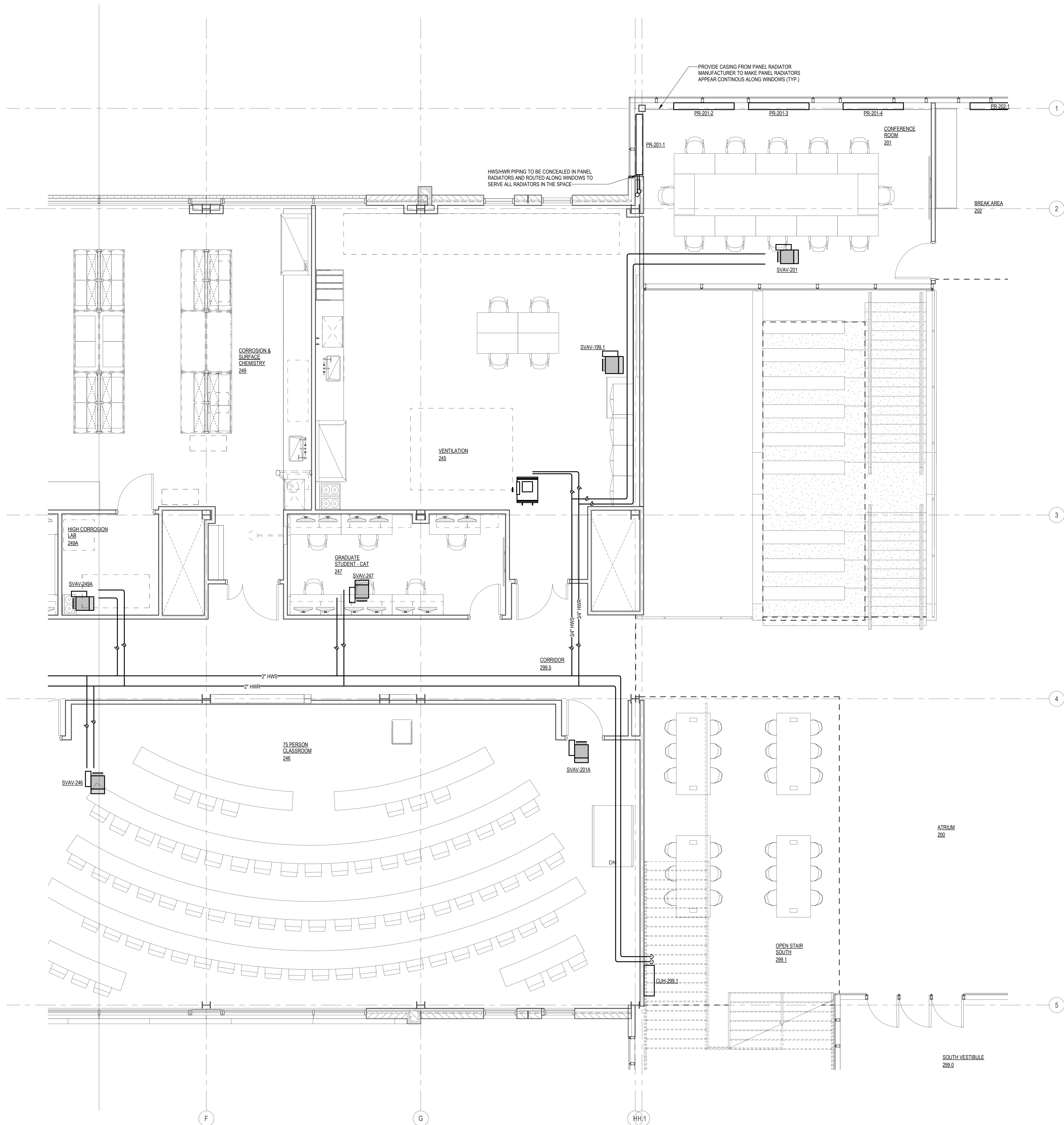
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor HVAC  
Piping Plan - Area A

**M3.21**



**SECOND FLOOR HVAC PIPING PLAN - AREA B**  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

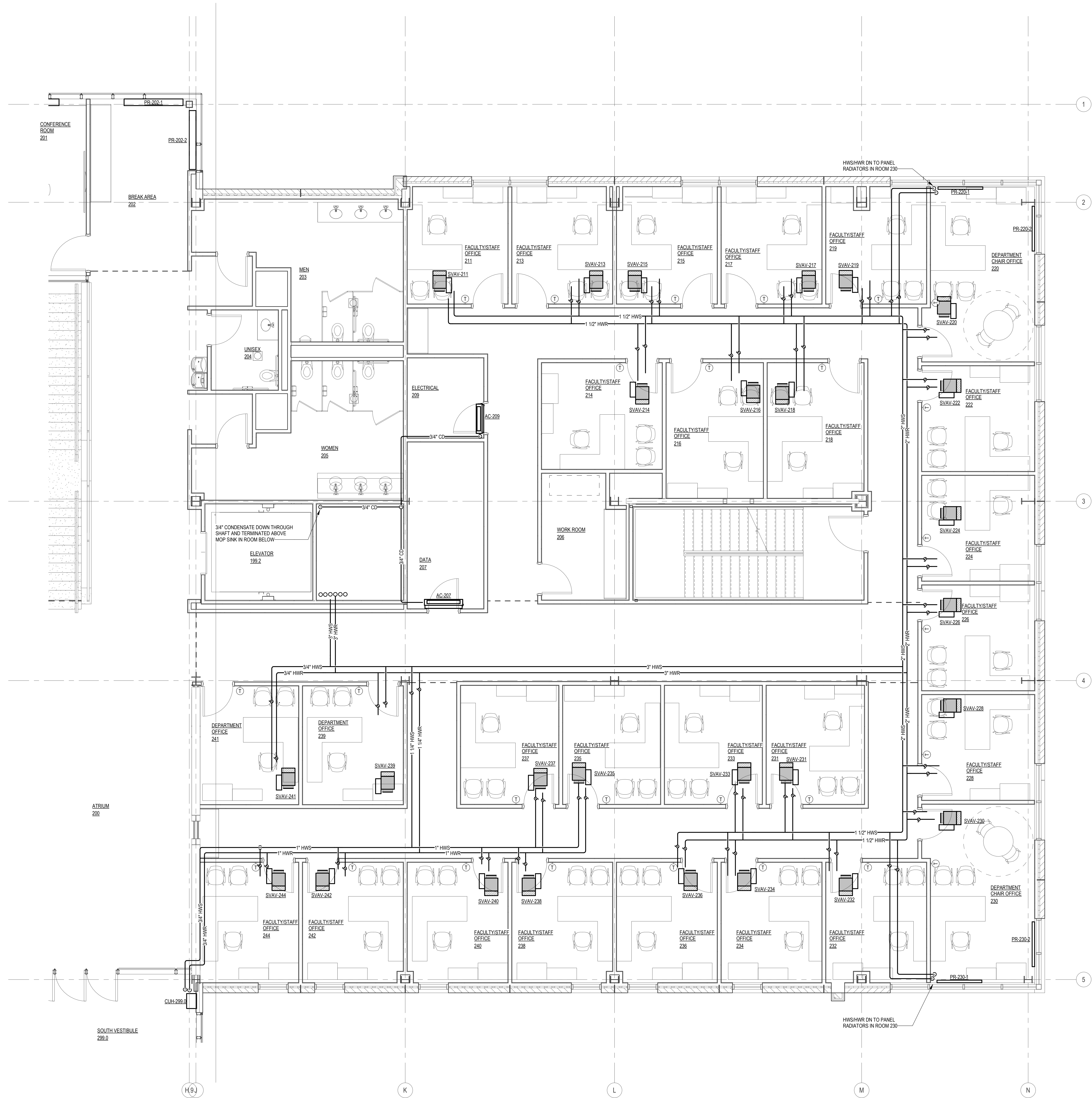
**DRAFT**

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor HVAC  
Piping Plan - Area B

**M3.22**





SECOND FLOOR HVAC PIPING PLAN - AREA C  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

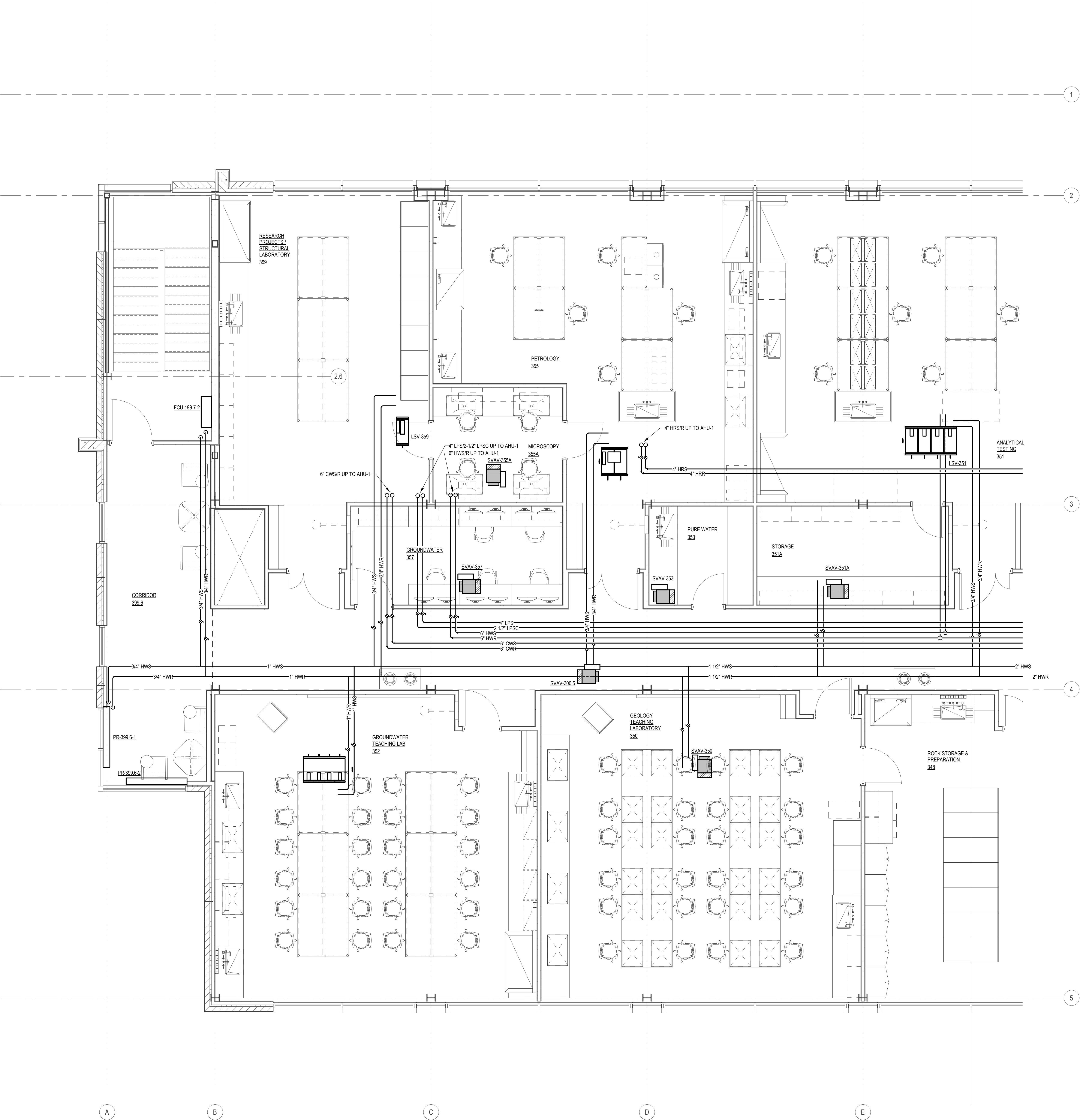
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor HVAC  
Piping Plan - Area C

M3.23



THIRD FLOOR HVAC PIPING PLAN - AREA A  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

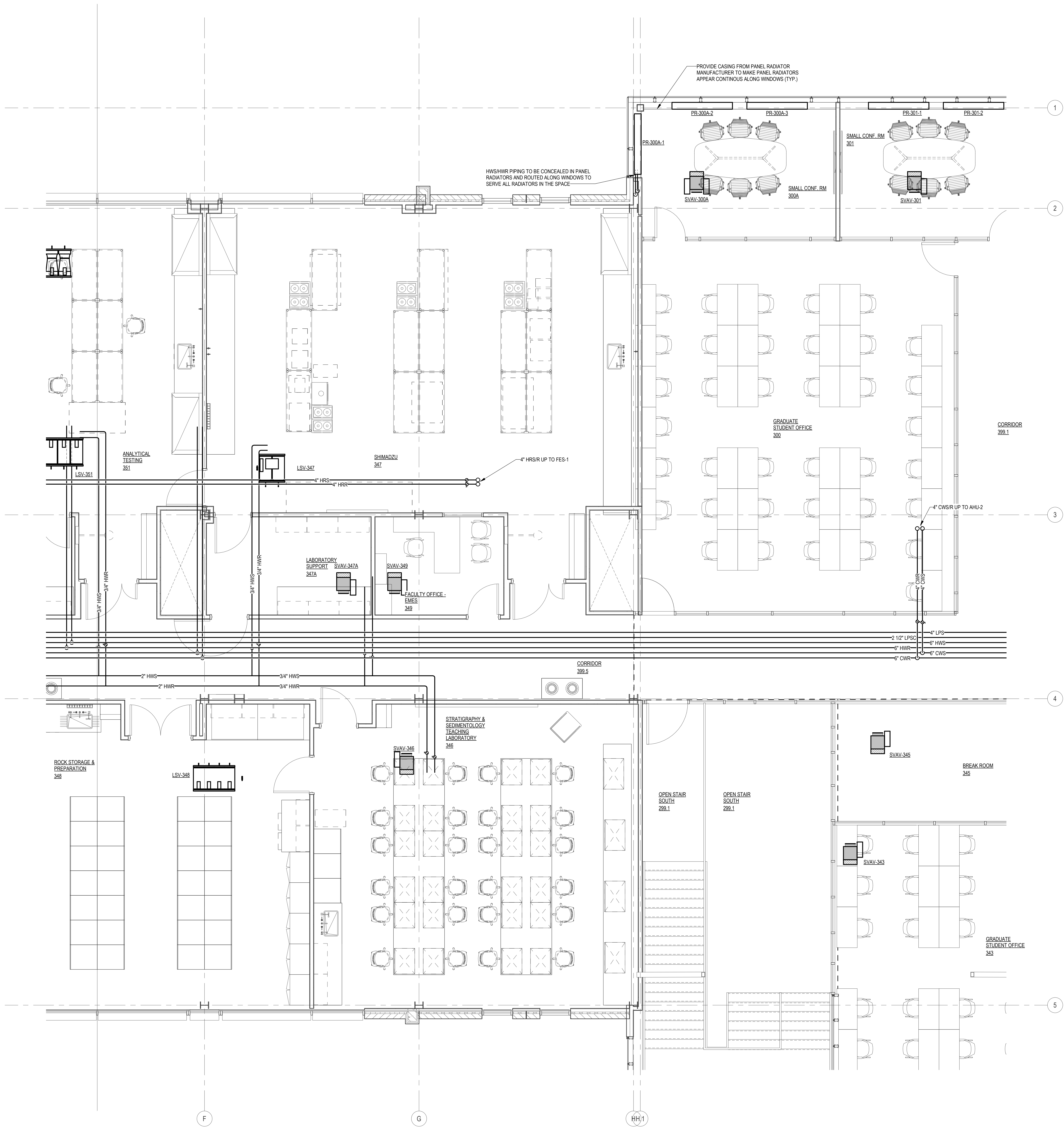
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor HVAC Piping  
Plan - Area A

M3.31



THIRD FLOOR HVAC PIPING PLAN - AREA B  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

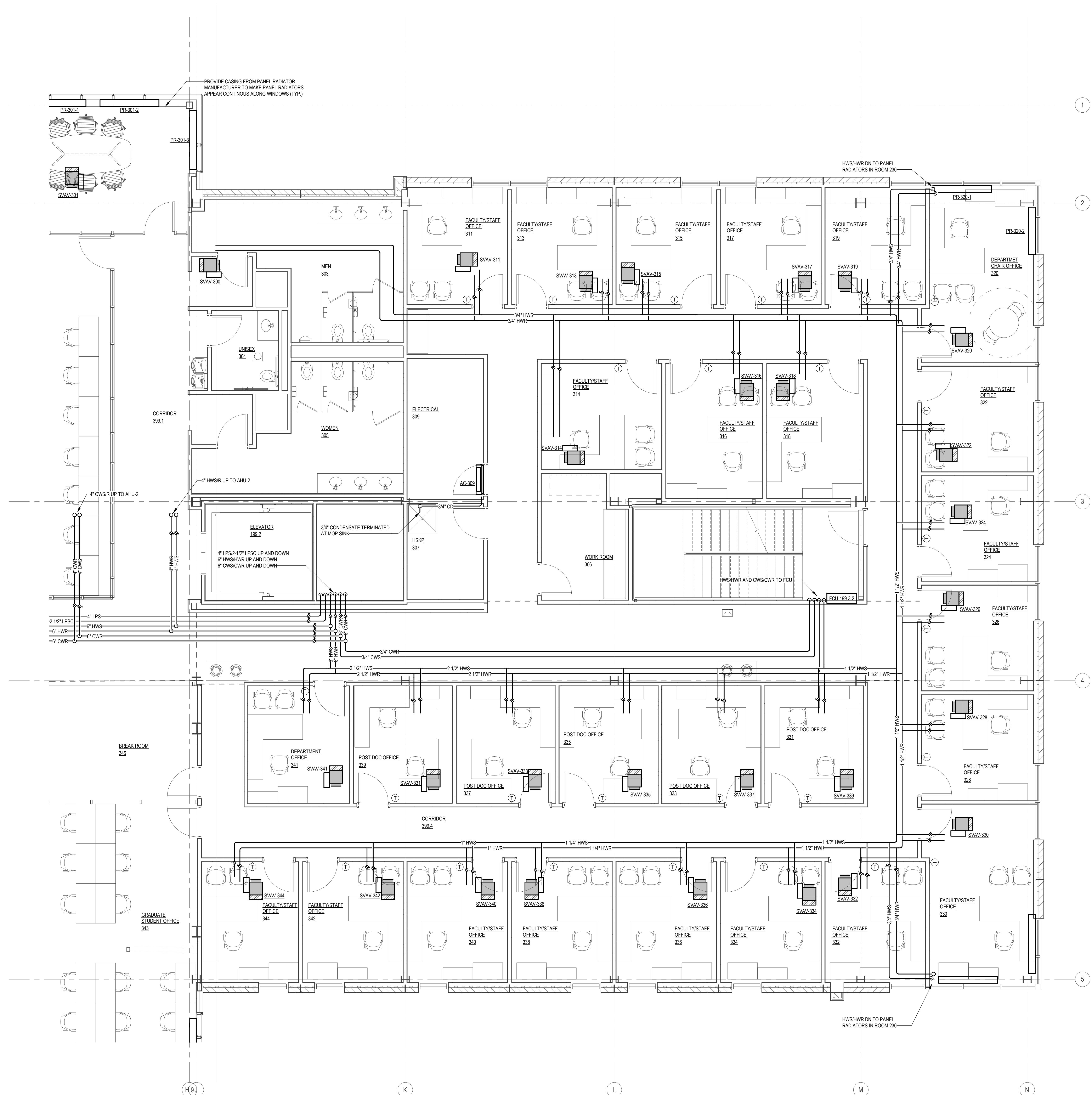
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor HVAC Piping  
Plan - Area B

M3.32



**THIRD FLOOR HVAC PIPING PLAN - AREA C**  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines - Mineral Industries Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

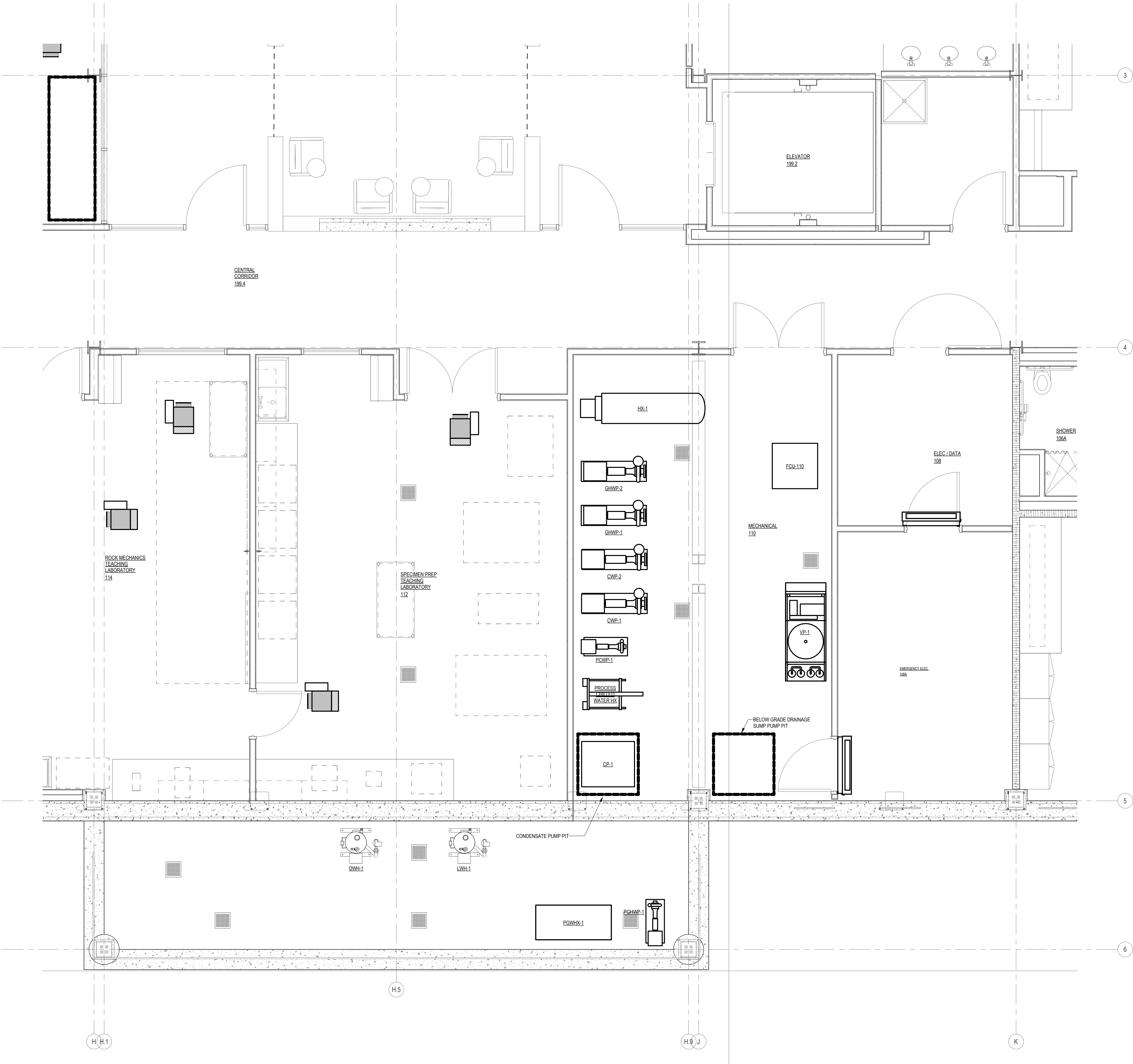
CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor HVAC Piping  
Plan - Area C

**M3.33**





FIRST FLOOR MECHANICAL ROOM EQUIPMENT PLAN  
SCALE: 3/8" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

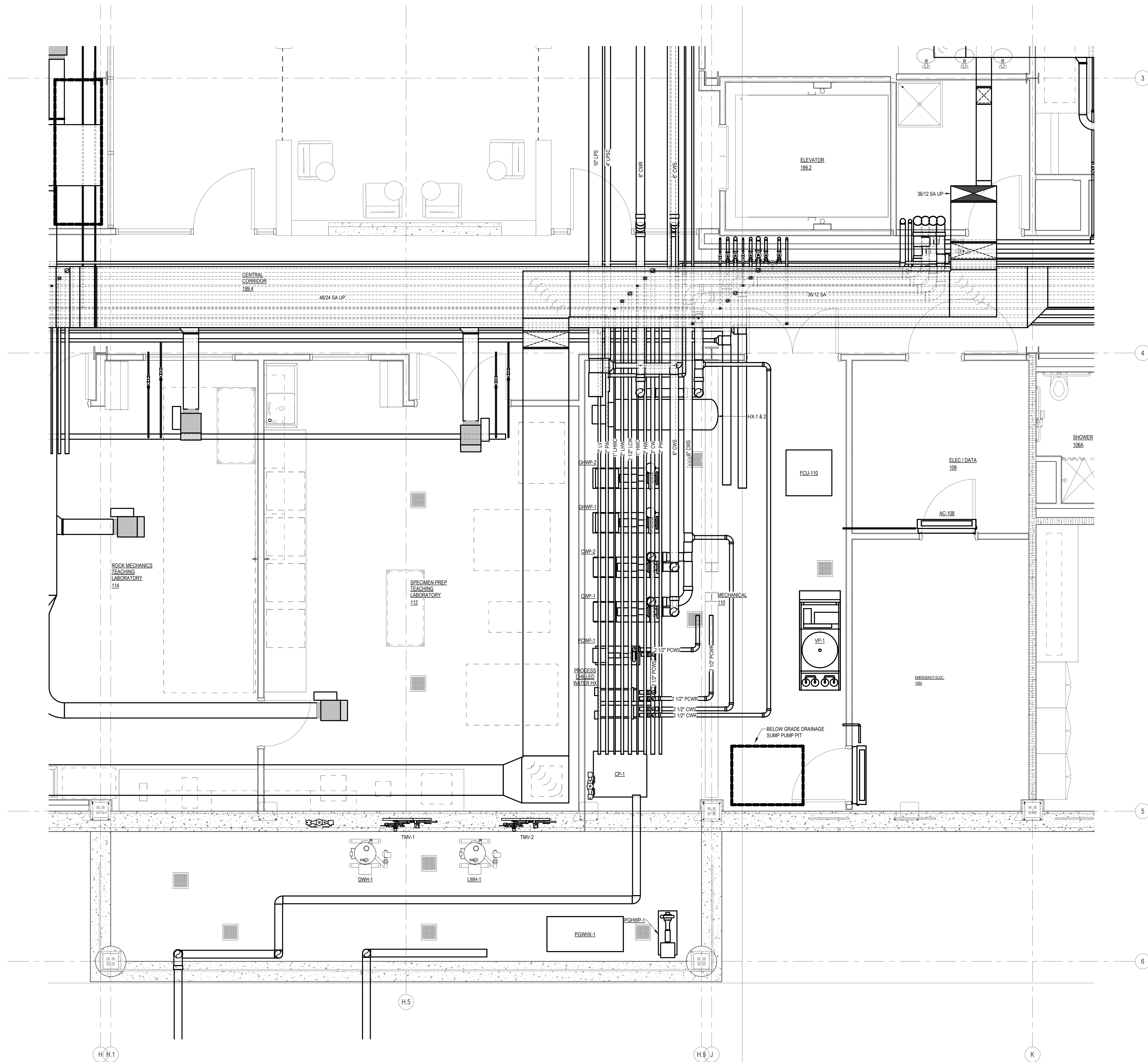
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

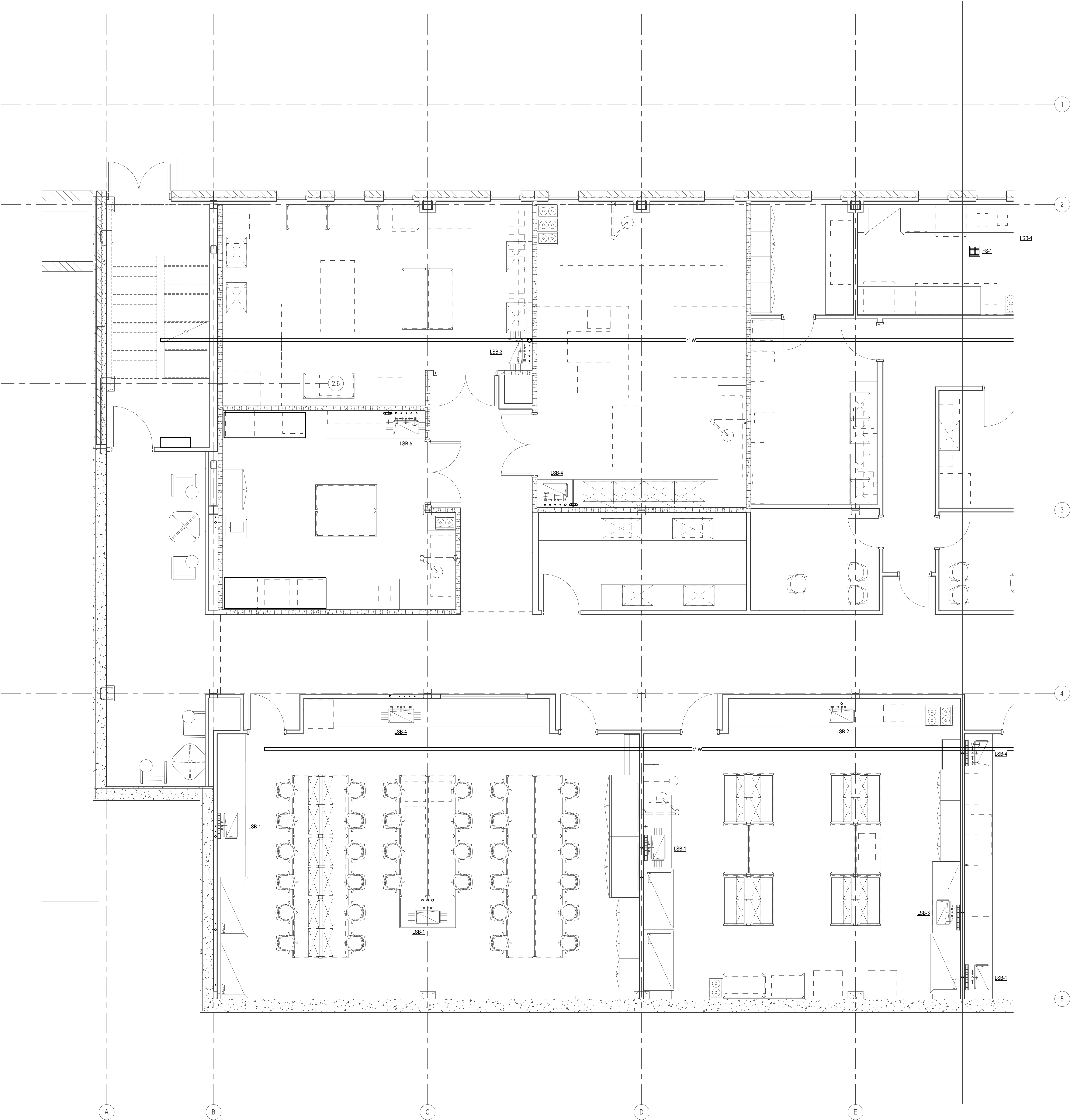
**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

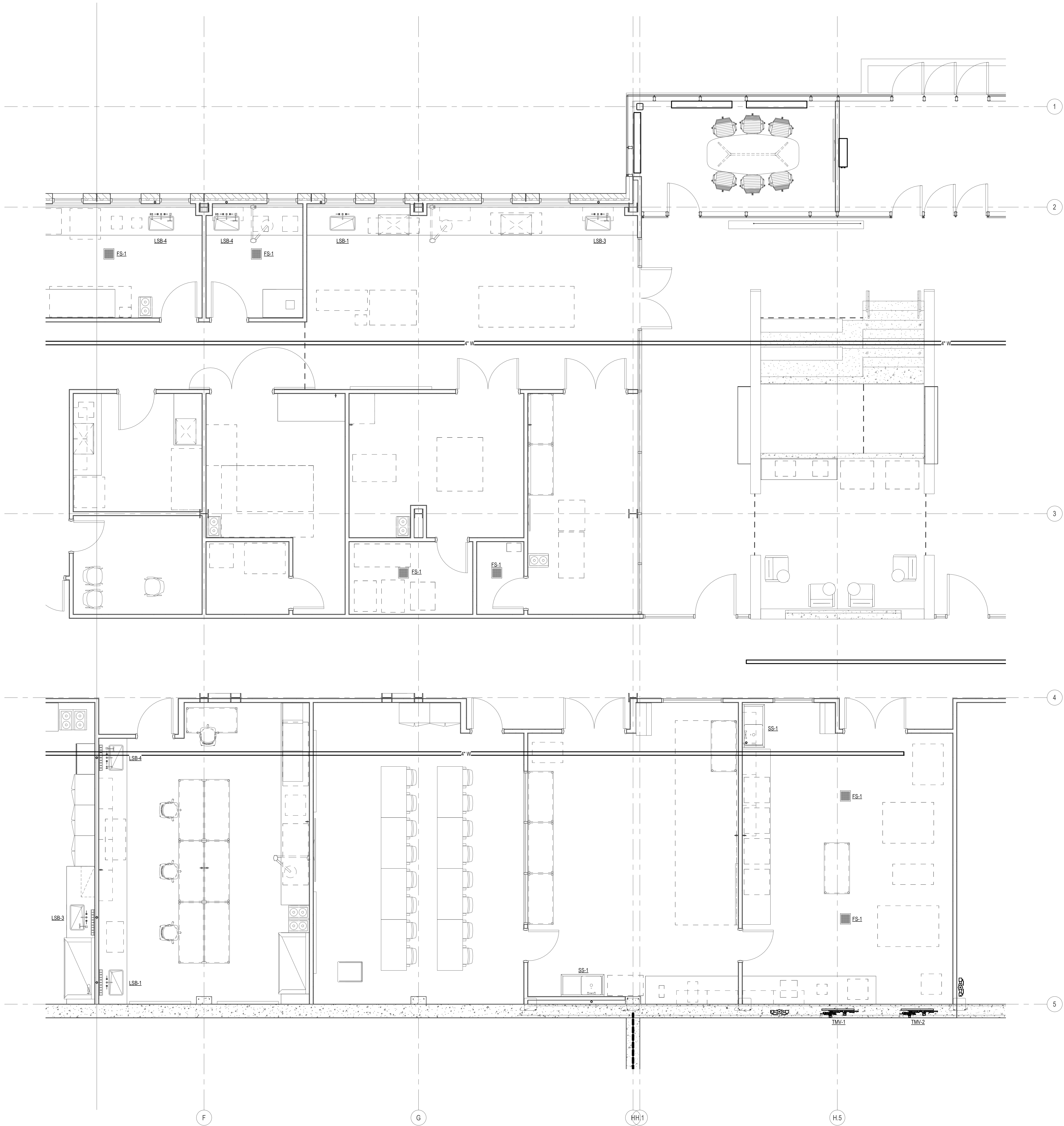
First Floor Enlarged  
Mechanical Room -  
Equipment Plan

MP1.10



 **FIRST FLOOR MECHANICAL ROOM PLAN**  
SCALE: 3/8" = 1'-0"





BELOW FLOOR PLUMBING PLAN - AREA B  
SCALE: 1/4" = 1'-0"

Design Development

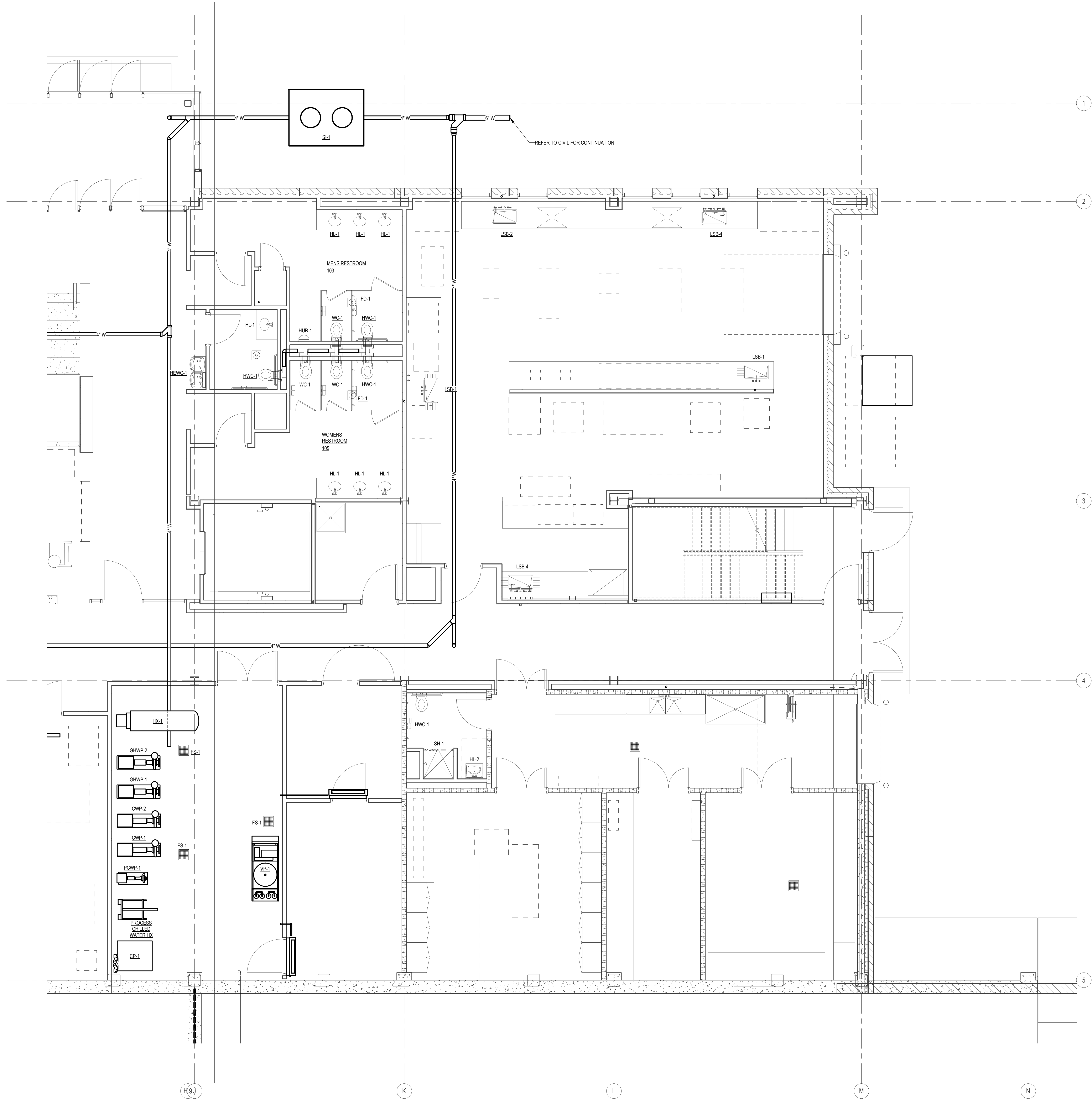
South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

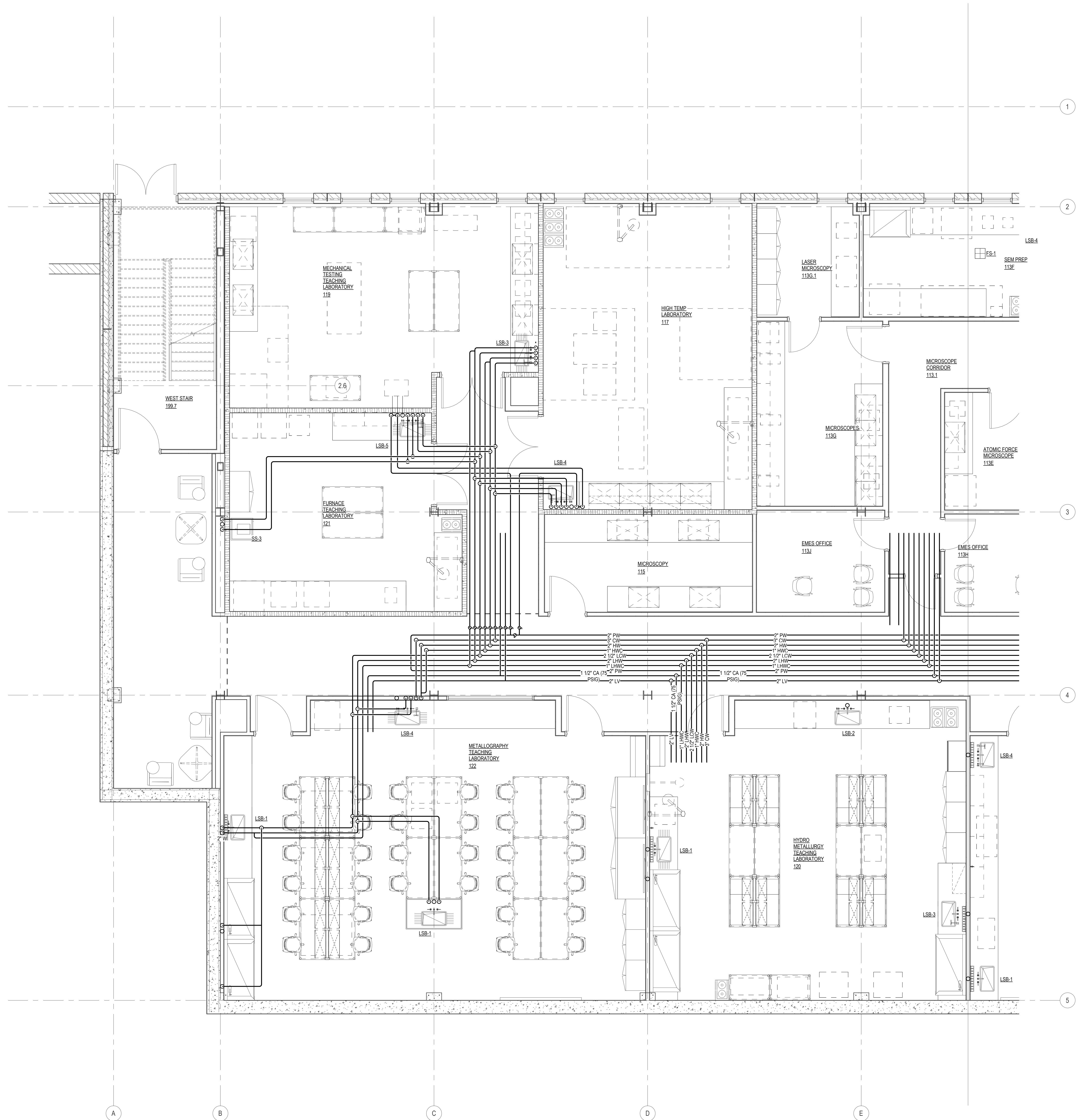
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Below Floor Plumbing  
Piping Plan - Area C

**P1.13**



FIRST FLOOR PLUMBING PLAN - AREA A  
SCALE: 1/4" = 1'-0"

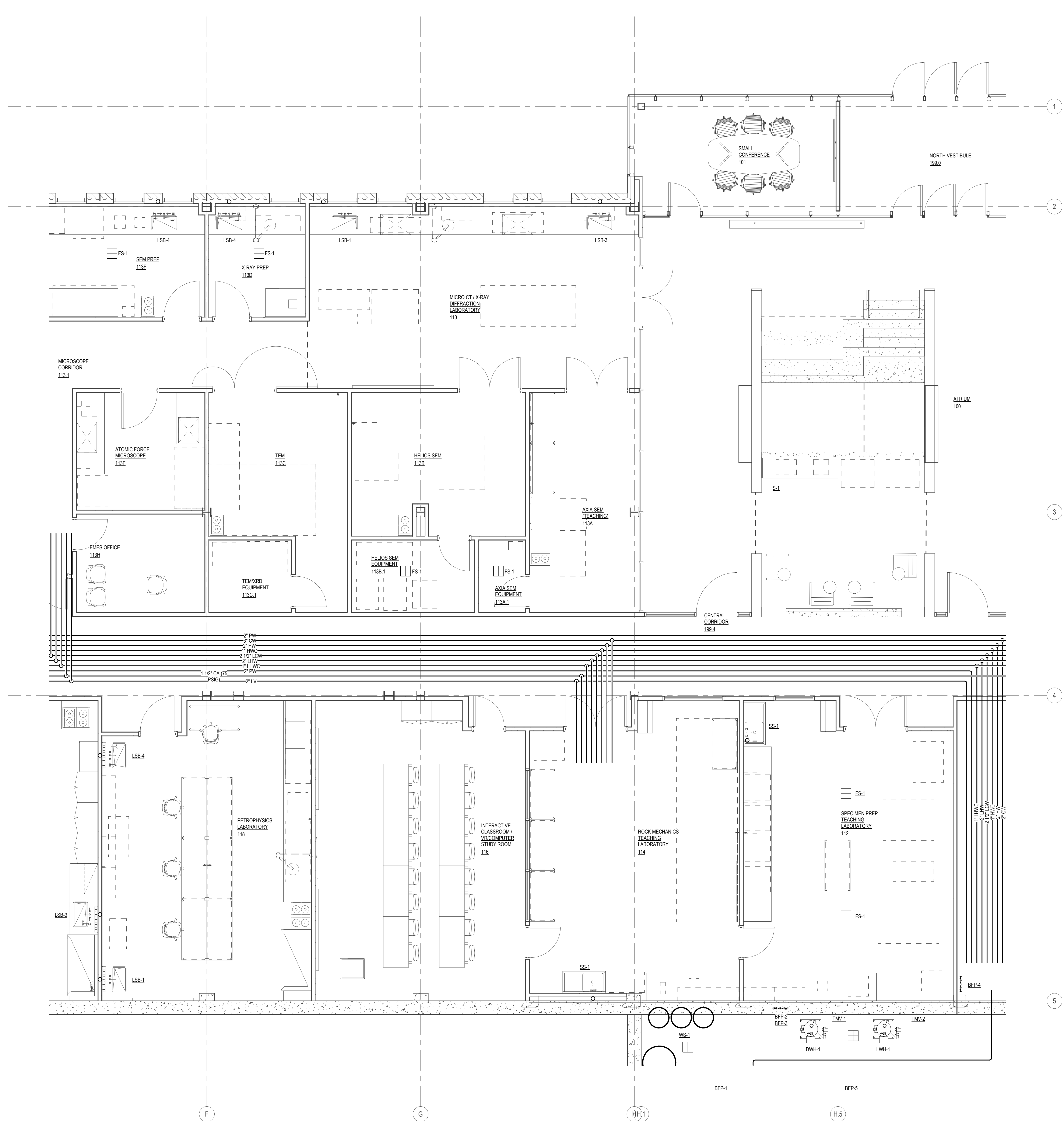
Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

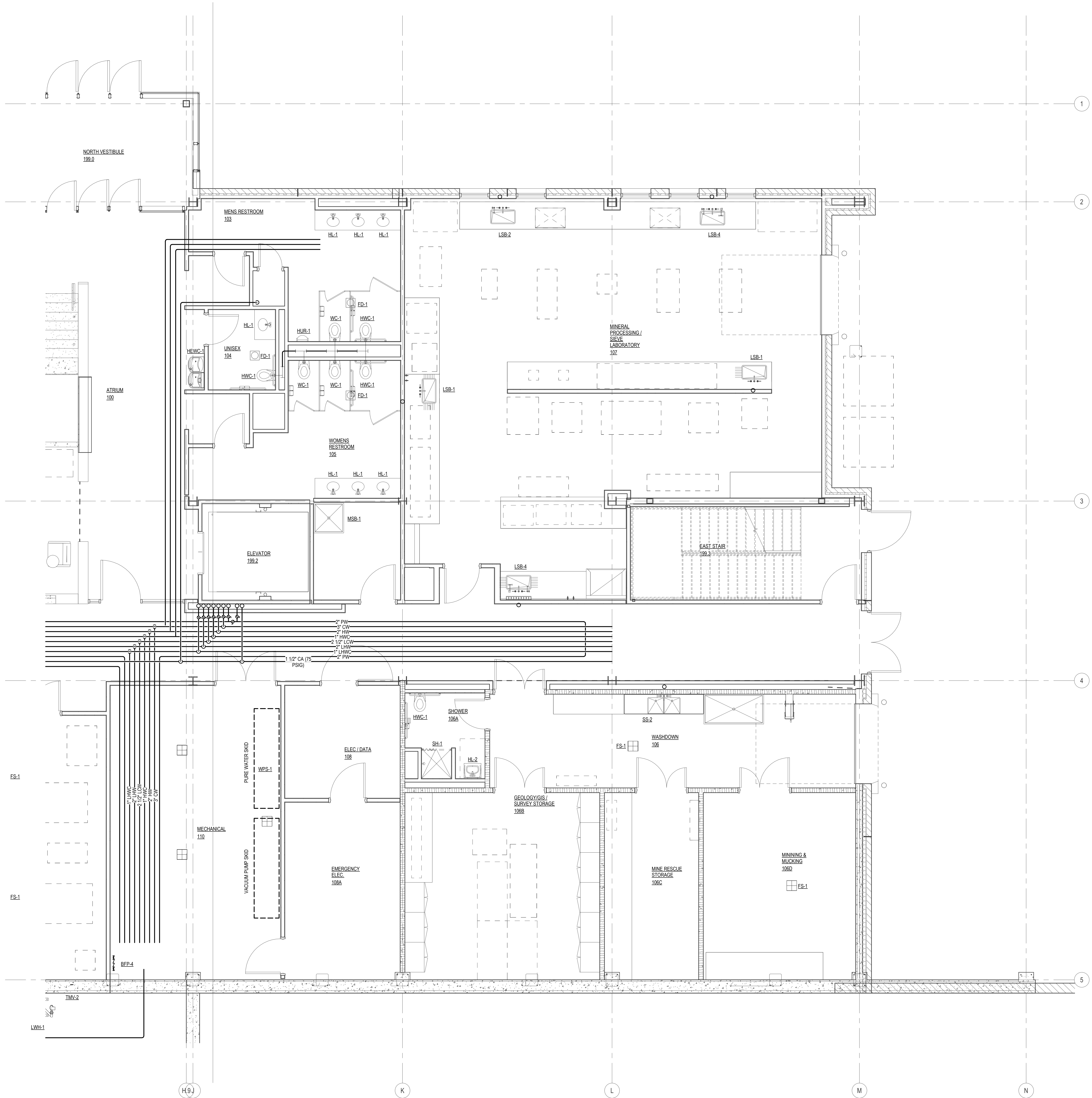
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor Plumbing Plan -  
Area B

P2.12



**FIRST FLOOR PLUMBING PLAN - AREA C**  
SCALE: 1/4" = 1'-0"

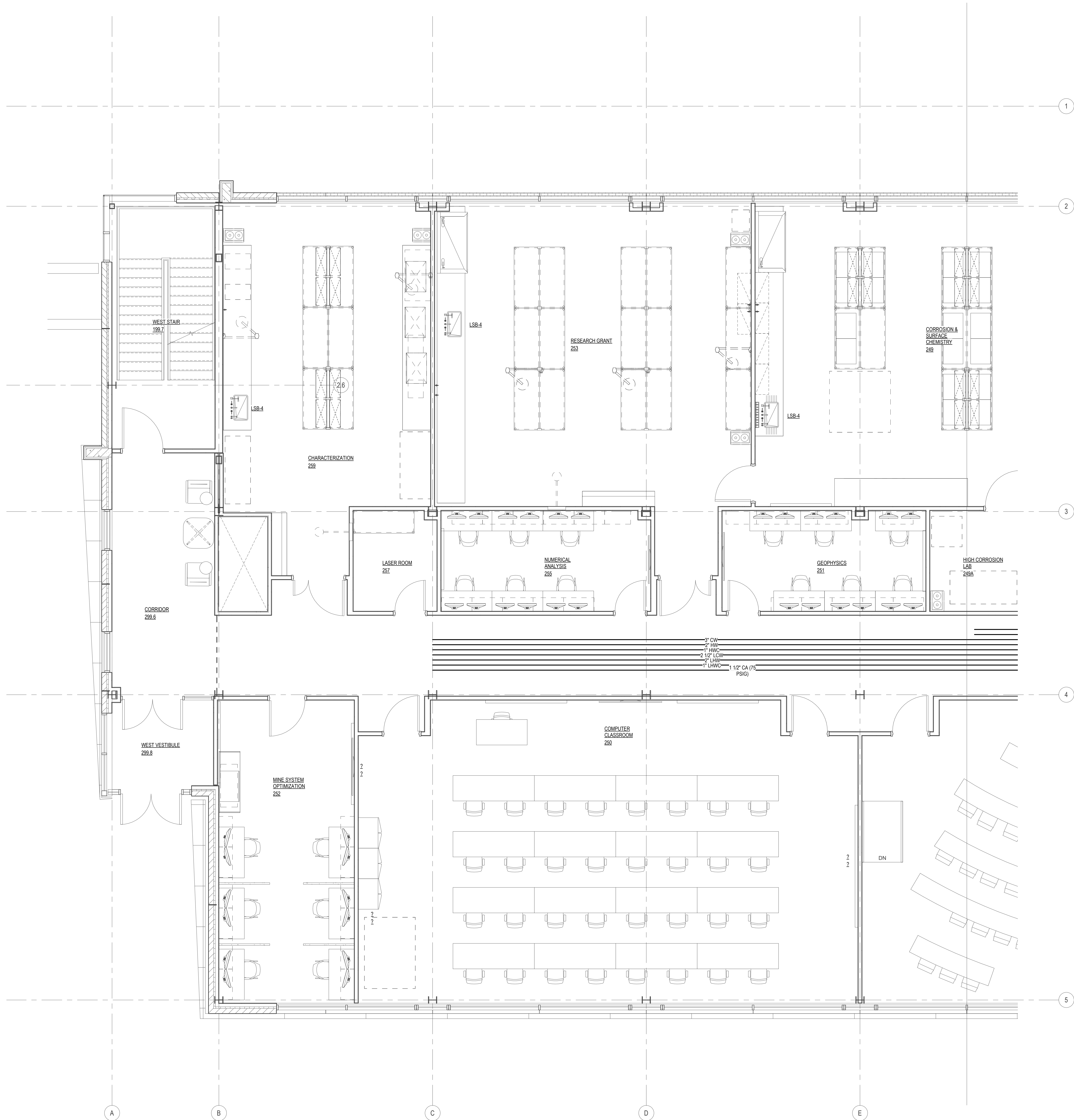
**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



SECOND FLOOR PLUMBING PLAN - AREA A  
SCALE: 1/4" = 1'-0"

Design Development

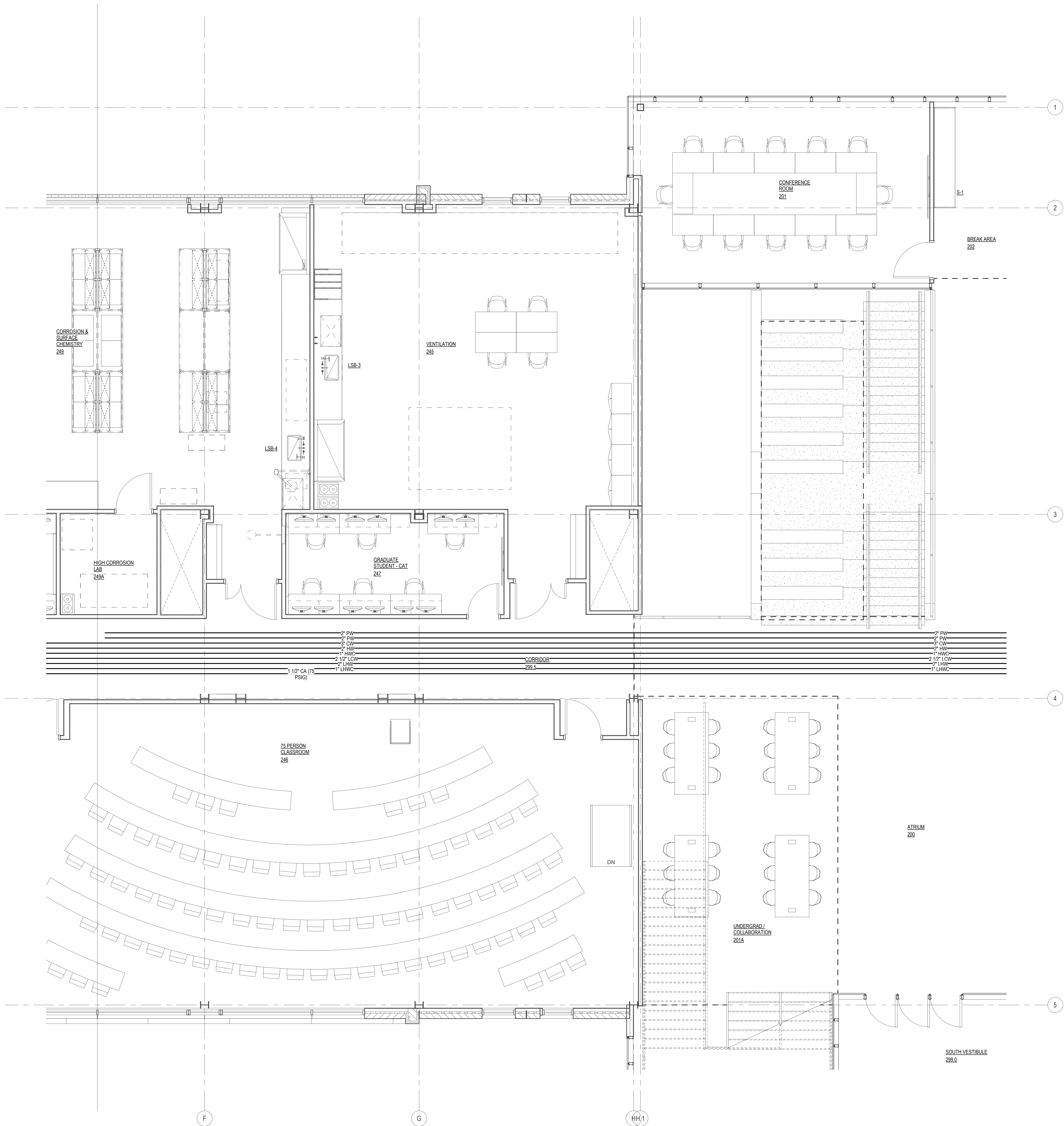
South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





SECOND FLOOR PLUMBING PLAN - AREA B

SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

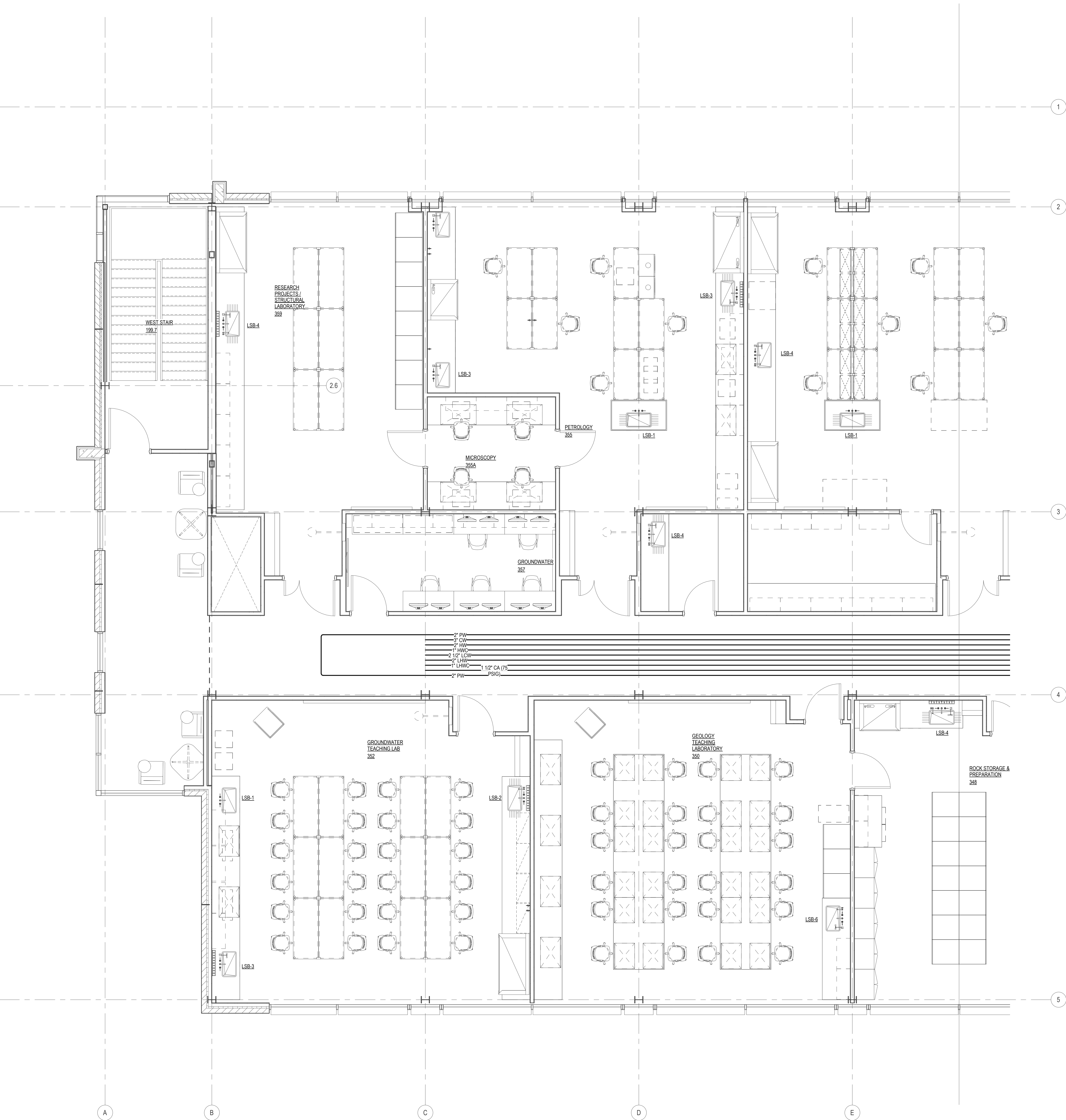
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.







**THIRD FLOOR PLUMBING PLAN - AREA A**  
SCALE: 1/4" = 1'-0"

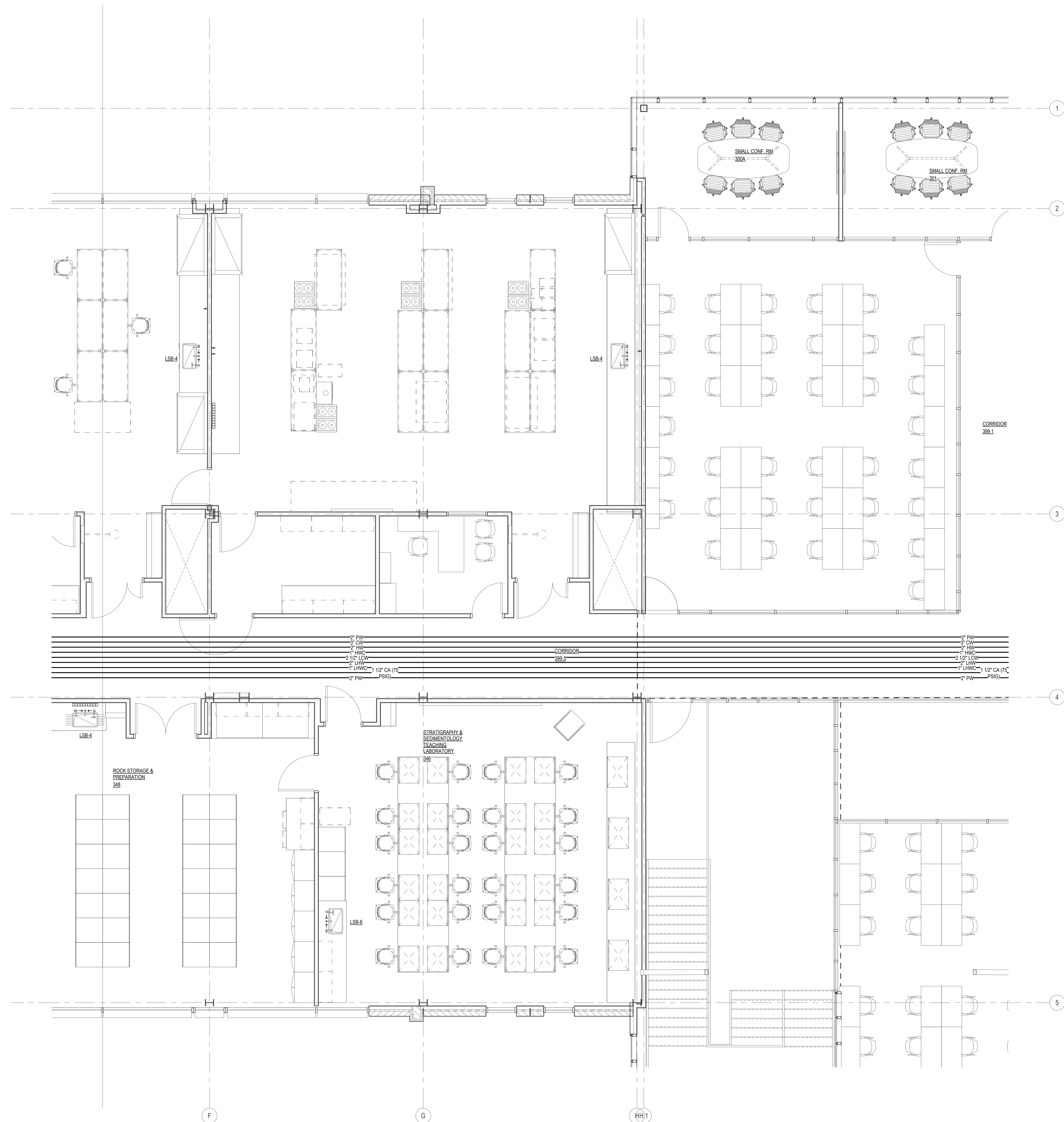
**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



## Design Development

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

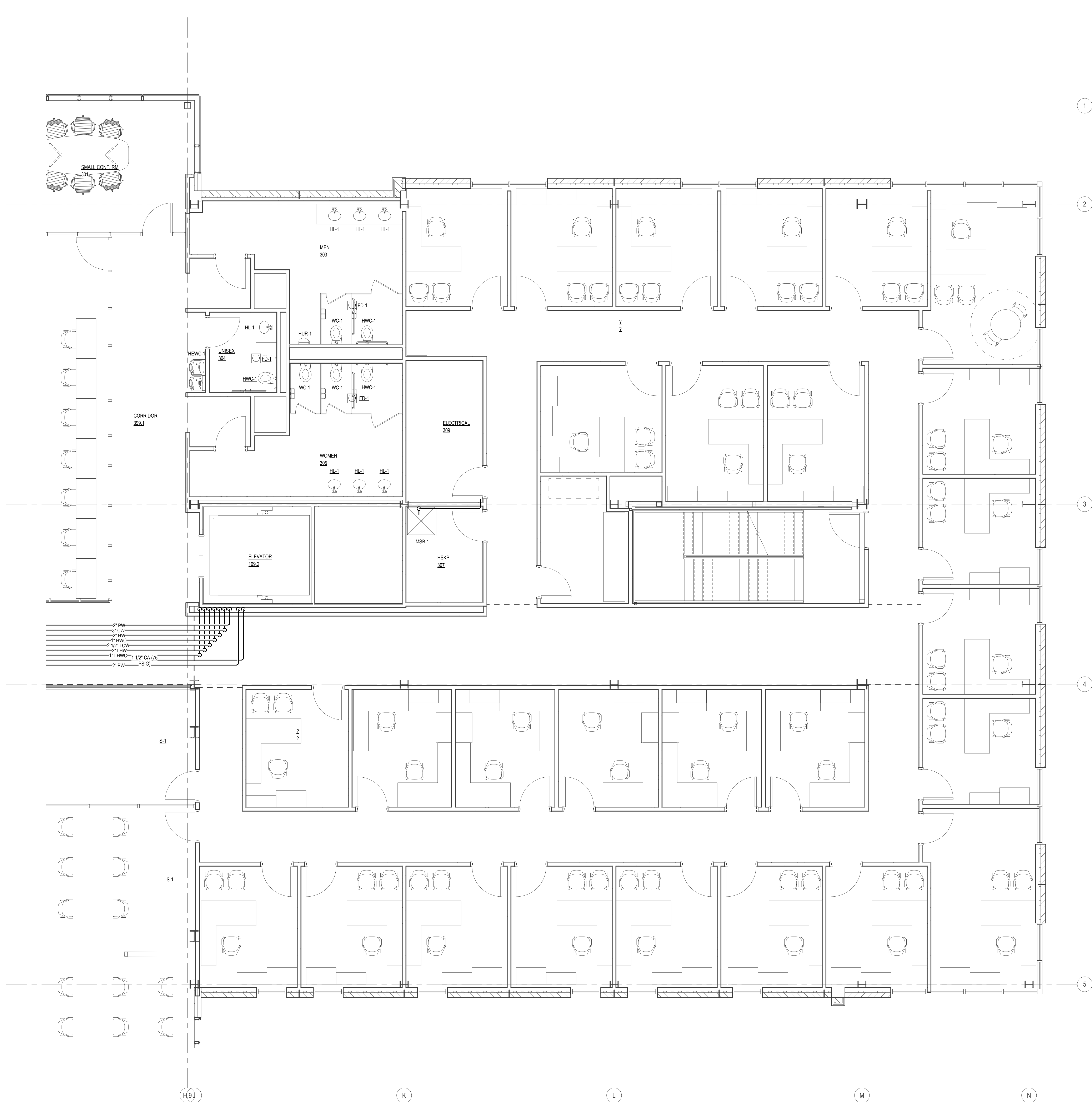
Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

### Third Floor Plumbing Plan - Area B

## P2.32



THIRD FLOOR PLUMBING PLAN - AREA C  
SCALE: 1/4" = 1'-0"

Design Development

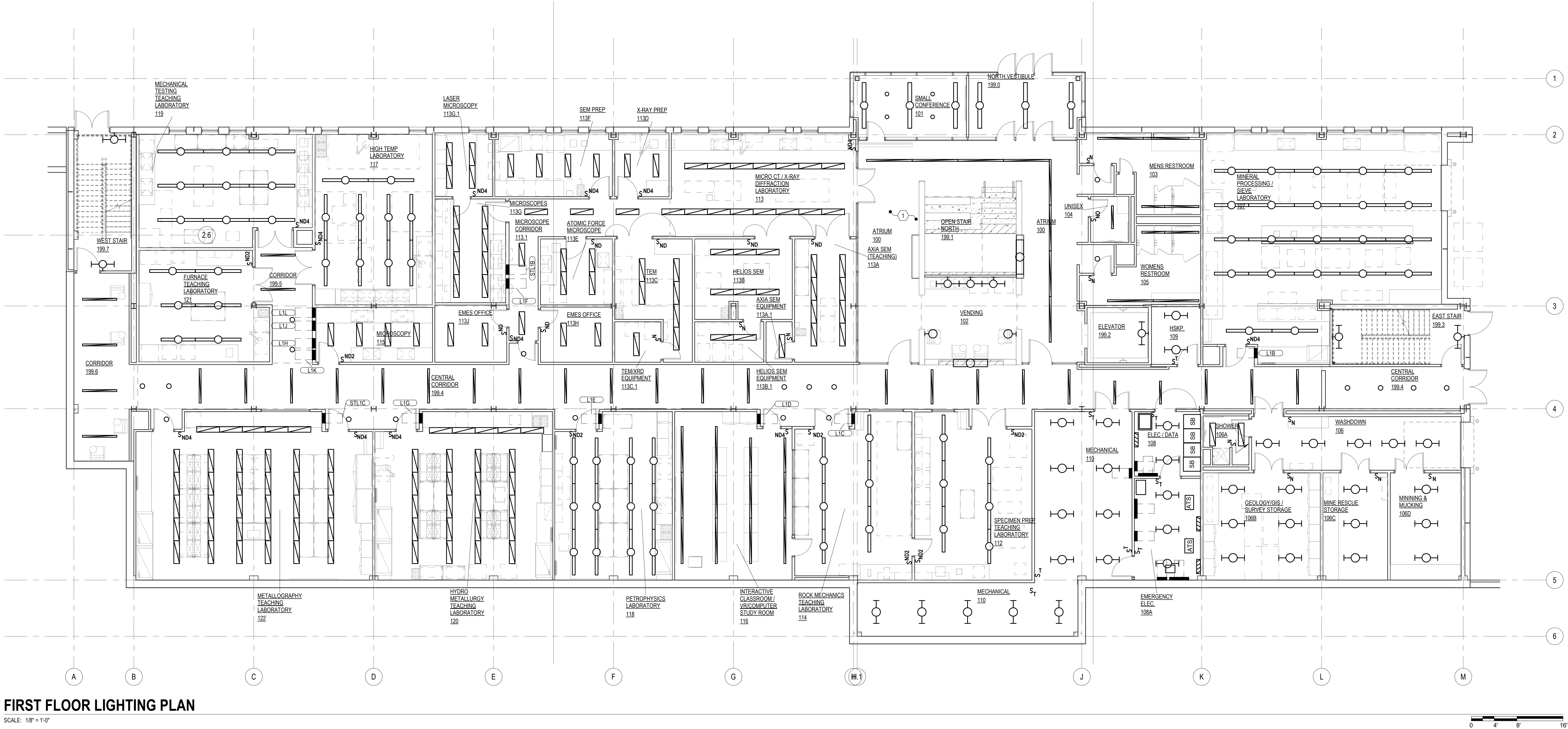
South Dakota Mines -  
Mineral Industries  
Center of Excellence

Technology CT  
South Dakota Mines  
Rapid City, SD

CE No.: 888-003-21  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.



**FIRST FLOOR LIGHTING PLAN**  
SCALE: 1/8" = 1'-0"

FIRST FLOOR LIGHTING PLAN NOTES	
KEY NOTE	DESCRIPTION
1	OVERHEAD LIGHTING IN ATRIUM & OPEN STAIR ARE SHOWN ON THE SECOND FLOOR LIGHTING PLAN.

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

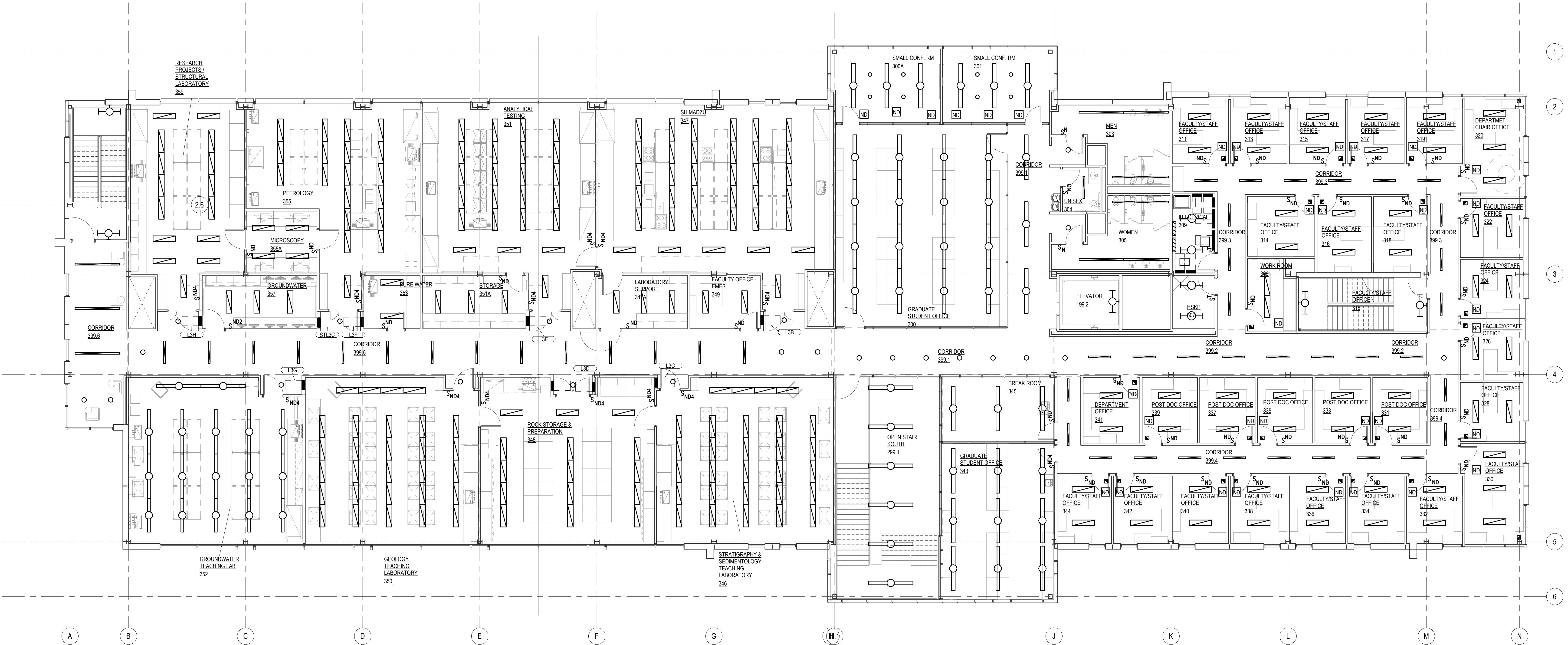


## Design Development

### **South Dakota Mines - Mineral Industries Center of Excellence**

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.





THIRD FLOOR LIGHTING PLAN

SCALE: 1/8" = 1'-0"



THIRD FLOOR LIGHTING PLAN NOTES	
KEY NOTE	DESCRIPTION

Design Development

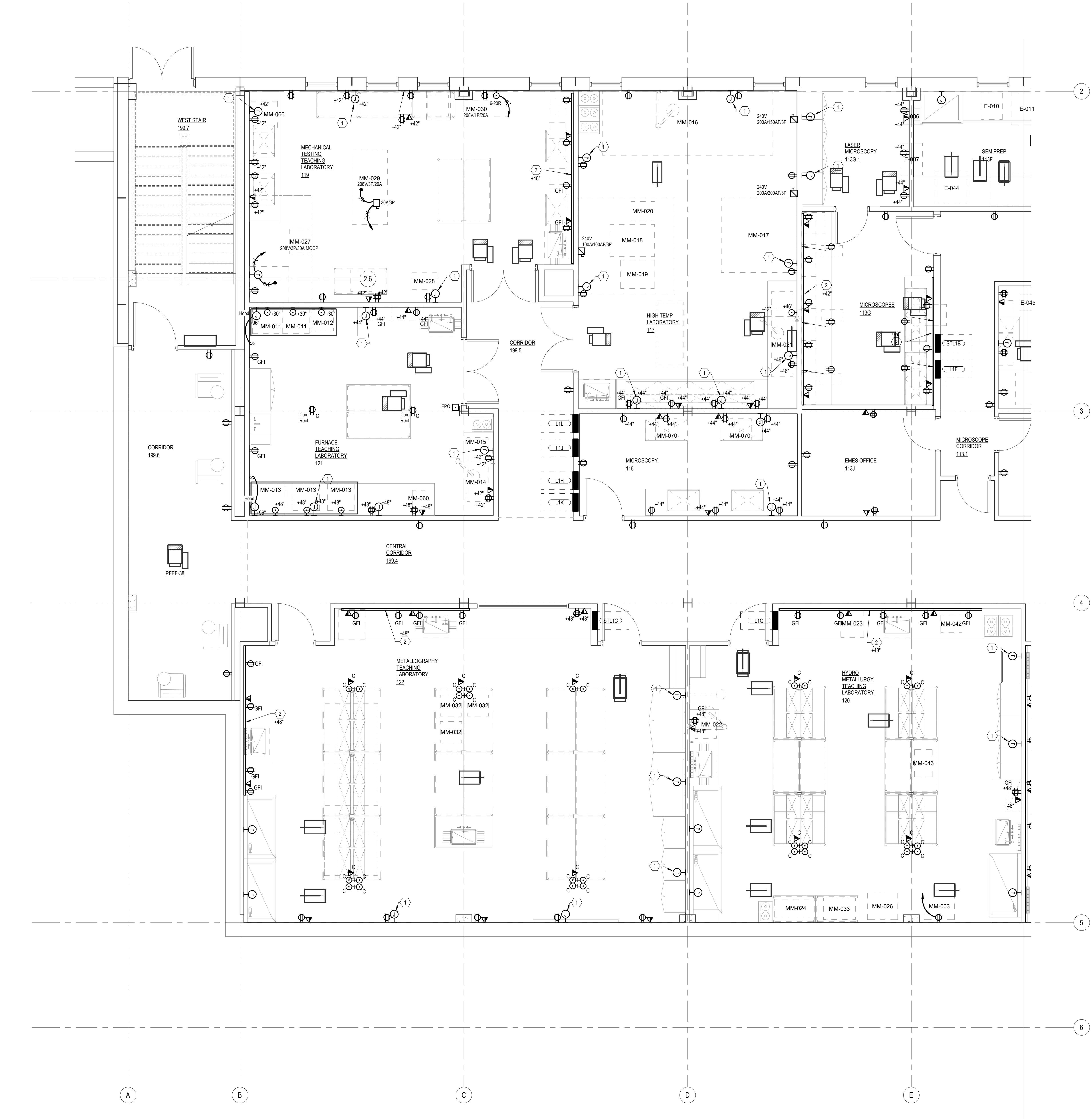
South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY SUBMISSION AND REVIEW ONLY -- NOT FOR CONSTRUCTION.

FIRST FLOOR POWER & AUXILIARY SYSTEMS - AREA A - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE (1)-1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY. SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.



FIRST FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA A  
SCALE: 1/4" = 1'-0"  
0 2' 4' 8'

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

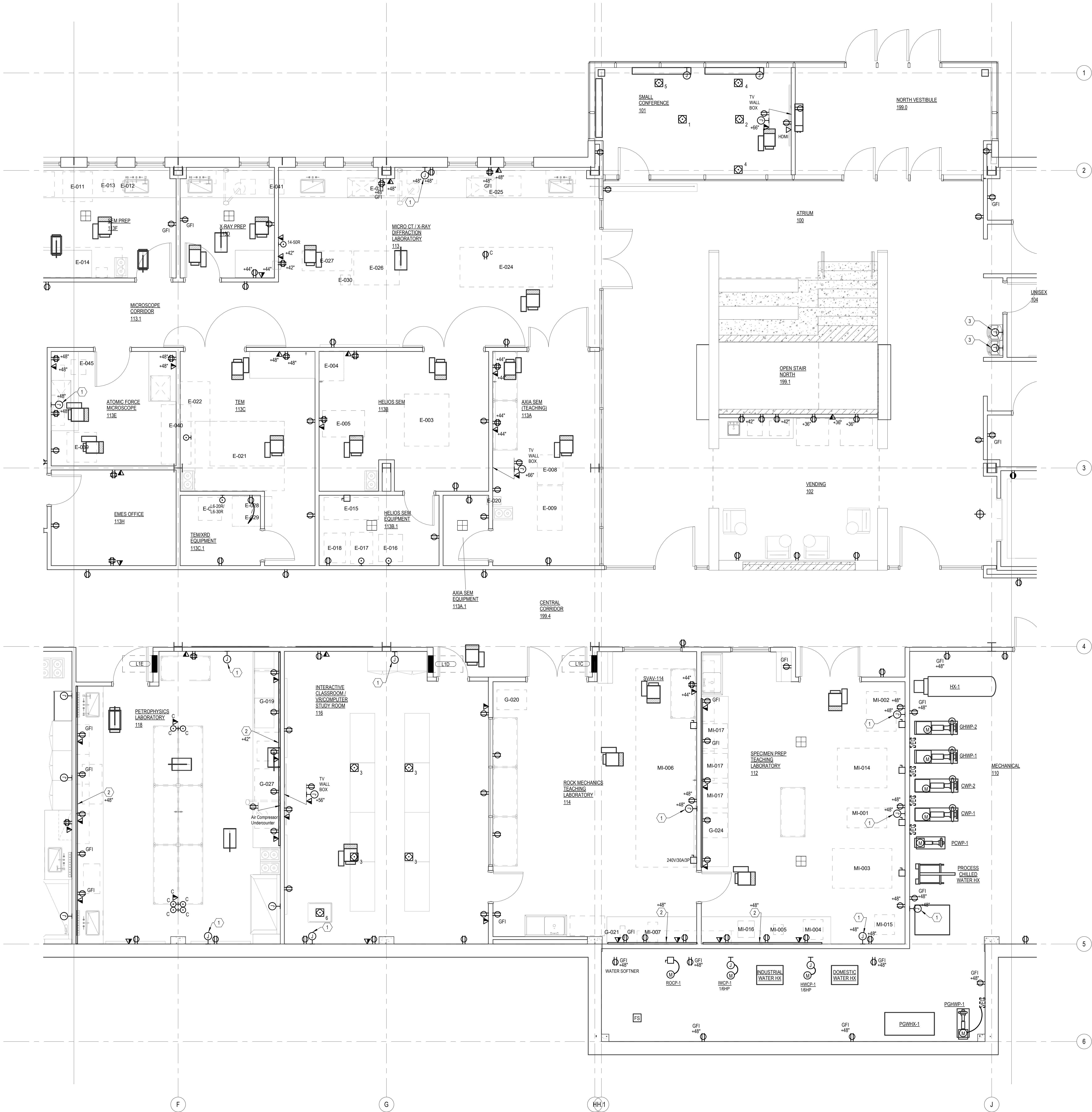
**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor Power &  
Auxiliary Systems Plan -  
Area A

E2.01a



FIRST FLOOR POWER & AUXILIARY SYSTEMS - AREA B - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE (1)-1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY. SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.
3	PROVIDE 120V ELECTRICAL CONNECTION TO ELECTRIC WATER COOLER. COORDINATE CONNECTION REQUIREMENTS WITH ELECTRIC WATER COOLER SUPPLIER/INSTALLER.



FIRST FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA B

SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor Power &  
Auxiliary Systems Plan -  
Area B

E2.01b

FIRST FLOOR POWER & AUXILIARY SYSTEMS - AREA C - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	LOCATE HEAT DETECTOR WITHIN 2'-0" OF EACH SPRINKLER HEAD FOR CODE REQUIRED ELEVATOR RECALL.
2	LOCATE SMOKE DETECTOR IN THIS AREA. PROVIDE ALL NECESSARY RELAYS AND CONNECTIONS TO ELEVATOR CONTROLLER FOR CODE REQUIRED ELEVATOR RECALL. COORDINATE CONNECTION WITH THE ELEVATOR SUPPLIER/INSTALLER.
3	COORDINATE LOCATION OF RECEPTACLE WITH THE MECHANICAL CONTRACTOR FOR CONNECTION TO ELEVATOR PIT PUMP PUMP.
4	ALL DEVICES IN THE ELEVATOR SHAFT SHALL BE NEMA 4 RATED AND ALL CONDUIT SHALL BE GALVANIZED RIGID STEEL.
5	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE 1/2" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
6	CONNECTION AND CONTROLLER FOR THE OVERHEAD DOOR. COORDINATE CONNECTION WITH THE OVERHEAD DOOR SUPPLIER/INSTALLER.

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

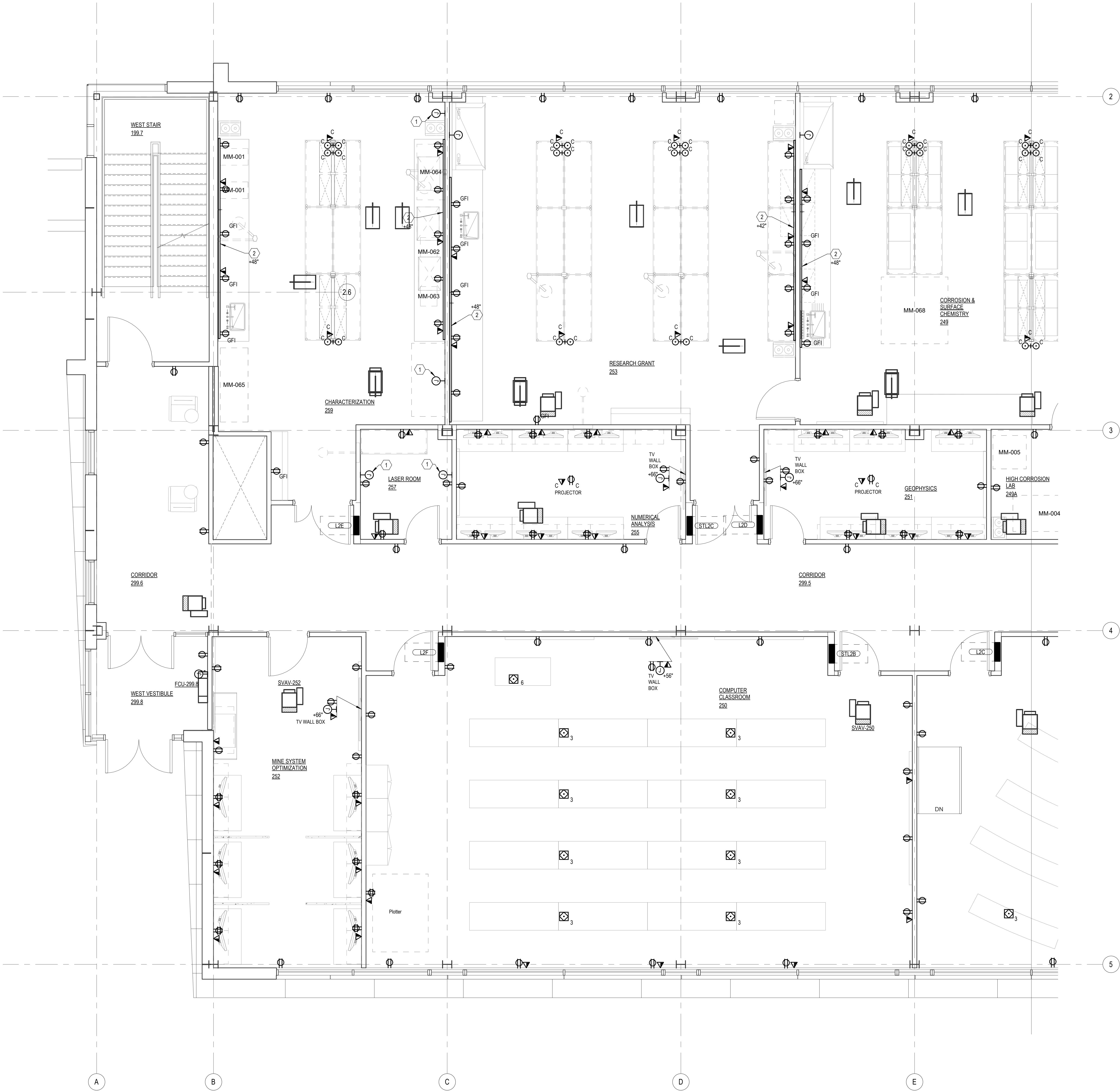
DRAFT

PREPARED FOR PRELIMINARY SUBMISSION AND REVIEW ONLY -- NOT FOR CONSTRUCTION.

First Floor Power & Auxiliary Systems Plan - Area C

E2.01c

SECOND FLOOR POWER & AUXILIARY SYSTEMS - AREA A - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE (1)-1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY. SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.



 SECOND FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA A  
SCALE: 1/4" = 1'-0"

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

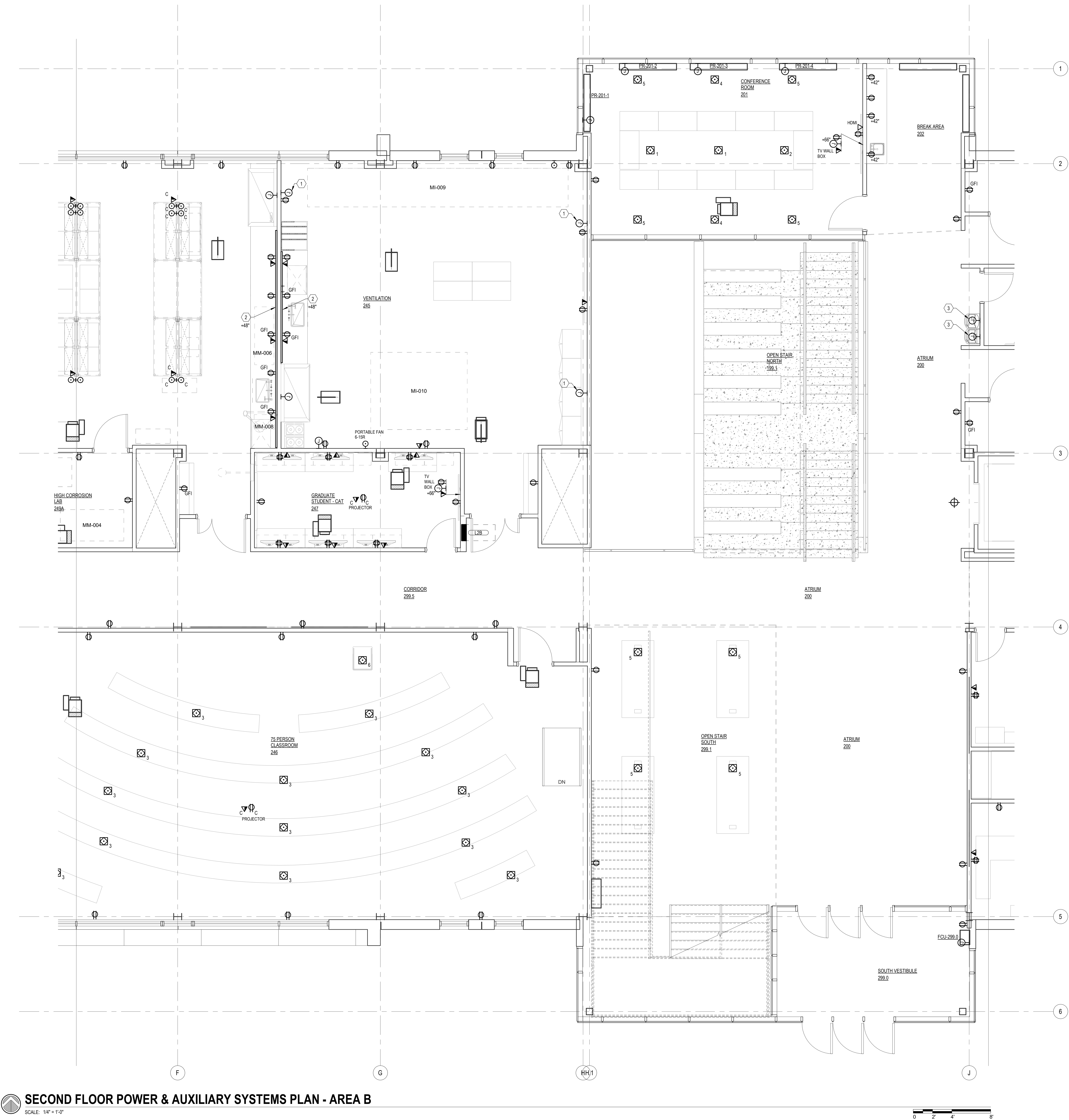
**DRAFT**

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor Power &  
Auxiliary Systems Plan -  
Area A

**E2.02a**

SECOND FLOOR POWER & AUXILIARY SYSTEMS - AREA B - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE (1)-1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY- SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.
3	PROVIDE 120V ELECTRICAL CONNECTION TO ELECTRIC WATER COOLER. COORDINATE CONNECTION REQUIREMENTS WITH ELECTRIC WATER COOLER SUPPLIER/INSTALLER.



SECOND FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA B

SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor Power & Auxiliary Systems Plan - Area B

E2.02b

SECOND FLOOR POWER & AUXILIARY SYSTEMS - AREA C - PLAN NOTES	
KEY NOTE	DESCRIPTION

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

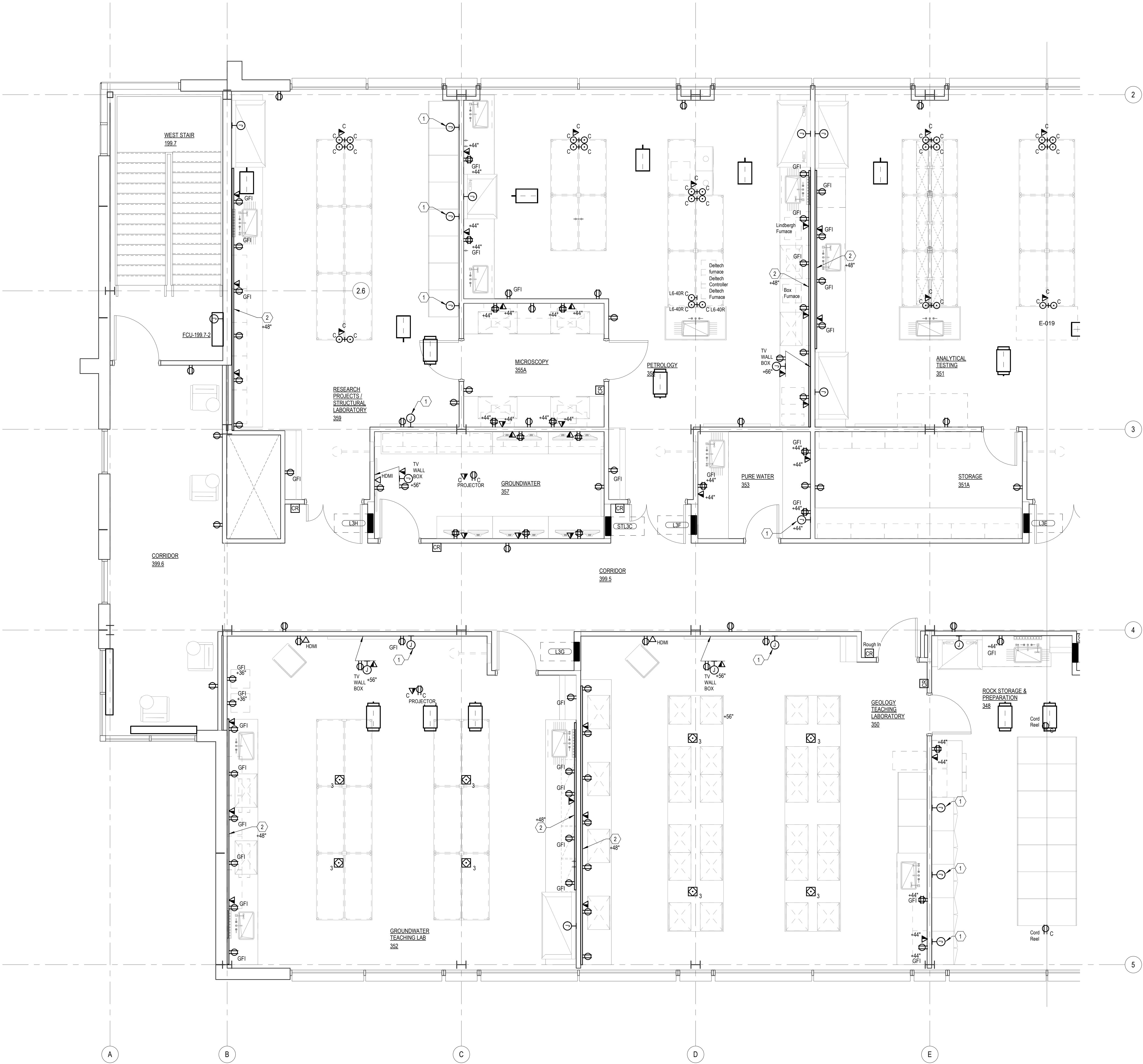
**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor Power &  
Auxiliary Systems Plan -  
Area C

E2.02c



THIRD FLOOR POWER & AUXILIARY SYSTEMS - AREA A - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT +18" AFF UNLESS OTHERWISE INDICATED. ROUTE 1/1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY. SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.



THIRD FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA A  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

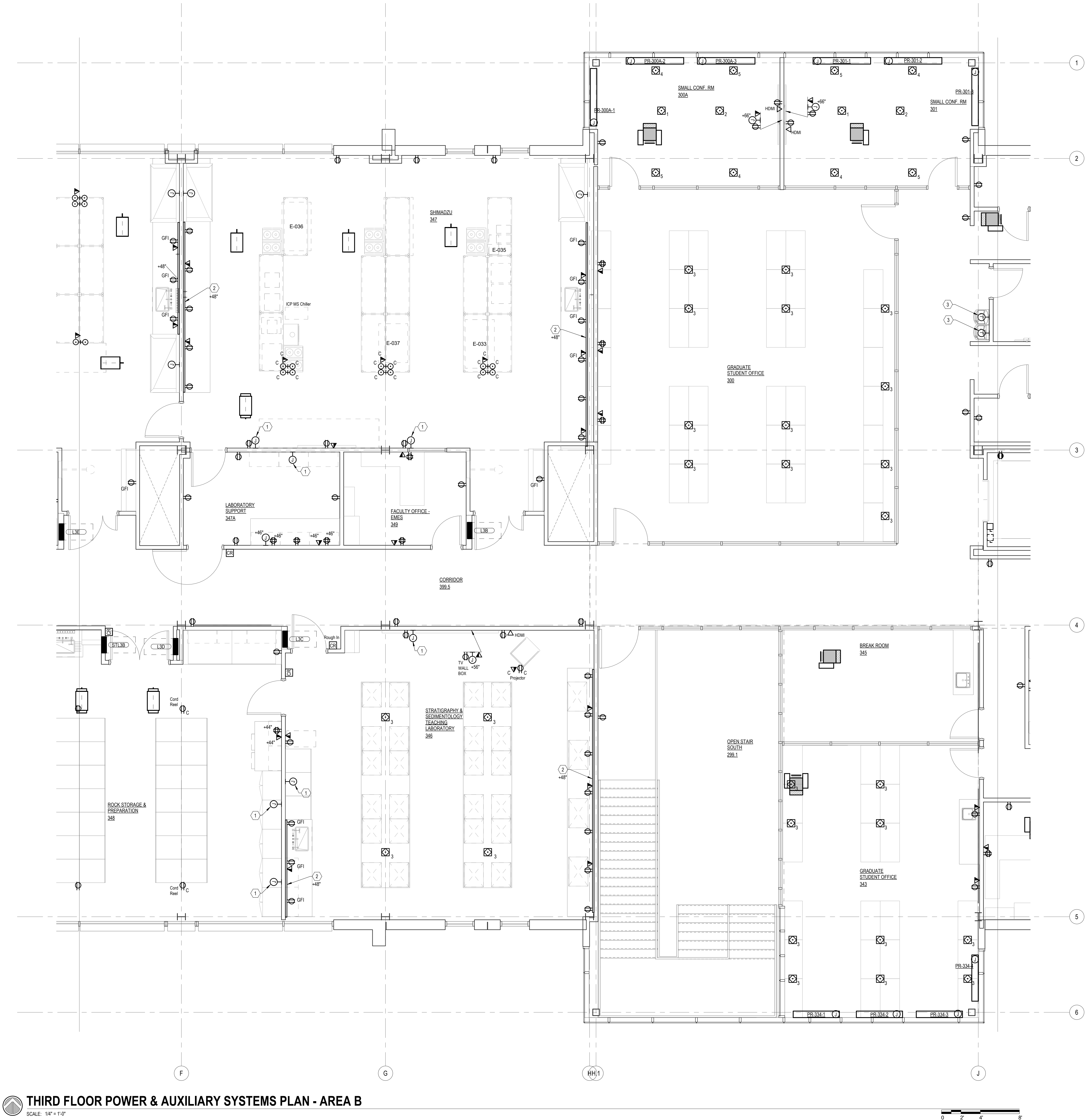
DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor Power &  
Auxiliary Systems Plan -  
Area A

E2.03a

THIRD FLOOR POWER & AUXILIARY SYSTEMS - AREA B - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	2 GANG BOX WITH SINGLE GANG EXTENSION RING AND BLANK COVER FOR FUTURE USE. FLUSH MOUNT IN WALL AT 18" AFF UNLESS OTHERWISE INDICATED. ROUTE (1)-1" CONDUIT FROM BOX, CONCEALED UP WALL AND STUB ABOVE ACCESSIBLE CEILING IN CORRIDOR. BUSH CONDUIT ENDS.
2	SURFACE MOUNTED RACEWAY. SEE THE SURFACE MOUNTED RACEWAY DETAIL FOR ADDITIONAL INFORMATION. RACEWAY TO BE MOUNTED AT HEIGHT INDICATED ON PLANS.
3	PROVIDE 120V ELECTRICAL CONNECTION TO ELECTRIC WATER COOLER. COORDINATE CONNECTION REQUIREMENTS WITH ELECTRIC WATER COOLER SUPPLIER/INSTALLER.



THIRD FLOOR POWER & AUXILIARY SYSTEMS PLAN - AREA B

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor Power &  
Auxiliary Systems Plan -  
Area B

E2.03b



THIRD FLOOR POWER & AUXILIARY SYSTEMS - AREA C - PLAN NOTES	
KEY NOTE	DESCRIPTION
1	LOCATE HEAT DETECTOR WITHIN 2'-0" OF EACH SPRINKLER HEAD FOR CODE REQUIRED ELEVATOR RECALL.
2	LOCATE SMOKE DETECTOR IN THIS AREA. PROVIDE ALL NECESSARY RELAYS AND CONNECTIONS TO ELEVATOR CONTROLLER FOR CODE REQUIRED ELEVATOR RECALL. COORDINATE CONNECTION WITH THE ELEVATOR SUPPLIER/INSTALLER.
3	PROVIDE 30A NON-FUSED DISCONNECT LOCATED IN ELEVATOR HOISTWAY FOR ELEVATOR CAB LIGHTING. DISCONNECT SHALL BE LOCABLE IN THE CLOSED POSITION WITH A LOCKING MECHANISM THAT CANNOT BE REMOVED. DISCONNECT TO BE PROVIDED WITH A POSITIVELY DRIVEN AUXILIARY CONTACT. CONTACT SHALL OPEN WHEN DISCONNECT IS OPENED.
4	ELECTRICAL CONNECTION TO ELEVATOR CONTROLLER. COORDINATE EXACT CONNECTION LOCATION WITH THE ELEVATOR SUPPLIER/INSTALLER. SEE THE ONE-LINE DIAGRAMS FOR FEEDER SIZING.

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

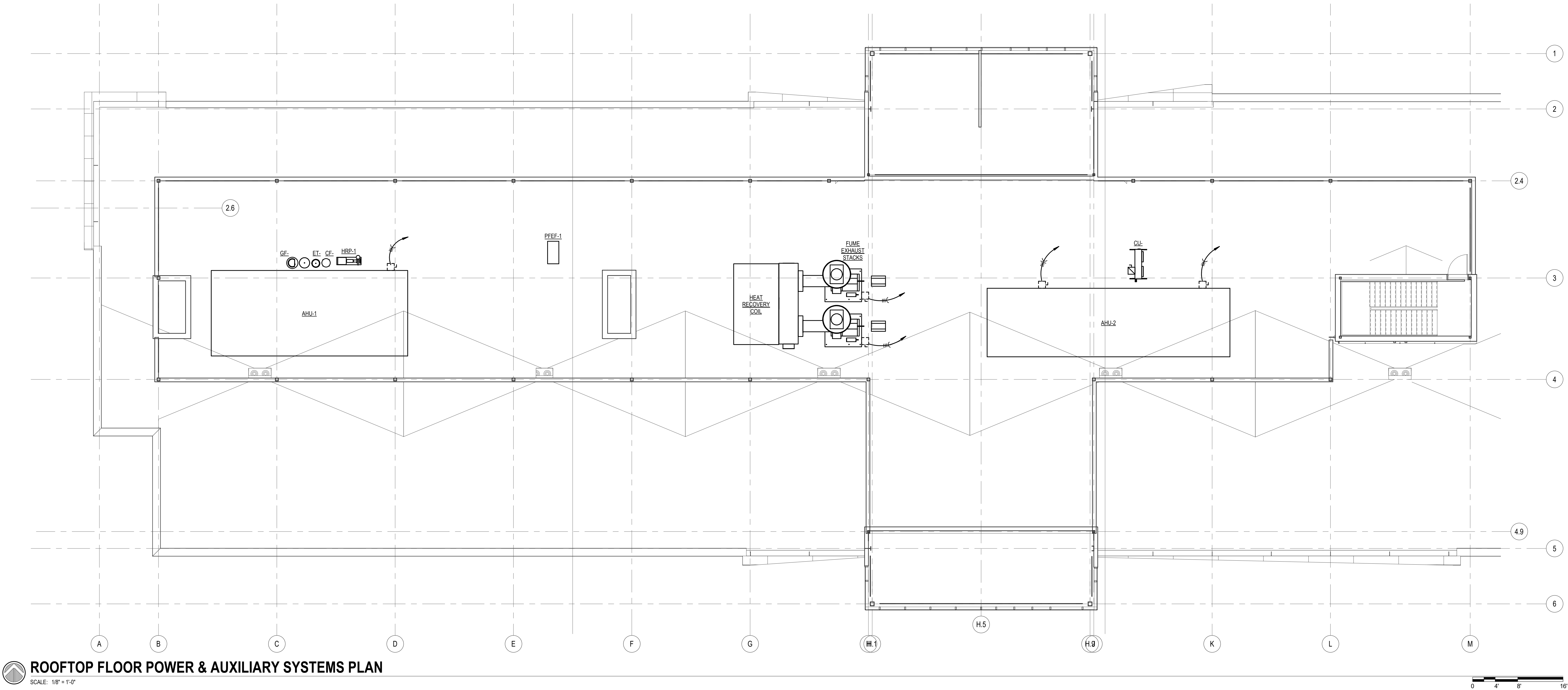
CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor Power &  
Auxiliary Systems Plan -  
Area C

E2.03c



**ROOFTOP FLOOR POWER & AUXILIARY SYSTEMS PLAN**  
SCALE: 1/8" = 1'-0"

ROOFTOP POWER & AUXILIARY SYSTEMS PLAN NOTES	
KEY NOTE	DESCRIPTION

**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

FIRST FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA A	
KEY NOTE	DESCRIPTION

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

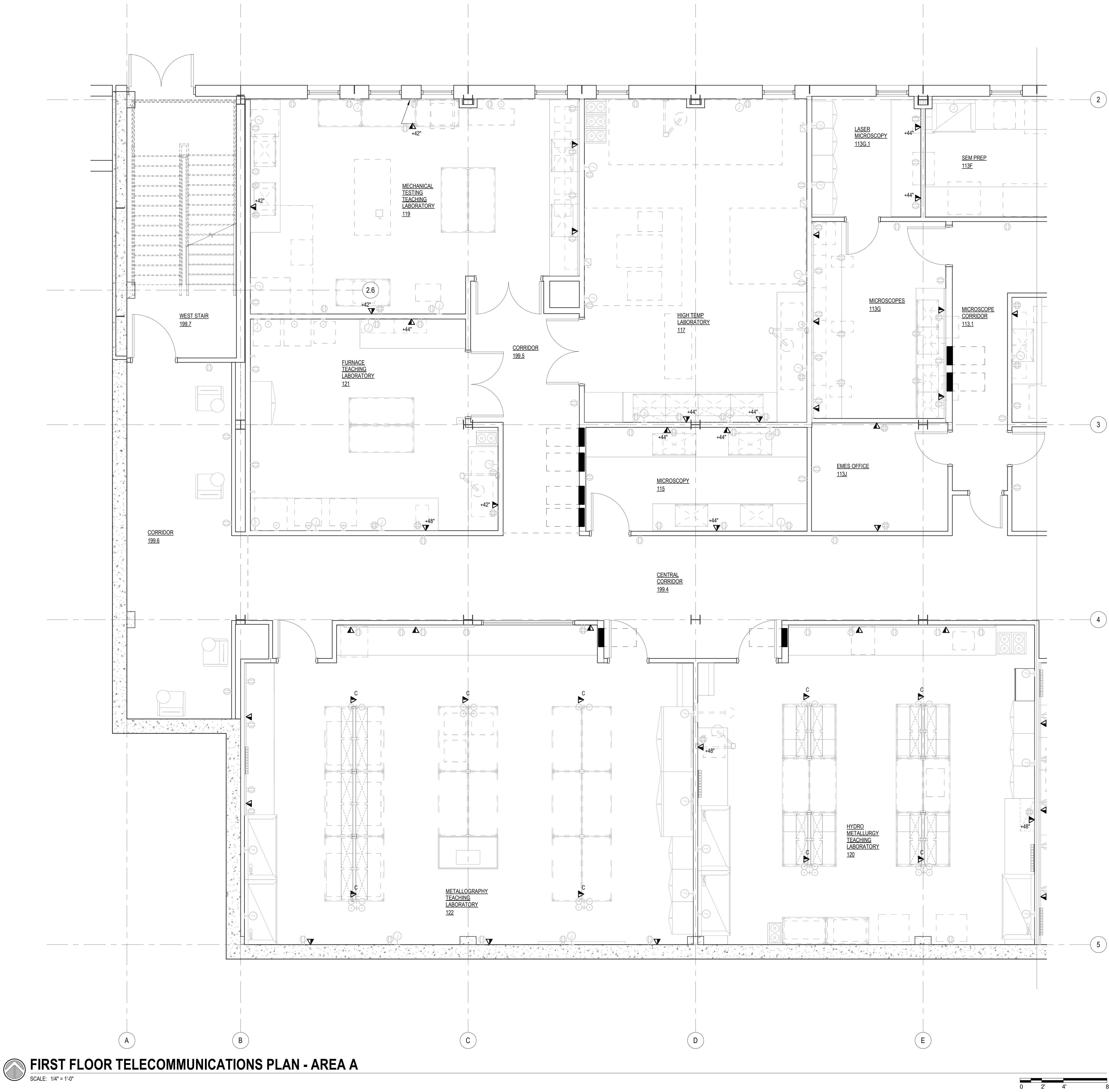
CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor  
Telecommunications Plan  
- Area A

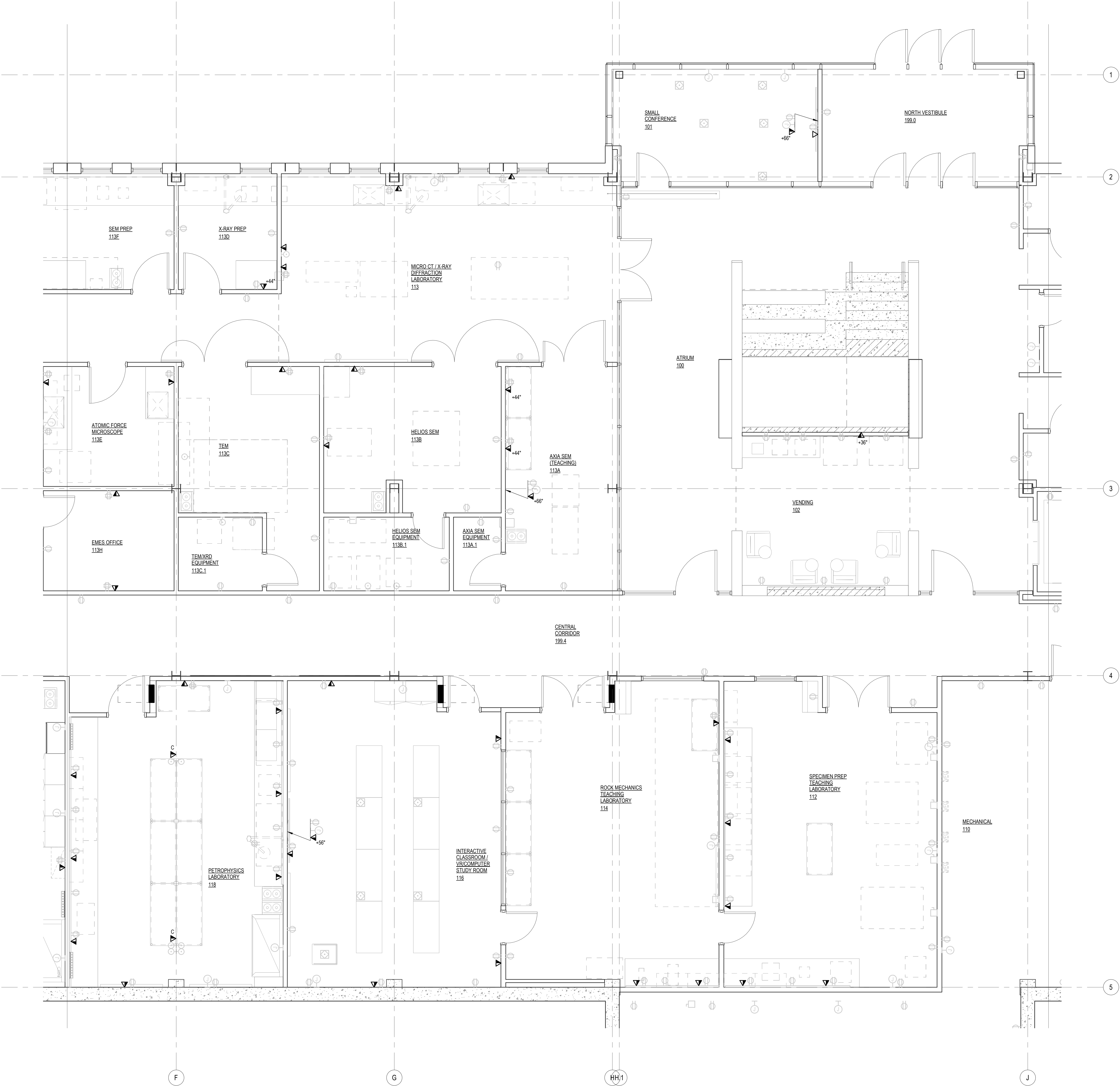
T1.01a



FIRST FLOOR TELECOMMUNICATIONS PLAN - AREA A

SCALE: 1/4" = 1'-0"

FIRST FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA B	
KEY NOTE	DESCRIPTION



FIRST FLOOR TELECOMMUNICATIONS PLAN - AREA B

SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines - Mineral Industries Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

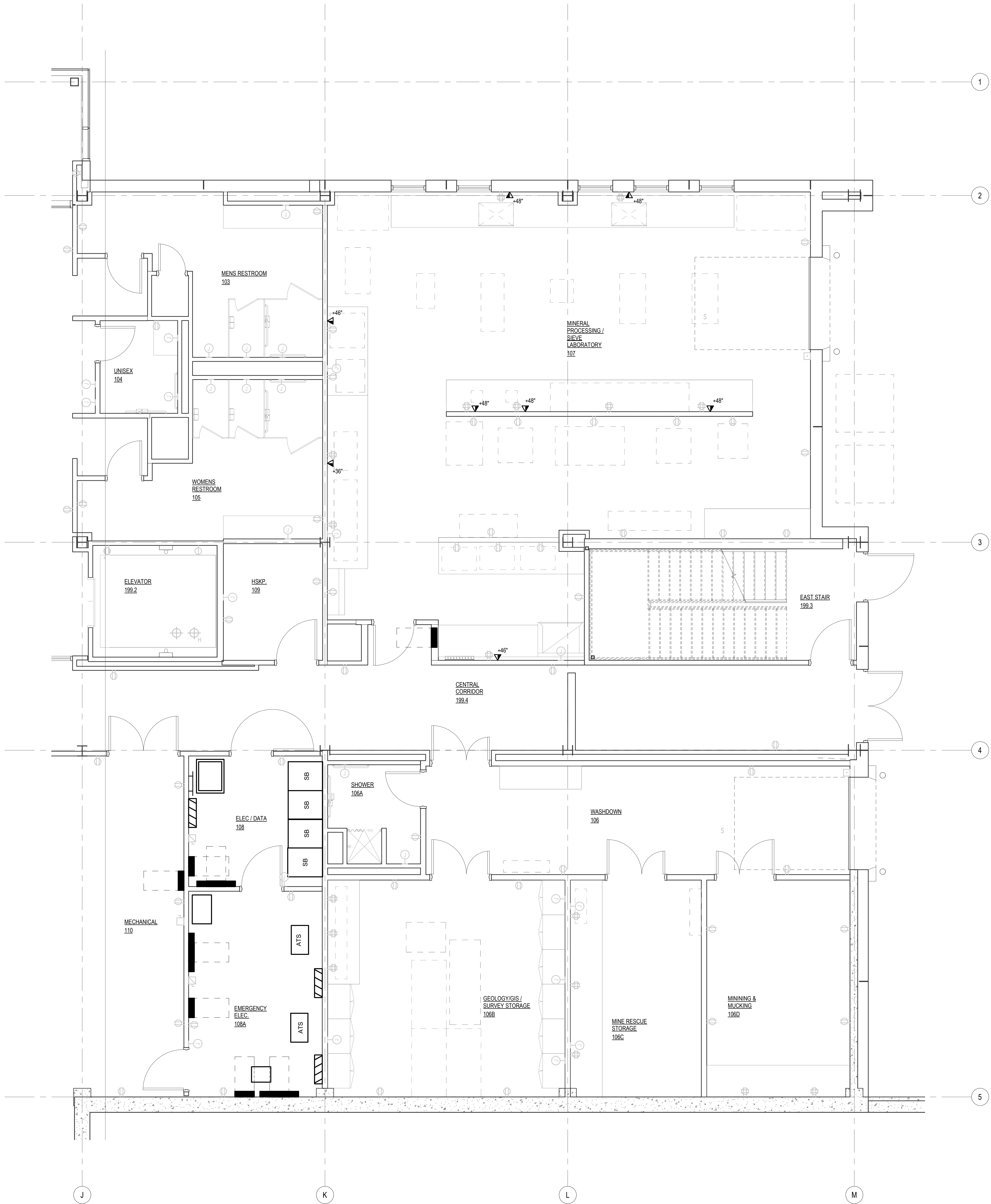
DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

First Floor  
Telecommunications Plan  
- Area B

T1.01b

FIRST FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA C	
KEY NOTE	DESCRIPTION



FIRST FLOOR TELECOMMUNICATIONS PLAN - AREA C  
SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

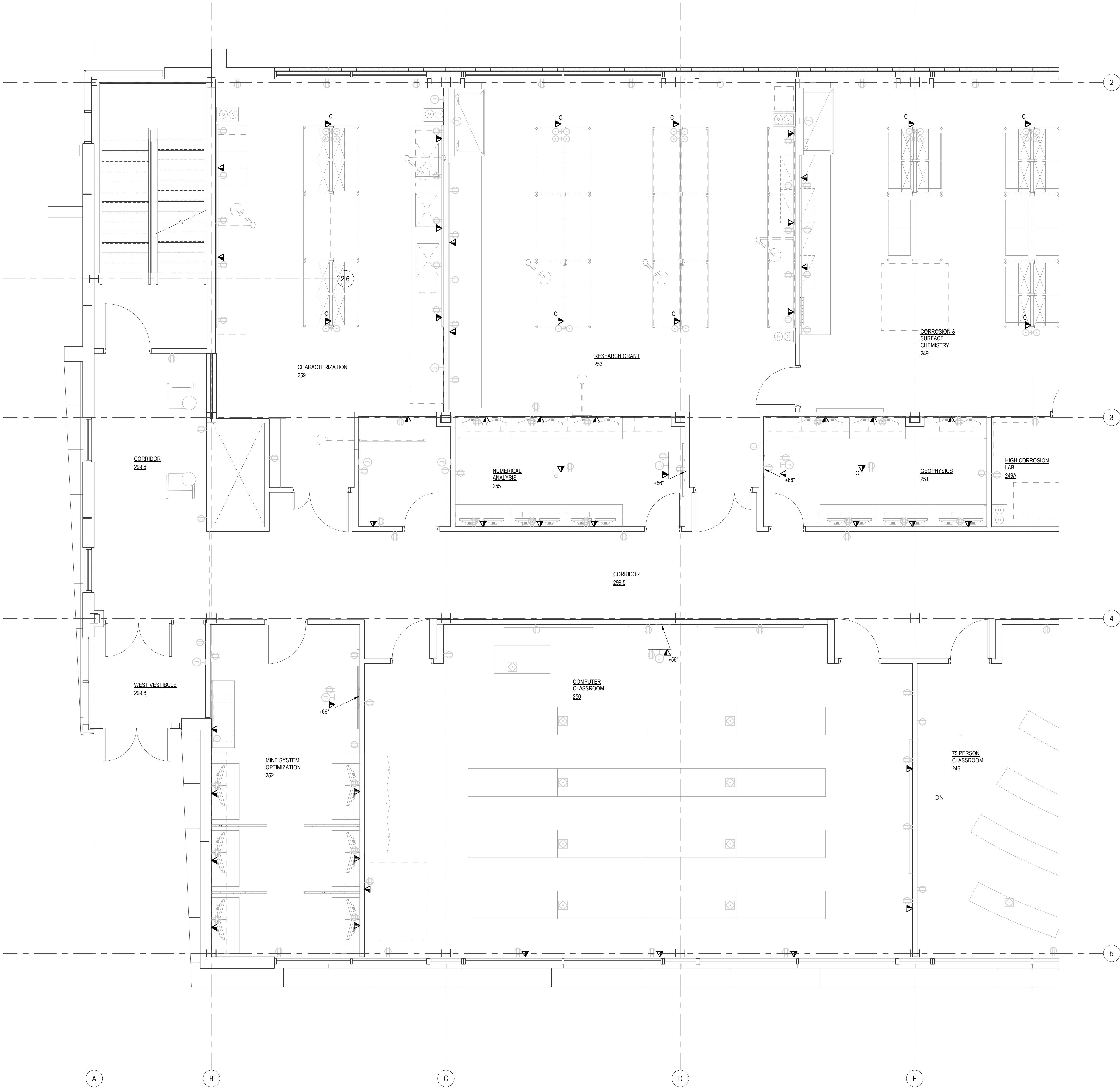
CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

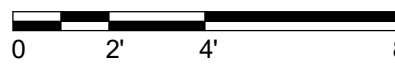
First Floor  
Telecommunications Plan  
- Area C

T1.01c

SECOND FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA A	
KEY NOTE	DESCRIPTION



 **SECOND FLOOR TELECOMMUNICATIONS PLAN - AREA A**  
SCALE: 1/4" = 1'-0"



**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**

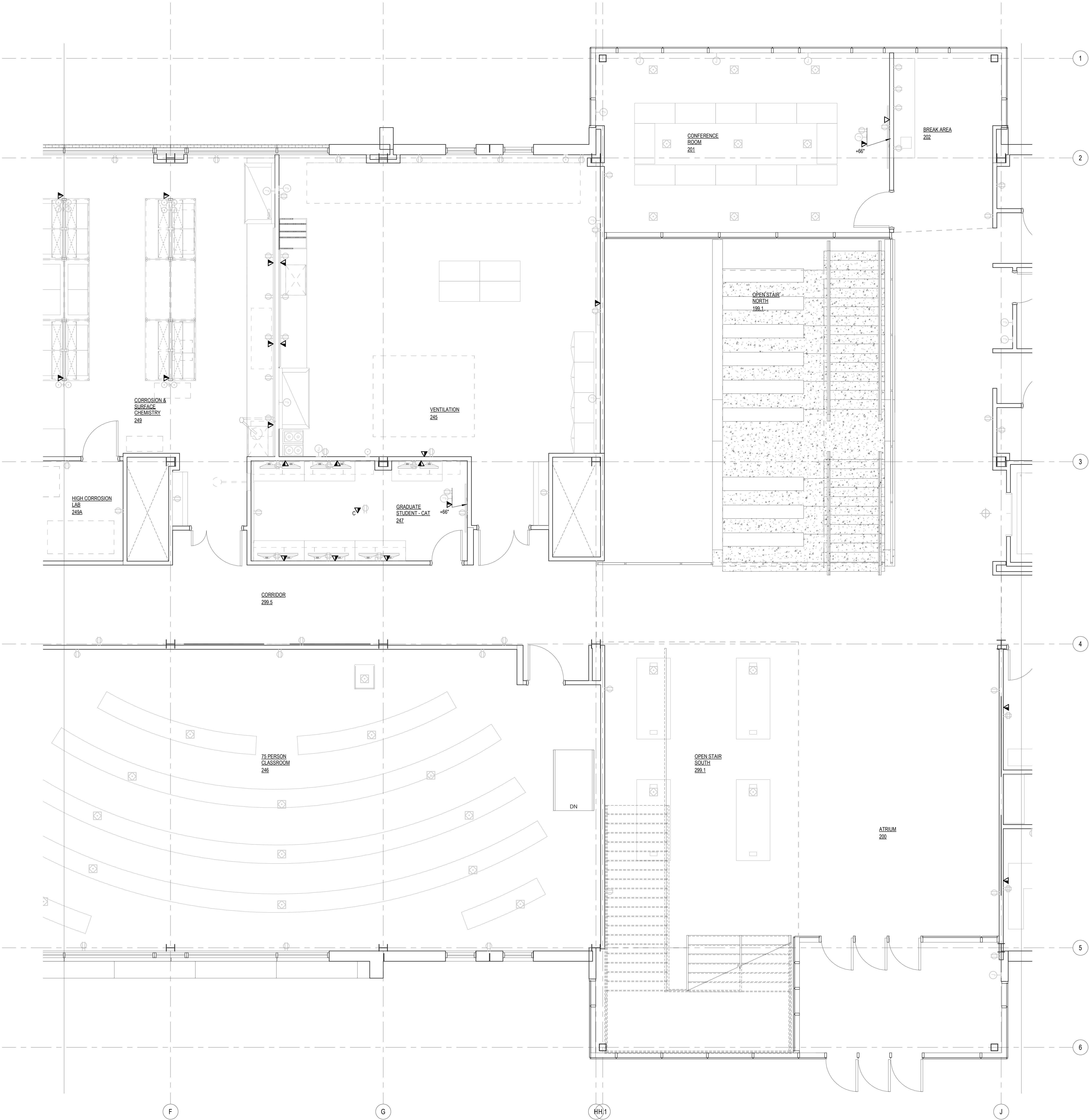
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor  
Telecommunications Plan  
- Area A

**T1.02a**

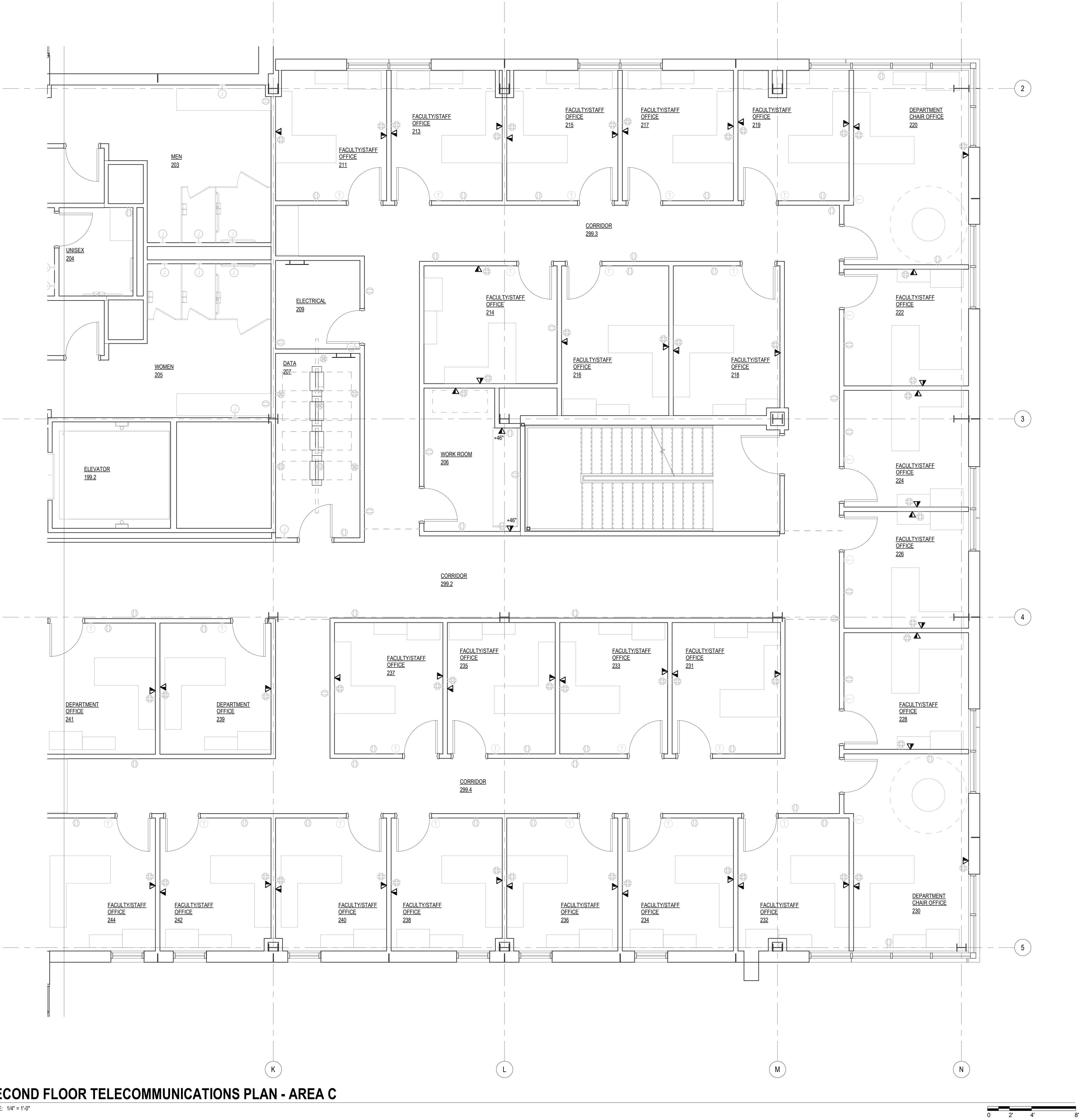


SECOND FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA B	
KEY NOTE	DESCRIPTION





SECOND FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA C	
KEY NOTE	DESCRIPTION



 SECOND FLOOR TELECOMMUNICATIONS PLAN - AREA C

SCALE: 1/4" = 1'-0"



**Design Development**

**South Dakota Mines -  
Mineral Industries  
Center of Excellence**

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

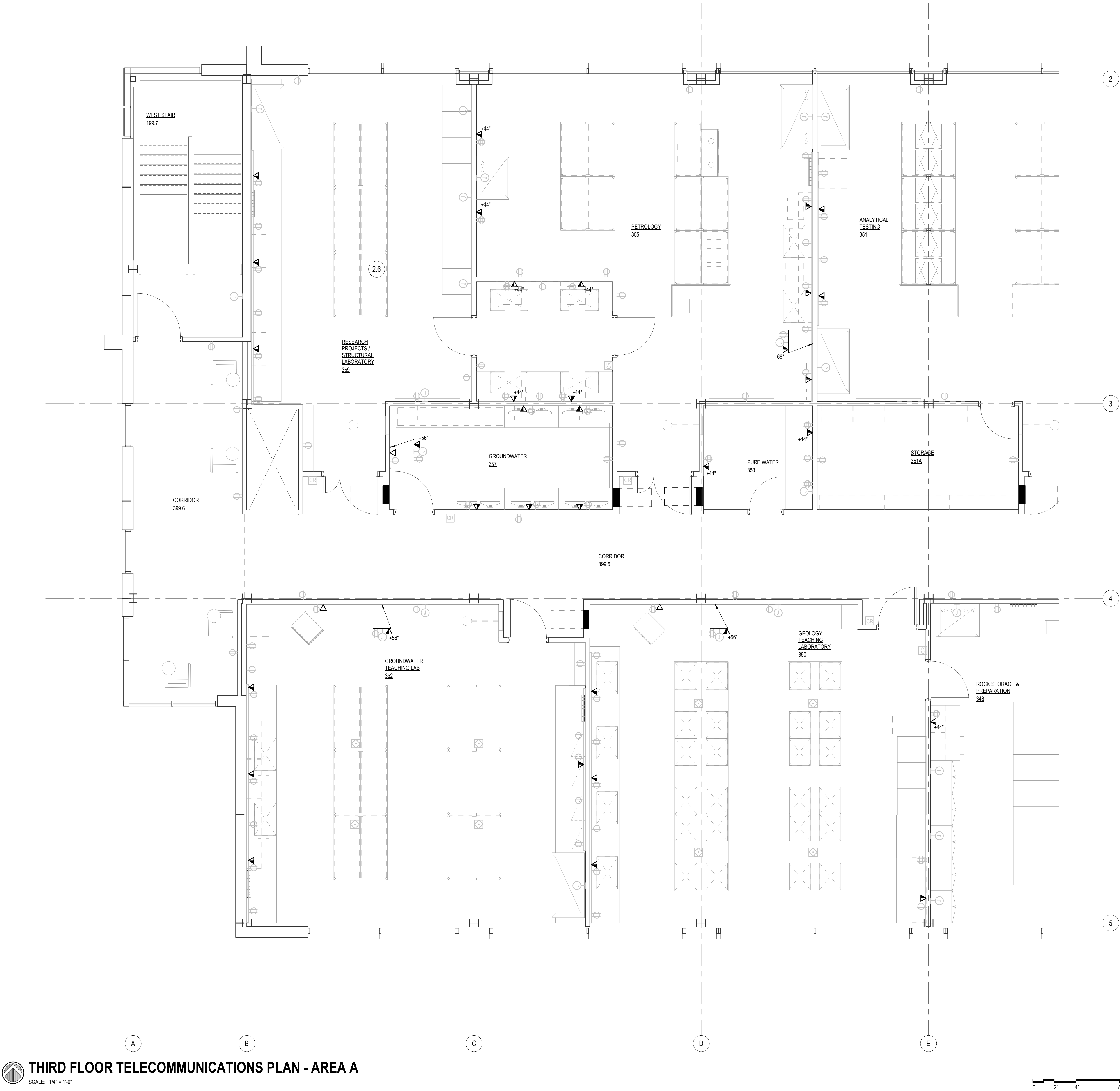
**DRAFT**

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Second Floor  
Telecommunications Plan  
- Area C

**T1.02c**

THIRD FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA A	
KEY NOTE	DESCRIPTION



THIRD FLOOR TELECOMMUNICATIONS PLAN - AREA A

SCALE: 1/4" = 1'-0"

Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

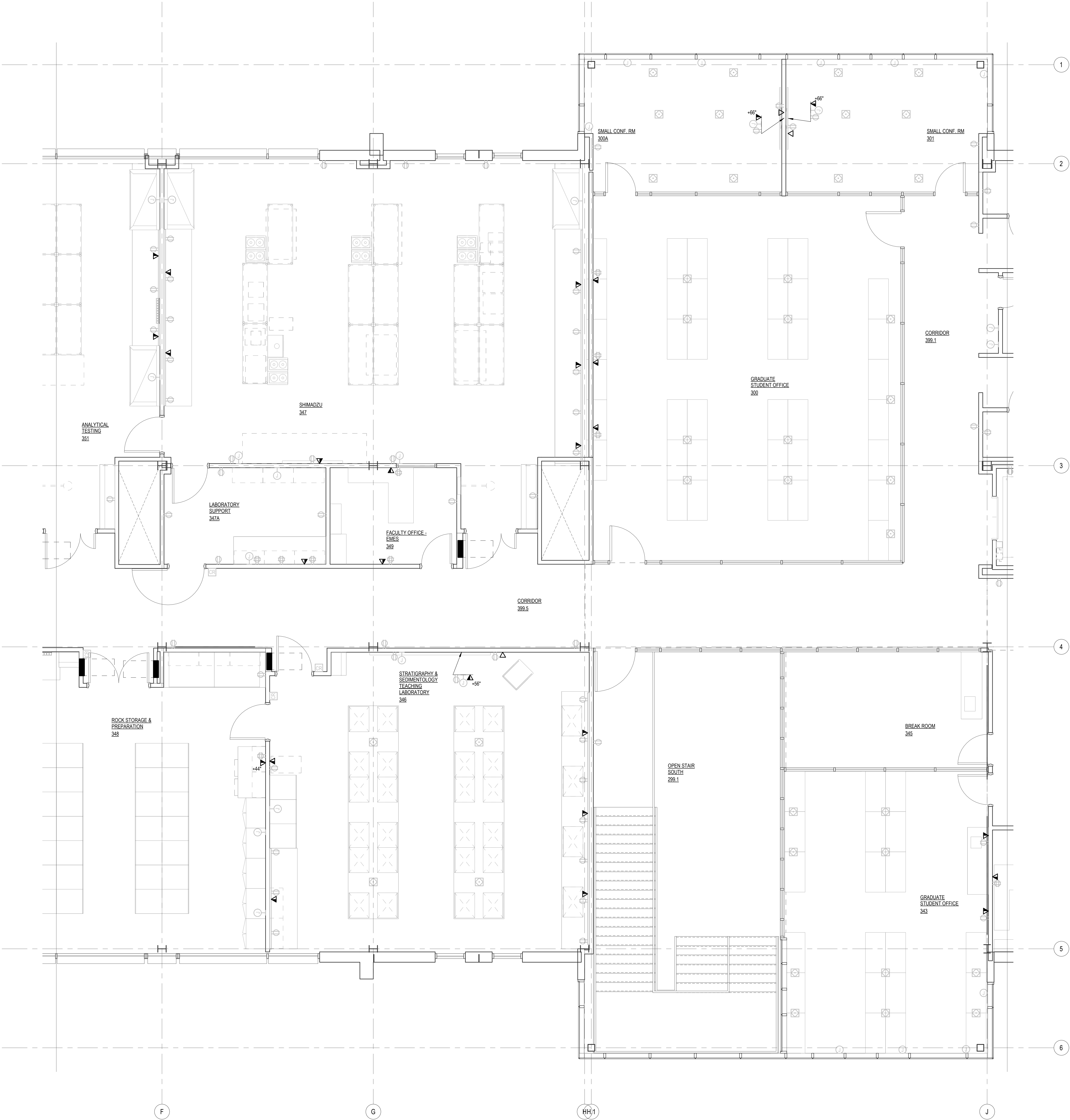
DRAFT

PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor  
Telecommunications Plan  
- Area A

T1.03a

THIRD FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA B	
KEY NOTE	DESCRIPTION



Design Development

South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor  
Telecommunications Plan  
- Area B

T1.03b

THIRD FLOOR TELECOMMUNICATIONS PLAN NOTES - AREA C	
KEY NOTE	DESCRIPTION

Design Development

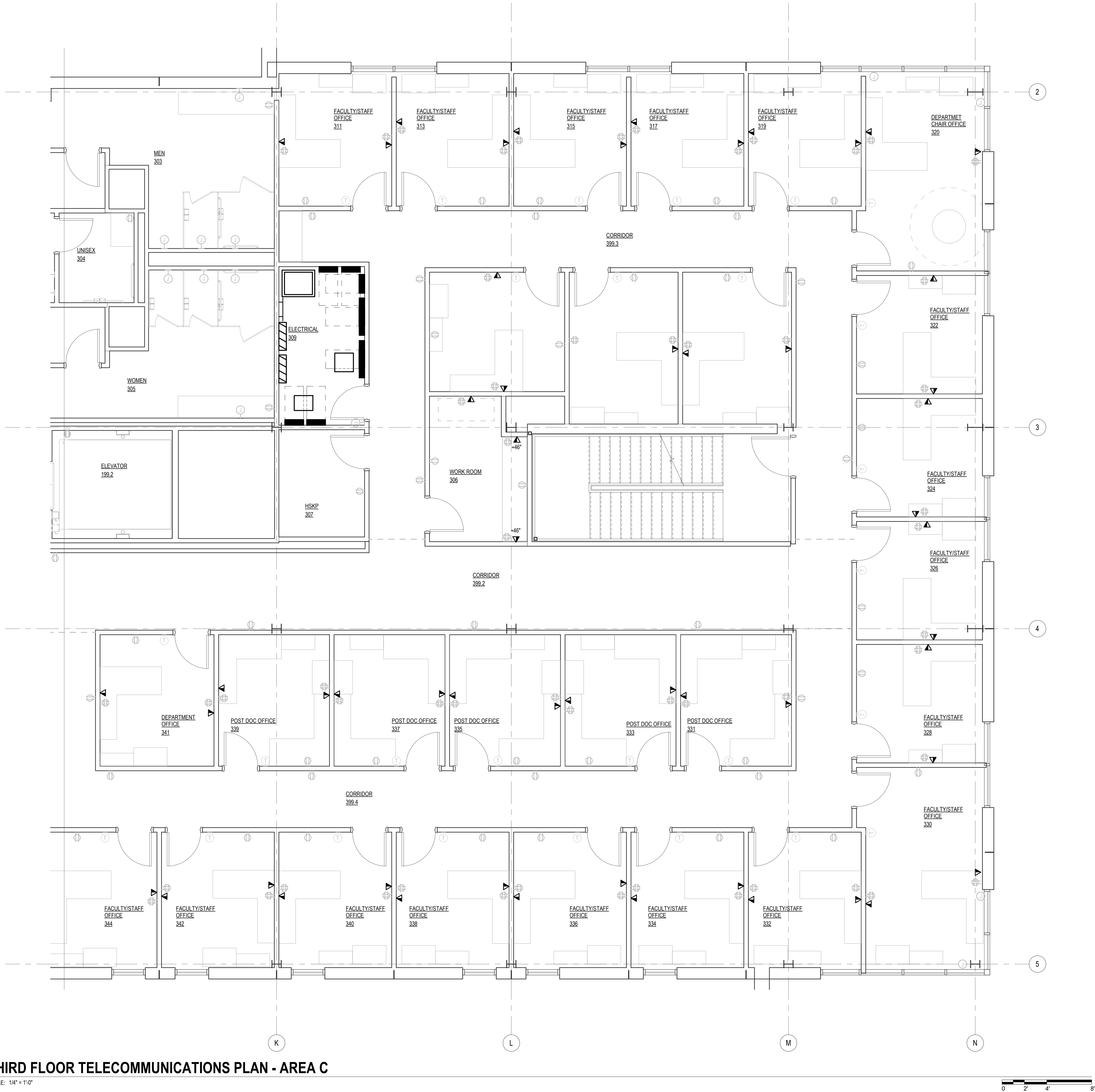
South Dakota Mines -  
Mineral Industries  
Center of Excellence

CE No.: 888-003-021  
OSE No.: R0721-06X  
October 22, 2021

**DRAFT**  
PREPARED FOR PRELIMINARY  
SUBMISSION AND REVIEW ONLY --  
NOT FOR CONSTRUCTION.

Third Floor  
Telecommunications Plan  
- Area C

T1.03c



THIRD FLOOR TELECOMMUNICATIONS PLAN - AREA C  
SCALE: 1/4" = 1'-0"

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 6 – F**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**SDSU Stanley J. Marshall Center and First Bank & Trust Arena Addition and Renovation – Revised Facility Program Plan and Revised Facility Design Plan**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 5-14-1](#) – Classification of Capital Improvements

[SDCL 5-14-2](#) – Supervision by Bureau of Administration of Capital Improvement Projects  
– Payment of Appropriated Funds

[SDCL 5-14-3](#) – Preparation of Plans and Specifications for Capital Improvements – State Building Committees – Approval by Board or Commission in Charge of Institution

[BOR Policy 6:4](#) – Capital Improvements

[BOR Policy 6:6](#) – Maintenance and Repair

#### **BACKGROUND/DISCUSSION**

South Dakota State University (SDSU) requests approval of the revised Facility Program Plan (FPP) and revised Facility Design Plan (FDP) to construct an addition of 59,625 square feet to the Stanley J. Marshall Center, which will include a new arena, ticket offices, and classroom spaces. This is the third phase of the Stanley J. Marshall Center Additions and Renovations.

SDSU requests that the project be submitted to the 2022 legislature requesting \$53,168,000 in spending authority to construct the addition and that the legislative item be given emergency clause classification. This is the third phase of the multiple phase project to provide new practice facilities and to renovate the Stanley J. Marshall Center. The original Preliminary Facility Statement (PFS) was approved at the May 2016 Board of Regents meeting. The FPP was approved at the December 2016 Board of Regents meeting.

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-F:** I move to approve South Dakota State University's Revised Facility Program Plan and Revised Facility Design Plan for an addition of approximately 59,625 square feet and renovations to the Stanley J. Marshall Center and First Bank & Trust Arena at a cost not to exceed \$53,168,000. Legislation shall be drafted and the project shall be submitted to the 2022 South Dakota Legislative Session for consideration and approval. Funding for the project will consist of a combination of private donations, local funds, and HEFF M&R.

The first phase, consisting of a basketball and volleyball practice facility, was approved, constructed, and completed in the fall of 2018. The second phase, a wrestling practice facility, was approved by the 2021 legislature. This would be the third phase of the project.

## IMPACT AND RECOMMENDATIONS

Over the last 48 years, the facility has been home to countless sporting events, large-scale conventions, graduations, daily classes, and numerous other events. This renovation will address current maintenance & repair needs including plumbing system upgrades, ventilation system upgrades, installation of a fire suppression system throughout the facility, abatement of hazardous materials, building exterior improvements, insulations upgrades, lighting and electrical upgrades and utility upgrades. In addition, this renovation will improve ADA accessibility throughout and will provide a more modern facility with new and updated restrooms, concessions, seating options, and improved circulation and support spaces to better serve students, staff, faculty, and visitors to the campus of SDSU.

This third phase will renovate the arena, remodel space for coaches and trainers' offices, team suites, sports medicine space, and event support. The addition will include an enclosed public concourse that currently separates the existing arena from the new practice facilities. This concourse will include additional space for restrooms, concessions, and event ticketing offices to serve the arena. It will become a primary public entry point to the arena and public gathering area for events held in the arena.

### Project Funding Sources:

Donations	\$ 43,168,000.00
Local Funds (SDSU)	\$ 4,000,000.00
HEFF M&R Allocation (FY21, FY22, FY23, FY24, and FY25)	\$ 6,000,000.00
<b>TOTAL</b>	<b>\$ 53,168,000.00</b>

### Construction Costs:

Construction/Renovations/Demolition	\$ 40,150,000.00
Hazardous Material Abatement	\$ 312,000.00
Site Construction/Landscaping/Utilities	\$ 2,250,000.00
Design & Construction Contingency (7%)	\$ 2,950,000.00
<b>Subtotal - Construction Costs</b>	<b>\$ 45,662,000.00</b>

### Non-Construction Costs:

Design & Professional Fees	\$ 4,500,000.00
Project Management & OSE Costs	\$ 820,000.00
Food Service Equipment	\$ 813,000.00
Contingency (3%)	\$ 1,373,000.00
<b>Subtotal - Non-Construction Costs</b>	<b>\$ 7,506,000.00</b>

**ATTACHMENTS**

- Attachment I – SDSU Stanley J Marshall Center and First Bank & Trust Arena Addition and Renovation – Revised Facility Program Plan (FPP)
- Attachment II – SDSU Stanley J Marshall Center and First Bank & Trust Arena Addition and Renovation – Revised Facility Design Plan (FDP)
- Attachment III - SDSU Stanley J Marshall Center and First Bank & Trust Arena Addition and Renovation – Foundation Commitment Letter



**REVISED FACILITY PROGRAM PLAN  
FOR  
STANLEY J MARSHALL CENTER and FIRST BANK & TRUST ARENA  
ADDITION & RENOVATION  
SOUTH DAKOTA STATE UNIVERSITY  
DATE: November 2, 2021**

SDSU requests approval of this Revised Facility Program Plan for design and construction for the Stanley J. Marshall (SJM) Center and First Bank & Trust (FB&T) Arena Addition and Renovation project. SDSU requests that the project be submitted to the 2021 legislature, requesting \$53,168,000 in spending authority.

The Preliminary Facility Statement (PFS) was approved at the May 2016 Board of Regents meeting, and a building committee selected the design team of EAPC Incorporated/Sink Combs Dethlefs/West Plains Engineering on August 11, 2016. South Dakota State University, along with the design team, completed concept development of a multi-phase plan for additions and renovations to include:

- Phase I - Basketball and volleyball practice facility addition to the south of the current building
  - Construction was completed in 2018
- Phase II - Wrestling practice facility addition
  - Frank Kurtenbach Family Wrestling Addition is currently in construction as an addition to the Sanford Jackrabbit Athletic Complex (Facility Design Plan Approved October 2021)
- Phase III (this project) - Stanley J Marshall Center and First Bank & Trust Arena Addition and Renovations

**A. PROGRAMMATIC JUSTIFICATION FOR DISCRETE SPACES:**

The Stanley J. Marshall Center and First Bank and Trust Arena was constructed in 1973, and is a prominent fixture on the campus of South Dakota State University. The facility hosts iconic sporting events, large-scale conventions, academic assemblies as well as numerous other classes, activities and events for the university, region and State (see attached appendix I).

Since the building was originally completed, limited renovation work has occurred in the facility, often times addressing M&R and/or life safety upgrades only. This final phase of this multi-phase project will complete a full-scale renovation and addition, creating a state-of-the art, modern facility, better serving students, staff, faculty and visitors to the campus of SDSU.

*Addition and Renovated space includes:*

- *First floor:* New building entrance, ticket offices, academic classroom spaces, sports medicine, team-rooms, home and visitor locker rooms, staging and storage for event services, and building support spaces.
- *Second floor:* New and upgraded restrooms, concessions, and amenities including updated bleacher/chair-back seating, a new club-room, circulation and support spaces.
- *Third Floor:* New restrooms, concessions and amenities including new luxury box seating, viewing deck areas, updated bleacher (with chair-back) seating, circulation and support spaces.

Along with the new improved spaces, the renovations will address current maintenance and repair needs in the existing building. These backlogged repairs include plumbing system upgrades; ventilation system upgrades; installation of a fire suppression system throughout the facility; abatement of hazardous material; building exterior improvements; insulation upgrades; lighting and electrical upgrades; replacement of arena flooring; and utilities upgrades. A rooftop mounted air-handling unit will be replaced that serves the administrative wing of the building.

The seating capacity for the arena after the renovations will be approximately 5,000, including general admission and luxury seating areas. While this is a slight reduction from current capacity, it is adequate for current and future events in the facility. Improved circulation, concessions, chair-back seating, club space, loge-boxes and suites will offer improved revenue related accommodations.

Renovations will better accommodate ADA accessibility throughout the facility. This will include access to all general building functions (offices, classrooms, and arena areas); all categories of spectator seating; and improved circulation and access to restrooms and concessions.

## **B. GROSS SQUARE FOOTAGE**

### *Additional Floor Area*

A total of 59,625 sf will be added to the building. Of this total, 37,906SF is new building footprint, and 21,719 is new SF built vertically within the shell of the existing building. The new SF breaks down as follows:

- First Floor (16,420 SF):
- Second Floor (11,425 SF):
- Third Floor (21,985 SF)
- Arena seating (9,795 SF) new permanent seating will be added into the arena bowl, replacing existing bleacher seating and creating additional floor area within the existing arena.

### *Remodeled and renovated space*

Approximately 96,640 SF of space will be renovated.

Renovation work will primarily occur from the existing main-lobby to the south. The lobby will include relatively extensive renovations on the first floor, and only limited renovations on the second floor. The south and west sides of the 1<sup>st</sup> floor under the arena will be fully renovated. The west, east, and south sides of the arena will be fully renovated below the structural trusses, and partially renovated above the trusses. The air handling unit serving the administrative wing of the building will be replaced.

## **C. SITE ANALYSIS**

The Phase I practice facility was constructed 37' south of the existing building, with only a small link connecting the two buildings. The space between buildings will be filled in with the new addition, and is included as programmed space indicated in the new square footages listed above.

The exit stair structures on the SW and SE corners of the building will be demolished and new entry/exit points will be constructed as part of the new entry and concourse. A new loading dock and exterior staging area will be constructed at the SW corner of the new addition, including an access drive and screened enclosures for utilities and trash compactors. The parking area on the east side of the building will be modified and converted into a drop-off only area as the new building entrance extends into this space.

A new water service will be extended to the facility to accommodate domestic and fire sprinkler system demands. The steam condensate service, sanitary service, and storm drainage were upgraded during phase I, and will accommodate this project by extension of these services within the building. The existing electrical service to the building is updated and adequately sized, and will be extended via new circuits and panelboards as necessary throughout the existing building. Chilled water for cooling was extended from SDSU's North Chiller Plant during Phase I. This line was sized to allow connection to this addition, and lines will be run through the facility as necessary to serve all areas of the building. The existing arena was not cooled previously, however it will be fully cooled upon completion of this project.

#### **D. DESCRIPTION OF KEY BUILDING FEATURES**

Renovations and additions will be a combination of precast, steel structure, and aluminum curtain-wall to blend with the existing facility. Scope will include replacing the existing building fascia to tie into the new construction seamlessly. Interior spaces will include a combination of light gage metal framing with finished/painted drywall, masonry walls, hard surface and carpeted floors, acoustical ceilings, open ceilings, new LED lighting throughout and a new gym floor in the arena.

Patrons will access seats in the arena from the top down. All levels of seating will accommodate ADA accessibility, and provide clear sightlines to the gym floor.

New Luxury seating will include a club area, 6 loge boxes, and 12 suites along the south side of the arena.

#### **E. ILLUSTRATIVE FLOOR PLANS**

Floor plans, a site plan, and interior renderings are attached as Appendix II.

#### **F. INITIAL COST ESTIMATES**

The initial cost estimate is \$53,168,000, which breaks down as follows:

##### **Construction Costs**

Construction/Renovations/Demolition	\$ 40,150,000
Hazardous Material Abatement	\$ 312,000
Site Construction/Landscaping/Utilities	\$ 2,250,000
Design & Construction Contingency (7%)	<u>\$ 2,950,000</u>
Subtotal – Construction Costs	\$ 45,662,000

##### **Non-construction costs**

Design & Professional Fees	\$ 4,500,000
Project Management & OSE Costs	\$ 820,000
Food Service Equipment	\$ 813,000
Contingency (3%)	<u>\$ 1,373,000</u>
Subtotal – Non-Construction Costs	\$ 7,506,000

#### **G. IMPACT TO M&R**

Maintenance and repairs for this facility will continue to be supported by HEFF. The annual funding for maintenance and repair should be approximately 2% of the estimated replacement value of the facility, which is \$1,063,600.

## H. BUDGET FOR ONGOING OPERATIONAL COSTS

### *Utility:*

Annual utility expenses are estimated to increase by \$150,545. Factors affecting utility expenses include the following:

- Existing building areas not currently cooled, but will be cooled when complete - 96,420
  - The existing arena and lobby will be added to cooled space
- New SF of Heated and cooled space 59,625 sf.
- The number of shower rooms and restrooms will increase significantly, but should have minimal relative impact on water and sewer use, as number of fans and athletes served is largely unchanged.
- The number of concessions will increase from three (3) to ten (10). This increases water/sewer usage, ventilation, and electrical usage.

### *Operations:*

Additional annual custodial services costs are estimated at \$125,809. This includes three (3) additional FTE custodial and operations employees.

Initial custodial equipment purchases for setting up the facility upon completion are estimated at \$158,710.

Routine operational and maintenance expenses for this facility are estimated at \$63,809 annually.

Notes: Factors affecting the increase include additional building area; 17 additional restrooms/shower rooms to clean and maintain; additional HVAC equipment; 7 additional concessions facilities; and conversion to more complex building systems and controls.

## I. PROPOSED FUNDING SOURCES FOR COSTS OF:

### a. CONSTRUCTION –

- i. FY2021, FY2022, FY2023 and FY2024 Higher Education Facilities Funds - \$6,000,000
- ii. University Funds - \$4,000,000
- iii. Donations & Gifts - \$43,168,000

### b. ONGOING OPERATIONS –

- i. Utility costs will be funded through the budget for the University's utility allocation.
- ii. Operational costs will be funded by the Universities and Athletic Department budgets.

### c. MAINTENANCE AND REPAIR –

- i. Maintenance and repairs for this facility will continue to be supported by HEFF.

Three smaller components to this project have been completed in advance of this larger project as part of planned M&R upgrades. All of these projects were intended to be in the scope of the larger project, but were expedited out of convenience and necessity.

The track surface material on the mezzanine of the existing arena has been removed. This original Astroturf track surface contained hazardous material bound up in the existing rubberized surface. This hazardous material was properly abated and removed in 2020 while the building was unoccupied.

Due to failure of the cooling component, the air-handling unit serving the administration wing of the building will be replaced in 2022 as a separate project.

Due to failing components, the third project includes repairing the existing domestic water heating system serving the north portion of the building.

Approximately \$990,000 of the HEFF commitment to this project was utilized to accomplish these smaller projects. Both were approved via separate work requests.

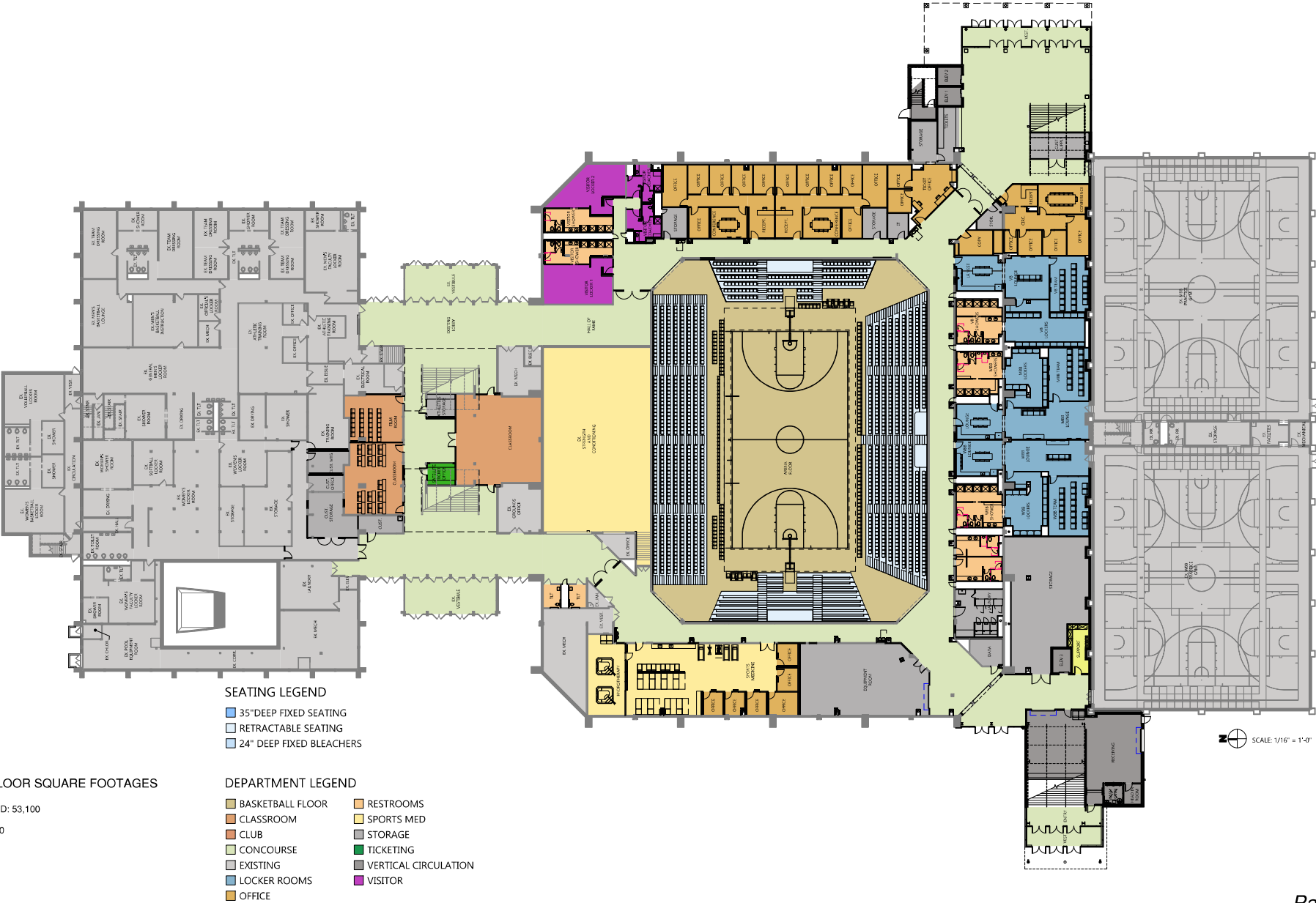
End of Report  
11/02/2021

## ***Appendix I – Building Usages***

### FB&T and Stanley J Marshall Center additions and renovations - Academic/Campus usage

The events/items listed below have occurred daily, annually, or occasionally in Frost Arena within the past 5 years. All of these are important and are planned to continue once renovations are complete. Many of these speak directly to the connection with academics and all of them speak directly to the connection with campus, student life, and recruiting students.

- Two (2) general classrooms available from 7 a.m. – 3 p.m. daily
- Biometrics lab in the north concourse
- Climbing classes in the main arena
- Weekly Strength & conditioning class for undergraduates
- Art class drawing different portions of the venue – minimum of once per semester
- Sport Recreation Management (SRM) department has collaborated with athletics to provide experiential learning opportunities to students. Numerous students are involved in a number of activities with the athletic department and many of those activities occur in Frost Arena. Annually, we have roughly 150 SRM students that gain experiential learning through events and activities in Frost Arena. These activities occur 2-3 times every week during the academic year.
- SRM and athletics have also collaborated to provide a Jackrabbit Sales Academy opportunity for students. These students gain experience by shadowing and actively assisting the Jackrabbit ticket office in Frost Arena. These activities occur roughly once per week during the academic year.
- Graduation/Commencement Ceremonies
- Usage of the swimming pool by the Wellness Center
- Usage of the swimming pool for ROTC testing
- Intramural championships for volleyball and basketball
- ROTC training (when SJAC is not available)
- UPC events/concerts
- Admission day visits (in conjunction with a home football game)
- Walking groups - occasionally
- Governor's Day - annually
- FFA convention
- Annual Pow-wow (Wacipi)
- Science Fair
- Flu-shot clinics (Staff and students)
- COVID vaccine clinic for students
- FCA Events
- Donor Dinner
- Athletic Auction
- Hy-Vee all sports clinic (free youth clinic)
- SDSU sport clinics - annually (roughly 750 youth each year)
- High School State Basketball Championships – annually in future



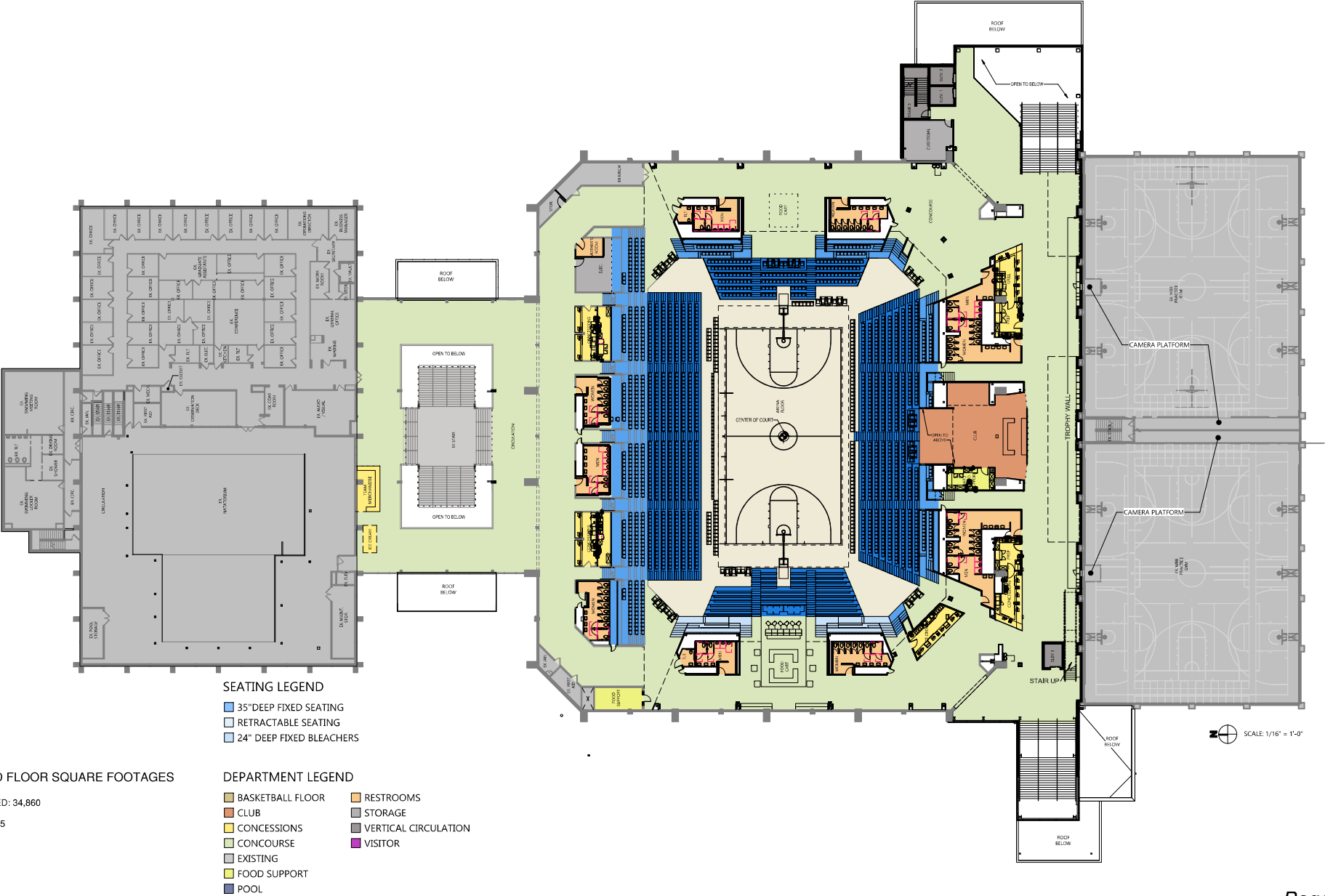
FIRST FLOOR SQUARE FOOTAGES

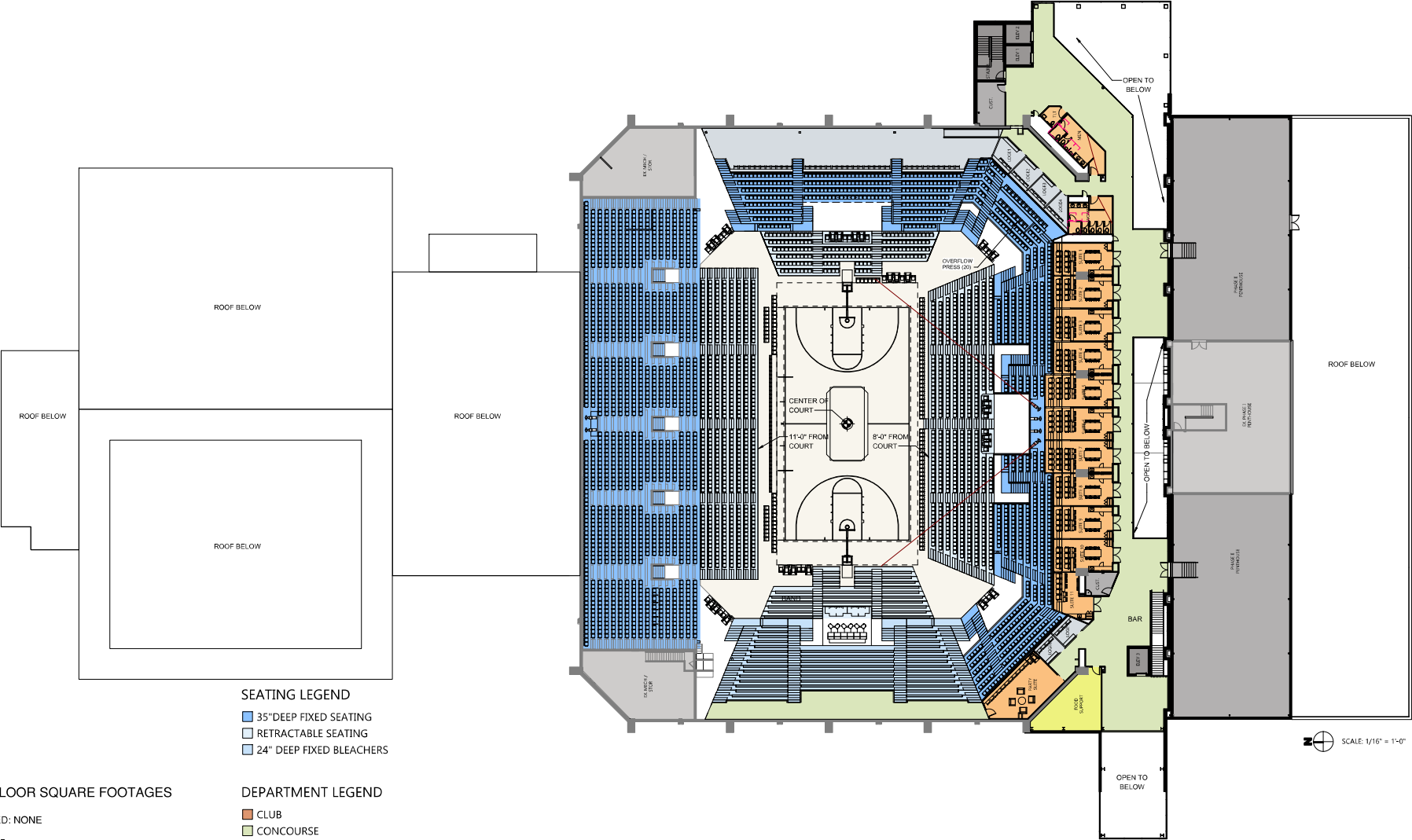
RENOVATED: 53,100

NEW: 16,420

- DEPARTMENT LEGEND
- BASKETBALL FLOOR
  - CLASSROOM
  - CLUB
  - CONCOURSE
  - EXISTING
  - LOCKER ROOMS
  - OFFICE
  - RESTROOMS
  - SPORTS MED
  - STORAGE
  - TICKETING
  - VERTICAL CIRCULATION
  - VISITOR







SEATING LEGEND

- 35" DEEP FIXED SEATING
- RETRACTABLE SEATING
- 24" DEEP FIXED BLEACHERS

THIRD FLOOR SQUARE FOOTAGES

RENOVATED: NONE

NEW: 21,985

FIXED SEATING SQUARE FOOTAGES

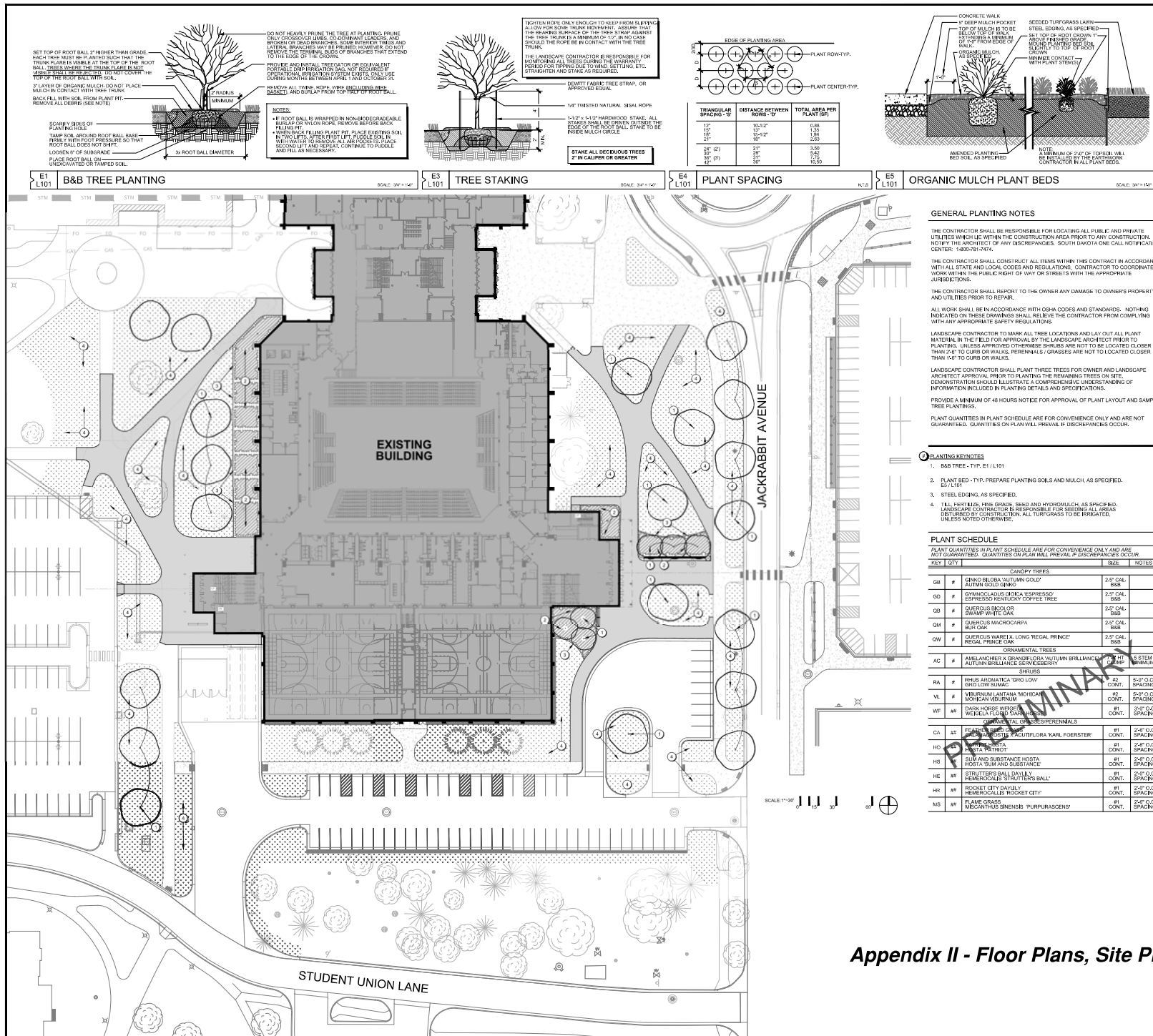
RENOVATED: 8,680

NEW: 9,795

DEPARTMENT LEGEND

- CLUB
- CONCOURSE
- FOOD SUPPORT
- RESTROOMS
- STORAGE
- VERTICAL CIRCULATION









389













392



**FACILITY DESIGN PLAN  
FOR  
STANLEY J MARSHALL CENTER and FIRST BANK & TRUST ARENA  
ADDITION & RENOVATION  
SOUTH DAKOTA STATE UNIVERSITY  
DATE: November 2, 2021**

SDSU requests approval of this Facility Design Plan for design and construction of an addition to SDSU Stanley J. Marshall Center and First Bank and Trust Arena Addition and Renovation project. SDSU requests that the project be submitted to the 2021 legislature requesting \$53,168,000 in spending authority.

The Preliminary Facility Statement (PFS) was approved at the May 2016 Board of Regents meeting, and a building committee selected the design team of EAPC Incorporated/Sink Combs Dethlefs/West Plains Engineering on August 11, 2016. The Facility Program Plan is submitted for approval at the December 2021 Board of Regents Meeting. SDSU is simultaneously requesting approval for the Facility Design Plan so planning efforts may continue unabated through the fall, winter, and spring and the project may start construction in the late spring of 2022 after approval by the South Dakota legislature.

**A. ARCHITECTURAL, MECHANICAL, AND ELECTRICAL SCHEMATIC DESIGN**

SDSU is requesting approval of this Facility Design Plan to complete renovations to Frost Arena, renaming it First Bank & Trust Arena and to complete additions to the existing Stanley Marshall Center. The addition will link the Stanley J Marshall Center to the practice facility, provide a new entry concourse, add suites to the arena, renovate seating, concessions, and restrooms throughout the arena and provide new locker facilities for the basketball and volleyball teams.

The design of the project is more than halfway through the design development stage.

*Architectural:*

The addition to the building comprises of infilling the area between the Phase I practice gym facility and the original Stanley J. Marshall Center. This will include locker-room space, sports medicine, new concourse and entry points, arena seating, luxury seating amenities on upper floors, and building service and circulation spaces. Renovations will include modification and upgrades to the north lobby and all points south including the First Bank & Trust Arena. Scope includes new academic classrooms, arena chair-back seating throughout, luxury seating spaces on upper levels (club, loge and suite), additional concessions stands, restrooms, improved circulation and building service spaces.

Exterior construction will be comprised of a combination of precast concrete, steel structure, and aluminum curtain-wall systems to blend with the existing building. Interior construction will be comprised of a combination of light gage metal framing with finished/painted drywall, masonry walls, hard surface and carpeted floors, acoustical ceilings, and open ceilings. A new gym floor will be installed in the FB&T Arena.

*Mechanical:*

Campus steam will serve the new facility through the existing mechanical penthouse on the practice facility. The mechanical room will house any new steam pressure reducing station and heating water systems serving the arena and addition. Variable speed pumps will be utilized to distribute the hot and chilled water through the facility. This project will use chilled water from the North Campus Chiller Plant. The main distribution piping will extend through the Stanley J Marshall Center to the penthouse of the practice facility addition.

Air handling units will be distributed throughout the arena and in the penthouse, serving various portions of the new and renovated facilities. Heat recovery will be included to re-capture energy from building exhaust before it leaves the building. Carbon dioxide sensors will be located in areas of higher occupant loads to provide demand control ventilation. Hot water unit ventilators will be utilized in entry vestibules.

All new heating, cooling, ventilation, and plumbing equipment will be controlled and monitored with a new direct digital control building automation system.

*Plumbing:*

A new water service will be installed to serve building domestic water and fire sprinkler demands. All water used for restrooms, concessions, and locker facilities will be softened. The existing sanitary sewer service is adequate and connections will be made within the facility to accommodate new spaces. Fire sprinklers will be installed throughout the addition and renovated building. The fire sprinkler system will be extended through the entire building.

*Electrical:*

The existing electrical service was replaced in 2015, and is adequate for all renovations and addition. New panelboards and circuits will be extended as necessary within the facility. The building electrical service will include replacement of specific motor control centers and panelboards where necessary. The new electrical connections will be 277/480v for the mechanical equipment and larger loads with step down transformers for 120/208v loads.

The lighting in the addition will include LED lights throughout the new addition. Emergency egress lighting will be accomplished using emergency batteries. The new exterior lights will be designed using LED, full cutoff fixtures to maintain the lighting levels per the University standards.

Emergency egress lighting, exit lighting, and fire alarms will be new in the renovated arena and addition. The fire alarm system will be an addressable voice evacuation system. There will be a number of specialized systems for videotaping, television broadcast, WIFI support, scoreboards, and audio systems common to Division 1 athletics and required for large crowd events held in the arena.

**B. CHANGES FROM THE REVISED FACILITY PROGRAM PLAN**

There are no changes from the Revised Facility Program Plan. The project scope includes a 59,625 sf addition to the building and renovation of 96,640 sf of existing space. Approximately 9,795 of additional space will be created inside of the arena bowl, by replacing movable bleacher seating with precast concrete stadia.

**C. IMPACT TO EXISTING BUILDING OR CAMPUS-WIDE HEATING/COOLING/ELECTRICAL SYSTEMS:**

There is no change from what is described in the Revised Facility Program Plan.

Steam system upgrades and chilled water distribution to the building were completed during the Phase I Practice Gym Project to accommodate all future phases. Connections and extensions of these systems will occur inside the building to accommodate the new and renovated spaces. This includes adding cooling to a significant portion of the building that is not currently cooled.

The existing building electrical service is adequate for the Addition/Renovation work. Expansion and connections to the electrical distribution system will occur to accommodate the renovated and new spaces.

Sewer, Water and Storm sewer infrastructure adjacent to the facility is upgraded and will adequately serve the long-term needs of the facility. A new water service branch line will be run to increase line size for the fire sprinkler system. Sanitary service connections and storm drain connections for roof drains will occur inside the building footprint.

**D. TOTAL CONSTRUCTION AND PROJECT COST ESTIMATES**

The project budget for the project is the same as shown in the Revised Facility Program Plan. It is copied below.

**Construction Costs**

Construction/Renovations/Demolition	\$ 40,150,000
Hazardous Material Abatement	\$ 312,000
Site Construction/Landscaping/Utilities	\$ 2,250,000
Design & Construction Contingency (7%)	<u>\$ 2,950,000</u>
Subtotal – Construction Costs	\$ 45,662,000

**Non-construction costs**

Design & Professional Fees	\$ 4,500,000
Project Management & OSE Costs	\$ 820,000
Food Service Equipment	\$ 813,000
Contingency (3%)	<u>\$ 1,373,000</u>
Subtotal – Non-Construction Costs	\$ 7,506,000

The total project budget for the FB&T Arena and SJ Marshall Center Additions and Renovations is \$53,168,000.

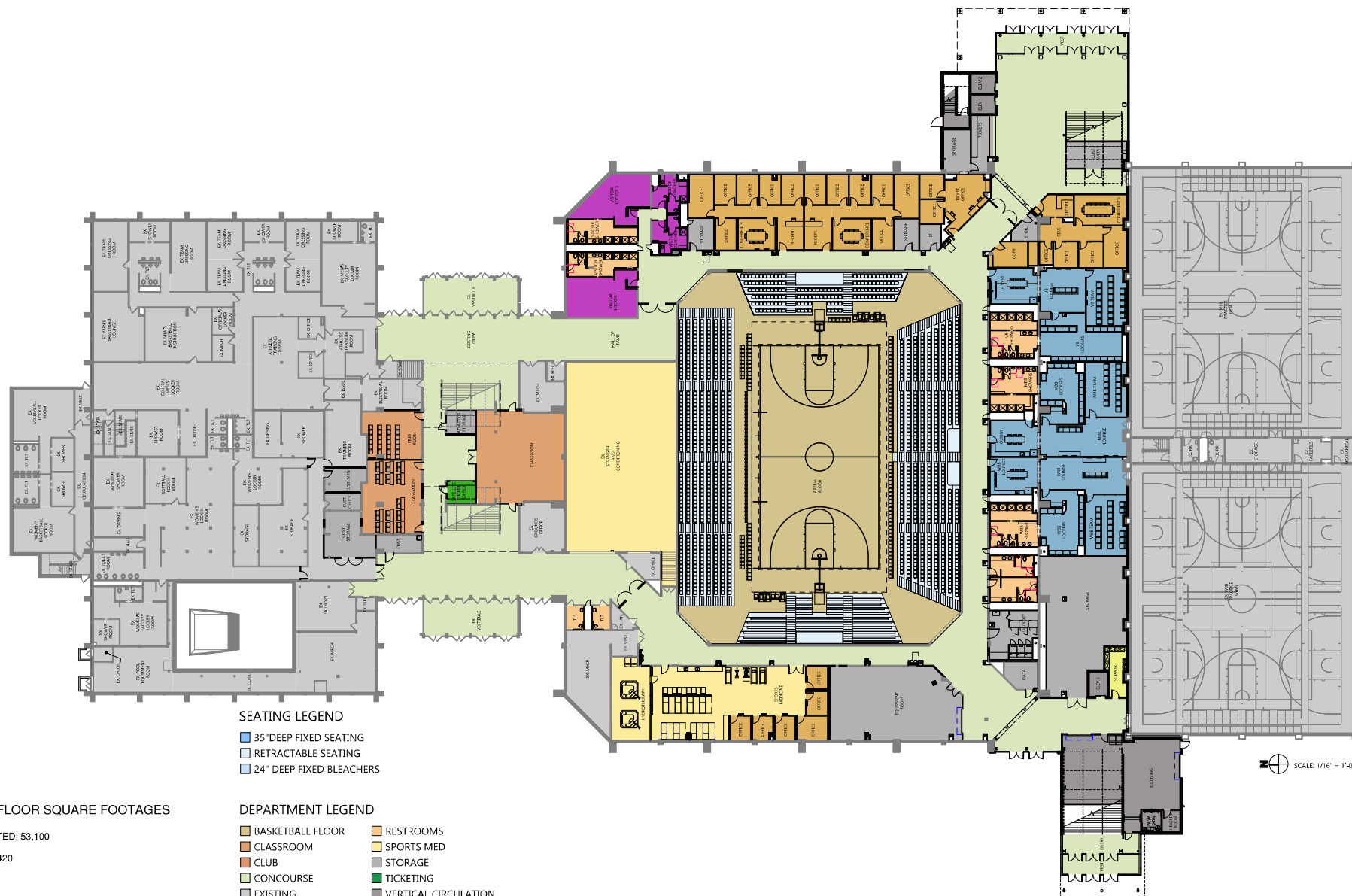
**E. CHANGES FROM COST ESTIMATES FOR OPERATIONAL OR M&R EXPENSES**

There are no changes from the estimates provided in the Facility Program Plan.

End of Report  
11/02/2021

11/02/2021

SCALE: 1/16" = 1'-0"



## FIRST FLOOR SQUARE FOOTAGES

RENOVATED: 53,100

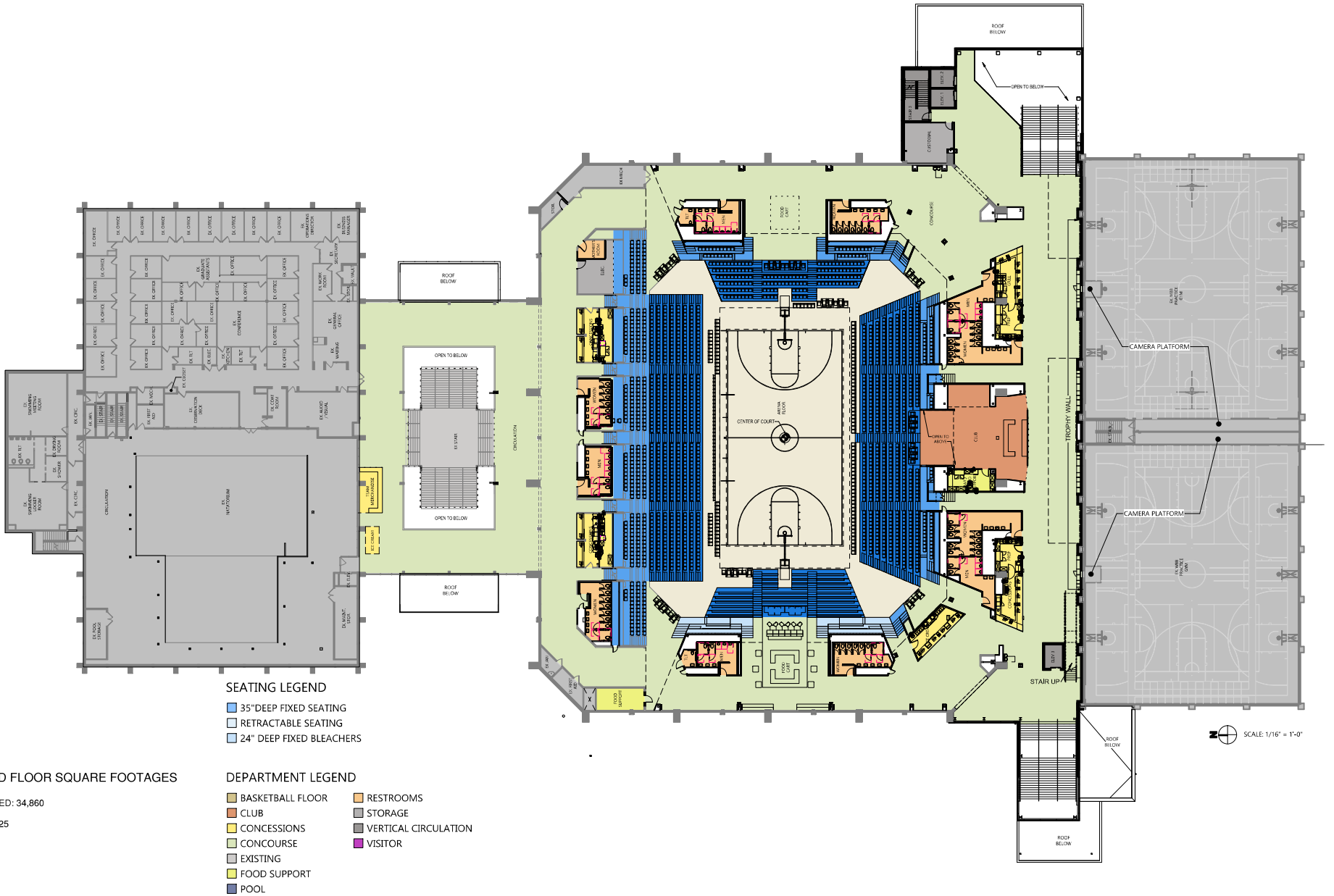
NEW: 16,420

FIRST FLOOR

SMC - PHASE II  
SOUTH DAKOTA STATE UNIVERSITY

EAPC

Perkins&amp;Will



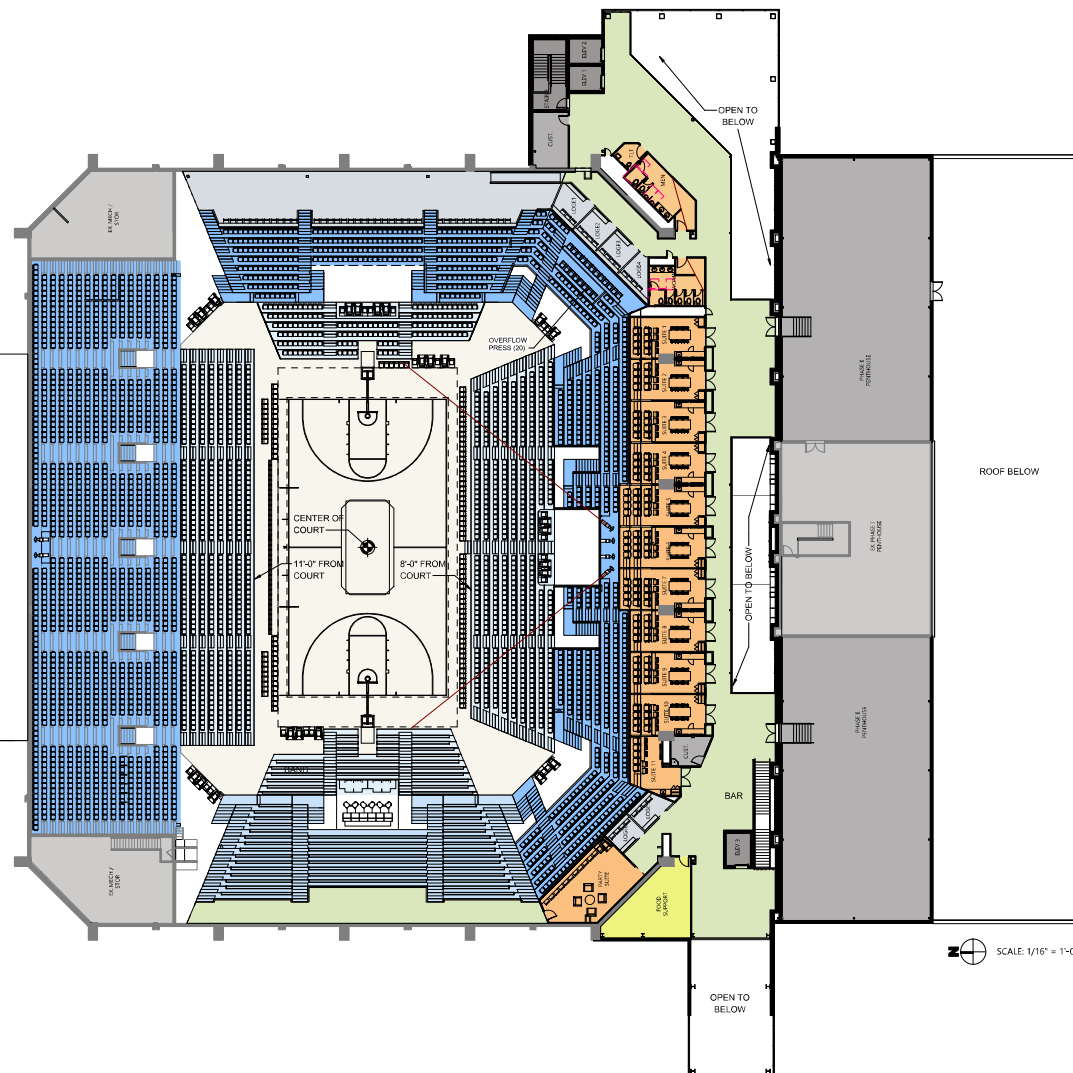
SMC - PHASE II  
SOUTH DAKOTA STATE UNIVERSITY

SECOND FLOOR



EAPC

Perkins&Will



SCALE: 1/16" = 1'-0"

## SEATING LEGEND

- 35" DEEP FIXED SEATING
- RETRACTABLE SEATING
- 24" DEEP FIXED BLEACHERS

## DEPARTMENT LEGEND

- CLUB
- CONCOURSE
- FOOD SUPPORT
- RESTROOMS
- STORAGE
- VERTICAL CIRCULATION

## THIRD FLOOR SQUARE FOOTAGES

RENOVATED: NONE

NEW: 21,985

## FIXED SEATING SQUARE FOOTAGES

RENOVATED: 8,680

NEW: 9,795



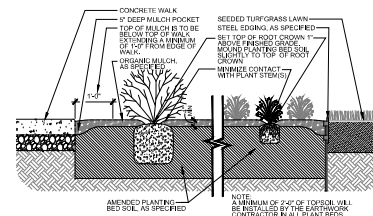
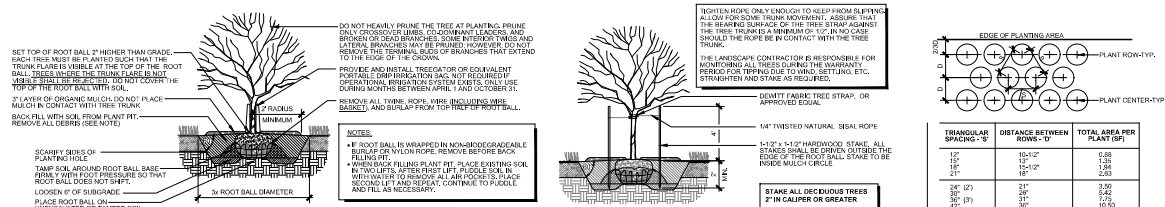
SMC - PHASE II  
SOUTH DAKOTA STATE UNIVERSITY

THIRD FLOOR



EAPC

Perkins&Will

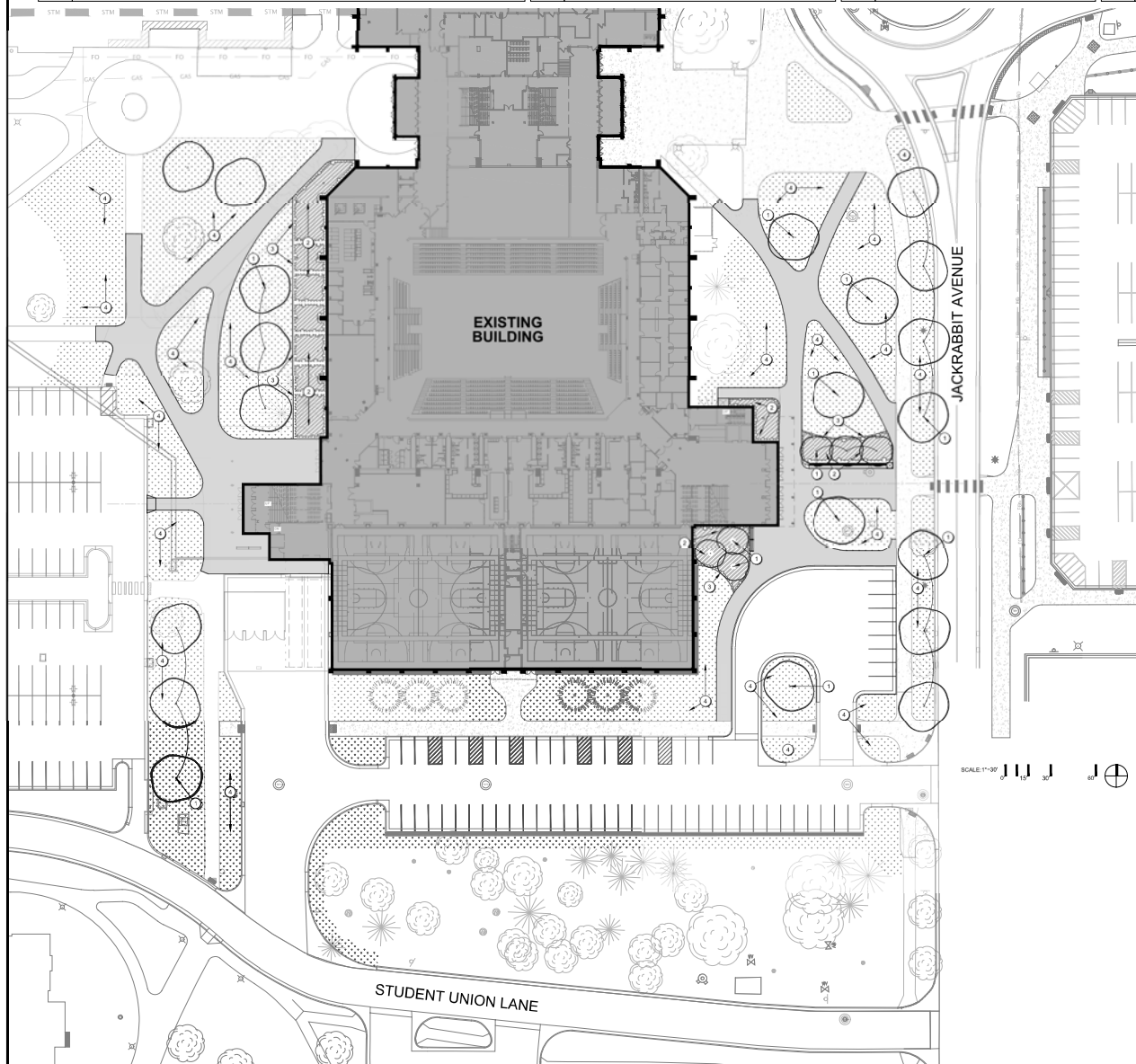


TRIANGULAR SPACING - 'S'	DISTANCE BETWEEN ROWS - 'D'	TOTAL AREA PER PLANT (SF)
12"	10-1/2"	0.88
15"	13"	1.35
18"	15-1/2"	1.94
21"	18"	2.63
24" (2)	21"	3.50
30"	26"	5.42
36" (3)	31"	7.75
	36"	10.50

E1 101	B&B TREE PLANTING
-----------	-------------------

E3 101	TREE STAKING
-----------	--------------

4 01	PLANT SPACING
---------	---------------

[illegible]

### GENERAL PLANTING NOTES

THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL PUBLIC AND PRIVATE UTILITIES WHICH LIE WITHIN THE CONSTRUCTION AREA PRIOR TO ANY CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES. SOUTH DAKOTA ONE CALL NOTIFICATION CENTER: 1-800-781-7474.

THE CONTRACTOR SHALL CONSTRUCT ALL ITEMS WITHIN THIS CONTRACT IN ACCORDANCE WITH ALL STATE AND LOCAL CODES AND REGULATIONS. CONTRACTOR TO COORDINATE ALL WORK WITHIN THE PUBLIC RIGHT OF WAY OR STREETS WITH THE APPROPRIATE JURISDICTIONS.

THE CONTRACTOR SHALL REPORT TO THE OWNER ANY DAMAGE TO OWNER'S PROPERTY AND UTILITIES PRIOR TO REPAIR.

ALL WORK SHALL BE IN ACCORDANCE WITH OSHA CODES AND STANDARDS. NOTHING INDICATED ON THESE DRAWINGS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH ANY APPROPRIATE SAFETY REGULATIONS.

LANDSCAPE CONTRACTOR TO MARK ALL TREE LOCATIONS AND LAY OUT ALL PLANT MATERIAL IN THE FIELD FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING. UNLESS APPROVED OTHERWISE SHRUBS ARE NOT TO BE LOCATED CLOSER THAN 2'-6" TO CURB OR WALKS, PERENNIALS / GRASSES ARE NOT TO BE LOCATED CLOSER THAN 1'-6" TO CURB OR WALKS.

LANDSCAPE CONTRACTOR SHALL PLANT THREE TREES FOR OWNER AND LANDSCAPE ARCHITECT APPROVAL PRIOR TO PLANTING THE REMAINING TREES ON SITE. DEMONSTRATION SHOULD ILLUSTRATE A COMPREHENSIVE UNDERSTANDING OF INFORMATION INCLUDED IN PLANTING DETAILS AND SPECIFICATIONS.

PLANT QUANTITIES IN PLANT SCHEDULE ARE FOR CONVENIENCE ONLY AND ARE NOT GUARANTEED. QUANTITIES ON PLAN WILL PREVAIL IF DISCREPANCIES OCCUR.

## PLANTING KEYNOTES

1. B&B TREE - TYP. E1 / L101
  2. PLANT BED - TYP. PREPARE PLANTING SOILS AND MULCH, AS SPECIFIED E5 / L101
  3. STEEL EDGING, AS SPECIFIED.
  4. TILL, FERTILIZE, FINE GRADE, SEED AND HYDROMULCH, AS SPECIFIED.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR SEEDING ALL AREAS DISTURBED BY CONSTRUCTION. ALL TURF/GRASS TO BE IRRIGATED, UNLESS NOTED OTHERWISE.

---

PLANT SCHEDULE

PLANT QUANTITIES IN PLANT SCHEDULE ARE FOR CONVENIENCE ONLY AND ARE NOT GUARANTEED. QUANTITIES ON PLAN WILL PREVAIL IF DISCREPANCIES OCCUR.

[illegible]





South Dakota State University Foundation  
 Lehr Building | 815 Medary Avenue  
 Brookings, SD 57008  
 (605) 697-7475  
[www.boldandblue.org](http://www.boldandblue.org)

November 5, 2021

Barry Dunn, Ph.D.  
 President, South Dakota State University  
 Administration Building 222  
 South Dakota State University  
 Brookings, SD 57006

Dear President Dunn:

The South Dakota State University Foundation is pleased to provide this updated letter committing up to \$44,000,000 for the new First Bank & Trust Arena.

This letter replaces the previous commitment letter dated November 13, 2018, in the amount of \$800,000 for Facility Design costs.

Please contact the Foundation if you have any questions.

Sincerely,

Steve Erpenbach  
 President & CEO  
 SDSU Foundation

Tim Dwire  
 VP of Finance & Operations  
 SDSU Foundation

cc: Mike Holbeck, VP for Finance and Budget, SDSU  
 Barry Mielke, Associate VP for Facilities & Services, SDSU  
 Justin Sell, Athletic Director, SDSU  
 Slade Larscheid, Deputy Athletic Director, SDSU  
 Keith Mahlum, VP for Development, SDSU Foundation

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – G**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policy 1:6 Revisions – Appointment, Authority, and Responsibilities of Presidents and Superintendents (First Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:5](#) – Executive Director

[BOR Policy 1:6](#) – Appointment, Authority, and Responsibilities of Presidents and Superintendents

**BACKGROUND / DISCUSSION**

Two director level positions were eliminated when the Board reorganized the special schools superintendent role into two separate positions. This resulted in all faculty and outreach consultants reporting directly to the superintendents.

Board staff is now proposing changes to Board of Regents Policy 1:6 – Appointment, Authority, and Responsibilities of Presidents and Superintendents to delegate authority to the executive director on approval of appointments reporting directly to the superintendents. This change will simplify the hiring processes for the special schools and would require the superintendents to get prior approval from the executive director, not the Board, when hiring direct reports.

The proposed changes will delegate authority to the executive director, or their delegate, for approval on the following employment actions:

1. The appointment of any employee who reports directly to the superintendent;
2. The appointment of an employee to any position with salary that is greater than or equal to seventy-five percent (75%) of the salary of the applicable superintendent;
3. The establishment of any new position(s) reporting to the superintendent, with the approval obtained prior to the position being recruited or filled.

In addition, Section 2.7 of the policy has been slightly modified to remove the annual requirement that the presidents report their organizational structures to the Board, and instead require that they present to the Board only when there are changes being requested.

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-G:**

I move to approve the first reading of the proposed revisions to BOR Policy 1:6, as outlined in Attachment I.

Section 4 also has two minor adjustments. Section 4.2.4 is added for clarification purposes that the Board must approve any increase that results in a 5% or greater total permanent salary adjustment in a fiscal year. Section 4.2.5 was added to clarify that Board approval is required prior to establishing or recruiting any newly created position(s) that report directly to the president.

#### **IMPACT AND RECOMMENDATION**

The staff recommends that the Board approve the first reading of BOR Policy 1:6 as outlined in Attachment I.

#### **ATTACHMENTS**

Attachment I – Revisions to BOR Policy 1:6

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Appointment, Authority, and Responsibilities of Presidents and Superintendents

**NUMBER:** 1:6

---

### **A. PURPOSE**

To address the appointment of a president or superintendent, and to define the primary responsibilities and the authority granted to a president or superintendent by the Board of Regents.

### **B. DEFINITIONS**

1. **Executive Director:** The chief executive officer of the SD Board of Regents.
2. **Institution:** Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, South Dakota School for the Blind and the Visually Impaired, State School for the Deaf, and the University of South Dakota.
3. **President:** The chief executive officer of a SD Board of Regents higher education institution.
4. **Superintendent:** The chief executive officer of a SD Board of Regents Special School.

### **C. POLICY**

#### **1. Appointment**

The presidents and superintendents shall be appointed by the Board of Regents. The Board may conduct a nation-wide search by utilizing a search and screen committee consistent with Board bylaws. The president or superintendent shall serve on the basis of an employment contract. The presidents and superintendents shall report to the Board of Regents through the executive director.

#### **2. Responsibilities**

The president or superintendent of each institution shall be responsible for the administration of the institution and the respective component entities. He or she shall have the following specific responsibilities:

- 2.1. Maintain an effective communications link between the institution and the Board, the Executive Director, other System institutions, and all constituencies at the institutional level, including faculty, students, administrators, employees, alumni, and community.
- 2.2. Provide academic leadership and promote academic excellence at the institution and formulate educational policies and academic standards consistent with Board policy.

- 2.3. Maintain institutional expenditures within the budgetary authorizations and limitations of the Board of Regents and the Legislature.
- 2.4. Recommend budget allocation and apportion funds within allocations.
- 2.5. Assign specific responsibility for coordinating institutional oversight of compliance with pertinent federal, state and Board constitutional rights and limitations, statutes, regulations and policies, including development of implementing institutional policy statements and practices, and including routine training and periodic compliance audits, and generally assure enforcement of policies of the Board of Regents, and the constitutions, statutes and regulations of the State of South Dakota and the United States of America.
- 2.6. Recommend for appointment, tenure, and dismissal all members of academic and non-academic staff in accordance with Board policy and procedures.
- 2.7. Determine the overall administrative organization and structure of organizational units of the institution and ~~annually~~ present any requested changes in organizational structure for Board approval. ~~to the Board an outline of the structure noting any recommended changes.~~
- 2.8. Attend all Council of Presidents and Superintendents meetings unless excused by the Executive Director.
- 2.9. Attend all regular meetings of the Board unless excused by the Executive Director.
- 2.10. Perform such other duties as the Board may from time to time specify.

### 3. Executive Powers

The executive powers delegated through this section remain subject to such substantive or procedural limitations as may otherwise be established by law or policy. The presidents and superintendents shall have all powers necessary to carry out their executive responsibilities, including, but not limited to, the following:

- 3.1. Organize a structure of academic governance and provide for the establishment, review and assessment of curricula and instruction, of research and scholarly programs and of public service activities.
- 3.2. Provide for the governance of students and for the establishment of programs to address their educational, social, cultural and ethical development within available resources.
- 3.3. Establish regular or special consultative bodies as deemed useful or necessary.
- 3.4. Determine and manage institutional budgets.
- 3.5. Expend monies and enter into contracts.
- 3.6. Acquire, preserve, register, manage, lease, license or assign institutional properties, including intellectual properties, within the limits of state law and Board policy; and provide assurance of right or of title or make such similar undertakings as may be customarily incidental to the diligent management of such properties.

- 3.7. Recommend the hiring, promotion and termination of employees to the Board, pursuant to Section C(4) of this policy.
- 3.8. Assign, transfer, evaluate and discipline employees and investigate and adjust grievances.
- 3.9. Participate on behalf of the institution in the activities of affiliated organizations.
- 3.10. Determine and present official institutional positions, policies and practices.
- 3.11. Preside at all general faculty meetings or delegate that function to another member of the administration or faculty.

#### 4. Delegation of Authority in Employment Actions

Except where exclusively reserved, the Board delegates authority for personnel appointments, terminations, and compensation management to the presidents and superintendent as described below. In fulfilling this responsibility, the presidents and superintendents shall exercise their authority consistent with Board policies and procedures, the South Dakota Civil Service Act and its implementing regulations, and the collective bargaining agreement between the Board and the Council of Higher Education (for the South Dakota School for the Deaf and the South Dakota School for the Blind and Visually Impaired). Notwithstanding this delegation, the Board retains full authority regarding personnel appointments, terminations, and compensation management consistent with the Board's constitutional duty to control the institutions under its governance. The provisions of Section C(4) of this policy will supersede any other inconsistent policy requirements in the Board of Regents policy manual relating to employment actions.

##### 4.1. Delegation to Presidents and Superintendents

Except as provided in Sections C (4.2) and C (4.3), the president or superintendent shall have the authority, subject to this section, to appoint, terminate, manage, supervise, control and determine compensation for the personnel of the institution.

##### 4.2. Authority Exclusively Reserved to the Board

Board approval is required for the following personnel actions:

- 4.2.1. The initial appointment of any employee who reports directly to the president ~~or superintendent~~;
- 4.2.2. The initial appointment of an employee to any position with salary that is greater than or equal to seventy-five percent (75%) of the salary of the applicable president; ~~or superintendent~~;
- 4.2.3. The appointment of any coach or athletic director that has a term greater than one year;
- 4.2.4. Any mid-year, permanent compensation adjustments that are five percent (5%), or greater, or that result in a total permanent compensation adjustment of 5% or greater in any fiscal year outside of the fiscal year salary policy processes, for benefit eligible non-faculty exempt employees and faculty members;



4.2.5. The establishment of any new position(s) reporting to the President, with the approval obtained prior to the position being recruited or filled;

~~4.2.5.~~4.2.6. Annual salary policy increases that are greater than the Board approved salary policy pool by five percent (5%), or more; ~~and~~

~~4.2.6.~~4.2.7. Any employment action that requires Board action or approval pursuant to the South Dakota School for the Deaf and the South Dakota School for the Blind and Visually Impaired collective bargaining agreement;

~~4.2.7.~~4.2.8. The awarding of promotion and tenure, approving prior service credit, sabbatical, faculty member improvement and career redirection leave;

~~4.2.8.~~4.2.9. Extending the maximum periods of time allowed for progress towards promotion to associate professor and the award of tenure;

~~4.2.9.~~4.2.10. Granting exceptions to minimum rank qualifications and promotion eligibility criteria; and

4.2.11. The granting of professional development leave for non-faculty exempt employees.

#### 4.3. Delegation of Authority to the Executive Director and CEO

The Board delegates authority to the Executive Director and CEO, or their delegate, for the actions outlined below. Superintendents are required to seek approval for the following actions prior to initiating, offering or negotiating the personnel action:

4.3.1. The appointment of any employee who reports directly to the Superintendent;

4.3.2. The establishment of any new position(s) reporting to the Superintendent, with the approval obtained prior to the position being recruited or filled; and

4.3.3. The initial appointment of an employee to any position with salary that is greater than or equal to seventy-five percent (75%) of the salary of the applicable president or superintendent.

### **5. Provisional Delegation of Authority in Matters Relating to Governance, Discipline and Grievances**

The South Dakota Supreme Court, in *Worzella v. Board of Regents of Education*, 77 S.D. 447, 93 N.W.2d 411 (S.D. 1958), held that the South Dakota Constitution limits the Board's power of delegation. The Board may only delegate provisional authority to its subordinates. The court has decided that the Board can neither authorize nor adopt policies that create procedural bars to Board consideration of a matter. Nor can the Board vest a delegatee with the power to prevent the Board from taking up a matter that it deems of public interest.

The court has also held that the legislature may limit the Board's power over certain aspects of certain employment relations. It upheld the Civil Service Act and the Public Employees' Unions Act as legitimate exercises of legislative power, notwithstanding the fact that the acts remove certain employment decisions from final Board action. *South Dakota Board of*

*Regents v. Meister*, 309 N.W.2d 121 (S.D. 1981); *South Dakota Board of Regents v. Meierhenry*, 351 N.W.2d 450 (S.D. 1984).

- 5.1. In order to give effect to the constitutional limitations described in *Worzella*, the delegation of authority provided in this policy shall be understood to be provisional in the following sense.
  - 5.1.1. The authority vested in chief executive officers must, at all times, be exercised in a manner that is consistent with Board policy.
  - 5.1.2. Except as provided in section 5.1.3 below, the authority to take binding action without specific prior Board approval is subject to the condition that the Board may require that a matter be forwarded to it for review.
    - 5.1.2.1. Such a review shall not ordinarily result in a modification of an action that has created third party rights, but the Board may direct that such responsive measures be taken as it deems necessary.
    - 5.1.2.2. Where the action in question relates to the implementation of Board policy involving governance, discipline or grievances, the Board may reconsider the matter. Ordinarily, the Board's review of the final decision reached by the president or superintendent pursuant to this policy will be limited to determining whether (i) any material decisions lack substantial support in the record, and (ii) any procedural errors materially impact the integrity of the decision. In the context of a disciplinary action or a grievance, the Board may:
      - 5.1.2.2.1. Accept the factual findings that were reached below and accept the conclusions drawn from those facts and the action taken on their basis; or
      - 5.1.2.2.2. Accept the factual findings that were reached below, but modify the conclusions drawn from those facts or the action taken on their basis; or
      - 5.1.2.2.3. Reject the factual findings that were reached below and hold new hearings, upon due notice, to reconsider the matter in its entirety.
  - 5.1.3. Nothing herein shall be interpreted to modify the procedural requirements of regulations or agreements duly adopted pursuant to the Civil Service Act or the Public Employees' Unions Act.
- 5.2. Presidents or superintendents may delegate provisionally to their subordinates or to such administrative or consultative bodies as they may establish from time to time the authority that the Board has delegated to them.
  - 5.2.1. A provisional delegation of authority by a president or superintendent shall be understood to authorize only actions that are consistent with Board policy and with institutional policies previously approved by the president or superintendent.

- 5.2.2. The authority to take binding action without specific prior approval by the president or superintendent approval is subject to the condition that the president or superintendent may require that a matter be forwarded for his/her review.
- 5.2.3. Where the action undertaken with delegated authority involves the implementation of Board or institutional policy involving governance, discipline or grievances, the president or superintendent may reconsider the matter anew.
  - 5.2.3.1. In the context of a disciplinary action or a grievance, the president or superintendent may:
    - 5.2.3.1.1. Accept the factual findings that were reached below and accept the conclusions drawn from those facts and the action taken on their basis; or
    - 5.2.3.1.2. Accept the factual findings that were reached below, but modify the conclusions drawn from those facts or the action taken on their basis; or
    - 5.2.3.1.3. Reject the factual findings that were reached below, and hold new hearings, upon due notice, to re-examine the matter in its entirety.
- 5.2.4. Nothing herein shall be interpreted to modify the procedural requirements of regulations or agreements duly adopted pursuant to the Civil Service Act or the Public Employees' Unions Act.

## **6. Acting President or Superintendent**

Each president and superintendent shall designate a staff member to act in his or her place when he or she is outside the state, otherwise not reasonably accessible or subject to temporary illness or disability. Each president and superintendent shall provide the Executive Director an updated succession plan on an annual basis.

## **7. Evaluation**

Presidents and superintendents shall be evaluated at least annually by the Board in a format and setting determined by the Board.

## **FORMS / APPENDICES:**

None

**SOURCE:**

BOR June 1974; BOR August 1979; BOR April 1992; BOR March 1993; BOR January 1996; BOR June 2015, BOR March 2018; BOR June 2018; BOR December 2020; [BOR March 2022](#).

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – H**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policy 2:14 Repeal – Campus Organizational Structure**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:6](#) – Appointment, Authority, and Responsibilities of Presidents and Superintendents

[BOR Policy 2:14](#) – Campus Organizational Structure

**BACKGROUND / DISCUSSION**

As the Board staff continues to evaluate the Board of Regents policy manual to address duplication and inconsistencies, BOR Policy 2:14 – Campus Organizational Structure has been identified as a duplicative policy to requirements that are already set forth in BOR Policy 1:6. To remedy this, the staff has recommended minor adjustments to Section 2.7 of BOR Policy 1:6, to clarify that the presidents must present to the Board any requested changes to the administrative organization and the structure of institutional departments. The staff would then recommend that the Board repeal BOR Policy 2:14 to eliminate duplication and simplify the policy manual.

**IMPACT AND RECOMMENDATION**

The staff recommends that the Board approve the first reading of the repeal to BOR Policy 2:14 as outlined in Attachment I. The second and final reading to repeal this policy will be in coordination with the finalization of recommended changes to BOR Policy 1:6.

**ATTACHMENTS**

Attachment I – Revisions to BOR Policy 2:14

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-H:**

I move to approve the first reading to repeal BOR Policy 2:14, as outlined in Attachment I.

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** ~~RESERVED~~Campus Organizational Structure

**NUMBER:** 2:14

---

~~Institutions may be organized on the basis of schools, colleges, divisions, and departments upon the recommendation of the president and with the approval of the Board of Regents.~~

**SOURCE:** ~~BOR, 1968; BOR, October, 1993~~

2:14



**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – I**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**South Dakota Building Authority Revenue Bonds, Series 2022**

**CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 5-12-10](#) – Transfer of State Property to Authority

[SDCL 5-12-13](#) – Lease of Facilities and Sites to State Agencies Authorized

[SDCL 5-12-20](#) – Resolutions for Revenue Bonds Authorized

**BACKGROUND/DISCUSSION**

The South Dakota Building Authority Series 2022 Revenue Bonds will provide \$10,500,000 of the funding for construction costs for the following Projects:

**E.Y. Berry Library Renovations at Black Hills State University**

\$3,000,000 for the design, renovation of, and construction of an addition to the E.Y. Berry Library on the campus of Black Hills State University, with the furnishings and equipment including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and other services or actions required to accomplish the project for costs not to exceed the limitations set forth in chapter 235 of the 2020 South Dakota Legislature Session Laws (the “*E.Y. Berry Library Renovations*”).

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-I:**

I move to adopt Special Resolution No. 05-2021 on a roll call vote, which will:

- 1) Request the Building Authority to proceed with the issuance of revenue bonds (“*Revenue Bonds*”) to finance costs of the constructing, renovating, furnishing, and equipping the Projects (as defined) in an aggregate principal amount not to exceed \$10,500,000.
- 2) Authorize the President of the Board and the Executive Director to execute an instrument of transfer so that jurisdiction over the affected real property for the Projects will be granted to the Building Authority.
- 3) Authorize the President of the Board and the Executive Director to execute a supplement to the existing lease between the Board and the Building Authority. Such lease shall establish the basis for the continued occupancy and use of the premises by the Board and outlines the conditions of payment to the Building Authority for such continued occupancy and use.
- 4) Authorize the officers of the Board and the Executive Director to take such other actions and to execute such other documents as may be required to carry out the actions approved pursuant to such special resolutions.

### **Health Science Facility at University of South Dakota**

\$7,500,000 for the planning, site preparation, construction, furnishing, and equipping of a forty-five thousand square foot Health Science Facility at the University of South Dakota, including any heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and any other services or actions required to accomplish the project for estimated costs set forth in chapter 223 of the 2020 South Dakota Legislature Session Laws (the “*Health Science Facility Project*”);

The Building Authority, at the request of the Board of Regents, has agreed to finance certain of the costs of the Projects through the issuance of revenue bonds (the “*Revenue Bonds*”) of the Building Authority.

The Building Authority advised the Board staff that the Revenue Bonds are expected to be priced and sold within the following parameters:

*The Revenue Bonds shall be issued in an aggregate principal amount such that not more than (i) \$3,000,000 of the proceeds of the Revenue Bonds shall fund a portion of the costs of renovation and equipping the E.Y. Berry to be located at Black Hills State University to be leased to the South Dakota Board of Regents (the “BHSU Project”) and (ii) \$7,500,000 of the proceeds of the Revenue Bonds shall fund a portion of the costs of constructing a new health sciences facility the University of South Dakota for lease to the South Dakota Board of Regents (the “USD Project”).*

*The last stated maturity date of the Revenue Bonds shall not be later than June 1, 2047; (ii) the yield for arbitrage purposes on any Series of the Revenue Bonds shall not exceed 4.0%, (iii), the purchase price to be paid by the Underwriter for any Series of Revenue Bonds shall not be not less than the 99.0% of the principal amount of such Series of Bonds, plus an amount sufficient to pay costs of issuance of the Bonds, (iv) the Underwriter’s discount on any Series of the Revenue Bonds (as measured as a percentage of total proceeds of such Series of the Revenue Bonds) shall not exceed 0.50% and (v) that the aggregate stated principal amount of the Revenue Bonds issued to finance costs of the Projects does not to exceed \$10,500,000.*

### **IMPACT AND RECOMMENDATIONS**

The Board is being asked to adopt a single resolution on roll call vote, that will (1) request the Building Authority to go forward with the issuance of Revenue Bonds to finance a portion of the costs of the Projects, (2) authorize the formal transfer of jurisdiction over the necessary property or structures to the Building Authority, and (3) amend the lease agreement between the Board and the Building Authority to reflect the new transactions. Property transferred to the Building Authority as collateral for the Revenue Bonds will be reconveyed to the Board once the construction bonds, or refinancing instruments, have been discharged.

Attached are copies of the Special Resolution and a copy of the Twenty-Seventh Supplement to the Lease between the Board and the Building Authority. The resolution and lease supplements are necessary to complete the bond transaction and should be approved by the Board.

### **ATTACHMENTS**

Attachment I – Special Resolution

Attachment II – Twenty-Seventh Lease Supplement

**SPECIAL RESOLUTION NO. 05-2021**

Special Resolution requesting the South Dakota Building Authority (the “*Building Authority*”) (a) to proceed with the sale of its tax-exempt Series 2022 Revenue Bonds (the “*Revenue Bonds*”) in an original aggregate principal amount of \$10,500,000 in order to pay or finance (i) up to \$3,000,000 of the costs of acquisition, construction, completion, remodeling, maintenance and equipping of the E.Y. Berry Library on the campus of Black Hills State University (the “*BHSU Project*”), (ii) up to \$7,500,000 of the costs of planning, site preparation, construction, furnishing, and equipping of a forty-five thousand square foot Health Science Facility at the University of South Dakota (the “*USD Project*” and together with the BHSU Project, the “*Projects*”)) and (iii) costs of issuance associated with the Revenue Bonds, (b) to transfer jurisdiction over the site of the Projects, and (c) to authorize the execution of a Lease Supplement to the Lease dated February 1, 1984 with the Building Authority to finance the Projects described herein.

**RECITALS**

WHEREAS, the Board of Regents has previously considered and approved preliminary plans for the construction, furnishing, and equipping of the Projects and now wishes to authorize and request financing for the Projects with the proceeds of Revenue Bonds to be issued by the Building Authority to provide up to \$10,500,000 of the costs of constructing, renovating, furnishing, and equipping such Projects; and

WHEREAS, pursuant to the provisions of sections 1 and 4 of chapter 235 of the 2020 Session Laws of the South Dakota Legislature, the South Dakota Legislature has determined that it is in the public interest for the Authority and the Board of Regents to contract for the BHSU Project at a total estimated cost of up to nine million three hundred seventy-two thousand two hundred forty-five dollars (\$9,372,245), subject to certain permitted adjustments, and to finance the cost thereof up to five million four hundred thousand dollars (\$5,400,000) revenue bonds issued by the Authority under SDCL chapter 5-12; and

WHEREAS, pursuant to the provisions of sections 1 and 2 of chapter 223 of the 2020 Session Laws of the South Dakota Legislature, the South Dakota Legislature has determined that it is in the public interest for the Authority and the Board of Regent to contract for the USD Project at a total estimated cost of up to twenty-two million dollars (\$22,000,000), subject to permitted adjustments, and to finance the cost thereof up to seven million five hundred thousand dollars (\$7,500,000) revenue bonds issued by the Authority under SDCL chapter 5-12; and

WHEREAS, the Building Authority will require the Board of Regents to execute a Twenty-Seventh Lease Supplement to the Lease dated February 1, 1984, relating to the site of the Projects (herein referred to as the “*Projects Site*”); and

WHEREAS, the requirement by the Building Authority is based upon the expectation of issuing Revenue Bonds which will relate to the Twenty-Seventh Lease Supplement for such Projects; and

WHEREAS, the Building Authority has also submitted to the Board of Regents, a form of a proposed Twenty-Seventh Lease Supplement relating to the projects hereinabove referred to; and

WHEREAS, the form of the proposed Twenty-Seventh Lease Supplement provides for the determination of rentals under the formula established by the Building Authority and accepted by the Board of Regents, taking into account appropriations to be made by the South Dakota Legislature from any legally available funds including, without limitation, the Higher Education Facilities Fund and funds derived from operating revenues or donations with respect to the facilities which constitute the Projects; and

WHEREAS, the Building Authority anticipates delivery of the Revenue Bonds as and when its advisers indicate the municipal bond market appears favorable and therefore requests the execution of the Twenty-Seventh Lease Supplement.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the South Dakota Board of Regents, as follows:

- A. That the State Board of Regents does hereby request that the South Dakota Building Authority proceed with the sale of Revenue Bonds in order to finance an aggregate amount of construction costs of not to exceed \$3,000,000 for the BHSU Project and \$7,500,000 of the USD Project for lease from the Building Authority to the Board of Regents.
- B. That the Revenue Bonds shall have a final stated maturity of not later than June 1, 2047, and shall result in bond proceeds being made available to finance (a) the costs of the Projects being financed as described herein and (b) the costs of issuing the Revenue Bonds.
- C. That the President and Executive Director of the South Dakota Board of Regents be and they are hereby authorized to execute, acknowledge, ratify and/or deliver in the name and on behalf of the South Dakota Board of Regents an Instrument of Transfer, in a form consistent with the form of the instruments of transfer used in connection with previous bond issues of the South Dakota Building Authority that financed projects of the Board of Regents, transferring jurisdiction of the sites, buildings and the portions of the campus real property comprising the building site described in *Exhibit A* hereto attached and made a part hereof. It is the intent of the Board of Regents that the legal description in *Exhibit A* represents the correct legal description for the property thereon described. If it is determined that any legal description in *Exhibit A* is incomplete or incorrect, the Executive Director is directed to obtain the correct legal description and replace *Exhibit A* therewith.
- D. That the President and Executive Director of the South Dakota Board of Regents be, and they are hereby authorized to execute, acknowledge, and deliver in the name and on behalf of the South Dakota Board of Regents, such documents as the South Dakota Building Authority may require in connection with the issuance of the Revenue Bonds to be issued to finance the improvements described herein.
- E. That the President and Executive Director of the South Dakota Board of Regents be and they are hereby authorized to execute and acknowledge and deliver in the name of and on behalf of the Board of Regents the Twenty-Seventh Lease Supplement between the South Dakota Board of Regents and the South Dakota Building Authority relating to the facilities described in the preambles hereto by executing the final form of the Twenty-Seventh Lease Supplement presented to and on file in the office of the South Dakota Board of Regents.

- F. All prior Resolutions and other acts or proceedings of this Board which are in any way inconsistent with the terms of this Resolution are hereby amended to the extent necessary to give full force and effect to this Resolution.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021

SOUTH DAKOTA BOARD OF REGENTS

\_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Executive Director  
South Dakota Board of Regents



**Exhibit A**

The preliminary legal description for the Projects site is presented below. Once plans for new facilities and their appurtenances have been finalized, new descriptions calling out the metes and bounds of the property subject to the lease will supersede these preliminary descriptions, all as contemplated in Paragraph C of SPECIAL RESOLUTION NO. 05-2021.

**BLACK HILLS STATE UNIVERSITY****E.Y Berry Library Renovations**

Beginning at a point, which point is N 78° 19' 43" E, 863.96 feet from the NE corner of the NW quarter of the SE quarter of Section 9, T 6 N, R 2 E, thence N 0° 10' 5", 177.65 feet; thence N 49° 58' 5" E, 31.77 feet; thence N 77° 29' 39" E, 148.64 feet; thence S 81° 25' 55" e, 175.08 feet; thence S 13° 15' 55" E, 210.97 feet; thence N 89° 49' 55" W, 391.50 feet to the point of beginning, all located in the City of Spearfish, County of Lawrence, State of South Dakota. (The above described parcel of land contains 1.80 acres.)

**UNIVERSITY OF SOUTH DAKOTA****Health Science Facility**

The Lee Medical School legal description where the Health Science Building will be constructed – Block 67 of Bigelow's Addition to the City of Vermillion, Clay County SD.

THIS TWENTY-SEVENTH LEASE SUPPLEMENT (the “*Twenty-Seventh Lease Supplement*”), dated as of \_\_\_\_\_, 202\_, between the South Dakota Building Authority (the “*Lessor*”) and the South Dakota Board of Regents (the “*Lessee*”).

WITNESSETH:

WHEREAS, Lessor and Lessee have heretofore executed and delivered that certain Lease, dated as of February 1, 1984, (the “*Original Lease*”) under which Lessor leased to Lessee certain parcels of real estate; and

WHEREAS, Lessor and Lessee have heretofore executed and delivered a certain First Lease Supplement (the “*First Lease Supplement*”), a Second Lease Supplement (the “*Second Lease Supplement*”), a Third Lease Supplement (the “*Third Lease Supplement*”), a Fourth Lease Supplement (the “*Fourth Lease Supplement*”), a Fifth Lease Supplement (the “*Fifth Lease Supplement*”), a Sixth Lease Supplement (the “*Sixth Lease Supplement*”), a Seventh Lease Supplement (the “*Seventh Lease Supplement*”), an Eighth Lease Supplement (the “*Eighth Lease Supplement*”), a Ninth Lease Supplement (the “*Ninth Lease Supplement*”), a Tenth Lease Supplement (the “*Tenth Lease Supplement*”), an Eleventh Lease Supplement (the “*Eleventh Lease Supplement*”), a Twelfth Lease Supplement (the “*Twelfth Lease Supplement*”), a Thirteenth Lease Supplement (the “*Thirteenth Lease Supplement*”), a Fourteenth Lease Supplement (the “*Fourteenth Lease Supplement*”), a Fifteenth Lease Supplement (the “*Fifteenth Lease Supplement*”), a Sixteenth Lease Supplement (the “*Sixteenth Lease Supplement*”), a Seventeenth Lease Supplement (the “*Seventeenth Lease Supplement*”), an Eighteenth Lease Supplement (the “*Eighteenth Lease Supplement*”), a Nineteenth Lease Supplement (the “*Nineteenth Lease Supplement*,” a Twentieth Lease Supplement, (the “*Twentieth Lease Supplement*”), a Twenty-First Lease Supplement (the “*Twenty-First Lease Supplement*”), a Twenty-Second Lease Supplement (the “*Twenty-Second Lease Supplement*”), a Twenty-Third Lease Supplement (the “*Twenty-Third Lease Supplement*”), a Twenty-Fourth Lease Supplement (the “*Twenty-Fourth Lease Supplement*”), a Twenty-Fifth Lease Supplement (“*Twenty-Fifth Lease Supplement*”) and a Twenty-Sixth Lease Supplement dated as of December 1, 2020 (*Twenty-Sixth Lease Supplement*”), and all such Lease Supplements being collectively the “*Existing Lease Supplements*”) to the Original Lease, under which Lessor leased to Lessee certain additional parcels of real estate; and

WHEREAS, Lessor and Lessee now desire to amend the Original Lease to include the parcels of real estate described in *Exhibit A* attached hereto and made a part hereof as part of the real estate leased under the Original Lease and to undertake the projects described on *Exhibit A* hereto as authorized by the provisions of chapters 223 and 235 of the 2020 Session Laws of the South Dakota Legislature, and as further described and defined in *Exhibit A-1 and Exhibit A-2* (collectively, the “*Series 2022A Projects*”); and to provide for and confirm the term for which such parcels of real estate will be leased and the rental payable hereunder by Lessee for and in respect of such parcels of real estate; and

NOW, THEREFORE, in consideration of the terms and covenants herein made and for other good and valuable consideration it is hereby covenanted and agreed by said parties as follows:

*Section 1.* Lessor, in consideration of the rentals reserved and of the covenants and promises contained in the Original Lease, as supplemented by the Existing Lease Supplements and this Twenty-Seventh Lease Supplement (as now or hereinafter amended, restated or supplemented, the “*Lease*”), to be kept and performed by the Lessee, does hereby lease to Lessee the parcels of real estate described in *Exhibit A-1 and Exhibit A-2* attached hereto together with all improvements, equipment and other facilities located or constructed on such property by Lessor and constituting the Series 2022A Projects. The parcels described in *Exhibit A-1 and Exhibit A-2* and the Series 2022A Projects are hereinafter referred to as the “*Additional Property*.” The Exhibits hereto may be amended as provided in Section 9 hereof.

*Section 2.* The term for the Additional Property shall commence on the date hereof, and shall end on June 1, 2047, unless sooner terminated as set forth in the Original Lease and with the privilege of renewal provided for in the Original Lease or such later date as may be specified in any other Lease Supplement relating to any property specified in *Exhibit A-1* or *Exhibit A-2*.

*Section 3.* Subject to Section 22 of the Original Lease, the Lessee hereby covenants and agrees to pay Lessor rent for and in respect of such Additional Property in the amounts and on the dates for each of the years set forth in *Schedule A* attached hereto (as to the facilities described in *Exhibit A-1 and Exhibit A-2*). All such amounts shall be payable from appropriations provided by the legislature of the State of South Dakota from any legally available funds including, without limitation, higher education facility fees assessed by the Board of Regents, funds derived from operating revenues or donations of Lessee with respect to the facilities which constitute the Additional Property at the sites identified on *Exhibit A-1 and Exhibit A-2* and Lessee hereby covenants and agrees to request such appropriations from the legislature from time to time to make such payments. In all cases, the Lessee's obligation to pay rent to Lessor hereunder also includes an obligation, in each case, to pay the costs of insurance and administrative fees pursuant to the Act as specified on *Schedule A*.

Not more than 10% of the gross payment under the Lease, as supplemented from time to time, except the first year in which the costs of issuing the Bonds may be added as additional rental costs may be charged hereunder. Depending upon the needs of the Authority with respect to increased cost of insurance, future supplements may specify a percentage allocation of not more than 10%, as additional rent for the leased premises. As additional rent for the leased premises, the Lessees pay all taxes assessed against leased premises, if any. The Act, however, excepts all property owned by the Authority from taxation.

*Section 4.* This Twenty-Seventh Lease Supplement to the Original Lease shall be construed in connection with and as a part of the Original Lease and the Existing Lease Supplements and all terms, conditions and covenants contained in the Original Lease and the Existing Lease Supplements shall apply to the Additional Property and the rights and obligations of Lessor and Lessee with respect thereto. Wherever in the Original Lease the term “Facilities”

is used or referred to said term shall be taken and held to refer to and include “Additional Property” unless the context otherwise requires. All terms used in this Twenty-Seventh Lease Supplement which are defined in the Original Lease shall, unless the context otherwise requires, have the meanings set forth in the Original Lease.

*Section 5.* Whenever in any notice, certificate or other instrument reference is made or intended to be made to the Lease as amended by this Twenty-Seventh Lease Supplement, it shall be sufficient to refer to the “Lease dated February 1, 1984,” and such reference shall include without more a reference to said Lease as supplemented hereby.

*Section 6.* The Lessor and Lessee expressly agree that the Lessee shall transfer jurisdiction rather than title to the Additional Property as authorized by SDCL Section 5-12-10.

*Section 7.* The Lessee hereby covenants and agrees to comply with all applicable terms and conditions of the Internal Revenue Code of 1986, as amended, with respect to obligations the interest on which is excluded from gross income under Section 103 thereof with respect to the Board of Regents Project.

*Section 8.* The Lessee acknowledges that Lessor has provided Lessee with a copy of Lessor's current version of its Post Issuance Compliance Manual (as now or hereafter amended or revised, the “Manual”). Lessee hereby agrees to cooperate with Lessor and to comply with all obligations and responsibilities set forth in the Manual with respect to a user of facilities financed with bonds.

*Section 9.* The Lessee may cause the legal description of the Additional Property to be amended on *Exhibit A-1* and/or *Exhibit A-2* in order to include the footprint of the building(s) described herein or otherwise intended to be included hereby together with any related parking and access rights thereto, such amendment to be completed within 6 months of completion of construction and in no event later than January 1, 2024. Lessor shall consent to such amendment so long as Lessee represents, covenants, and agrees that the improvements are located on the property described thereon and shall be used for the purposes described in the Forty-Fourth Supplemental Bond Resolution adopted by Lessor on \_\_\_\_\_, 2022.

IN WITNESS WHEREOF, the South Dakota Board of Regents has caused this Twenty-Seventh Lease Supplement to be executed on its behalf by its President pursuant to due authorization and the authorized seal to be hereunto affixed and attested by its Executive Director and the South Dakota Building Authority has caused this Twenty-Seventh Lease Supplement to be executed on its behalf by its Chairman and its corporate seal to be hereunto affixed and attested by its Executive Secretary, pursuant to due authorization of said Authority, all as of the day and date above written. This Twenty-Seventh Lease Supplement has been executed in several counterparts, each of which may be considered as an original.

## SOUTH DAKOTA BOARD OF REGENTS

By \_\_\_\_\_  
Its: President

ATTEST:

\_\_\_\_\_  
Its Executive Director

## SOUTH DAKOTA BUILDING AUTHORITY

By \_\_\_\_\_  
Its: Chairman

ATTEST:

\_\_\_\_\_  
Its Executive Secretary

[SEAL]

STATE OF SOUTH DAKOTA )

) SS

COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public within and for said County and State, personally appeared John W. Bastian, the President of the South Dakota Board of Regents, known to me to be the person who is described in and who executed the foregoing instrument and acknowledged to me that he executed the same.

---

 Notary Public

My commission expires:



STATE OF SOUTH DAKOTA )

) SS

COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public within and for said County and State, personally appeared Brian Maher, the Executive Director of the South Dakota Board of Regents, known to me to be the person who is described in and who executed the foregoing instrument and acknowledged to me that he executed the same.

---

 Notary Public

My commission expires:

[illegible]

On this the \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public within and for said County and State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, the President and the Executive Director, respectively, of the South Dakota Board of Regents, known to me to be the persons who are described in and who executed the foregoing instrument and acknowledged to me that such persons executed the same.

Notary Public

My commission expires:

[illegible]

On this the \_\_\_\_ day of \_\_\_\_\_, 2022 before me, the undersigned, a Notary Public within and for said County and State, personally appeared Thomas W. Graham, Chairman of South Dakota Building Authority, and Donald A. Templeton, the Executive Secretary of South Dakota Building Authority, known to me to be the persons who are described in and who executed the foregoing instrument and acknowledged to me that such persons executed the same.

Notary Public

My commission expires:

[SEAL]

**EXHIBIT A****BLACK HILLS STATE UNIVERSITY**

Pursuant to chapter 235 of the 2020 Session Laws authorizing the South Dakota Board of Regents to contract for the design, renovation of, and construction of an addition to the E.Y. Berry Library on the campus of Black Hills State University, with the furnishings and equipment including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and other services or actions required to accomplish the project for costs not to exceed the limitations set forth in chapter 235 of the 2020 Session Laws.

These facilities shall be located on the Additional Property described on Exhibit A-1.

**UNIVERSITY OF SOUTH DAKOTA**

Pursuant to chapter 223 of the 2020 Session Laws authorizing the South Dakota Board of Regents to contract for the planning, site preparation, construction, furnishing, and equipping of a forty-five thousand square foot Health Science Facility at the University of South Dakota, including any heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and any other services or actions required to accomplish the project for estimated costs set forth in chapter 223 of the 2020 Session Laws.

These facilities shall be located on the Additional Property described on Exhibit A-2.

**EXHIBIT A-1****SERIES 2022A BOARD OF REGENTS PROJECT**

The Black Hills State University Project is to be located on the respective parcel of real property described below and is being financed in part with the South Dakota Building Authority Revenue Bonds, Series 2022A:

**BLACK HILLS STATE UNIVERSITY****E.Y Berry Library Renovations**

Beginning at a point, which point is N 78° 19' 43" E, 863.96 feet from the NE corner of the NW quarter of the SE quarter of Section 9, T 6 N, R 2 E, thence N 0° 10' 5", 177.65 feet; thence N 49° 58' 5" E, 31.77 feet; thence N 77° 29' 39" E, 148.64 feet; thence S 81° 25' 55" e, 175.08 feet; thence S 13° 15' 55" E, 210.97 feet; thence N 89° 49' 55" W, 391.50 feet to the point of beginning, all located in the City of Spearfish, County of Lawrence, State of South Dakota. (The above described parcel of land contains 1.80 acres.)

**EXHIBIT A-2**  
**SERIES 2022A BOARD OF REGENTS PROJECT**

The University of South Dakota Project is to be located on the respective parcel of real property described on Exhibit A-2 and is being financed in part with the South Dakota Building Authority Revenue Bonds, Series 2022A.

**UNIVERSITY OF SOUTH DAKOTA**

**Health Science Facility**

The Lee Medical School legal description where the Health Science Building will be constructed – Block 67 of Bigelow’s Addition to the City of Vermillion, Clay County SD.

A-2



**SCHEDULE A**  
**SCHEDULE OF ADDITIONAL LEASE PAYMENTS**  
**TO BE MADE BY**  
**THE SOUTH DAKOTA BOARD OF REGENTS**  
  
**INCLUDING**  
**A 3.0%ADMINISTRATION/INSURANCE FEE FOR PROJECTS**  
  
**WITH RESPECT TO FACILITIES DESCRIBED ON**  
**SCHEDULES A-1 and A-2**  
  
**FINANCED BY**  
**SOUTH DAKOTA BUILDING AUTHORITY**  
**REVENUE BONDS, SERIES 2022A**

**(Series 2022A Board of Regents Projects - See Schedules A-1 and A-2 for individual Projects)**  
**See Attached**

Schedule A

**SCHEDULE A-1**

**SCHEDULE OF ADDITIONAL LEASE PAYMENTS**  
**TO BE MADE BY**  
**THE SOUTH DAKOTA BOARD OF REGENTS**

**INCLUDING A 3.0%ADMINISTRATION/INSURANCE FEE**  
**WITH RESPECT TO FACILITIES DESCRIBED ON EXHIBIT A-1 AND FINANCED**  
**BY**

**SOUTH DAKOTA BUILDING AUTHORITY**  
**REVENUE BONDS, SERIES 2022A**

**(Series 2022A Board of Regents Project - BHSU Project)**  
**See Attached**

Schedule A-1

**SCHEDULE A-2**

**SCHEDULE OF ADDITIONAL LEASE PAYMENTS  
TO BE MADE BY  
THE SOUTH DAKOTA BOARD OF REGENTS**

**INCLUDING A 3.0%ADMINISTRATION/INSURANCE FEE  
WITH RESPECT TO FACILITIES DESCRIBED ON EXHIBIT A-2 AND FINANCED  
BY**

**SOUTH DAKOTA BUILDING AUTHORITY  
REVENUE BONDS, SERIES 2022A**

**(Series 2022A Board of Regents Project - USD Project)**  
**See Attached**

Schedule A-2

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**REVISED  
AGENDA ITEM: 6 – J  
DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**2022 Board Sponsored Legislation**

**CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 13-51-1](#) – Legislative approval for facilities

[BOR Policy 6:10](#) – Legislative Authorization of Private or Grant Funded Facilities

[BOR Policy 1:12](#) – State Relations

**BACKGROUND / DISCUSSION**

This item has been updated to include Attachments I - VIII, which comprise the proposed legislative package for the Board during the 2022 Legislative Session. The proposed legislation includes:

**NSU's Lincoln Hall Project (Attachment I)**

- The total project cost is estimated at \$29.5M, all from federal funds, to demolish Briscoe Hall and the existing Lincoln Hall on the campus of NSU and construct a new Lincoln Hall comprised of approximately 50,000 sq. ft. The Board approved the Preliminary Facility Statement and Preliminary Facility Program Plan for the project at its [October meeting](#).

**West River Health Sciences Expansion (Attachment II)**

- The total project cost is estimated at \$15,114,644, with \$8M from federal funds, \$5,114,644 from HEFF and \$2M from private donations, to renovate and expand health science space at BHSU-RC to facilitate the consolidation of west river nursing education at a single site. The project will include an addition of approximately 34,416 sq. ft. and the renovation of 9,988 sq. ft., in addition to the

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-J:**

I move to authorize the Executive Director to (1) submit the proposed bills and make such modifications or amendments to the bills as are necessary and appropriate, provided such modifications or amendments do not change the fundamental purpose of the legislation, and (2) submit such additional legislation as may be necessary and appropriate, upon concurrence of a majority of the executive committee.

necessary retrofitting and equipping of the space. The Board approved the Facility Program Plan for the project at its [October meeting](#).

**DSU's Athletics Event Center (Attachment III)**

- The total project cost is estimated at \$28,047,000, funded through private donations. The initial phase will include approximately 4,000 sq. ft. of team suites and training spaces, 5,620 sq. ft. of premium suites, 860 sq. ft. press box, 10,069 sq. ft. of hospitality space, two levels of support at 15,000 sq. ft., and two levels of lobby and concourse at 5,000 sq. ft. The football stadium is designed to approximately 40,400 total sq. ft. The Board approved the Facility Program Plan for the project at its [October meeting](#).

**SDSU's Stanley J. Marshall Center and First Bank and Trust Arena Addition and Renovation (Attachment IV)**

- The total project cost is estimated at \$53,168,000, with \$43,168,000 from private donations, \$6M from HEFF, and \$4M from university funds. The project includes an addition of approximately 59,625 total sq. ft., with the renovation of approximately 96,640 existing sq. ft. The addition and renovation space includes new building entrance, ticket offices, academic classroom spaces, sports medicine, team-rooms, home and visitor locker rooms, staging and storage, and building support spaces, all on the first floor. The second floor will include new and upgraded restrooms, concessions, and amenities including updated bleacher/chair-back seating, a new club-room, circulation and support spaces. The third floor will include new restrooms, concessions and amenities, including new luxury box seating, viewing deck areas, updated bleacher seating, circulation and support spaces. The revised Facility Program Plan and Revised Facility Design Plan for this project is on the [agenda](#) for this meeting.

**USD's Wellness Center Expansion (Attachment V)**

- The total project cost is estimated at \$25M, with \$9M from private donations, \$7.1M from university funds, \$5M from auxiliary funds, and \$3.9M from bonding. The expansion would add approximately 45,800 sq. ft. to the existing Wellness Center. The expansion would include a 50-meter competition pool, a second pool for wellness and recreation activities, hot tub, steam room, locker rooms, and mechanical/HVAC systems. The Board approved the Facility Program Plan for the project at its [October meeting](#).

**SDSU's Wecota Annex Demolition (Attachment VI)**

- The total project cost is estimated at \$800,000, all from university funds. The project would demolish the Wecota Annex located on the west side of Wecota Hall, which was constructed in 1940 and contains approximately 21,288 sq. ft.

**Center Tuition Rates (Attachment VII)**

- In conjunction with the development of sustainable plans for the activities of BHSU-RC and the current site of the CCSF, the recommendation is to again pursue

legislation to repeal the provisions necessitating self-support tuition rates at the two locations (SDCL 13-51-1.2 and section (6) of SDCL 13-51-1.3), allowing the Board to determine and set the appropriate tuition rates at those locations.

**Misprison of Felony Exemption (Attachment VIII)**

- SDCL 22-11-12 places an affirmative obligation on any person having knowledge, which is not privileged, of the commission of felony to immediately disclose the pertinent information to the authorities, and if they don't, they are guilty of a class 1 misdemeanor. There is no specific privilege or exception related to information obtained in the course of university research. The foregoing is problematic when it comes to various areas of research in criminal justice, criminology, drug use and dependence, etc., which relies on disclosures from human subjects to inform the research, as research participants are not inclined to provide open and honest feedback if it will result in the information being reported the same to the authorities.
- The proposed legislation would add a new section to chapter 22-11, stating "Any researcher employed by the Board of Regents is exempt from the disclosure requirements of SDCL 22-11-12, if the knowledge of the commission felony is obtained in the course of and related to research within the scope of their employment."

**IMPACT AND RECOMMENDATIONS**

With approval, Board office staff will introduce the Board-sponsored legislation in substantively similar form to that contained in Attachments I - VIII and work with members of the Legislature and the Governor's office to have the legislation become law.

**ATTACHMENTS**

Attachment I – Lincoln Hall (NSU)  
Attachment II – West River Health Sciences  
Attachment III – Athletics Events Center (DSU)  
Attachment IV – Stanley J. Marshall Center and First Bank and Trust Arena (SDSU)  
Attachment V – Wellness Center Expansion (USD)  
Attachment VI – Wecota Annex Demolition (SDSU)  
Attachment VII – Center Tuition Rates (BOR)  
Attachment VIII – Misprison of Felony (BOR)



**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the demolition of Briscoe Hall and the existing Lincoln Hall, and the design and construction of the new Lincoln Hall, at Northern State University, to make an appropriation therefor, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Board of Regents is hereby authorized to contract for the planning, site preparation, construction, furnishing, and equipping of the new Lincoln Hall at Northern State University, together with furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and such other services or actions as may be required to accomplish the projects authorized in this Act, for an estimated cost of twenty-nine million five-hundred thousand dollars (\$29,500,000), subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated for the purposes authorized in this Act the sum of twenty-nine million five-hundred thousand dollars (\$29,500,000), or so much thereof as may be necessary, in federal fund expenditure authority, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust such cost estimates to reflect inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to construction cost estimates for projects authorized in this Act may not exceed one hundred twenty-five percent (125%) of the estimated cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project; and all moneys deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. The Board of Regents may demolish, remove, and dispose of the structures known as Briscoe Hall, consisting of approximately sixteen thousand six hundred and forty-four (16,644) square feet, and the existing Lincoln Hall, consisting of approximately forty-six thousand three hundred and fifty-two (46,352) square feet, at Northern State University. This project includes demolition, abatement of asbestos or other such hazardous materials, lawful disposal of the fixtures or rubble, and any other action reasonably necessary to prepare the site for the construction of the new Lincoln Hall authorized in section 1 of this Act.

Section 6. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

Section 7. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

Section 8. The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 9. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 10. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design, renovation and construction of a Health Sciences Center at Black Hills State University – Rapid City, to make an appropriation therefor, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Board of Regents is hereby authorized to contract for the planning, site preparation, renovation, construction, furnishing, and equipping of a Health Sciences Center at Black Hills State University – Rapid City, together with furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and such other services or actions as may be required to accomplish the project authorized in this Act, for an estimated cost of fifteen million one hundred fourteen thousand six hundred and forty-four dollars (\$15,114,644), subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated for the purposes authorized in this Act the sum of eight million dollars (\$8,000,000), or so much thereof as may be necessary, in federal fund expenditure authority; the sum of five million one hundred fourteen thousand six hundred and forty-four dollars (\$5,114,644), or so much thereof as may be necessary, in other fund expenditure authority from the higher education facilities fund allocable to Black Hills State University and South Dakota State University; and the sum of two million dollars (\$2,000,000), or so much thereof as may be necessary, in other fund expenditure authority from donated funds, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust such cost estimates to reflect inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to construction cost estimates for projects authorized in this Act may not exceed one hundred twenty-five percent (125%) of the estimated cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project; and all moneys deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. The South Dakota Building Authority may finance the Health Sciences Center authorized in section 1 of this Act, including the issuance of higher education facilities fund bonds not to exceed a total of seven million one hundred fourteen thousand six hundred and forty-four dollars (\$7,114,644), in accordance with this Act and chapter 5-12.

Section 6. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

Section 7. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

Section 8. The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 9. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 10. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire property, contract for the design and construction of an athletics events center at Dakota State University, and to make an appropriation therefor.

*BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:*

Section 1. The Board of Regents is hereby authorized to contract for the planning, site preparation, construction, furnishing, and equipping of an athletics events center comprised of a football stadium, track and soccer field, associated spectator seating, restrooms, concession stands, locker rooms, media area, classrooms, labs, training areas, esports area, offices, club room, service area, meeting rooms, and storage at Dakota State University, including heating, air conditioning, plumbing, water, sewer, electricity, sidewalks, parking, landscaping, architectural and engineering services, land acquisition, and such other services or actions as may be required to accomplish the project, for an estimated cost of twenty-eight million and forty-seven thousand dollars (\$28,047,000), subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated to the Board of Regents for the purposes authorized in this Act the sum of twenty-eight million and forty-seven thousand dollars (\$28,047,000), or so much thereof as may be necessary, in other fund expenditure authority from donated funds, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust such cost estimates to reflect the inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures

required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to construction cost estimates for the project may not exceed one hundred twenty-five percent (125%) of the estimated project construction cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project. All moneys deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. The Board of Regents may purchase, on behalf of Dakota State University, for the purposes authorized in section 1 of this Act, the following described site for the sum of \_\_\_\_\_, or so much thereof as may be necessary, from the other fund expenditure authority granted in section 2 of this Act:

\_\_\_\_\_  
\_\_\_\_\_

Section 6. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

Section 7. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

Section 8. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 9. The executive director of the Board of Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.



**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design and renovation of, and construction of an addition to, the Stanley J. Marshall Center at South Dakota State University, to make an appropriation therefor, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. It is in the public interest that the Board of Regents contract for the design and renovation of, and construction of an addition to, the Stanley J. Marshall Center at South Dakota State University, together with furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and such other services or actions as may be required to accomplish the project, all at an estimated cost of fifty-three million one hundred sixty-eight thousand dollars (\$53,168,000), subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated the sum of forty-three million one hundred sixty-eight thousand dollars (\$43,168,000), or so much thereof as may be necessary, in other fund expenditure authority from donated funds; the sum of four million dollars (\$4,000,000), or so much thereof as may be necessary, in other fund expenditure authority from South Dakota State University other funds; and the sum of six million dollars (\$6,000,000), or so much thereof as may be necessary, in other fund expenditure authority from the higher education facilities funds allocable to South Dakota State University for the purposes of maintenance and repair to address the portion of the project that would otherwise involve maintenance and repair projects, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act, to the Board of Regents for the purposes authorized in this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust the cost estimates to reflect inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to design and renovation cost estimates for projects authorized in this Act may not exceed one hundred twenty-five percent of the estimated project cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project or its debt service. All moneys deposited into that fund are hereby appropriated to the projects authorized by this Act in addition to the amounts otherwise authorized by this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

Section 6. The administration of the design and renovation of the projects authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

Section 7. The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 8. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 9. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design and construction of an addition to the wellness center at the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

*BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:*

Section 1. The Board of Regents is hereby authorized to contract for the planning, site preparation, construction, furnishing, and equipping of an addition to the wellness center comprised of a 50-meter competition pool, a wellness pool, hot tub, steam room, expanded wellness locker rooms, athletic locker rooms, offices, meeting rooms, restrooms, seating and storage at the University of South Dakota, including heating, air conditioning, plumbing, water, sewer, electricity, sidewalks, parking, landscaping, architectural and engineering services, and such other services or actions as may be required to accomplish the project, for an estimated cost of twenty-five million dollars (\$25,000,000), subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated to the Board of Regents for the purposes authorized in this Act the sum of nine million dollars (\$9,000,000), or so much thereof as may be necessary, in other fund expenditure authority from donated funds; and sixteen million dollars (\$16,000,000), or so much thereof as may be necessary, from other fund expenditure authority, together with any additional sums received pursuant to section 4 of this Act, and permitted adjustments pursuant to section 3 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust such cost estimates to reflect the inflation as measured

by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to construction cost estimates for the project may not exceed one hundred twenty-five percent (125%) of the estimated project construction cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project. All moneys deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

Section 6. The administration of the design and construction of the project authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14.

Section 7. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

Section 8. The executive director of the Board of Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 9. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSMEBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish a South Dakota State University building and to make an appropriation therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Board of Regents may demolish, remove, and dispose of a structure known as the Wecota Annex, which is connected to the west side of Wecota Hall, consisting of twenty-one thousand two hundred and eighty-eight (21,288) square feet at South Dakota State University. This project includes demolition, abatement of asbestos or other such hazardous materials, the lawful disposal of the fixtures or rubble, enclosing the elevator and stair connection to Wecota Hall, utility termination, site restoration and any other action reasonably necessary to complete the project.

Section 2. There is hereby appropriated the sum of eight hundred thousand dollars (\$800,000), or so much thereof as may be necessary, in other fund expenditure authority to the Board of Regents for the purposes authorized in section 1 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2021 values. The Board of Regents may adjust the cost estimates to reflect inflation as measured by the Building CostIndex, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act, or additional sums received pursuant to section 4 of this Act. However, any adjustments to demolition cost estimates for the projects authorized in this Act may not exceed one hundred twenty-five percent of the estimated project cost stated in section 1 of this Act.

Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for the project authorized in this Act from federal sources, donations, or any other external sources, all of which comprise a special fund for the benefitted project. All moneys deposited into that fund are hereby appropriated to the project authorized by this Act in addition to the amounts otherwise authorized by this Act, subject to the limitations stated in sections 1 to 3, inclusive, of this Act.

Section 5. The executive director of the Board of Regents shall approve vouchers, and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 6. Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.



**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSMEBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions regarding self-support tuition rates at off-campus locations governed by the Board of Regents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1.** That § 13-51-1.2 be REPEALED:

**13-51-1.2. Tuition rates at off-campus locations.**

**Section 2.** That §13-55-1.3 be AMENDED:

**13-51-1.3. Sioux Falls site for instructional, research, and service programs—  
Limitations on use.**

The expenditures authorized by chapter 106 of the 2006 Session Laws shall be solely for the purposes of providing a site for the operation of instructional, research and service programs delivered through institutions established by the Legislature and governed by the Board of Regents. The Board of Regents may only use the property for the primary purpose of education or research. It is the intent of the Board of Regents and the Eighty-first Legislature that the Board of Regents may not without express legislative authorization:

- (1) Organize the programs delivered at this site into a separate degree-granting institution;
- (2) Erect student residence facilities on the site;
- (3) Construct facilities on the site for use as intercollegiate athletic practice or competition;
- (4) Establish intercollegiate athletic teams at the site;
- (5) Sell any portion of the property acquired pursuant to chapter 106 of the 2006 Session Laws unless the property is appraised and advertised and offered for sale at public auction. No portion of the property may be sold except at public sale and for an amount less than the appraised value;
- ~~(6) Offer courses taught on the property at any rate other than the self-support tuition rate;~~
- ~~(7)(6)~~ Lease for nonagricultural purposes more than ten percent of the surface area of the property to third parties;
- ~~(8)(7)~~ Lease to third parties more than ten percent of the useable space within any building constructed with state funds appropriated by the Legislature; or
- ~~(9)(8)~~ Permit any free-standing commercial facility to be constructed on the property or any commercial facility to be located within any building constructed with state funds

unless the commercial facility is reasonably needed to meet the convenience and needs of the students and instructors using the building.

**Section 3.** That §13-55-2.1 be REPEALED:

**13-55-2.1. Veterans enrolled at self-supporting off-campus institution entitled to reduced tuition.**

**STATE OF SOUTH DAKOTA  
NINETY-SEVENTH SESSION  
LEGISLATIVE ASSMEBLY, 2022**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to exempt certain employees of the Board of Regents from the disclosure requirements of SDCL 22-22-12.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1.** That a NEW SECTION be added:

**22-11-12.1. Exemption from required disclosure.**

Any researcher employed by the Board of Regents is exempt from the disclosure requirements of SDCL 22-11-12, if the knowledge of the commission of a felony is obtained in the course of and related to research within the scope of their employment.

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 6 – K**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policy 1:27 Revision – Naming of Institutional Facilities, Programmatic Units,  
or Funded Academic Honors (Second Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:27](#)

**BACKGROUND / DISCUSSION**

The Board approved the [first reading](#) of the proposed revisions to Board of Regents Policy 1:27 – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors at its August meeting. The only suggested change at that time was to clarify that any naming of a new facilities within the discretion of the presidents and superintendents be included in the applicable facility approval(s) pursuant to BOR Policy 6:4 – Capital Improvements, ensuring the Board is informed in advance. The closing sentence of section C.1 was added to provide the requested clarification.

BOR Policy 1:27 provides the process and approval structure for naming institutional facilities (e.g., buildings, additions and roadways), programmatic units (e.g., colleges, schools, institutes, centers or departments) and wings, halls rooms or other areas within buildings, chairs, lecture series or other academic honors. While the bulk of BOR Policy 1:27 is specific to naming facilities or programmatic units in recognition of a person, family or organization, the second paragraph is generally applicable to the naming of all facilities (costing more than \$250K) and programmatic units. As a result, the current policy can be read to require Board approval of generic/logical names, such as East Hall, Department of Biomedical Engineering, Center for Applied Sciences, etc.

The proposed revisions seek to clarify this issue, and in doing so, leave the authority with the presidents and superintendents to name facilities or programmatic units that are not in recognition of a person, family and organization and which bear a generic descriptive name that is logically related to its use, offering(s) and/or location.

\*\*\*\*\*

**DRAFT MOTION 20211208\_6-K:**

I move to approve the second and final reading of the proposed revisions to BOR Policy 1:27, as presented in Attachment I.

**IMPACT AND RECOMMENDATION**

The proposed revisions to BOR Policy 1:27 clarify when Board approval of facility and programmatic naming requests is necessary. This aims to simplify and streamline the process for assigning generic/logical names to institutional facilities and programmatic units.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – BOR Policy 1:27 – Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors Revisions

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Naming of Institutional Facilities, Programmatic Units, or Funded Academic Honors

**NUMBER:** 1:27

---

### **A. PURPOSE**

To set parameters for the naming of institutional facilities, programmatic units, or funded academic honors.

### **B. DEFINITIONS**

None.

### **C. POLICY**

#### **1. Overview**

The Board has a long-standing tradition of naming institutional facilities, programmatic units and funded academic honors in recognition of persons or entities who have made important contributions to enable or to advance the missions of the institutions. All naming in recognition of an honoree must be consistent with the Board's role as a public trust. Accordingly, all such proposals shall be reviewed and approved in accordance with this policy.

The Board shall approve the names of all new or existing campus facilities, such as roadways and buildings and additions (if they are to carry a different name from the original building), costing more than \$250,000, if the name is in recognition of a person, family or organization. It shall also approve the naming of programmatic units such as colleges, schools, institutes, centers or departments made in recognition of a person, family, or organization. The presidents and superintendents may name facilities and programmatic units that are not in recognition of a person, family or organization and which bear a generic descriptive name that is logically related to the use, offering(s) and/or location, and all wings, halls, rooms or other areas within buildings, and chairs, lecture series or other funded academic honors. Any such naming of new facilities by presidents and superintendents shall be included in the applicable facility plan approval(s) pursuant to BOR Policy 6:4.

#### **2. Criteria for Naming**

2.1. When naming a facility or programmatic unit for a person, family, or organization where there is no gift, the proposed honoree shall have achieved distinction in one or more of the following ways:

- 2.1.1. Serving the university in an academic or administrative capacity with high distinction, or
- 2.1.2. By contributed in other exceptional ways to the welfare and reputation of the university, to education, or to the community in genera.
- 2.2. When naming a facility or programmatic unit for a person, family, or organization where there is a gift to the institution, consideration shall be given to the following factors:
  - 2.2.1. The significance of the gift to the likely realization or success of a facility project or programmatic unit, based on the following guidelines:
    - 2.2.1.1. A name proposed for a new facility or a facility to be renovated so as to recognize a gift to the institution may be considered when the gift represents a substantial component of the projects' total cost.
    - 2.2.1.2. A name proposed for an existing but presently untitled facility so as to recognize a gift to the institution may be considered when the gift represents a significant proportion of the value of the facility.
    - 2.2.1.3. A name may be proposed for a programmatic unit to recognize an endowed gift to the institution if the gift is similar to donations received for comparable naming at peer institutions, provided that any associated endowment will be sufficient to sustain the program or a substantial portion of it, since the naming shall be in effect for the life of the program.
    - 2.2.1.4. If a fund raising drive or a contractual agreement may involve naming that is subject to Board approval, the Board must be apprised of such initiatives in advance.
    - 2.2.1.5. Before recommending a name in honor of an individual, corporate, or commercial entity, institutions must avoid any appearance of commercial influence or conflict of interest by taking additional due diligence. The naming for an individual associated with a corporation should be handled as any naming for an individual.
      - 2.2.1.5.1. Corporate names may be used to designate individual rooms or suites of rooms, as well as endowed chairs and professorships. Plaques in public spaces within buildings may recognize the contributions of corporations. The size, design, and wording of plaques and other signs that acknowledge corporate generosity and express institutional appreciation should be modest in size and appropriate to the public university or school setting.
  - 2.2.2. The urgency or need for the project or program, or continuing support for the program,
  - 2.2.3. The standing of the individual, family, or entity in the community or profession,
  - 2.2.4. The nature and duration of the relationship of the proposed honoree to the university.



- 2.3. Prior to recommending to the Board the naming of a facility or programmatic unit for a person, family or organization, the president or superintendent shall have a reasonable assurance that:
  - 2.3.1. The proposed name will bring additional honor and distinction to the institution,
  - 2.3.2. The recognition implied by the naming is appropriate for the behavior exhibited by the individual, family, or organization, and
  - 2.3.3. Any philanthropic commitments connected with the naming can be realized.
- 2.4. A name will generally be effective for the useful life of the facility or the designated use of the area. If a facility must be replaced or substantially renovated, or the use of an area re-designated, it may be named for a new donor, subject to the specific terms and conditions set forth in any gift agreements related to the prior naming action.
- 2.5. Under ordinary circumstances, serving Regents, elected officials, and institution employees are not eligible for a naming.
- 2.6. The Board may make exceptions to the standards and practices ordinarily required under this policy where, in its discretion, circumstances justify such departures to serve what it deems to be the best interests of the particular school or university or the system.
- 2.7. A naming conferred in recognition of a pledge is contingent on fulfillment of that pledge and will be approved on that condition.
- 2.8. If the institution proposes to change the function of a named facility or area, it must document the review of related gift agreements to determine if the proposed use is consistent with the restrictions that may have been previously stipulated. If the proposal for change in use is inconsistent, the institution shall consult with the General Counsel.
- 2.9. Notwithstanding any contractual provision to the contrary, if at any time following the approval of a naming, circumstances change substantially so that the continued use of that name may compromise the public trust, the Board may authorize an institution to discontinue use of the name.

## **FORMS / APPENDICES:**

Naming Request Form

## **SOURCE:**

BOR June 1994, formerly Board Policy 6:10 (Naming of Campus Facilities); BOR August 2006; June 2017 (Clerical).

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 6 – L**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**DSU Donation Agreement Amendment**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

[BOR Policy 6:13](#) – Facilities Use by Private Parties

#### **BACKGROUND / DISCUSSION**

Dakota State University (“DSU”) requests authorization to proceed with finalizing and executing the First Amendment to the Sanford Medical Center Donation Agreement set forth in Attachment I. The Board initially approved the Donation Agreement at its [August 2018](#) meeting, through which Sanford Health would contribute \$5,000,000, payable in ten (10) annual installment payments to the DSU Foundation, as set forth in Attachment II (“Donation Agreement”). The Donation Agreement was subsequently assigned by Sanford Health to Sanford Medical Center, which now desires to amend the Donation Agreement to provide an additional \$5,000,000, payable in ten (10) annual installments spanning from September 15, 2028 – September 15, 2037.

The additional contributions are intended to support the DSU Trojan Unite athletics facilities campaign. Aside from extending the term of the Donation Agreement until July 31, 2038 and adding an additional \$5,000,000 contribution, bringing the total donation thereunder to \$10,000,000, all other terms and conditions remain as originally stated.

#### **IMPACT AND RECOMMENDATION**

DSU requests the Board of Regents authorize President Griffiths to finalize and execute the amendment set forth in Attachment I, which will provide an additional \$5,000,000 for the benefit of DSU, bringing the total under the agreement to \$10,000,000.

#### **ATTACHMENTS**

Attachment I – Draft Amendment to Donation Agreement with Sanford Medical Center  
Attachment II – Donation Agreement

\*\*\*\*\*

#### **DRAFT MOTION 20211208\_6-L:**

I move to authorize Dakota State University to proceed with finalizing the draft amendment to the donation agreement set forth in Attachment I, subject to approval of the final draft by the Executive Director.

## FIRST AMENDMENT TO DONATION AGREEMENT

THIS FIRST AMENDMENT TO DONATION AGREEMENT is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and among SANFORD MEDICAL CENTER (“SMC”), DAKOTA STATE UNIVERSITY (“DSU”) and DAKOTA STATE UNIVERSITY FOUNDATION (the “Foundation”).

WHEREAS, Sanford Health, DSU and the Foundation entered into that certain Donation Agreement dated September 24, 2018 (the “Agreement”), whereby Sanford Health agreed to contribute \$5,000,000 to the Foundation for projects, scholarships, faculty and/or the athletic department (the “Contributions”); and

WHEREAS, Sanford Health assigned the Agreement to SMC; and

WHEREAS, SMC desires to contribute an additional \$5,000,000 to the DSU Trojans Unite athletics facilities campaign; and

WHEREAS, in consideration therefor, the parties have agreed to extend the term of the Agreement as more fully set forth below.

NOW, THEREFORE, the parties agree as follows:

1. Capitalized terms not defined herein shall have the meanings ascribed to them in the Agreement.
2. Subject to the conditions precedent set forth in Section 1 of the Agreement, SMC agrees to contribute to the Foundation an additional \$5,000,000, payable in ten (10) installments as set forth on Exhibit A attached hereto (collectively, the “Campaign Contributions”).
3. The parties acknowledge and agree that the Capital Contributions shall be used for the DSU Trojans Unite athletics facilities campaign to transform the DSU campus and the Madison, South Dakota community by providing new homes for DSU Trojan athletics as well as Madison High School football and track, with Phase I to include an event center housing an esports arena, football stadium, and outdoor track and soccer complex and later phases to include a new basketball arena, indoor athletics complex, baseball and softball complex, and an outdoor amphitheater.
4. All references in the Agreement to the DSU Athletic Facilities shall hereafter include any and all current or future athletic facilities on the DSU campus or at such other locations DSU utilizes in connection with its athletic programs, unless otherwise prohibited by such other locations.
5. Notwithstanding anything in the Agreement to the contrary, the term of the Agreement is hereby extended through and until July 31, 2038. The parties acknowledge and agree that the exclusive right to negotiate an extension of the Agreement and/or any of the exclusive advertising or signage rights granted to SMC therein and the right of first refusal set forth in Sections 3 and 4 of the Agreement shall remain in full force and effect.

6. Exhibit A to the Agreement is hereby deleted and Exhibit A attached hereto is incorporated herein by reference.

7. All references in the Agreement to Sanford Health shall hereafter refer to SMC.

8. Except as modified by this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed as of the date set forth above.

SANFORD MEDICAL CENTER

By \_\_\_\_\_  
Its \_\_\_\_\_

DAKOTA STATE UNIVERSITY

By \_\_\_\_\_  
Its \_\_\_\_\_

DAKOTA STATE UNIVERSITY FOUNDATION

By \_\_\_\_\_  
Its \_\_\_\_\_

## EXHIBIT A

Contributions and Campaign ContributionsContributions

September 15, 2018 - \$500,000 – Paid  
September 15, 2019 - \$500,000 - Paid  
September 15, 2020 - \$500,000 - Paid  
September 15, 2021 - \$500,000 - Paid  
September 15, 2022 - \$500,000  
September 15, 2023 - \$500,000  
September 15, 2024 - \$500,000  
September 15, 2025 - \$500,000  
September 15, 2026 - \$500,000  
September 15, 2027 - \$500,000

Campaign Contributions

September 15, 2028 - \$500,000  
September 15, 2029 - \$500,000  
September 15, 2030 - \$500,000  
September 15, 2031 - \$500,000  
September 15, 2032 - \$500,000  
September 15, 2033 - \$500,000  
September 15, 2034 - \$500,000  
September 15, 2035 - \$500,000  
September 15, 2036 - \$500,000  
September 15, 2037 - \$500,000

### DONATION AGREEMENT

THIS AGREEMENT is made this 24<sup>th</sup> day of September, 2018 (the "Effective Date"), by and among SANFORD HEALTH ("Sanford"), DAKOTA STATE UNIVERSITY ("DSU") and DAKOTA STATE UNIVERSITY FOUNDATION ("Foundation"), and.

WHEREAS, DSU, founded in 1881, offers doctorate, master's, bachelor's and associate degree programs in numerous fields of study. The work of DSU is carried out on a residential campus in Madison, South Dakota, through online courses and through The University Center in Sioux Falls, South Dakota; and

WHEREAS, the Foundation is a charitable foundation under §501(c)(3) of the Internal Revenue Code, providing support for various educational activities and objectives of DSU; and

WHEREAS, Sanford is a part of an integrated health care system located in Sioux Falls, South Dakota, who, with its parent, subsidiaries and affiliates, delivers health care to patients primarily in South Dakota, North Dakota, Minnesota and Iowa; and

WHEREAS, Sanford, DSU and the Foundation desire to strengthen their relationship via the provision of funds for DSU projects, scholarships, faculty and the athletic department, and the desire to explore other projects of mutual interest that advance the respective missions of each organization and benefit the Madison, South Dakota community; and

WHEREAS, Sanford, DSU and the Foundation collectively desire to further develop the infrastructure for health care in the Madison community, which interests would be served via the terms and conditions of this Agreement; and

WHEREAS, Sanford desires to further its mission and the continued development of Sanford's health care services via its involvement in all the foregoing; and

WHEREAS, Sanford agrees to contribute to the Foundation, for the benefit of DSU, the sum of \$5,000,000; and

WHEREAS, DSU and the Foundation desire to recognize Sanford's commitment to the foregoing by granting certain exclusive rights to Sanford and other recognitions as more particularly described herein.

NOW THEREFORE, Sanford, DSU and the Foundation, in consideration of the mutual promises and covenants set forth herein, do hereby acknowledge and agree as follows:

1. During the term of this Agreement, Sanford agrees to contribute to the Foundation \$5,000,000, payable in ten (10) installments as set forth on Exhibit A attached hereto (collectively the "Contributions"). The first installment is subject to the following condition precedent:

- (i) Approval of Board and/or Legislature. Authorization in writing of approval for any obligation of DSU under this Agreement if required by the South Dakota Board of Regents (the "BOR") and/or the South Dakota Legislature or any other governmental entity required by law or policy to approve the terms and conditions of this Agreement.

Each of the remaining installments is subject to the following conditions precedent:

- (i) Compliance with Agreement. Neither DSU nor the Foundation is in material breach of any term or condition of this Agreement.
- (ii) Formal Evaluation. The parties agree to formally evaluate the DSU/Sanford relationship at least annually, such evaluation to be attended by DSU's President and Athletic Director and Sanford's Senior Executive Director – Orthopedic and Sports Medicine and/or their designees or invitees. The meeting will include discussions regarding terms and conditions of this Agreement.
- (iii) Board Approval. The Board of Trustees of Sanford authorizing said annual Contribution during such year.
- (iv) Annual Statement. The Foundation will send an annual invoice statement to Sanford thirty (30) days prior to the payment dates set forth in Exhibit A. All statements shall be addressed as follows:

Sanford Health  
PO Box 5039  
2301 E. 60th Street North  
Sioux Falls, SD 57117-5039  
Attn: Treasurer

The parties acknowledge and agree that the Contributions made to the Foundation shall be for the benefit of DSU for projects, scholarships, faculty and/or the athletic department as determined by the University.

2. Exclusive Health Care Presence Recognition. During the term of this Agreement, in recognition for the Contributions made hereunder, DSU acknowledges that Sanford shall have an exclusive 3<sup>rd</sup> Party Health Care Presence at the DSU Memorial Fieldhouse and DSU Trojan Field (the "DSU Athletic Facilities"). For the purposes of this Agreement, "Health Care Presence" shall include, but not be limited to, businesses and/or entities that operate a hospital and/or clinic, which provides any health care services of any kind including, without limitation, a clinic such as a "walkup", "rapid care", or "urgent care" clinic, which provide health care services and/or for the provision of dialysis, physical therapy, chiropractic care, occupational therapy, occupational health, oral surgery, audiology, psychiatry, dietetics, optometry, ophthalmology, laser surgery, plastic surgery, maxillofacial surgery services, the sale of health care accessories, the sale or



operation of health care plans, weight loss management, pharmacy, and/or athletic training or strength conditioning services.

Traditional dentistry and orthodontics, however, shall not be deemed a Health Care Presence, so long as said dentistry and orthodontics is not associated or affiliated with any other hospital or health care entity. Notwithstanding the foregoing, DSU may seek an exception to this exclusive Health Care Presence provision upon written request to Sanford, which Sanford in its sole discretion may either grant or deny. DSU acknowledges that at the time of the execution of this Agreement, no agreements or informal arrangements exist that would conflict with Sanford's exclusive Health Care Presence as set forth in this Section, except for such naming rights as have been granted previously to Madison Community Hospital, d/b/a Madison Regional Health System and Sioux Falls Specialty Hospital, L.L.P. It is understood and agreed by the parties that in the event said rights expire or terminate during the term of this Agreement, including any options previously granted, DSU shall not extend the same.

3. Exclusive Advertising and Signage Recognition. DSU hereby covenants and agrees that Sanford shall have, and DSU irrevocably transfers, sets over and assigns to Sanford exclusive "Health Care Presence" signage recognition with respect to the exterior and interior of the DSU Athletic Facilities. In addition, DSU hereby agrees, covenants and promises during the term of this Agreement that it shall not, without the prior written consent of Sanford, which consent may be granted or withheld in the exercise of Sanford's sole discretion, directly or indirectly sell or lease, or solicit or market to sell or lease, or permit any naming or other advertising in any medium in, on or from any DSU Athletic Facility(ies) in violation of Sanford's exclusive Health Care Presence (as defined in Section 2 above), except for such rights granted previously to Madison Community Hospital, d/b/a Madison Regional Health System and Sioux Falls Specialty Hospital, L.L.P. DSU acknowledges that at the time of the execution of this Agreement, no other agreements or informal arrangements exist that would conflict with Sanford's exclusive advertising and/or signage rights as set forth in this Section. It is understood and agreed by the parties that upon expiration or termination of Sioux Falls Specialty Hospital, L.L.P.'s rights during the term of this Agreement, including any options previously granted, DSU shall not extend the same. It is further understood and agreed by the parties that in the event Madison Community Hospital, d/b/a Madison Regional Health System desires to extend its agreement with DSU with respect to advertising and signage only, Sanford, without violating this Section 3, agrees that DSU may enter into an agreement with Madison Community Hospital, d/b/a Madison Regional Health System for the same.

With respect to the exclusive advertising and signage recognition rights set forth in this Section 3, DSU and Sanford agree to be bound by the measurement, weight, location and luminosity limits established by DSU for each DSU Athletic Facility and Sanford shall cooperate on the design, fabrication and installation of the signage contemplated hereunder, the cost of which shall be borne by Sanford; however in no event shall Sanford be responsible in any manner for any of DSU's costs to remove any other signage from the DSU Athletic Facilities and areas in which Sanford is granted the exclusive Health Care Presence signage recognition in accordance with this Agreement.

In addition, DSU covenants and agrees to include said exclusive Health Care Presence requirement in each of its own facility use agreements or leases and in any agreement or lease it may enter into with owners or operators of adjacent facilities to the extent such facilities may reasonably be considered part of, or affiliated (meaning DSU owned or controlled) with the DSU Athletic Facilities. Sanford may, upon the written request of DSU and in the exercise of Sanford's sole discretion, waive the foregoing advertising rights with respect to lessees/users of the DSU Athletic Facilities on an event-specific basis. This section does not apply to the Madison Community Center.

4. Term: Right of First Refusal. The term of this Agreement shall commence as of the Effective Date and continue until the tenth (10<sup>th</sup>) anniversary thereof. During the term hereof, Sanford shall have the exclusive right to negotiate with DSU for an extension of this Agreement and/or any of the exclusive advertising or signage rights granted to Sanford hereunder. At least 12 months prior to the end of the term of this Agreement, the parties shall in good faith commence discussion as to terms and conditions of a proposed extension. In the event the parties are unable to agree to an extension of a term with respect to this Agreement and/or any of the exclusive sponsorship, advertising and/or signage rights granted to Sanford hereunder, (a) the exclusive sponsorship, advertising and/or signage rights granted to Sanford hereunder shall cease and terminate at the end of the term hereof and (b) Sanford shall, for an additional three-year period, have a right of first refusal with respect to any of the exclusive sponsorship, advertising or signage rights granted to Sanford hereunder. If at any time during said three-year period DSU receives a bona fide offer from a third party for the grant, sale, transfer or other disposition of any such exclusive sponsorship, advertising and/or signage rights, DSU shall give Sanford a first right of refusal with respect to such offer. Upon receipt of written notice and a copy of said offer from DSU that DSU has received an offer it is willing to accept, Sanford shall, within thirty (30) days after receipt of said notice, give written notice to DSU as to whether Sanford has elected to exercise its right to accept the same terms and conditions as contained in said offer. In the event Sanford does not exercise the right within said thirty day period, its rights hereunder shall be exhausted solely with respect to the rights conveyed to the third party offeror under the offer for the period stated in such offer and any such decision not to exercise shall not be deemed or construed as a waiver of its rights of first refusal with respect to any subsequent third party offers. The foregoing rights of first refusal shall survive termination of this Agreement for the period described above.

5. Material Breach, Ceasing of Use, Impairment of Rights.

A. Default by DSU or the Foundation. Upon (a) a material impairment by DSU or the Foundation of any exclusive rights or recognitions granted by DSU hereunder, which is not cured by DSU or the Foundation within thirty (30) days' written notice thereof, or (b) a material breach by DSU or the Foundation of any other of DSU's or the Foundation's obligations hereunder, which breach is not cured by DSU or the Foundation within thirty (30) days' written notice thereof, Sanford shall have the right to terminate any future installments set forth in this Agreement which become due and payable. If all payments have been made by Sanford and a default by DSU or the Foundation, as defined in this paragraph, has occurred and has not been remedied by DSU or the Foundation within the requisite time,

Sanford shall have the right to elect any and all remedies available under the law, equitable or legal, including, but not limited to, specific performance of this Agreement.

- B. Default by Sanford. Upon Sanford's default in making any installment due hereunder within thirty (30) days of its receipt of written notice that such installment is delinquent (except to the extent such payment by Sanford is disputed in good faith hereunder or payments are delayed as a result of the action or omission to act of DSU or the Foundation), DSU and the Foundation may declare this Agreement cancelled, forfeited and terminated by giving to Sanford thirty (30) days' notice in writing of its intention to cancel and terminate this Agreement and/or DSU and the Foundation may pursue any other appropriate legal or equitable remedy.

6. No Joint Venture. Nothing herein contained shall be construed to place the parties in a relationship of partners or joint venturers and neither party shall have the power to obligate or bind the other in any manner whatsoever.

7. Indemnity. To the extent permitted by the Laws and Constitution of the State of South Dakota and subject to available appropriation, DSU shall save and hold harmless Sanford from any liability for damages and litigation costs including attorney's fees which arise from DSU's activity, except for damages due to the fault or negligence of Sanford, its sub-contractors, officers, employees or agents. Nothing herein shall preclude DSU from asserting against any party any defenses to liability it may have under South Dakota law, nor is anything herein intended to extend DSU's liability beyond that provided by SDCL ch. 21-32.

8. Representations and Warranties of DSU and the Foundation. DSU and the Foundation hereby represent and warrant to Sanford the following:

- A. The execution, delivery and performance by DSU and the Foundation of this Agreement and the assignment of rights effectuated hereby have been or will be duly authorized by all known necessary entities, including the BOR, if necessary. Notwithstanding the foregoing, this Agreement will not knowingly (i) require any authorization, consent or approval by, or registration, declaration or filing with, or notice to, any governmental department, commission, board, bureau, agency or instrumentality, or any third party, except such authorization, consent, approval, registration, declaration, filing or notice as has been obtained prior to the date hereof; (ii) violate any provision of any law, rule or regulation or of any order, writ, injunction or decree presently in effect having applicability to DSU or the Foundation; and (iii) result in a breach of or constitute a default under any material agreement, lease or instrument to which DSU or the Foundation is a party or by which they or their respective properties may be bound or affected.

- B. No material agreement, lease or instrument to which DSU or the Foundation is a party or by which its properties are bound or affected imposes upon the rights granted to Sanford hereunder any express or implied limitations on the exercise of such rights, except as disclosed by DSU and the Foundation in writing contemporaneously herewith or except as disclosed herein.
- C. There is no litigation, proceeding or other investigation pending or, to the knowledge of DSU or the Foundation, threatened against DSU or the Foundation, which would prevent consummation of the transaction contemplated by this Agreement.

9. Representations and Warranties of Sanford. Sanford hereby represents and warrants to DSU and the Foundation the following:

- A. Sanford is a non-profit corporation duly organized, existing and in good standing under the laws of the State of South Dakota.
- B. The execution, delivery and performance by Sanford of this Agreement has been duly authorized by all necessary corporate action and does not and will not (i) require any consent or approval of Sanford's Board of Trustees, except as otherwise provided in this Agreement; (ii) require any authorization, consent or approval by, or registration, declaration or filing with, or notice to, any governmental department, commission, board, bureau, agency or instrumentality, or any third party, except such authorization, consent, approval, registration, declaration, filing or notice as has been obtained prior to the date hereof; (iii) violate any provision of any law, rule or regulation or of any order, writ, injunction or decree presently in effect having applicability to Sanford or its articles or by-laws; and (iv) result in a breach of or constitute a default under any material agreement, lease or instrument to which Sanford is a party or by which it or its properties may be bound or affected.

10. Injunctive Relief. The parties acknowledge that breach or nonperformance with respect to certain of the covenants of this Agreement could cause irreparable harm and significant injury which may be difficult to estimate or ascertain. Accordingly, both parties agree that each party shall have, in addition to any other rights or remedies afforded by law, the right to seek immediate injunctive relief or specific performance due to any existing or threatened breach of this Agreement.

11. Risk of Loss. The parties acknowledge and agree that the BOR will have title to the DSU Athletic Facilities (subject to the rights granted to Sanford hereunder) and bears the risk of damage, loss, theft, or condemnation of any and all portions of, or personal property located at, said facilities, and no repairs and replacements thereof shall be at the expense of Sanford. The foregoing notwithstanding, Sanford acknowledges that it shall bear the risk of damage, loss, theft or condemnation of any Sanford signage or other Sanford property located at or upon the DSU Athletic Facilities, unless such damage, loss, theft or condemnation is a result of or attributable to

DSU's, the Foundation's, or their agents' negligence or intentional act. The State of South Dakota, the BOR, or DSU shall, at all times during the term of this Agreement, maintain physical damage insurance, insuring against loss or damage to the DSU Athletic Facilities in an amount specified by the State of South Dakota or the BOR, but in no event less than the full replacement value thereof. In the event of material casualty to the DSU Athletic Facilities, the State of South Dakota, the BOR, or DSU shall, subject to BOR approval, promptly repair or replace the DSU Athletic Facility.

12. Insurance. During the term of this Agreement, the State of South Dakota, the BOR, or DSU shall maintain, at its sole cost and expense, adequate coverage, whether self-insured or otherwise, against any liability arising out of injuries to or death of any person or damage to tangible property in any way connected with the ownership or operation of the DSU Athletic Facilities. DSU shall provide to Sanford a certificate evidencing such coverage.

13. Assignment. No party shall assign or transfer their respective rights or obligations under this Agreement without the prior written consent of all other parties, which consent may be granted or withheld in the exercise of the party's sole discretion; provided, however, that Sanford may, without the necessity of consent, assign or transfer its rights or obligations under this Agreement to any parent, subsidiary or affiliate corporation or entity, any corporation resulting in the consolidation or merger of Sanford into or with any other entity, or any person, firm, entity or corporation acquiring all or substantially all of Sanford's assets. In the event Sanford is acquired by, or converts to, a for-profit corporation, any assignment or transfer of Sanford's rights hereunder shall be subject to the prior written consent of DSU and the Foundation, which consent shall not be unreasonably withheld or delayed. Any assignment or transfer prohibited by this provision will be void.

14. Exclusive Sports Medicine Agreement. DSU, the Foundation and Sanford hereby acknowledge and agree that DSU and Sanford have concurrently herewith entered into an Exclusive Sports Medicine Agreement to provide exclusive sports medicine services to DSU and its student athletes. DSU, the Foundation and Sanford agree that in the event the Exclusive Sports Medicine Agreement terminates at any time during the term hereof, this Agreement shall also terminate with no further rights or obligations on the part of any party. In the event of a direct conflict between the terms of this Agreement and the Exclusive Sports Medicine Agreement, the terms of Exclusive Sports Medicine Agreement shall prevail.

15. Miscellaneous.

- A. This Agreement shall be interpreted under and governed by the laws of the State of South Dakota. Any action arising out of or related to this Agreement, whether at law or in equity, shall be instituted in and litigated solely and exclusively in the state or federal courts in the State of South Dakota.
- B. This Agreement along with any other agreement referenced herein constitutes the entire agreement between the parties and supersedes all prior proposals and agreements, both written and oral, and all other written and

oral communications between the parties regarding the subject matter herein.


- C. This Agreement may not be amended or altered in any manner except in a writing signed by both parties.
- D. No forbearance to exercise any rights or privileges under this Agreement or waiver of any breach of any of its terms shall be construed as a waiver of any such terms, rights, or privileges, but the same shall continue and remain in full force and effect the same as if no such forbearance or waiver had occurred.
- E. The parties agree that if any part, term, paragraph, or provision of this Agreement is in any manner held to be invalid, illegal, void, or in any manner unenforceable, or to be in conflict with any law, then the validity of the remaining portions or provisions of this Agreement shall not be affected, and such part, term, paragraph or provision shall be construed and enforced in a manner designed to effectuate the intent expressed in this Agreement to the maximum extent permitted by law.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

SANFORD HEALTH

By   
 Name Mike Begeman  
 Its VP Public Affairs & Corp Admin  
Sanford Health

DAKOTA STATE UNIVERSITY

By   
 José-Marie Griffiths, Ph.D., President

DAKOTA STATE UNIVERSITY  
 FOUNDATION

By   
 Floyd Rummel, Board Chair

## EXHIBIT A

Contributions

September 15, 2018 - \$500,000  
September 15, 2019 - \$500,000  
September 15, 2020 - \$500,000  
September 15, 2021 - \$500,000  
September 15, 2022 - \$500,000  
September 15, 2023 - \$500,000  
September 15, 2024 - \$500,000  
September 15, 2025 - \$500,000  
September 15, 2026 - \$500,000  
September 15, 2027 - \$500,000



## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**AGENDA ITEM: 8 – A**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**Revision to BOR Policy 2:5 – Transfer of Credit (First and Final Reading)**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:5](#) – Transfer of Credit

#### **BACKGROUND / DISCUSSION**

As the Board of Regents develop their Strategic Plan, one of the essential goals will include Access. To facilitate this goal, the system academic staff have been reviewing policy needs related to transfer credits. The following BOR policies will require a review and update over the next few months.

- [BOR Policy 2:5](#) – Transfer of Credit
- [BOR Policy 2:7](#) – Baccalaureate General Education Curriculum
- [BOR Policy 2:25](#) – Associate Degree General Education Curriculum
- [BOR Policy 2:27](#) – Program to Program Articulation Agreements
- [BOR Policy 2:31](#) – Articulation of General Education Courses: South Dakota Technical Colleges with a Memorandum of Agreement with the Board of Regents

To accommodate this timeline for policy revisions, the system academic staff will present to the Board a recommendation to streamline BOR Policy 2:5 with respect to transfer courses from technical and academic coursework. This initial change will allow more discretion at the campuses during the next six months when working with students based on current Board Policy and AAC Guidelines.

By Fall of 2022, a new policy will be developed for approval on transfer.

#### **IMPACT AND RECOMMENDATION**

The Board of Regents academic staff supports the recommendations as a first and final review of the Board policy. This policy will provide additional campus discretion in the review of both technical and academic course work at the undergraduate level.

(Continued)

\*\*\*\*\*

#### **DRAFT MOTION 20211208\_8-A:**

I move to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final readings of the proposed new BOR Policy 2:5, as presented.

The timeline for the activity related to future transfer policies outlined is as follows:

- Draft BOR Policy Revisions – First Reading March 2022 BOR Meeting
- Campus Communication – April through June 2022
- Draft BOR Policy Revisions – Tentative Second and Final Reading August 2022 BOR Meeting
- AAC Guideline Revisions – August 2022

## **ATTACHMENTS**

Attachment I – Proposed Revisions to BOR Policy 2:5

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Transfer of Credit

**NUMBER:** 2:5

---

### **A. PURPOSE**

To establish the framework for the consistent transfer of credit among Regental institutions, and by students earning credit external to the six institutions managed by the South Dakota Board of Regents. Additionally, guidance is provided for the accepting credit through approved validation methods.

### **B. DEFINITIONS**

1. **Accredited Institution:** An institution holding accreditation from one of the following regional accrediting bodies, unless otherwise specified: Middle States Commission on Higher Education, New England Association of Schools and Colleges, Higher Learning Commission, Northwest Accreditation Commission, Southern Association of Colleges and Schools, Western Association of Schools and Colleges.
2. **Technical or General Education Academic Course:** A course that is equivalent to a Regental general education requirement at the 100 or 200 level.
3. **Course Evaluation:** An Assessment completed by the appropriate institutional official at the time of admission to compare descriptions, content, and level of course completed from an accredited or non-accredited institution.
4. **CR Grade:** A grade used for a block of course credit hours.
5. **External Block Transfer:** Granting of credit to meet the General Education requirements outlined in BOR Policy 2:7 and 2:26 for students from approved institutions that enter with an earned Associates Degree (AA and AS) or Bachelor's Degree (BA and BS).
6. **Regental Internal Transfer:** Process where an undergraduate course is used on a converted credit basis to meet graduate plan of study requirements at Regental universities or when graduate credit is used on a converted or actual credit basis to meet undergraduate degree requirements for a Regental accelerated program (refer to BOR Policy 2:8.).
7. **Repeated Course:** A course that an institution has determined to be repeated for credit from a receiving institution. All repeated course attempts will be entered on the transcript, but credit will not be given for the duplication of courses as only the last earned grade will be used in the calculation of the student's grade point average.
8. **Technical Course:** A non-academic course that meets the technical program requirements for a diploma, certificate, or Associate of Applied Science degree.

## **C. POLICY**

### **1. Transfer of Courses to Meet Degree Requirements**

- 1.1. Academic courses will be transferred as meeting graduation requirements if the courses parallel the scope and depth requirements for the degree or if the courses meet electives required for the degree. Credit will not be given for duplication of courses.
- 1.2. Undergraduate courses considered for transfer are subject to all BOR policies and any conditions for validation that may be prescribed by the accepting institution. When a university evaluates and accepts the transfer of undergraduate credit under the provisions of this policy, these courses will be recorded and equivalencies granted using the following guidelines:
  - 1.2.1. If there are specific undergraduate courses at the university evaluating the credit, these specific courses should be used when granting equivalencies.
  - 1.2.2. If the academic discipline is available at the university evaluating the credit, but there is no discipline equivalent course, use the discipline prefix and the appropriate course level (100 for Freshman level, 200 for Sophomore level, 300 for Junior level, and 400 for Senior level).
  - 1.2.3. If the academic discipline is not available at the university evaluating the credit, use the ELEC prefix and the appropriate course level (100 for Freshman level, 200 for Sophomore level, 300 for Junior level, and 400 for Senior level).

### **1.3. Total Transfer of Credit Limit**

- 1.3.1. Total transfer credit for work at a two-year technical or community college may not exceed one-half of the hours required for completion of the baccalaureate degree at the accepting institution unless an approved program-specific waiver exists.
- 1.3.2. The System Vice President for Academic Affairs may approve program-specific waivers of up to seventy-five (75) total transfer credit hours at the accepting institution
- 1.3.3. Board of Regents approval is required:
  - 1.3.3.1. For baccalaureate program-specific waivers of seventy-six (76) total transfer credit hours up to a maximum of ninety (90) total transfer credit hours at the accepting institution.
  - 1.3.3.2. For graduate accelerated program-specific waivers of thirteen (13) total transfer credit hours up to a maximum of twenty-five (25) total transfer credit hours at the accepting institution.
- 1.3.4. Students who have completed more than the acceptable semester hours of junior, community or technical college work may apply completed, transferable courses to specific course requirements and thereby may not be required to repeat the courses. The semester hours of credit for those additional courses may not be applied toward the minimum credit hours required for the degree.

#### **1.4. Student Appeals for Transfer of Credit Decisions**

- 1.4.1. Each institution will develop and maintain a procedure for the appeal of transfer credit decisions.

### **2. Transfer of General Education Coursework**

#### **2.1. Internal Transfer of General Education Coursework**

- 2.1.1. A student who has completed the general education requirements outlined in Policy 2:7 and 2:26 at the sending Regental institution will have completed the equivalent degree level requirements at the receiving institution regardless of the course distributions or approved course lists. In any subsequent evaluation of any transfer or non-course work, equivalencies for system common courses and system general education courses will not be changed.
- 2.1.2. A student who has not completed all general education requirements at the sending institution will be required to complete additional coursework consistent with the course requirements at the receiving South Dakota Regental institution.

#### **2.2. External Block Transfer of General Education Coursework**

- 2.2.1. A student who has completed General Education requirements that are consistent with the six (6) goals and credit hour requirements outlined in Policy 2:7 and 2:26 will enter the Regental system having fulfilled the General Education program requirements. Students will be expected to meet all degree program requirements including course prerequisites.
- 2.2.2. When considering whether undergraduate transfer of academic courses received from non-Regental accredited institutions shall qualify to meet the System General Education credit hour requirements outlined in Policy 2:7 and 2:26, a Regental institution shall:
  - 2.2.2.1. Evaluate the general education goals and student learning outcomes rather than specific course equivalencies;
  - 2.2.2.2. Ensure that a minimum of three (3) credit hours of coursework is required for each of the six general education goals and that a total of at least twenty-four (24) credit hours of general education coursework are required by the sending institution for associate degree students and thirty (30) for bachelor's degree students.
  - 2.2.2.3. Request a general education transfer agreement be approved for students entering from the institution.
- 2.2.3. When it is determined that the goals and credit hour requirements from a non-Regental accredited institution do not align with Policy 2:7 and 2:26, a Regental institution may request a partial general education transfer agreement be approved where goal consistency does exist.

### **3. Transfer of Credit from Accredited United States Colleges, Universities & Technical Colleges**

#### **3.1. General Requirements**

- 3.1.1. All grades transferred will be calculated into grade point averages according to the Regental grade scheme, and recorded on the student's academic transcript.
- 3.1.2. Transfer grades not existing in the Regental grading scheme will be equated to the Regental grading system. (Refer to BOR 2:10, Use of Grade Point Averages).
- 3.1.3. The university-specific degree or plan of study requirements determine if the courses transferred are applicable to the student's degree program at that university and if they meet the minimum grade criteria.
- 3.1.4. Except for the conditions outlined for graduate transfer, during any subsequent evaluation, equivalencies for system common courses and system general education courses will not be changed. Equivalencies for unique courses may be changed, re-evaluated, or inactivated. In subsequent evaluations, grades previously recorded cannot be changed.

#### **3.2. Undergraduate Transfer**

- 3.2.1. All undergraduate transfer courses and all transfer grades (whether the grades are passing or not passing) must be recorded and an equivalency specified by the Regental university.
- 3.2.2. Courses of a vocational/technical nature are generally not transferable. However, if such work is judged to be pertinent to the needs of a particular curriculum or program, credit will be granted upon the recommendation of the department offering the course.
- 3.2.3. Remedial courses (as identified on the sending institution's transcript) received in transfer are recorded, transcribed, and assigned an equivalency at the receiving university but do not calculate into grade point averages.
- 3.2.4. Orientation, Life Experience, an approved high school equivalency examination, and high school level courses are not recorded in Banner as transfer credit nor are they granted equivalent credit.
- 3.2.5. High school courses for which students received college credit will not be entered as transfer credit, or given equivalent credit, unless one of the following conditions are met:
  - 3.2.5.1. Validated by an Advanced Placement or CLEP score that meets Board of Regents guidelines for acceptance of credit;
  - 3.2.5.2. The college credit is granted by a university with which the Board has a dual credit agreement; or
  - 3.2.5.3. The college credit is granted by an institution meeting the accreditation standards of the National Alliance of Concurrent Enrollment Partnerships (NACEP).

### 3.3. ~~Technical~~ Course Transfer from Colleges and Universities

- 3.3.1. University discretion is permitted in acceptance of courses. Courses considered for transfer are subject to all BOR policies and any conditions for validation that may be prescribed by the accepting institution.
- 3.3.2. When the courses are accepted for transfer, equivalent courses are recorded on the ~~transcript~~transcript, but the grade earned at the technical college is not recorded or calculated into the grade point averages.
- 3.3.3. The General Education Memorandum of Understanding with the Board of Technical Education shall be followed when managing general education transfer.
- 3.3.4. The transfer of courses through an articulation agreement occur as a block of credit hours upon completion of requirements for the university articulated program.

### 3.4. ~~Course Transfer from Technical Colleges~~

#### 3.4.1. ~~South Dakota Technical Colleges~~

- ~~3.4.1.1. Transfer of academic courses from South Dakota postsecondary technical colleges is governed by BOR policies 2:25, 2:26, 2:27, and 2:31.~~
- ~~3.4.1.2. Transfer of technical course credit hours from South Dakota postsecondary technical colleges occurs as part of a program to program articulation agreement or specific program approved by the Board of Regents and South Dakota Board of Education Standards, unless an institution determines a course equivalency consistent with the process outlined in this policy.~~
- ~~3.4.1.3. The transfer of technical course credit hours occurs as a block of credit hours upon completion of requirements for the university articulated program for which a CR grade will be assigned.~~
- ~~3.4.1.4. Academic courses taken under articulation agreements in effect between July 1, 1999 and June 30, 2005 will be transferred according to those agreements.~~

#### 3.4.2. ~~Other Technical Colleges~~

- ~~3.4.2.1. University discretion is permitted in acceptance of academic courses. Academic courses considered for transfer are subject to all BOR policies and any conditions for validation that may be prescribed by the accepting institution.~~
- ~~3.4.2.2. Transfer of technical course credit hours from non South Dakota postsecondary technical colleges occurs as part of a program to program articulation agreement or specific program approved by the Board of Regents.~~



~~3.4.2.3. The transfer of technical course credit hours occurs as a block of credit hours upon completion of requirements for the university articulated program.~~

~~3.4.2.4. When the academic courses are accepted for transfer, equivalent courses are recorded on the transcript.~~

#### **4. Graduate Transfer Courses Received from Accredited United States Colleges and Universities**

- 4.1. All graduate transfer courses and transfer grades judged to be acceptable by the evaluating university, are recorded and evaluated by the Regental university, calculated into grade point averages according to the Regental grade scheme, and recorded on the student's academic transcript.
- 4.2. If transfer credits are judged acceptable; these courses will be recorded, and equivalencies granted, using the following guidelines:
  - 4.2.1. If there are specific equivalent graduate courses at the university evaluating the credit, these specific courses should be used when granting equivalencies.
  - 4.2.2. If there are no equivalent graduate courses at the university evaluating the credit, these courses will be recorded, and equivalencies granted, using the following guidelines:
    - 4.2.2.1. If the academic discipline is available at the university evaluating the credit, but there is no discipline equivalent course, use the discipline prefix and the appropriate course level (500/600 for master's programs and 700/800 for doctoral programs).
    - 4.2.2.2. If the academic discipline is not available at the university evaluating the credit, use the ELEC prefix and the appropriate course level (500/600 for master's programs and 700/800 for doctoral programs).
- 4.3. Transfer grades not existing in the Regental grading scheme will be equated to the Regental grading system.
- 4.4. In subsequent evaluation, all equivalencies may be re-evaluated, inactivated, or changed. Additional equivalencies may be added and evaluated. In subsequent evaluations, grades previously recorded cannot be changed.
- 4.5. The university-specific plan of study requirements determines if the courses transferred are applicable to the student's degree program at that university and if they meet the minimum grade criteria.

#### **5. Credits Received from United States Colleges or Universities Located Outside the United States or Not Accredited**

##### **5.1. General Requirements**

- 5.1.1. University discretion is permitted in acceptance of courses. Courses considered for transfer are subject to all BOR policies and any conditions for validation that may be prescribed by the accepting institution.

- 5.1.2. In any subsequent evaluation, equivalencies for system common courses and system general education courses will not be changed. Equivalencies for unique courses may be changed, re-evaluated, or inactivated. Additional equivalencies may be added and evaluated.
- 5.1.3. The university-specific degree requirements determine if the courses transferred are applicable to the student's degree program at that university and if they meet the minimum grade criteria.
- 5.1.4. When the courses are accepted for transfer, equivalent courses are recorded on the transcript but the grade earned at the institution is not recorded or calculated into the grade point averages using the following guidelines:
  - 5.1.4.1. If there are specific equivalent courses at the university evaluating the credit, these specific courses should be used when granting equivalencies.
  - 5.1.4.2. If there are no equivalent courses at the university evaluating the credit, these courses will be recorded, and equivalencies granted, using the following guidelines:
    - 5.1.4.2.1. If the academic discipline is available at the university evaluating the credit, but there is no discipline equivalent course, use the discipline prefix and the appropriate course level (500/600 for master's programs and 700/800 for doctoral programs).
    - 5.1.4.2.2. If the academic discipline is not available at the university evaluating the credit, use the ELEC prefix and the appropriate course level (500/600 for master's programs and 700/800 for doctoral programs).

## **5.2. Postsecondary Institutions Outside the United States**

- 5.2.1. At the discretion of the institution's chief academic officer, grades may be recorded and used to determine the transfer and cumulative GPAs.

## **5.3. Technical College**

- 5.3.1. Courses submitted in transfer from postsecondary technical colleges that are not accredited will not be accepted.

## **6. Credit Received Through Validation Methods & Prior Learning Assessment**

- 6.1. Credit earned through validation methods other than nationally recognized examinations is limited to a maximum of thirty (30) hours of credit for baccalaureate degrees and fifteen (15) hours of credit for associate degrees. Credits may be earned through established procedures for prior learning assessment, including but not limited to assessment of military training and education. Each campus may determine appropriate course equivalencies as warranted and consult equivalencies established by the American Council on Education (ACE) when making final decisions.
  - 6.1.1. Validation of military credit is limited to an additional thirty (30) hours of credit for baccalaureate degrees and an additional fifteen (15) hours of credit for associate degrees.

- 6.1.2. University discretion is permitted in acceptance of validated military credit for graduate programs, limited to a maximum of twelve (12) credit hours.
- 6.2. Credit for college level courses granted through nationally recognized examinations such as CLEP, AP, DSST, etc., will be evaluated and accepted for transfer if equivalent to Regental courses and the scores are consistent with Regental policies. Such credits are only valid if transcribed by a university within five years of the student taking the examination. Regental institutions shall honor credits from nationally recognized examinations transcribed to meet degree requirements at a non-Regental institution.
  - 6.2.1. If credit received through validation is applied as elective credit, it may only be applied at the 100 or 200 level.
  - 6.2.2. Credit received through validation may apply to System General Education Requirements.
- 6.3. When validation credits are accepted, equivalent courses are recorded on the transcript but are not calculated into the grade point averages.
- 6.4. In any subsequent evaluation, equivalencies for system common courses and system general education courses will not be changed. Equivalencies for unique courses may be changed, re-evaluated, or inactivated. Additional equivalencies may be added and evaluated.
- 6.5. The university-specific degree requirements determine if the validation credits accepted also are applicable to the student's degree program at that university.

## FORMS / APPENDICES:

None

## SOURCE:

SDCL 13-49.1; BOR April 1989; BOR April 1992; BOR June 1997; BOR March 1998; BOR August 1999, BOR March 2001; BOR May 2001; BOR January 2002; BOR March 2002; BOR June 2002; BOR August 2002; BOR December 2002; BOR May 2003; BOR August 2003; BOR December 2003; BOR October 2004; BOR June 2005; BOR August 2005; BOR March 2008; BOR March-April 2010; BOR October 2010; BOR October 2011; BOR December 2011; BOR June 2015; BOR December 2016; BOR June 2018; BOR April 2019; April 2020 (Clerical); June 2020 (Clerical); [BOR December 2021-](#)

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Academic and Student Affairs**

**AGENDA ITEM: 8 – B**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

### **SUBJECT**

**New Program & Certificates: SDSU – M.S. in Professional Science (PSM)**

### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:23](#) – Program and Curriculum Approval

[BOR Policy 2:1](#) – External Review of Proposed Graduate Programs

### **BACKGROUND / DISCUSSION**

South Dakota State University (SDSU) requests permission to offer a Master of Science (MS) program in Professional Science. The MS in Professional Science is proposed as a collaboration between the Colleges of Natural Sciences and Agriculture, Food & Environmental Sciences and Ness School of Management & Economics. Professional Science Master's (PSM) programs are designed for students who are seeking a graduate degree in science or mathematics and understand the need for developing workplace skills valued by top employers. PSM programs prepare students for science careers in business, government, or nonprofit organizations, where workforce needs are increasing. The Professional Science Master's will fill an upper Great Plains gap for STEM and business-trained workforce members. This program will seek approval similar to accreditation from the National Professional Science Master's Association (NPSMA) and include the formation of an industry advisory board.

Students will take a 12-credit core in Professional Management, which will also be offered as a stand-alone Graduate Certificate. For students enrolled in the PSM program, they will be required to select a STEM-based graduate certificate as part of the degree. The options for stackable certificates within the PSM program include: Applied Physics, Biotechnology, Environmental Policy, Food Technology, Geographic Information Sciences, and Precision Agriculture. In addition to the Professional Management Core and STEM-based stackable certificate, students will take an additional six credits of STEM coursework approved by their advisor. Students can also take any of the proposed certificates as a stand-alone credential to demonstrate their knowledge.

(Continued)

\*\*\*\*\*

### **DRAFT MOTION 20211208\_8-B:**

I move to authorize SDSU to offer the M.S in Professional Science, as well as associated Graduate Certificates in: 1) Applied Physics, 2) Biotechnology, 3) Environmental Policy, 4) Food Technology, 5) Geographic Information Sciences, 6) Precision Agriculture, and 7) Professional Management, as presented.

The intent to plan for this program was approved in [June 2020](#). Per BOR Policy 2:1, an external review of the program was conducted. Both the external review report and SDSU's response to the report are included with the program proposal as part of Attachment I.

## **IMPACT AND RECOMMENDATION**

SDSU plans to offer the PSM program both on campus and online. SDSU does not require new state resources. No new courses are required for the program. Board office staff recommends approval of the program.

## **ATTACHMENTS**

Attachment I – New Program Request: SDSU – MS in Professional Science Masters, External Program Review Report, and Campus Response to External Program Review Report

Attachment II – New Certificate Request: SDSU – Graduate Certificate in Applied Physics

Attachment III – New Certificate Request: SDSU – Graduate Certificate in Biotechnology

Attachment IV – New Certificate Request: SDSU – Graduate Certificate in Environmental Policy

Attachment V – New Certificate Request: SDSU – Graduate Certificate in Food Technology

Attachment VI – New Certificate Request: SDSU – Graduate Certificate in Geographic Information Sciences

Attachment VII – New Certificate Request: SDSU – Graduate Certificate in Precision Agriculture

Attachment VIII – New Certificate Request: SDSU – Graduate Certificate in Professional Management



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Graduate Degree Program

<b>UNIVERSITY:</b>	SDSU
<b>PROPOSED GRADUATE PROGRAM:</b>	Professional Science
<b>EXISTING OR NEW MAJOR(S):</b>	New
<b>DEGREE:</b>	Master of Science (M.S.)
<b>EXISTING OR NEW DEGREE(S):</b>	Existing
<b>INTENDED DATE OF IMPLEMENTATION:</b>	2022-2023 Academic Year
<b>PROPOSED CIP CODE:</b>	41.0000
<b>SPECIALIZATIONS:</b>	NA
<b>IS A SPECIALIZATION REQUIRED (Y/N):</b>	No
<b>DATE OF INTENT TO PLAN APPROVAL:</b>	6/24/2020
<b>UNIVERSITY DEPARTMENT:</b>	Graduate Studies
<b>BANNER DEPARTMENT CODE:</b>	SGST
<b>UNIVERSITY DIVISION:</b>	Graduate School
<b>BANNER DIVISION CODE:</b>	3G

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2:10](#), which pertains to new graduate degree program requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

President of the University

11/17/2021

Date

**1. What is the nature/purpose of the proposed program? Please include a brief (1-2 sentence) description of the academic field in this program.**

South Dakota State University (SDSU) requests authorization for the Professional Science (M.S.). The Professional Science program is proposed as a collaboration between the Colleges of Natural Sciences and Agriculture, Food & Environmental Sciences and Ness School of Management & Economics. Also known nationally as professional science master's (PSM), PSM programs are designed for students who are seeking a graduate degree in science or mathematics and understand the need for developing workplace skills valued by top employers. PSM programs prepare students for science careers in business, government, or nonprofit organizations, where workforce needs are increasing.<sup>1</sup> The Professional Science (M.S.) will

<sup>1</sup> <https://www.professionalsciencemasters.org/about>

combine advanced training in STEM fields, while simultaneously developing workplace skills that are highly valued by employers to produce in-demand, working graduates.

The Professional Science (M.S.) will fill an upper Great Plains gap for workforce members by combining STEM and professional management coursework. This program will seek approval similar to accreditation from the National Professional Science Master's Association (NPSMA) and include the formation of an industry advisory board.

Students will be able to choose from multiple stand-alone certificates that will stack into the degree program, providing a STEM emphasis area in which to focus their plan of study, along with professional management. New graduate certificates proposed in conjunction with this program include Applied Physics, Biotechnology, Environmental Policy, Food Technology, Geographic Information Sciences, Precision Agriculture, and Professional Management.

The University does not request new state resources for this program. The stackable graduate certificates would be composed of already existing graduate courses with adjustments for distance graduate students.

**2. How does the proposed program relate to the university's mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020?**

The Professional Science (M.S.) will support the statutory mission of South Dakota State University as provided by SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing, and pharmacy, and other courses or programs as the Board of Regents may determine.*

The Professional Science program aligns with student success by offering a unique program for students that will increase the number of STEM degrees completed in the state. The program seeks approval similar to accreditation, aligning with quality and performance expectations. The program partners with industry and will lead to research and economic development as well as increasing the number of STEM graduates and potentially inspiring new STEM entrepreneurs in the state. The program aligns well with the mission and goals set forth in the SDSU strategic plan.

**3. Describe the workforce demand for graduates of the program, including national demand and demand within South Dakota. Provide data and examples; data sources may include but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc. Please cite any sources in a footnote.**

The Professional Science (M.S.) addresses project management skills, leadership, and supervisory skills important toward enhancing the workforce in non-academic settings.<sup>2</sup> A professional science master's is often considered to be a terminal degree, although students could pursue a Ph.D. Opportunities to study these skills at this level is a regional educational gap for science professionals wishing to obtain a high value credential and enhance their skill sets. This program would diversify the educational opportunities within the region and help

---

<sup>2</sup> Cramer, J.M. and P.T. Hamilton. 2017. An internship may not be enough: Enhancing bioscience industry job readiness through practicum experiences. J. Microbial. & Biol. Educ. 18. doi:10.1128/jmbe.v18i1.1248



drive economic development. Stackable graduate certificates will include Applied Physics, Biotechnology, Environmental Policy, Food Technology, Geographic Information Sciences, and Precision Agriculture.

An online survey of alumni associated with science, technology, engineering, and mathematics programs for universities in the upper Midwest was conducted to determine demand.<sup>3</sup> The majority of alumni respondents (66.6%) had earned only a bachelor's degree and 77.5% expected to eventually earn an advanced degree of some kind (master's – 47%, doctorate - 27%, other degree - 4%). The majority (72.5%) were not currently attending a college or university.

The majority of respondents (77.4%) were currently employed full-time in:

Science or technology field

- 69.7% science and technology field
- 13.9% not in a science and technology field, but would like to work in that field in the future

Place of work

- 38.8% private sector
- 17.3% academia
- 17.3% other
- 14.3% health care delivery

When asked about future career goals, the respondents provided the following information:

Future work sectors (respondents could select more than one option)

- 66 % private industry
- 36% government
- 35% academia
- 27 % consulting

Future type of work (respondents could select more than one option)

- 43% managerial work
- 29% development and production
- 29% research in industry
- 29% government
- 27% academia
- 28% consulting

When considering enrolling in a professional science master's program:

- 18% as full-time student
- 34% as part-time student

Respondents rated a professional science master's degree more favorably than other advanced degrees. Sixty percent said they were either somewhat or very likely to pursue a professional science master's in the future. By comparison, only 48% said they were somewhat or very likely to pursue a traditional science master's, 43% were somewhat or very likely to pursue an MBA, 31% an advanced health-care degree, 30% a non-science master's degree, and 13% a master's of public administration. **The majority of those interested in PSM's said they would likely pursue the degree part-time while working full time**

---

<sup>3</sup> Alfred P. Sloan Foundation. 2011. Market Analysis and Feasibility Study of Professional Science Master's Degree Programs for Universities in the Upper Midwest.

**(57.6%).** Only 7.8% said they would pursue the degree full-time without having outside employment.

The job outlooks for people who obtain PSM degrees are encouraging. PSM programs prepare students for science careers in business, government, or nonprofit organizations, where workforce needs are increasing. Graduates also work with the federal government or for university technology transfer operations.<sup>4</sup> Natural Sciences Managers is a category likely closest to a professional science master's in the U.S. Bureau of Labor Statistics Occupational Handbook<sup>5</sup>, and shows a 5% growth rate that is faster as average. Many prospective students who would be attracted to this program would already be employed and benefit their career trajectories by obtaining this type of education. Key findings from the 2015/2016 Evaluation Report for Outcomes for PSM Alumni<sup>6</sup> indicate:

- Overall, the PSM experience was found to be very effective for the respondents' professional development and career goals.
- 93% of the PSM graduates who responded to the survey attained their current jobs closely related to their master's degrees. The majority of the respondents currently work in business and industry.
- Base annual salary increased over time upon completion of their PSM programs within the 5-year or less period of graduation of a minimum of 4% upwards of 16%.

The Professional Science (M.S.) has been designed for students to select one emphasis option – Applied Physics, Biotechnology, Environmental Policy, Food Technology, Geographic Information Sciences, or Precision Agriculture – to combine with professional management coursework for the STEM workplace and align with their career goals.

### **Applied Physics Emphasis**

The proposed Applied Physics emphasis will provide knowledge and practical experience for students to have an advanced experience with health physics, nuclear physics, or condensed matter physics. Individuals who complete this emphasis area will be well prepared to advance in their career paths in applied areas of physics, including laboratory management. Given the trends and the central nature of physics to science and engineering, individuals with the type of training provided by this certificate program will be in high demand.

According to the Bureau of Labor Statistics, physics shows a 7% growth rate, faster than average, with a median salary of \$122,220.<sup>7</sup> A report from the American Physical Society<sup>8</sup> tracking nearly 1000 M.S. Physics recipients one year after their degree (from 2016-2018), found that for U.S. citizens, 57% were employed or continuing their prior employment, 33% were pursuing continued graduate education, and 7% were unemployed. Of those employed, 57% were in the private sector (with a median starting salary of \$70,000), 20% were at 2- or 4-year colleges and universities, 8% in high schools, 8% in civilian government/national laboratories, and 7% in active military. Of those in the private sector, 28% were in physics and astronomy, 26% in engineering, 15% in computer science, 14% in education, 11% in other STEM fields, and 6% in non-STEM fields.

---

<sup>4</sup> <https://www.professionalsciencemasters.org/about>

<sup>5</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Natural Sciences Managers, at <https://www.bls.gov/ooh/management/natural-sciences-managers.htm> (visited June 08, 2021).

<sup>6</sup> [https://www.professionalsciencemasters.org/sites/default/files/outcomes\\_for\\_psm\\_alumni\\_2015-16.pdf](https://www.professionalsciencemasters.org/sites/default/files/outcomes_for_psm_alumni_2015-16.pdf)

<sup>7</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Physicists and Astronomers, at <https://www.bls.gov/ooh/life-physical-and-social-science/physicists-and-astronomers.htm> (visited June 28, 2021).

<sup>8</sup> <https://www.aps.org/careers/statistics/index.cfm>

### **Biotechnology Emphasis**

The proposed Biotechnology emphasis will provide students with a solid foundation in the application of biological, biochemical and genetical processes in the development of agricultural, environmental, clinical, and industrial high-value products, including the commercial exploitation of microorganisms, plants and animals for biotechnological applications. The program will provide graduates with a competitive advantage and the necessary background to be successful in careers in the biotech industry.

There is a growing job market for students with a background in biotechnology. Biotechnology is the most research-driven industry, and research and development in this sector accounts for approximately 25.7% of the total life science industry revenue. While employment in the life science sector grew only slightly faster than the whole U.S. job market, the biotechnology research and development industry has added each year since 2013 approximately 70,000 jobs, or roughly 7.5% per year. According to an analysis of the biotechnology industry in SD, specific biotechnology sectors (biofertilizer, synthetic biology, biopesticide) are projected to grow annually by more than 25%. This increase in workforce demand can currently not be served by SD's biotechnology graduates.<sup>9</sup>

### **Environmental Policy Emphasis**

The proposed Environmental Policy emphasis will provide knowledge and practical experience for students to have an advanced experience with environmental economics, environmental laws, and environmental risks and management. Graduates will be well prepared to advance in their career paths in identifying issues relating to resource and environmental policy, oversight, and corporate or non-profit management associated with Environment, Social, Governance (ESG) goals.

Individuals who complete the Environmental Policy emphasis will be well prepared to advance in their career paths in resource and environment policy, oversight, and management. The plan of study would benefit individuals in a variety of professional positions in agriculture, food, energy, government, military, policy making, environmental non-government organizations (NGOs), and non-profit organizations. Environment, Society, and Governance (ESG) are strategic initiatives and increasingly areas of focus for many corporations. Employment of Environmental Scientists and Specialists is projected to grow 8% from 2019 to 2029, much faster than the average for all occupations.<sup>10</sup> Employment of Economists, including Environmental Economists, are projected to grow by 14% in the same time period.<sup>11</sup> Heightened public interest in the environment, as well as increasing demands placed on the environment by population growth, are expected to spur demand for environmental scientists and policy analysts.

### **Food Technology Emphasis**

The proposed Food Technology emphasis will provide knowledge and practical experience for students to have an advanced experience with food technology methods, food components, and

---

<sup>9</sup> Cushman & Wakefield report: Life Sciences 2020: The future is here; <https://cushwake.cld.bz/Life-Sciences-2020-The-Future-is-Here>

<sup>10</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Environmental Scientists and Specialists, at <https://www.bls.gov/ooh/life-physical-and-social-science/environmental-scientists-and-specialists.htm> (visited January 03, 2021).

<sup>11</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Environmental Scientists and Specialists, at <https://www.bls.gov/ooh/life-physical-and-social-science/economists.htm> (visited July 14, 2021).

product development. Graduates will be well prepared to advance in their career paths in the food industry or to start their own food technology-based initiatives.

Given the strong interest in food processing and development practices, individuals with the type of training provided by this program will be in high demand. Individuals may be in career paths that include product development, quality assurance, food safety, regulatory or food law. It is expected that by 2050 the agriculture and food industry will be expected to feed 9 billion people while ensuring proper nutrition, safety, variety, affordability, and convenience. To meet these needs numerous technological hurdles must be overcome. Food Scientists and Technologists that thoroughly understand complex food systems, are innovative and can collaborate in an interdisciplinary environment will be in high demand.<sup>12</sup> Overall employment of agricultural and food scientists is projected to grow 6% from 2019 to 2029, faster than the average for all occupations. Employment of agricultural and food scientists is projected to grow as research into agricultural production methods and techniques continues.<sup>13</sup>

### **Geographic Information Sciences Emphasis**

The emphasis in Geographic Information Sciences will prepare students to utilize their knowledge of geographic applications, and various geospatial technologies to meet the challenges of today's society. The program includes the necessary courses to prepare the graduate to function in geographic information science and allows students to develop their knowledge and skills in this area.

Many projections from government agencies and market research firms alike point toward considerable growth of the geospatial technology industry as well as growth in GIS-related employment sectors and fields. According to the Global Geospatial Solutions Market report by Marqual IT Solutions Pvt. Ltd (KBV Research), the market for geospatial solutions will reach \$549.1 billion by 2025, with a market growth rate of 15.6% between 2019 to 2025.<sup>14</sup> Likewise, P&S Market Research estimates a compound annual growth rate of 12.1% from 2020 to 2030 for the global GIS market.<sup>15</sup>

According to the *CareerOneStop*, sponsored by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), jobs in the field of cartography and photogrammetry are expected to grow by approximately 15% between 2018 and 2028. With a median salary over \$65,470, employment in jobs related to cartography and photogrammetry are excellent opportunities for recent university graduates who have GIS experience and specialization.<sup>16</sup>

In the last five years, many state agencies have incorporated geospatial technologies and have created new positions for GISc analysts, technicians, programmers, and managers. Some South Dakota agencies that employ persons with GISc training include the Department of Game, Fish

---

<sup>12</sup> Feeding the Future. 2010. Food Technology Magazine Vol 64 No. 7. <https://www.ift.org/news-and-publications/food-technology-magazine/issues/2010/july/features/feeding-the-future> (accessed 1 July 2021).

<sup>13</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural and Food Scientists, at <https://www.bls.gov/ooh/life-physical-and-social-science/agricultural-and-food-scientists.htm> (visited June 26, 2021).

<sup>14</sup> [https://www.reportlinker.com/p05823326/Global-Geospatial-Solutions-Market.html?utm\\_source=GNW](https://www.reportlinker.com/p05823326/Global-Geospatial-Solutions-Market.html?utm_source=GNW) (visited January 5, 2021).

<sup>15</sup> P&S Marketing Research, on the internet at <https://www.psmarketresearch.com/press-release/global-geographic-information-system-market> (visited January 5, 2021).

<sup>16</sup> U.S. Department of Labor Employment and Training Administration. CareerOneStop, <https://www.careeronestop.org/Toolkit/StateAndLocal/ProjectedEmployment.aspx?soccode=171021&location=South%20dakota> (visited January 5, 2021).

and Parks, Department of Transportation, Department of Environment and Natural Resources, and Department of Public Safety to name a few. In addition, Native American tribal governments, city planning departments, and regional planning agencies have created new positions for GISc specialists. Increasingly, there is a demand for GISc professionals in private industry within South Dakota. Surveying and engineering firms throughout the state routinely hire GISc professionals. EROS Data Center employs persons with remote sensing skills. A certificate in Geographic Information Sciences will provide advanced training for individuals working in public and private industries throughout the state of South Dakota, the region and the United States.

### **Precision Agriculture Emphasis**

The proposed Precision Agriculture emphasis will provide knowledge and practical experience for students to have an advanced experience with precision farming and its protocols. Graduates will be well prepared to advance in their career paths in the modern agricultural industry that utilizes advanced precision technology.

Agriculture is experiencing a fast-paced evolution as technology continues to develop. Precision agriculture has emerged with an array of new and exciting – and increasingly high-tech – tools. The integration of computer technology with farm equipment, farm sensors, GPS navigation, satellite imagery and drone imagery are quickly revolutionizing agricultural production. While this revolutionary evolution is creating new opportunities within the agricultural industry, it is also generating a need for college graduates, pertinent and applicable research, and Extension expertise related to precision agriculture. SDSU is addressing this change in needs by leading the nation with its B.S. program in Precision Agriculture.

Given the strong interest in advanced agricultural practices utilizing precision techniques, individuals with the type of training provided by this program will be in high demand. Individuals may currently be in or pursuing careers in agronomy, agribusiness organizations, ranch management, geographic information science, geography, Game, Fish and Parks (GFP), Bureau of Land Management (BLM), environmental non-government organizations (NGOs), or sustainability. According to the Bureau of Labor Statistics, those with master's degrees, specialized subject matter expertise, and experience with technologies such as Geographic Information Systems, typically used in Precision Agriculture, will have the best job prospects.<sup>17</sup> Further, employment prospects for soil and plant scientists are expected to increase by 7% during the period 2019-2029.<sup>18</sup> In response to need for increased efficiency of agricultural production systems and reduction of environmental damage, agricultural engineers are expected to be in demand, specifically for precision and automated farming technologies.<sup>19</sup>

## **4. How will the proposed program benefit students?**

Professional master's programs are playing an increasingly important role in preparing the future workforce and offering students an avenue to career pathways (Borchert, 2005, p.7<sup>20</sup>) Such programs have been characterized as being connected to the workplace by preparing

<sup>17</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Geographers <https://www.bls.gov/ooh/life-physical-and-social-science/geographers.htm#tab-6> (Accessed 1 July 2021)

<sup>18</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural and Food Scientists <https://www.bls.gov/ooh/life-physical-and-social-science/agricultural-and-food-scientists.htm#tab-6> (Accessed 1 July 2021)

<sup>19</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural Engineers <https://www.bls.gov/ooh/architecture-and-engineering/agricultural-engineers.htm#tab-6> (Accessed 1 July 2021)

<sup>20</sup> Borchert, M.A.E. (2005) *Master's education: A guide for faculty and administrators. A policy statement* (2<sup>nd</sup> ed.). Washington DC: Council of Graduate Students.

students for entry level, career-oriented professional positions (Borchert, 2005 and Glazer-Raymo, 2005, p. 35<sup>21</sup>). The Professional Science (M.S.) will consist of a 12-credit professional management core, 12-credit emphasis, and 6-credits of elective STEM graduate coursework.

The Professional Science (M.S.) provides these outcomes:

- The professional management core outcomes are consistent for all students and provide business practices, finance and budgeting knowledge and application as recommended for affiliation by NPSMA.
  - Design, analyze, and evaluate management strategies using economic and management theories.
  - Use financial and accounting concepts and theories in management decision making.
  - Apply economics and management theories and tools to a range of specialties.
- Graduates will gain further knowledge, understanding, and proficiency from their STEM specialization and electives that will include foundational and transferable skills including:
  - Communication skills (oral and written)
  - Laboratory or Project management
  - Teamwork
  - Problem solving/Analytical and critical thinking
  - Data Science

This Professional Science (M.S.) will feature multiple stand-alone certificates that will stack into the degree, providing multiple emphasis options for students to focus their plan of study. Each provides a set of specific skills for the STEM workforce:

- Applied Physics
  - Understand the fundamental theory of condensed matter physics or nuclear physics.
  - Become proficient in the use of mathematical tools used to describe condensed matter systems (Materials Physics Track) and effectively communicate this information.
  - Become proficient in the disciplinary tools of nuclear engineering, especially as applied to biological systems (Nuclear Physics Track), and effectively communicate this information.
  - Apply and interpret fundamental physics principles and techniques.
  - Demonstrate the ability to work independently and as a part of a team.
- Biotechnology
  - Broad knowledge about biotechnology techniques and their commercial application.
  - Understanding of bacterial genetics and ecology, and the commercial application of bacterial biotechnology.
  - Knowledge about the cellular basis of cancer and the development of therapeutic targets, and vaccine development.
  - Knowledge of disease pathogenesis, how the immune system works, general principles of vaccination, different types of vaccines and how vaccines can be used to protect from infectious diseases.
- Environmental Policy

---

<sup>21</sup> Glazer-Raymo, J.S. (2005). Professionalizing graduate education: The master's degree in the market-place. *ASHE Higher Education Report*.



- Understand and analyze the economic foundations of environmental and resource policy.
  - Understand and conduct economic analysis of contemporary environmental and resource issues.
  - Define and understand the legal foundations of environmental law, including various Acts.
  - Understand applied ecological principles.
- Food Technology
  - Understanding of advanced Food Technology methods.
  - Expertise in basic Food Chemistry.
  - Expertise in principles of product development.
- Geographic Information Sciences
  - Understand the fundamental theory of Geographic Information Science (GISc).
  - Become proficient in the use of GISc tools to conduct spatial analyses and build maps that are fit-for-purpose and effectively convey the information they are intended to.
  - Apply and interpret fundamental geospatial analyses and visualization techniques.
  - Identify and critically analyze patterns of human-environment interactions, including perception, distribution and use of natural resources.
  - Demonstrate the ability to work independently and as part of a team.
- Precision Agriculture
  - Develop an understanding of soil and its use.
  - Develop an understanding of precision nutrient management.
  - Demonstrate an understanding of GIS data.
  - Develop mastery of management through precision farming.
  - Understand GIS applications for precision farming.

## 5. Program Proposal Rationale:

### A. If a new degree is proposed, what is the rationale<sup>22</sup>

This is not a new degree.

### B. What is the rationale for the curriculum?

SDSU will offer a 30-credit coursework only professional master's degree (Option D). The proposed curriculum will consist of a 12-credit professional management core, 12-credit emphasis, and 6-credits of elective STEM graduate coursework. The combination of management and STEM coursework is a hallmark of professional science master's programs, as students will be prepared for careers in industry or placement into a doctoral program.

The professional management core will be completed by all students and provide consistent professional competencies in management. Each student will select an emphasis area composed of a stackable graduate certificate and through conversations with advisors select six credits of complementary STEM electives. Students may initially complete one or more

---

<sup>22</sup> "New Degree" means new to the university. Thus if a campus has degree granting authority for a Ph.D. program and the request is for a new Ph.D. program, a new degree is not proposed.



graduate certificates to stack into the Professional Science (M.S.). The stack-ability of the graduate certificates allows flexible options for students while being cost-efficient for SDSU due to a single shared core and use of existing courses. The overall M.S. provides STEM based skills that transcend disciplines and are widely applicable.

**C. Demonstrate/provide evidence that the curriculum is consistent with current national standards. Complete the tables below and explain any unusual aspects of the proposed curriculum?**

The learning outcomes, competencies, and transferable skills that this program will provide are consistent with the expectations of the National Professional Science Master's Association (NPSMA). This body provides approval and affiliation with other professional science masters across the nation. In addition, SDSU has initiated an industrial advisory board for this program. The board will provide external validation and help guide the program to keep up to date on industry trends and support the continuous improvement process. The NPSMA requires such a board for these programs.

**D. Summary of the degree program (complete the following tables):**

**Option D: Coursework Only (Professional)**

<b>Professional Science (M.S.)</b>	<b>Credit Hours</b>	<b>Percent</b>
Required courses, all students	18	60%
Required Emphasis	12	40%
Total Required for the Degree Total	30	100%

**Required Courses**

<b>Prefix</b>	<b>Number</b>	<b>Course Title</b>	<b>Credit Hours</b>	<b>New (yes, no)</b>
		Professional Management Coursework	12	No
		Select one of the following emphasis areas: <ul style="list-style-type: none"> <li>• Applied Physics Emphasis</li> <li>• Biotechnology Emphasis</li> <li>• Environmental Policy Emphasis</li> <li>• Food Technology Emphasis</li> <li>• Geographic Information Sciences Emphasis</li> <li>• Precision Agriculture Emphasis</li> </ul>	12	No
		STEM courses approved by advisor	6	No
Subtotal			30	

**Professional Management Coursework (New Graduate Certificate)**

<b>Prefix</b>	<b>Number</b>	<b>Course Title</b>	<b>Credit Hours</b>	<b>New (yes, no)</b>
ECON/ MGMT	751	Advanced Managerial Economics	3	No
ECON/ FIN OR ECON/ ACCT	753 592	Financial Management Topics (Budgeting)	3	No

Prefix	Number	Course Title	Credit Hours	New (yes, no)
Select <u>six</u> credits from the following:			6	
AGEC	571	Advanced Farm and Ranch Management	3	No
AGEC/ ECON	572	Resource and Environmental Economics	3	No
AGEC/ ECON/ ENTR/ FIN/ MGMT/ MKTG	592 or 792	Topics	1-4	No
DSCI/ ECON	752	Advanced Business Decision Science	3	No
ECON/ FIN	753	Financial Management ( <i>if not used above</i> )	3	No
OM	563	Supply Chain Management	3	No
Subtotal			12	

**Applied Physics Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
Select <u>one</u> of the following two options:					
Materials (Condensed Matter) Physics Track					
PHYS	521	Electromagnetism	None	4	No
PHYS	539	Condensed Matter Physics	None	4	No
PHYS	581	Mathematical Physics I	None	4	No
Nuclear/Health Physics Track					
PHYS	533	Nuclear and Elementary Particle Physics	None	3	No
PHYS	537	Foundations of Health Physics		3	No
NE	535	Introduction to Nuclear Engineering	None	3	No
		PHYS Elective		3	No
Subtotal				12	

**Biotechnology Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
MICR	550	Application of Microbiology and Biotechnology	None	3	No
MICR	667	Bacteriology	None	3	No
BIOL	570	Cancer Biology	None	3	No
MICR OR MICR	524 539	Medical and Veterinary Virology (3 cr.) Medical and Veterinary Immunology (3 cr.)	None	3	No
Subtotal				12	

**Environmental Policy Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
AGEC/BLAW	562	Environmental Law	None	3	No

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
AGEC/ECON	572	Resource and Environmental Economics	None	3	No
AGEC	579	Agricultural Policy	None	3	No
ABE OR AST OR NRM	632  563  564	Environmental/Ecological Risk Assessment (3 cr.) Agricultural Waste Management (3 cr.) Ecosystem Ecology (3 cr.)	None	3	No
Subtotal				12	

**Food Technology Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
DS OR DS	722  731	Advanced Dairy & Food Microbiology (3 cr.) Laboratory Techniques in Dairy Science (3 cr.)	None  None	3	No
FS	500	Food Chemistry and Analysis	None	5	No
FS	500L	Food Chemistry and Analysis Lab	None	0	No
FS	551	New Food Product Development	None	4	No
FS	551L	New Food Product Development Lab	None	0	No
Subtotal				12	

**Geographic Information Sciences Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
GEOG	573-573L	GIS: Data Creation and Integration & Lab	None	3, 0	No
GEOG	574-574L	GIS: Vector & Raster Modeling & Lab	None	3, 0	No
Select <u>two</u> of the following:				6	
GEOG	515	Environmental Geography and Sustainability	None	3	No
GEOG	554	Sustainable Communities	None	3	No
GEOG	575-575L	GIS Applications & Lab	None	3, 0	No
GEOG	583-583L	Aerial Remote Sensing & Lab	None	3, 0	No
GEOG	584-584L	Remote Sensing & Lab	None	3, 0	No
GEOG	585-585L	Quantitative Remote Sensing & Lab	None	3, 0	No
GEOG	768	Global Climate Change	None	3	No
GEOG	786	Geographic Information Systems	None	3	No
Subtotal				12	

**Precision Agriculture Emphasis (New Graduate Certificate)**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
GEOG	573-573L	GIS Data Creation/Integration	None	3, 0	No
GEOG	575-575L	GIS Applications and Lab	None	3, 0	No

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
PRAG	510-510L	Soil Geography and Land Use Interpretation	None	2, 1	No
PRAG	523	Soil Fertility and Plant Nutrient Management	None	3	No
Subtotal				12	

## 6. Student Outcomes and Demonstration of Individual Achievement

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation? The knowledge and competencies should be specific to the program and not routinely expected of all university graduates.**

Individual Student Outcome	Program Courses that Address the Outcomes				
	ECON 751	ECON/ FIN 753 or ECON/ ACCT 592	AGEC 571, AGEC/ECON 572, AGEC/ECON/ ENTR//FIN/ MGMT/MKTG 592/792, DSCI/ECON 752, ECON/FIN 753, or OM 563	STEM Electives	Emphases Coursework
Graduates will be able to use economic and management theories to design, analyze and evaluate management strategies.	X				
Graduates will be able to use financial and accounting concepts and theories in management decision making.		X			
Graduates will be able to apply economics and management theories and tools to a range of specialties.			X		
Graduates will gain further knowledge, understanding, and proficiency from their STEM specialization and electives that will include foundational and transferable skills including: <ul style="list-style-type: none"> <li>Communication skills (oral and written)</li> <li>Laboratory or Project management</li> <li>Teamwork</li> <li>Problem solving/Analytical and critical thinking</li> <li>Data Science</li> </ul>				X	X

**B. Are national instruments (i.e., examinations) available to measure individual student achievement in this field? If so, list them.**

No

**C. How will individual students demonstrate mastery? Describe the specific examinations and/or processes used, including any external measures (including national exams, externally evaluated portfolios, or student activities, etc.). What are the consequences for students who do not demonstrate mastery?**

Students will demonstrate mastery by completing courses and maintaining a GPA equal to or higher than 3.0. Each individual student program plan will include statistics, research methods, and decision science. The individual student plan will be tailored by the specialization and choice of electives. Each student will complete a culminating experience. Depending on the emphasis and advisor guided elective selection, students will complete internships, Co-ops, capstone projects, or independent study research projects.

- 7. What instructional approaches and technologies will instructors use to teach courses in the program?** *This refers to the instructional technologies and approaches used to teach courses and NOT the technology applications and approaches expected of students.*

Standard outcome-oriented techniques will be used for instruction including lecture, videos, and project-based instruction. The SDBOR learning management system, Desire2Learn, will be used for most, if not all, courses.

- 8. Did the University engage any developmental consultants to assist with the development of the curriculum? Did the University consult any professional or accrediting associations during the development of the curriculum? What were the contributions of the consultants and associations to the development of curriculum?**

The National Professional Science Master's Association (NPSMA) information pertaining to proposing a new professional science master's program was consulted during the preparation of this application. Guidance was sought from Tim Born, President of NPSMA who provided information about the essential elements of a PSM program and affiliation application material. The program needs approval from the SDBOR prior to application to NPSMA for approval.

- 9. Are students enrolling in the program expected to be new to the university or redirected from other existing programs at the university? Complete the table below and explain the methodology used in developing the estimates?**

Students enrolling in the M.S. in Professional Science are expected to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The program will include multiple stand-alone certificates that will stack into the degree, providing multiple emphasis areas for students to focus their plan of study. Students may immediately enroll in the Professional Science program and select their emphasis area or decide to earn the master's degree once already pursuing one of the graduate certificates. The University anticipates enrolling 15 students and producing 14 graduates per year within five years. The numbers may be higher as the biotechnology and bioprocessing sectors expand in the state.

	Fiscal Years*			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Estimates	FY 23	FY 24	FY 25	FY 26
Students new to the university	5	5	5	5
Students from other university programs	5	5	5	5
Continuing students	0	10	10	10
Off-campus/distance Students	5	5	5	5
Continuing Off-campus/distance Students	0	5	5	5
=Total students in the program (fall)	15	30	30	30

	Fiscal Years*			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Estimates	FY 23	FY 24	FY 25	FY 26
Program credit hours (major courses) **	150	300	300	300
Off Campus Program credit hours	75	150	150	150
Graduates		14	14	14

\*Do not include current fiscal year.

\*\*This is the total number of credit hours generated by students in the program in the required or elective program courses. Use the same numbers in Appendix B – Budget.

**10. Is program accreditation available? If so, identify the accrediting organization and explain whether accreditation is required or optional, the resources required, and the University's plans concerning the accreditation of this program.**

This program will seek approval (similar to accreditation) from the National Professional Science Master's Association (NPSMA) and include the formation of an industry advisory board.

**11. Does the University request any exceptions to any Board policy for this program? Explain any requests for exceptions to Board Policy. If not requesting any exceptions, enter "None."**

None

**12. Delivery Location**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	Yes	015 - Internet Asynchronous— Term Based Instruction 018 - Internet Synchronous	2022-2023 Academic Year
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

- B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the program through distance learning (e.g., as an online program)? This question responds to HLC definitions for distance delivery.**

	Yes/No	If Yes, identify delivery methods	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	No		

The Professional Science (M.S.) will be offered online.

- 13. Cost, Budget, and Resources: Explain the amount and source(s) of any one-time and continuing investments in personnel, professional development, release time, time redirected from other assignments, instructional technology & software, other operations and maintenance, facilities, etc., needed to implement the proposed major. Address off-campus or distance delivery separately. Complete Appendix B – Budget and briefly summarize to support Board staff analysis.**

The University does not request new state resources. The program budget has been attached in Appendix B. The Professional Science program and stackable certificates will draw upon existing courses in units that already offer graduate degrees, and therefore can be offered at minimal cost.

- 14. Board Policy 2:1 states: “Independent external consultants retained by the Board shall evaluate proposals for new graduate programs unless waived by the Executive Director.” Identify five potential consultants (including contact information and short 1-2 page CVs) and provide to the System Chief Academic Officer (the list of potential consultants may be provided as an appendix). In addition, provide names and contact information (phone numbers, e-mail addresses, URLs, etc.) for accrediting bodies and/or journal editors who may be able to assist the Board staff with the identification of consultants.**

Potential consultants:

1. Professor Avril A. B. Robertson PhD GCHED  
Director of Biotechnology and Professional Science Masters Programs,  
School of Chemistry and Molecular Biosciences,  
Affiliate Professor of the Institute for Molecular Bioscience,  
The University of Queensland | St Lucia, QLD, 4072 | AUSTRALIA  
Phone: +61 7 3365 4612 | Email: [a.robertson3@uq.edu.au](mailto:a.robertson3@uq.edu.au)
2. Tim Born, Ph.D.  
President, National Professional Science Master’s Association  
P.O. Box 1822, Lawrence, KS 66044  
616-331-8643, [bornti@gvsu.edu](mailto:bornti@gvsu.edu)
3. Jeannie M. Houts, Coordinator of Operations  
National Professional Science Master's Association  
P.O. Box 1822, Lawrence, KS 66044  
Email: [coordinator@npsma.org](mailto:coordinator@npsma.org) | Phone: 508-471-4487



4. Hironao Okahana  
Vice President, Research & Knowledge Development  
Council of Graduate Schools  
One Dupont Circle NW, Suite 230  
Washington, DC 20036  
[HOkahana@cgs.nche.edu](mailto:HOkahana@cgs.nche.edu) | Phone: 202-223-3791

5. Linda Strausbaugh  
Professor Emerita at The University of Connecticut  
Tolland, Connecticut  
[Linda.Strausbaugh@uconn.edu](mailto:Linda.Strausbaugh@uconn.edu)

**15. Is the university requesting or intending to request permission for a new fee or to attach an existing fee to the program? *If yes, explain.***

☒ YES ☐ NO

*Explanation (if applicable):* The Professional Science program will be supported by existing program fees applied to courses in the different disciplines.

**16. New Course Approval: New courses required to implement the new graduate program may receive approval in conjunction with program approval or receive approval separately. Please check the appropriate statement:**

☐ YES, *the university is seeking approval of new courses related to the proposed program in conjunction with program approval. All New Course Request forms are included as Appendix C and match those described in section 5D.*

☒ NO, *the university is not seeking approval of all new courses related to the proposed program in conjunction with program approval; the institution will submit new course approval requests separately or at a later date in accordance with Academic Affairs Guidelines.*

**17. Additional Information:**

**Additional Admission Requirements**

GRE: Not required

TOEFL: Score of 525 paper-based, 71 Internet-based

IELTS: 6.0

Duolingo: 100

## Appendix A

### Budget

#### South Dakota State University, M.S. in Professional Science

#### 1. Assumptions

		1st FY23	2nd FY24	3rd FY25	4th FY26
<i>Headcount &amp; hours from proposal</i>					
Fall headcount (see table in proposal)		15	30	30	30
Program FY cr hrs, On-Campus		150	300	300	300
Program FY cr hrs, Off-Campus		75	150	150	150
Faculty, Regular FTE	See p. 3	1.00	1.25	1.25	1.25
Faculty Salary & Benefits, average	See p. 3	\$105,693	\$105,693	\$105,693	\$105,693
Faculty, Adjunct - number of courses	See p. 3	0	0	0	0
Faculty, Adjunct - per course	See p. 3	\$1,000	\$1,000	\$1,000	\$1,000
Other FTE (see next page)	See p. 3	0.25	0.50	0.50	0.50
Other Salary & Benefits, average	See p. 3	\$65,660	\$65,660	\$65,660	\$65,660

#### 2. Budget

<i>Salary &amp; Benefits</i>					
Faculty, Regular		\$105,693	\$132,116	\$132,116	\$132,116
Faculty, Adjunct (rate x number of courses)		\$0	\$0	\$0	\$0
Other FTE		\$16,415	\$32,830	\$32,830	\$32,830
S&B Subtotal		\$122,108	\$164,946	\$164,946	\$164,946
<i>Operating Expenses</i>					
Travel		\$0	\$0	\$0	\$0
Contractual Services		\$0	\$0	\$0	\$0
Supplies & materials		\$0	\$0	\$0	\$0
Capital equipment		\$0	\$0	\$0	\$0
OE Subtotal		\$0	\$0	\$0	\$0
<b>Total</b>		<b>\$122,108</b>	<b>\$164,946</b>	<b>\$164,946</b>	<b>\$164,946</b>

#### 3. Program Resources

Off-campus support tuition/hr, HEFF net	GR	\$399.05	\$399.05	\$399.05	\$399.05
Off-campus tuition revenue	hrs x amt	\$29,928	\$59,857	\$59,857	\$59,857
On-campus support tuition/hr, HEFF net	GR	\$290.46	\$290.46	\$290.46	\$290.46
On-campus tuition revenue	hrs x amt	\$43,569	\$87,137	\$87,137	\$87,137
Program fee, per cr hr (if any)	\$45.00	\$6,750	\$13,500	\$13,500	\$13,500
Delivery fee, per cr hr (if any)	\$0.00	\$0	\$0	\$0	\$0
University redirections		\$16,415	\$32,830	\$32,830	\$32,830
Community/Employers		\$0	\$0	\$0	\$0
Grants/Donations/Other		\$0	\$0	\$0	\$0

<b>Total Resources</b>	<b>\$96,662</b>	<b>\$193,324</b>	<b>\$193,324</b>	<b>\$193,324</b>
<b>Resources Over (Under) Budget</b>	<b>(\$25,446)</b>	<b>\$28,378</b>	<b>\$28,378</b>	<b>\$28,378</b>
<i>Provide a summary of the program costs and resources in the new program proposal.</i>				

Estimated Salary & Benefits per FTE	Faculty	Other
Estimated salary (average) - explain below	\$85,000	\$50,000
University's variable benefits rate (see below)	0.1438	0.1438
Variable benefits	\$12,223	\$7,190
Health insurance/FTE, FY18	\$8,470	\$8,470
<i>Average S&amp;B</i>	\$105,693	\$65,660

Explain faculty used to develop the average salary & fiscal year salaries used. Enter amount above.

The average salary of faculty involved in this program is indicated.

Explain adjunct faculty costs used in table:

Explain other [for example, CSA or exempt] salary & benefits. Enter amount above.

Program coordinator

Summarize the operating expenses shown in the table:

Summarize resources available to support the new program (redirection, donations, grants, etc).

This program will use existing courses already being taught by faculty. University redirect will provide salary for program coordinator.

*State-support: Change cell on page 1 to use the UG or GR net amount.*

	<b>FY19</b>			
<b>Off-Campus Tuition, HEFF &amp; Net</b>	<b>Rate</b>	<b>HEFF</b>	<b>Net</b>	
Undergraduate	\$340.05	\$39.11	<b>\$300.94</b>	<i>Change cell on page 1 to point to your net</i>
Graduate	\$450.90	\$51.85	<b>\$399.05</b>	
Externally Supported	\$40.00			

*State-support: Change cell on page 1 to use the UG or GR net amount for your university.*

	<b>FY19</b>			
<b>On-Campus Tuition, HEFF &amp; Net</b>	<b>Rate</b>	<b>HEFF</b>	<b>Net</b>	
UG Resident - DSU, NSU	\$243.30	\$27.98	<b>\$215.32</b>	<i>Change cell on page 1</i>
UG Resident - SDSU, USD	\$248.35	\$28.56	<b>\$219.79</b>	

UG Resident - BHSU	\$254.20	\$29.23	<b>\$224.97</b>	<i>to point to your net</i>
UG Resident - SDSMT	\$249.70	\$28.72	<b>\$220.98</b>	
GR Resident - DSU,NSU	\$319.40	\$36.73	<b>\$282.67</b>	<i>Change cell on page 1</i>
GR Resident - SDSU, USD	\$326.05	\$37.50	<b>\$288.55</b>	
GR Resident - BHSU	\$328.20	\$37.74	<b>\$290.46</b>	<i>to point to your net</i>
GR Resident - SDSMT	\$324.85	\$37.36	<b>\$287.49</b>	
UG Nonresident - DSU,NSU	\$342.40	\$39.38	<b>\$303.02</b>	<i>Change cell on page 1</i>
UG Nonresident - BHSU	\$355.70	\$40.91	<b>\$314.79</b>	<i>to point to your net</i>
UG Nonresident - SDSU, USD	\$360.50	\$41.46	<b>\$319.04</b>	
UG Nonresident - SDSMT	\$391.10	\$44.98	<b>\$346.12</b>	
GR Nonresident - DSU,NSU	\$596.30	\$68.57	<b>\$527.73</b>	<i>Change cell on page 1</i>
GR Nonresident - BHSU	\$612.40	\$70.43	<b>\$541.97</b>	<i>to point to your net</i>
GR Nonresident - SDSU, USD	\$626.85	\$72.09	<b>\$554.76</b>	
GR Nonresident - SDSMT	\$652.00	\$74.98	<b>\$577.02</b>	
UG Sioux Falls Associate Degree	\$275.40	\$31.67	<b>\$243.73</b>	<i>Change cell on page 1 to point to your net</i>

**Variable Benefits Rates**

University	FY19	
BHSU	14.64%	Change the benefits rate cell in the table on page 2 to point to the rate for your university.
DSU	14.36%	
NSU	14.31%	
SDSM&T	14.20%	
SDSU	14.38%	
USD	14.34%	

## Appendix B

### External Review Report

#### SDSU Graduate Program Report

I was engaged by the South Dakota Board of Regents as an external consultant to review and evaluate the Professional Science Master's graduate program proposed by South Dakota State University. The proposed program includes seven graduate certificates and is intended to meet the requirements for affiliation by the National Professional Master's Association (NPSMA) so that it can be officially recognized as a PSM program.

The given charge was to: 1) Examine the program proposal and supporting documents; 2) interview faculty, staff, and administrators at the university; 3) evaluate related services; and 4) prepare a written report addressing the following questions:

1. Program Curriculum: Does the proposed program meet or exceed current national standards and expectations for the discipline? Does the proposed program meet accreditation requirements where applicable? Will the proposed program provide students with sound preparation for their careers and serve them well as they seek employment? What changes, if any, do you recommend?
2. Faculty: Will the current and planned faculty be sufficient to offer a strong program? Does the program require additional expertise to implement the program at a high level of quality? Will the teaching, research, service expectations, and related resources be competitive when recruiting new faculty to staff the proposed program?
3. Services: Are library resources and other services sufficient to support a high quality program?
4. Other Issues: Are there other issues (e.g., student recruiting, program management, support staff) that should be given attention?
5. Summary Recommendation: What do you see as the strengths and weaknesses of the proposed program? What broader recommendations do you have for the university and the Board of Regents?

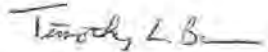
The enclosed report addresses each of the five charges in order. The graduate program and certificates were assessed with a view of meeting the required components of a PSM program:

1. **A strong core of STEM coursework.** Greater than 50% of degree coursework must be STEM-based.
2. **Professional Competencies.** PSM programs are required to teach professional competencies that allow graduates to collaborate across disciplines. Potential competencies include regulatory affairs, business finance, project management, policy, responsible conduct of research, etc.
3. **Industry Advisory Board.** Every PSM program is required to have an advisory board comprised of external community members who employ graduates in the program's technical area, such as local companies, non-profits, state or federal agencies, trade associations, etc.
4. **Foundational and Transferrable Professional Skills.** Every PSM program is required to develop broad professional skills in their graduates that can be utilized in workplace settings. Examples include communication (written and oral), leadership, problem solving, ethics, etc.
5. **Research.** PSM programs are required to include a broadly-described research experience, ideally with a practical component. This is often met via capstone projects, internships, industry-sponsored research projects, or co-op experiences.

It is my professional opinion that the proposed graduate program, including the seven certificates, is very strong, will graduate highly skilled and employable students, and will be a benefit to the state of South Dakota. I have recommended some modifications that will improve the proposal and ensure that the graduate program will be approved by the National Professional Science Master's Association as a PSM-affiliated program.

It was a pleasure to review the proposal and meet with various representatives of South Dakota State University. Please feel free to contact me with any questions about this report or my recommendations.

Respectfully,



Timothy L. Born, Ph.D.  
Grand Valley State University  
Past-President, National Professional Science Master's Association  
[bornlti@gvsu.edu](mailto:bornlti@gvsu.edu)  
616-331-8643

**Charge #1: Program Curriculum**

Does the proposed program meet or exceed current national standards and expectations for the discipline? Does the proposed program meet accreditation requirements where applicable? Will the proposed program provide students with sound preparation for their careers and serve them well as they seek employment? What changes, if any, do you recommend?

The reviewed proposal describes a Professional Science Master's (PSM) program containing six STEM-based emphases and one common Professional Management core. In order to earn the Professional Science Master's degree, students are required to complete one of the six STEM-based emphases, the Professional Management core, and six credits of elective STEM graduate coursework. This section will first review the Professional Management certificate, which is common to all of the emphases, then the curriculum for each STEM-based emphasis, and conclude with a summary of the requirements for a PSM program.

Professional Management Core

The National Professional Science Master's Association (NPSMA) requires all affiliated programs to include Professional Competencies in their curriculum. The Professional Management core is designed to meet this requirement. The core consists of two required courses plus two electives:

Required Courses

- Advanced Managerial Economics
- Financial Management OR Topics (Budgeting)

The required courses address the topics of Economics and Management or Budgeting, which fall within the Professional Competencies requirement of PSM programs.

The elective courses cover topics such as Farm Management, Environmental Economics, Business Decisions, Financial Management, and Supply Chain Management. All of these topics also fall within the Professional Competencies requirement of PSM programs. The knowledge and competencies and student learning outcomes are appropriate for the focus of this core.

It is my opinion that students who complete the Professional Management core will meet or exceed the Professional Competencies requirement of NPSMA-affiliated PSM programs. This core will also provide students with sound preparation for their careers and serve them well as they seek employment.

Environmental Policy Emphasis

The Environmental Policy emphasis consists of three core courses plus one elective. The core courses are:

- Environmental Law
- Resource and Environmental Economics
- Agricultural Policy

The electives include courses in Risk Assessment, Farm Management, Waste Management, and Public Health Law. The courses in this emphasis complement the Professional Management core and will provide students with an extremely strong set of Professional Competencies.

NPSMA-affiliated PSM programs are required to have a strong core of STEM coursework (>50% of degree coursework must be STEM-based). The Environmental Policy emphasis does not appear to meet this requirement. The course in Resource and Environmental Economics could possibly be classified as



STEM-based, but the other courses will not meet that requirement. This emphasis could require the additional six elective credits to be STEM-based, but that would bring the STEM-based coursework to a maximum of 9 credits, short of the 15+ credits required for PSM affiliation.

As currently constructed, the Environmental Policy emphasis is unlikely to be approved as an NPSMA-affiliated PSM program. However, it does appear to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis.

The changes needed to bring this emphasis into line with PSM standards (i.e., adding STEM-based courses and removing some of the current core) are extensive and would completely change the nature of the program. It is a strong program as currently constructed and my recommendation is to keep the current format but not submit it for PSM affiliation.

#### Precision Agriculture Emphasis

The Precision Agriculture emphasis consists of four required courses:

- GIS Data Creation/Integration
- GIS Applications and Lab
- Soil Geography and Land Use Interpretation
- Soil Fertility and Plant Nutrient Management

Each of the required courses appear to have strong STEM content. The emphasis is likely to meet the STEM coursework requirement of PSM-affiliated programs if at least four of the six elective credits also have strong STEM content. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis. However, it is unclear in which course the student learning outcome “Develop mastery of management through precision farming” will be met. This was probably an oversight during the certificate preparation process and can likely be remedied by placing an “X” in the appropriate table column.

As currently constructed, the Precision Agriculture emphasis appears to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment.

#### Geographic Information Sciences Emphasis

The Geographic Information Sciences emphasis consists of two required courses and two electives. The required courses are:

- GIS: Data Creation and Integration & Lab
- GIS: Vector and Raster Modeling & Lab

Elective courses cover topics such as Sustainability, GIS Applications, Remote Sensing, and Climate Change.

Both of the required courses and each of the elective courses appear to have strong STEM content. The emphasis is likely to meet the STEM coursework requirement of PSM-affiliated programs if at least four of the six elective credits also have strong STEM content. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis and are covered by multiple courses.

As currently constructed, the Geographic Information Sciences emphasis appears to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment.

*Food Technology Emphasis*

The Food Technology emphasis consists of three required courses plus two associated labs:

- Advanced Dairy and Food Microbiology OR Laboratory Techniques in Dairy Science
- Food Chemistry and Analysis (plus lab)
- New Food Product Development (plus lab)

Each of the required courses appear to have strong STEM content. The emphasis is likely to meet the STEM coursework requirement of PSM-affiliated programs if at least four of the six elective credits also have strong STEM content. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis.

As currently constructed, the Food Technology emphasis appears to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment.

*Biotechnology Emphasis*

The Biotechnology emphasis consists of four required courses:

- Application of Microbiology and Biotechnology
- Bacteriology
- Cancer Biology
- Medical and Veterinary Virology OR Medical and Veterinary Immunology

Each of the required courses appear to have strong STEM content. The emphasis is likely to meet the STEM coursework requirement of PSM-affiliated programs if at least four of the six elective credits also have strong STEM content. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis.

One concern is that the student learning outcome "Characterization, structure and replication of viruses, pathogenesis of viral disease in humans and animals, and basics of therapeutics and vaccine development" is only met by the Medical and Veterinary Virology course while the student learning outcome "Theory and mechanisms of immune responses with relevance to human and veterinary medicine" is only met by the Medical and Veterinary Immunology course. Students are only required to take one of those two courses so they will not meet one of these two student learning outcomes. The other course could be taken as an elective, but if the intention is that all student learning outcomes must be met, then students will need to take both courses and the one elective will effectively become a requirement.

As currently constructed, the Biotechnology emphasis appears to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment.

Applied Physics Emphasis

The Applied Physics emphasis consists of two tracks, each with 12 credits of required courses:

Materials (Condensed Matter) Physics track

- Electromagnetism
- Condensed Matter Physics
- Mathematical Physics I

Nuclear/Health Physics track

- Nuclear and Elementary Particle Physics
- Foundations of Health Physics
- Introduction to Nuclear Engineering
- PHYS Elective

Each of the required courses clearly has a strong STEM content. The emphasis is likely to meet the STEM coursework requirement of PSM-affiliated programs if at least four of the six elective credits also have strong STEM content. The knowledge and competencies and student learning outcomes are appropriate for the focus of this emphasis.

As currently constructed, the Applied Physics emphasis appears to meet or exceed current national standards and expectations for the discipline, and it will provide students with sound preparation for their careers and serve them well as they seek employment.

Professional Skills PSM-Affiliation Requirement

PSM-affiliated programs are required to develop broad professional skills in their students that can be utilized in workplace settings by graduates. Examples include communication (written and oral), leadership, problem solving, ethics, etc. Some PSM-affiliated programs embed these skills in their STEM-based coursework while other programs create courses that specifically teach professional skills.

The Professional Science Master's graduate program proposed by South Dakota State University does not include a course that specifically teaches professional skills. The Biotechnology emphasis includes a student learning outcome addressing effective oral and written communication and the Applied Physics emphasis includes a student learning outcome addressing the ability to work as a team. None of the other emphases include student learning outcomes that address professional skills.

Professional skills will need to be incorporated into the proposed program. It's possible that they are already embedded in courses but aren't highlighted in the proposal. If that's the case, then these skills should be specifically noted and possibly included in the student learning outcomes. If these skills are not embedded in the existing coursework, they either should be incorporated, or a new course should be developed. It may be simplest to embed these skills in the Professional Management emphasis coursework since all students complete this emphasis.

Research PSM-Affiliation Requirement

PSM programs are required to include a broadly described research experience, ideally with a practical component. A practical experience based in the workplace or focused on an industry project prepares students for the transition from an academic environment to the workplace setting and is a core component of PSM programs. This experience is often fulfilled via capstone projects, internships, industry-sponsored research projects, or co-op experiences.

The Professional Science Master's graduate program proposed by South Dakota State University does not include any sort of a research requirement. Interviews with university leadership, departmental leadership, and faculty made it clear that strong ties with relevant industry partners exist and can be leveraged to establish practical experiences for students. These experiences will need to be created and included in the proposed program in order to meet the requirements of PSM affiliation.

**Charge #2: Faculty**

Will the current and planned faculty be sufficient to offer a strong program? Does the program require additional expertise to implement the program at a high level of quality? Will the teaching, research, service expectations, and related resources be competitive when recruiting new faculty to staff the proposed program?

The proposed graduate program, including each of the seven proposed certificates, build off existing graduate or undergraduate programs. Courses in the proposed curricula are regularly offered and no new courses are proposed. The University is accredited by the Higher Learning Commission and the most recent reaffirmation of accreditation occurred in 2019-2020. Thus, the current faculty have the expertise and experience to offer the proposed programs and no additional expertise is necessary to implement the program at a high level of quality.

The question of sufficient staffing and laboratory/classroom resources was addressed with department leadership and faculty. Both groups indicated that current staffing levels were adequate for planned course offerings and that existing facilities were adequate for instruction. No new faculty lines are requested or appear to be necessary at this time, but if the programs are highly successful and enrollment exceeds expectations then the teaching, research, service expectations, and related resources are expected to be competitive when recruiting newly needed faculty in the future.

**Charge #3: Services**

Are library resources and other services sufficient to support a high quality program?

All three interview groups – University Leadership, Department Leadership, and Faculty – were asked about the services at SDSU. Specifically, questions were asked regarding library resources, career services support, and alumni relations.

A strong library is needed to provide academic resources for course curriculum and technical support for information location/retrieval. The Hilton M. Briggs library at SDSU holds a large collection of bound volumes, microforms, and government documents. More importantly, it is remotely accessible 24/7 and has a staff of research librarians to assist students with their questions and projects. The Interlibrary Loan Service greatly extends the Briggs' library collection.

The library is currently providing the services necessary for existing undergraduate and graduate programs that are closely related to the proposed program and emphases and it is anticipated that the library will continue to provide the level of service necessary to support the proposed program and emphases. Although this program is expected to increase university enrollment, the increase will be small relative to the overall university population. Additionally, the academic areas in the proposed program already exist at SDSU so appropriately trained library staff are available. Therefore, current library services should be adequate for the proposed graduate program.

A primary goal of PSM programs is to prepare students to integrate seamlessly into the workforce. Graduates of PSM programs must be able to work independently and demonstrate the skills necessary to navigate professional environments. Acquiring these skills requires interactions with current professionals in the academic discipline. The SDSU Office of Career Development is an essential resource for the proposed PSM program as it can help connect faculty and students with relevant working professionals. It can also facilitate the establishment of paid internship opportunities for PSM students.

The Office of Career Development uses Handshake to advertise Internship and full-time positions. Handshake is widely-used by universities as an employment platform and is well recognized by local and national employers and includes nation-wide internship postings. Students in the proposed program will benefit from the University's use of Handshake when searching for internships and jobs.

University leaders indicated that they can rely on the Office of Career Development. A robust series of career fairs are held each year and industry speakers are available to speak in courses. Academic programs also have their own career supports. Department leaders agreed that the Office of Career Development is quite strong, and it appears that the Office of Career Development will be able to meet the needs of the proposed graduate program.

Alumni are a tremendous resource for PSM programs. They can support students in many ways, including through mentorship, serving as guest speakers, and providing networking and internship opportunities. Based on the information available on their webpage and their social media posts, it appears that SDSU has a very engaged alumni association. University leadership agreed that the alumni association is very active, that it is branching out nationally and globally, and that alumni give back to the university financially. Department leadership also indicated they receive good support from their alumni and maintain good connections. Additionally, the SDSU Foundation has built many relationships with alumni and community partners. Overall, connections to alumni seem strong and have the potential to be a great resource for the proposed PSM program. The SDSU Alumni Association will be a benefit to the proposed program.

Overall, the library resources and other services are sufficient to support a high-quality graduate PSM program.

**Charge #4: Other Issues**

Are there other issues (e.g., student recruiting, program management, support staff) that should be given attention?

A few areas will need to be given special attention. Those areas, and the attention needed, are summarized below.

*Student Recruitment and Course Offerings*

The proposed program has a pipeline of undergraduates currently at SDSU to recruit from as well as undergraduate students at other South Dakota universities. Additional recruiting will focus on working professionals who are looking to advance their careers. In fact, industry partners have requested this type of a degree for their employees. Some international students are also expected to enroll in the program. Admissions decisions will need to consider the entirety of the applicant's materials since many will have pertinent workplace experience rather than academic experience.

Based on the anticipated student population, the program will need to cater to full-time and part-time students. Courses will need to be taught at times that working professionals can attend (i.e., evenings and weekends) or in formats that suit their life situation (i.e., synchronous and asynchronous remote offerings). Many courses are already being offered in a remote or condensed format, so the programs appear to be well prepared for the expected student population.

#### Advisory Boards

PSM programs are required to have advisory boards who provide input on the program curriculum and assist in student recruitment and placement. Each of the colleges involved in the proposed program currently has an advisory board that can function in this capacity. It would be beneficial, however, to create a separate advisory board for the PSM program within the first year or two following approval by the Board of Regents. This board would then be able to focus on issues that are specific to the PSM program and degree. Down the road, it might be useful to have separate advisory boards for each emphasis so that each certificate receives feedback directly from their employer base. Industry input is valuable for PSM programs because it assures that graduates obtain the necessary skills and knowledge to be employable and productive. The programs can lean on the Office of Career Development and the Alumni Association for recruitment of potential Board members.

#### Program Coordinator

The proposed PSM program contains seven different emphases crossing multiple colleges and departments. Coordination of such a large and distributed program requires an individual or an office working with all university partners. This role cannot be adequately filled by department-level graduate program directors attempting to work together.

The Provost expressed a strong commitment to hire a coordinator for the PSM programs who would be part of the Graduate School. This is an excellent idea and I highly encourage that such a position be created and filled within the first of year after approval of the PSM program by the Board of Regents.

#### Experiential Component

PSM programs are required to have a research component, ideally one that is focused on the practical aspects of the discipline. This is often met via capstone projects, internships, industry-sponsored research projects, or co-op experiences. An equivalent experience is currently not part of the program proposal and will need to be added in order to receive affiliation as a PSM program.

The College of Agriculture, Food, & Environmental Sciences already has a strong industry connection, illustrated by a recent student-led event that included 90 internship presentations. The Ness School of Management & Economics also has a strong connection to local employers and embeds experiential education in their programs. The College of Natural Sciences is working with their advisory board to create these connections. In addition, experiential requirements are part of the SDSU culture.

I am confident that the PSM program will be able to create the industry connections necessary to provide an experiential learning opportunity for each student. This requirement will need to be included in the program requirements, however, and not offered as an elective.

**Charge #5: Summary Recommendation**

What do you see as the strengths and weaknesses of the proposed program? What broader recommendations do you have for the university and the Board of Regents?

Strengths

- The stand-alone certificates are a wonderful way to organize the Professional Science Master's graduate degree.
- Requiring all students to take the Professional Management emphasis ensures that students from all of the emphases will interact with each other. Working in teams with diverse knowledge sets is an important skill for students to develop before entering the workforce.
- University leadership is very supportive of the program.
- STEM workforce development is very important in South Dakota, and this program fits nicely into that priority.
- The proposed emphases build on strengths at SDSU and address the workforce needs of South Dakota and neighboring states.

Weaknesses

- The proposed program lacks a required experiential learning experience that is required for PSM-affiliation.
- The proposed program lacks the professional skills training that is required of all PSM-affiliated programs.
- Five of the emphases have 12 credits of STEM-based coursework. PSM affiliation requires that >50% of program coursework be STEM-based, requiring at least four of the six elective credits to come from STEM-based courses. This leaves little room for experiential learning credits or professional skills coursework.
- Advisory boards currently exist only at the college-level, not at the departmental or program level. The existing advisory boards will probably meet the PSM affiliation requirements, but do not represent best practices in PSM programs.

Recommendations

- Consider reducing the Professional Management emphasis to 9 credits to allow additional STEM-based coursework and an experiential learning component to be built into the emphases.
- Embed professional skills into either the Professional Management emphasis or in STEM courses in each of the other emphases. Add professional skills student learning outcomes to appropriate courses.
- Remove the Environmental Policy emphasis from any application made for PSM affiliation. The emphasis lacks the required STEM-based coursework, and it will be difficult to add appropriate courses without changing the focus of this emphasis.
- Add a required experiential learning component to each of the emphases so that they can meet the requirements for PSM affiliation.
- Create and staff a program coordinator position for the Professional Science graduate degree within the first year after program approval by the Board of Regents.
- Create an advisory board specifically for the PSM graduate program within the first year following approval by the Board of Regents.
- Consider creating combined BS/MS degrees in the future.





## SOUTH DAKOTA STATE UNIVERSITY

Office of Academic Affairs

November 12, 2021

TO: South Dakota Board of Regents  
Dr. Rebecca Hoey, Associate Vice President for Academic Programming

FROM: SDSU PSM Development Team  
Dr. Charlene Wolf-Hall, Dean of the College of Natural Sciences, Team Leader  
Dr. Dennis Hedge, Provost and Vice President for Academic Affairs

RE: Professional Science (M.S.) External Review Response

Immediately below you will find South Dakota State University's response to the external review report submitted by Dr. Timothy Born. Dr. Born is currently employed by Grand Valley State University and serving as Past-President of the National Professional Science Master's Association, which made him uniquely qualified to conduct the external review. We are pleased that his summary opinion was "*that the proposed graduate program, including seven certificates, is very strong, will graduate highly skilled and employable students, and will be a benefit to the state of South Dakota*". Dr. Born did recommend a few modifications to improve the proposal and ensure approval of the program as a PSM-affiliated program by the National Professional Science Master's Association (NPSMA). Recommendations to strengthen the program proposal and identified program proposal weaknesses, including SDSU responses, are immediately below.

- **Weaknesses**

- The proposed program lacks a required experiential learning experience that is required for PSM-affiliation.
  - **Response** – Although not explicitly stated within the New Graduate Degree Program document, experiential learning is a program requirement. SDSU envisions experiential learning flexibility within the program to meet the diverse professional experience needs of students. Each area of emphasis will have an experiential learning opportunity built into the 12-credit stackable certificate or the 6-credits of STEM coursework as part of an approved plan of study by the Graduate School. For example, students enrolling in the program with an industry background will have different needs than those on an accelerated master's path. A professional advisor within the Graduate School will oversee each student's plan of study to ensure all NPSMA requirements are met. The professional advisor will work closely with each department and college to develop a list of courses that fulfill the experiential learning requirement. Failure to incorporate the required experiential learning opportunities through these courses would require a modified plan of study. The program will include the following experiential learning opportunities:
    - Internships
    - Co-ops
    - Capstone projects
    - Independent study or research projects
    - Non-thesis paper
- The proposed program lacks the professional skills training that is required of all PSM-affiliated programs.
  - **Response** – SDSU agrees that professional skills training should be made more visible within the program and plans to increase that visibility. Professional Competencies will be a transparent program requirement and documentation of student achievement of competencies will be documented as part of the program's Student Learning Outcomes Assessment Plan. A professional advisor within the Graduate School will monitor student progress of competency achievement. The program will include professional skills training in the following areas:
    - Business practices
    - Finances and budgeting
    - Ethics and responsible conduct of research
    - Entrepreneurship
    - Policy
    - Regulatory affairs

Professional Competencies	Core Program Courses that Address the Outcomes							
	ECON/ MGMT 751	ECON/ FIN 753	ECON/ ACCT 592/792	ECON/ DSCI 752	AGEC/ECON/ ENTR/ FIN/ MGMT/ MKTG 592/792	AGEC 571	AGEC/ ECON 572	OM 563
Business practices	X	X	X	X		X		X
Finances and budgeting		X	X					
Entrepreneurship					X			
Policy					X		X	
Regulatory affairs					X		X	
<b>Foundational &amp; Transferable Skills:</b>								
Leadership/Management	X	X	X					
Problem solving/ Analytical and critical thinking	X	X	X	X	X	X	X	X

In addition, STEM courses include ethics and responsible conduct of research, communication skills (oral and written), project management, teamwork, and data science.

- Five of the emphases have 12 credits of STEM-based coursework. PSM affiliation requires that >50% of program coursework be STEM-based, requiring at least four of the six elective credits to come from STEM-based courses. This leaves little room for experiential learning credits or professional skills coursework.
  - **Response** – SDSU will verify that all individual plans of study are > 50% STEM. This verification will be conducted by the Graduate School. SDSU will describe the plan of study approval process in detail when making application for NPSMA approval. Immediately below is a table demonstrating linkage between areas of study within the proposal and the United States Department of Homeland Security listings for STEM CIP Codes. After assessing the program against STEM CIP Code data, we are confident that each student's individualized program of study for the PSM will meet the >50% threshold of program coursework being STEM-based.

Area of Study	CIP Code	DHS STEM Designation
SDSU Professional Science (M.S.)	41.0000	Yes
Professional Management	52.1301	Yes
Applied Physics	40.0801	Yes
Biotechnology	26.1201	Yes
Environmental Policy	03.0103	Yes. The NPSMA also lists Environmental Science a STEM area. The courses included here are a mixture of science and economics and include courses with ECON, ABE, AST, and NRM prefixes that are STEM.
Food Technology	01.1002	Yes
Geographic Information Sciences	45.0702	Yes
Precision Agriculture	01.0301	No, however Agriculture, Agriculture Operations and Related Sciences under the 01 designation within the CIP codes are considered STEM. Precision Agriculture is a newer interdisciplinary area of study. The USDA and NSF do consider Precision Agriculture to be STEM. The <a href="#">NPSMA website</a> lists Agricultural Sciences as a STEM field. The GEOG courses are GIS based and clearly STEM and all SDSU <a href="#">PRAG</a> courses are considered STEM.

- Advisory boards currently exist only at the college-level, not at the departmental or program level. The existing advisory boards will probably meet the PSM affiliation requirements, but do not represent best practices in PSM programs.
  - **Response** – As indicated in the program proposal, SDSU has launched an Industry Advisory Board for the Professional Science (M.S.) program. The Advisory Board will provide external validation

of curricular and co-curricular aspects of the program and provide guidance to ensure that the program meets workforce needs. The Industry Advisory Board is currently a subgroup of the College of Natural Sciences External Advisory Board. Upon program approval, the PSM Industry Advisory Board will expand to include representation from each emphasis area and develop its own identity.

- **Recommendations**

- Consider reducing the Professional Management emphasis to 9 credits to allow additional STEM-based coursework and an experiential learning component to be built into the emphases.
  - **Response** – SDSU recognizes the need for STEM credits to meet the expectations of the NPSMA. Within the 12 credits, and consistent with many other leading universities, SDSU considers credits with the ECON prefix to be STEM coursework, resolving issues for students needing more than 50% STEM credits for the PSM. SDSU concurs on the need for the experiential learning component and the experiential learning aspects of the program will be addressed as described above.
- Embed professional skills into either the Professional Management emphasis or in STEM courses in each of the other emphases. Add professional skills student learning outcomes to appropriate courses.
  - **Response** – SDSU agrees and understands the importance of professional skills integration. The following courses will contain professional skills content. Also, please see the course matrix above:

Core, Emphasis Area, or Elective	Course	Course learning outcome for Professional Skills
Professional Management	ECON/MGMT 751 Managerial Economics	Professional Competencies: Business practices/ finances/ budgeting  Foundational & Transferable Skills: Leadership/Management; Problem solving/Analytical and critical thinking
	ECON/FIN 753 Financial Management OR ECON/ACCT 592 Budgeting	Professional Competencies: Business practices/ finances/ budgeting  Foundational & Transferable Skills: Leadership/Management; Problem solving/Analytical and critical thinking

- Remove the Environmental Policy emphasis from any application made for PSM affiliation. The emphasis lacks the required STEM-based coursework, and it will be difficult to add appropriate courses without changing the focus of this emphasis.
  - **Response** – The NPSMA lists Environmental Science as a STEM area. The courses included here are a mixture of science and economics and include courses with ECON, ABE, AST, and NRM prefixes that are recognized as STEM. SDSU will clarify with NPSMA prior to a formal request for affiliation.
- Add a required experiential learning component to each of the emphases so that they can meet the requirements for PSM affiliation.
  - **Response** – As stated above, although not explicitly addressed in the New Graduate Degree Program proposal, the program will require experiential learning. SDSU's intent is to maintain flexibility in order to meet the diverse needs of students enrolled in the program. A professional advisor in the Graduate School will oversee each student's plan of study to ensure all NPSMA expectations are met. The program includes several experiential learning possibilities including:
    - Internships
    - Co-ops
    - Capstone projects
    - Independent study or research projects
    - Non-thesis paper
- Create and staff a program coordinator position for the Professional Science graduate degree within the first year after program approval by the Board of Regents.

- **Response** – As stated during the evaluation visit, SDSU recognizes the importance of such a position for the program and is committed to supporting the program in this manner upon program approval.
- Create an advisory board specifically for the PSM graduate program within the first year following approval by the Board of Regents.
  - **Response** – As indicated above, SDSU has initiated an Industry Advisory Board for the program. This board is currently a subgroup of the College of Natural Sciences External Advisory Board. Upon program approval, the PSM Industrial Advisory board will expand to include representation from each emphasis area.
- Consider creating combined BS/MS degrees in the future.
  - **Response** – As indicated in the proposal, the PSM will be available to students interested in an accelerated master's degree path. As new STEM emphasis areas are added, SDSU will explore such arrangements of appropriate pipeline programs.

In addition to the above items, on page 4 of the review report, the reviewer indicated a correction needed for student learning outcomes for the Precision Agriculture emphasis area. SDSU has made this correction.

Also, on Page 5 of the review report, it was indicated that requirements were not properly aligned with courses within the Biotechnology emphasis area. SDSU has modified the proposal to list the common outcome achieved by taking MICR 524 or MICR 539.



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	SDSU
<b>TITLE OF PROPOSED CERTIFICATE:</b>	Applied Physics
<b>INTENDED DATE OF IMPLEMENTATION:</b>	2022-2023 Academic Year
<b>PROPOSED CIP CODE:</b>	40.0801
<b>UNIVERSITY DEPARTMENT:</b>	Physics
<b>BANNER DEPARTMENT CODE:</b>	SPHY
<b>UNIVERSITY DIVISION:</b>	Natural Sciences
<b>BANNER DIVISION CODE:</b>	3T

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature

*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate certificate in Applied Physics. The proposed Applied Physics Certificate will provide knowledge and practical experience for students to have an advanced experience with health physics, nuclear physics, or condensed matter physics. Individuals who complete this certificate will be well prepared to advance in their career paths in applied areas of physics, including laboratory management. Additional electives are available for those that wish to pursue this field further.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree.

SDSU does not request new state resources for the proposed certificate. The program will leverage collaborative opportunities with the South Dakota School of Mines and Technology

(SDSMT) and the University of South Dakota (USD). Students will be able to complete coursework via distance learning using the Dakota Digital Network (DDN).

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver a B.S in Physics.

The Applied Physics Certificate supports the mission of SDSU as provided in SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing and pharmacy, and other courses or programs as the Board of Regents may determine.*

The proposed certificate also supports the goals stated in the South Dakota Board of Regents Strategic Plan 2014-2020:

*Goal 1 – Student Success*

- Increase total graduate degrees awarded.

*Goal 2 – Academic Quality and Performance*

- Continue to approve new graduate programs.
- Grow the number of students participating in experiential learning.
- Develop and grow high-quality and distinct academic programs to meet the needs of diverse students and market demands.

*Goal 3 – Research and Economic Development*

- Increase the number of graduates from STEM programs.

In addition, this graduate certificate aligns with the SDSU's Imagine 2023 strategic plan<sup>1</sup> by offering a student-centered education. Specifically, the courses and certificate will contribute to the attainment of *Strategic Goal 1 – Excellence through Transformative Education*. This will be a distinct and high-quality academic program designed to meet student and market demand.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential.**

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree. Many prospective students who would be attracted to this program would already be employed and benefit their career trajectories by obtaining this type of education. Given the trends and the central nature of physics to science and engineering, individuals with the type of training provided by this certificate program will be in high demand.

<sup>1</sup> <https://www.sdstate.edu/imagine-2023-aspire-discover-achieve>

According to the Bureau of Labor Statistics, physics shows a 7% growth rate, faster than average, with a median salary of \$122,220.<sup>2</sup> A report from the American Physical Society<sup>3</sup> tracking nearly 1000 M.S. Physics recipients one year after their degree (from 2016-2018), found that for U.S. citizens, 57% were employed or continuing their prior employment, 33% were pursuing continued graduate education, and 7% were unemployed. Of those employed, 57% were in the private sector (with a median starting salary of \$70,000), 20% were at 2- or 4-year colleges and universities, 8% in high schools, 8% in civilian government/national laboratories, and 7% in active military. Of those in the private sector, 28% were in physics and astronomy, 26% in engineering, 15% in computer science, 14% in education, 11% in other STEM fields, and 6% in non-STEM fields.

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The University anticipates students enrolling to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that program. Students with a bachelor's degree, but with work experience in the field will particularly benefit from this certificate. In addition, the certificate will benefit students in mechanical engineering, electrical engineering, and chemistry.

**6. Certificate Design**

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. Students may pursue the certificate as a stand-alone credential. As a stand-alone program the certificate will provide training in key elements for success in (Materials Physics track) areas of physics related to chemistry, materials science, engineering, nanotechnology, atomic physics, or biophysics or (Nuclear Physics track) in the regulatory and management aspects of ionizing radiation.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be mechanical engineering, electrical engineering, and chemistry.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

<sup>2</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Physicists and Astronomers, at <https://www.bls.gov/ooh/life-physical-and-social-science/physicists-and-astronomers.htm> (visited June 28, 2021).

<sup>3</sup> <https://www.aps.org/careers/statistics/index.cfm>



Yes. The Applied Physics Certificate has been designed as a stackable credential that the credits will apply towards the Professional Science (M.S.).

- 7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Materials (Condensed Matter) Physics Track

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
PHYS	521	Electromagnetism	None	4	No
PHYS	539	Condensed Matter Physics	None	4	No
PHYS	581	Mathematical Physics I	None	4	No
Subtotal				12	

Nuclear/Health Physics Track

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
PHYS	533	Nuclear and Elementary Particle Physics	None	3	No
PHYS	537	Foundations of Health Physics	None	3	No
NE	535	Introduction to Nuclear Engineering	None	3	No
		PHYS Elective	None	3	No
Subtotal				12	

**8. Student Outcome and Demonstration of Individual Achievement.**

*Board Policy 2:23 requires certificate programs to “have specifically defined student learning outcomes.*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students will be able to:

- Understand the fundamental theory of condensed matter physics or nuclear physics.
- Become proficient in the use of mathematical tools used to describe condensed matter systems (Materials Physics Track) and effectively communicate this information.
- Become proficient in the disciplinary tools of nuclear engineering, especially as applied to biological systems (Nuclear Physics Track), and effectively communicate this information.
- Apply and interpret fundamental physics principles and techniques.
- Demonstrate the ability to work independently and as a part of a team.

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

Individual Student Outcomes	Program Courses that Address the Outcomes					
	PHYS 521	PHYS 539	PHYS 581	PHYS 533	PHYS 337	PHYS 535
Understand the fundamental theory of condensed matter physics or nuclear physics.	X	X	X	X	X	X
Become proficient in the use of mathematical tools used to describe condensed matter systems (Materials Physics Track) and effectively communicate this information.	X	X	X			
Become proficient in the disciplinary tools of nuclear engineering, especially as applied to biological systems (Nuclear Physics Track), and effectively communicate this information.				X	X	X
Apply and interpret fundamental physics principles and techniques.	X		X	X	X	
Demonstrate the ability to work independently and as a part of a team.	X	X	X	X	X	X

**9. Delivery Location.**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
<b>On campus</b>	Yes	<b>2022-2023 Academic Year</b>

	Yes/No	If Yes, list location(s)	Intended Start Date
<b>Off campus</b>	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	Yes	015 - Internet Asynchronous– Term Based Instruction 018 - Internet Synchronous 030 – Blended/Hybrid	<b>2022-2023 Academic Year</b>
<b>Does another BOR institution already have authorization to offer the program online?</b>	No	<b>If yes, identify institutions:</b>	

- B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)? *This question responds to HLC definitions for distance delivery.***

	<b>Yes/No</b>	<b><i>If Yes, identify delivery methods</i></b>	<b><i>Intended Start Date</i></b>
<b>Distance Delivery (online/other distance delivery methods)</b>	No		



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	SDSU
<b>TITLE OF PROPOSED CERTIFICATE:</b>	Biotechnology
<b>INTENDED DATE OF IMPLEMENTATION:</b>	2022-2023 Academic Year
<b>PROPOSED CIP CODE:</b>	26.1201
<b>UNIVERSITY DEPARTMENT:</b>	Biology & Microbiology
<b>BANNER DEPARTMENT CODE:</b>	SBIM
<b>UNIVERSITY DIVISION:</b>	Natural Sciences
<b>BANNER DIVISION CODE:</b>	3T

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature

*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate certificate in Biotechnology. The proposed Biotechnology Certificate will provide students with a solid foundation in the application of biological, biochemical and genetical processes in the development of agricultural, environmental, clinical, and industrial high-value products, including the commercial exploitation of microorganisms, plants and animals for biotechnological applications. The program will provide graduates with a competitive advantage and the necessary background to be successful in careers in the biotech industry.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree.

SDSU does not request new state resources for the proposed certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver an undergraduate major in Biotechnology.

The proposed program is aligned with the mission outlined in the BOR Policy 1:10:1 as it will provide students with access to a program with high academic quality that is student-centered, and allows students to become actively engaged in research and innovation development. The program will also facilitate economic development in the state, as it will produce highly qualified student graduates with the necessary background to fill the gap in workforce demand for the growing biotech industry in the state.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential.**

There is a growing job market for students with a background in biotechnology. Biotechnology is the most research-driven industry, and research and development in this sector accounts for approximately 25.7% of the total life science industry revenue. While employment in the life science sector grew only slightly faster than the whole U.S. job market, the biotechnology research and development industry has added each year since 2013 approximately 70,000 jobs, or roughly 7.5% per year. According to an analysis of the biotechnology industry in SD, specific biotechnology sectors (biofertilizer, synthetic biology, biopesticide) are projected to grow annually by more than 25%. This increase in workforce demand can currently not be served by SD's biotechnology graduates.<sup>1</sup>

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that program. In addition, the certificate will benefit students in SDSU's Biological Sciences M.S. and Ph.D. program and graduates of the Biology and Biotechnology undergraduate program.

**6. Certificate Design**

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. Students may pursue the certificate as a stand-alone credential. The certificate will provide graduates with a competitive advantage and the necessary background to be successful in careers in the biotech industry.

---

<sup>1</sup> Cushman & Wakefield report: Life Sciences 2020: The future is here;  
<https://cushwake.cld.bz/Life-Sciences-2020-The-Future-is-Here>

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be biological sciences, plant science, animal science, and pharmaceutical sciences.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

Yes. The Biotechnology Certificate has been designed as a stackable credential that the credits will apply towards the Professional Science (M.S.) and the Biological Sciences (M.S. & Ph.D.).

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
MICR	550	Application of Microbiology and Biotechnology	None	3	No
MICR	667	Bacteriology	None	3	No
BIOL	570	Cancer Biology	None	3	No
MICR OR MICR	524 539	Medical and Veterinary Virology (3 cr.) Medical and Veterinary Immunology (3 cr.)	None	3	No
Subtotal				12	

**8. Student Outcome and Demonstration of Individual Achievement.**

*Board Policy 2:23 requires certificate programs to "have specifically defined student learning outcomes."*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students in the Biotechnology Certificate will develop:

1. Broad knowledge about biotechnology techniques and their commercial application.
2. Understanding of bacterial genetics and ecology, and the commercial application of bacterial biotechnology.
3. Knowledge about the cellular basis of cancer and the development of therapeutic targets, and vaccine development.
4. Knowledge of disease pathogenesis, how the immune system works, general principles of vaccination, different types of vaccines and how vaccines can be used to protect from infectious diseases.

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

Individual Student Outcome	Program Courses that Address the Outcomes			
	MICR 550	MICR 667	BIOL 570	MICR 524 OR MICR 539
Demonstrate effective oral and written communication.	X	X		
Broad knowledge about biotechnology techniques and their commercial application.	X			
Understanding of bacterial genetics and ecology, and the commercial application of bacterial biotechnology.		X		
Knowledge about the cellular basis of cancer and the development of therapeutic targets, and vaccine development.			X	
Knowledge of disease pathogenesis, how the immune system works, general principles of vaccination, different types of vaccines and how vaccines can be used to protect from infectious diseases.				X

**9. Delivery Location.**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
<b>On campus</b>	Yes	<b>2022-2023 Academic Year</b>

	Yes/No	If Yes, list location(s)	Intended Start Date
<b>Off campus</b>	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5.</a></i>	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	Yes	015 - Internet Asynchronous– Term Based Instruction 018 - Internet Synchronous 030 – Blended/Hybrid	<b>2022-2023 Academic Year</b>
<b>Does another BOR institution already have authorization to offer the program online?</b>	No	<b>If yes, identify institutions:</b>	



**B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)?** *This question responds to HLC definitions for distance delivery.*

	Yes/No	<i>If Yes, identify delivery methods</i>	<i>Intended Start Date</i>
<b>Distance Delivery (online/other distance delivery methods)</b>	No		



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	<b>SDSU</b>
<b>TITLE OF PROPOSED CERTIFICATE:</b>	<b>Environmental Policy</b>
<b>INTENDED DATE OF IMPLEMENTATION:</b>	<b>2022-2023 Academic Year</b>
<b>PROPOSED CIP CODE:</b>	<b>03.0103</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>Ness School of Management &amp; Economics</b>
<b>BANNER DEPARTMENT CODE:</b>	<b>SSME</b>
<b>UNIVERSITY DIVISION:</b>	<b>Arts, Humanities &amp; Social Sciences</b>
<b>BANNER DIVISION CODE:</b>	<b>3S</b>

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature  
*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐ Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate certificate in Environmental Policy. The proposed Environmental Policy Certificate will provide knowledge and practical experience for students to have an advanced experience with environmental economics, environmental laws, and environmental risks and management. Individuals who complete this certificate will be well prepared to advance in their career paths in identifying issues relating to resource and environmental policy, oversight, and corporate or non-profit management associated with Environment, Social, Governance (ESG) goals. Additional electives are available for those that wish to pursue this field further.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed

certificates that would stack to that degree. The certificate will also stack to the M.S. in Economics.

SDSU does not request new state resources for the proposed certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver an Ecology and Environmental Science (B.S.), Biological Sciences (M.S. and Ph.D.) – Natural Resource Management Specialization, Economics (M.S.), Economics – Agricultural Economics Specialization (B.S.), Agricultural Business (B.S.), and an undergraduate certificate in Agriculture and Environmental Law.

The Environmental Policy Certificate supports the mission of SDSU as provided in SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing and pharmacy, and other courses or programs as the Board of Regents may determine.*

The proposed certificate also supports the goals stated in the South Dakota Board of Regents Strategic Plan 2014-2020:

*Goal 1 – Student Success*

- Increase total graduate degrees awarded.

*Goal 2 – Academic Quality and Performance*

- Continue to approve new graduate programs.
- Grow the number of students participating in experiential learning.
- Develop and grow high-quality and distinct academic programs to meet the needs of diverse students and market demands.

*Goal 3 – Research and Economic Development*

- Increase the number of graduates from STEM programs.

In addition, this graduate certificate aligns with the SDSU's Imagine 2023 strategic plan<sup>1</sup> by offering a student-centered education. Specifically, the courses and certificate will contribute to the attainment of *Strategic Goal 1 – Excellence through Transformative Education*. This will be a distinct and high-quality academic program designed to meet student and market demand.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential.**

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. Individuals who complete the Environmental Policy Certificate will be well prepared to advance in their career paths in resource and environment policy, oversight, and management. The certificate would benefit individuals in a variety of professional positions in

---

<sup>1</sup> <https://www.sdstate.edu/imagine-2023-aspire-discover-achieve>

agriculture, food, energy, government, military, policy making, environmental non-government organizations (NGOs), and non-profit organizations.

According to the US Department of Labor, jobs as Environmental Scientists and Specialists are expected to grow by 8% nationally as well as in South Dakota, much faster than average.<sup>2</sup> Coursework in environmental policy and regulation are beneficial to this career path. The Environmental Policy Certificate could be paired with many of the science programs at SDSU to prepare students to enter this field. In addition, careers as Economists, including Environmental Economists, are expected to grow by 14% annually in the US.<sup>3</sup> The Environmental Policy Certificate paired with an M.S. in Economics from SDSU would prepare student well to enter this field. Heightened public interest in the environment, as well as increasing demands placed on the environment by population growth, are expected to spur demand for environmental scientists and policy analysts.

Many prospective students who would be attracted to this program would already be employed and benefit their career trajectories by obtaining this type of education. Given the trends and interest in resource and environmental policy and management, individuals with the type of training provided by this certificate program will be in high demand.

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The University anticipates students enrolling to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that program. Students with a bachelor's degree, but with work experience in the field will particularly benefit from this certificate. In addition, the certificate will benefit graduates in natural resource management, agricultural and biosystems engineering, economics (including the agricultural economics specialization), agricultural business, and political science.

**6. Certificate Design**

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. Students may pursue the certificate as a stand-alone credential. As a stand-alone program the certificate will provide training in key elements for success in the policy, regulatory, and management aspects of environmental issues.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

---

<sup>2</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Environmental Scientists and Specialists, at <https://www.bls.gov/ooh/life-physical-and-social-science/environmental-scientists-and-specialists.htm> (visited June 29, 2021).

<sup>3</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Environmental Scientists and Specialists, at <https://www.bls.gov/ooh/life-physical-and-social-science/economists.htm> (visited July 14, 2021).

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be: natural resource management, agricultural and biosystems engineering and economics (including the agricultural economics).

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

Yes. The Environmental Policy Certificate has been designed as a stackable credential that the credits will apply towards the Professional Science (M.S.) and Economics (M.S.).

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
AGEC/BLAW	562	Environmental Law	None	3	No
AGEC/ECON	572	Resource and Environmental Economics	None	3	No
AGEC	579	Agricultural Policy	None	3	No
		Select one of the following			
ABE	632	Environmental/Ecological Risk Assessment	None	3	No
AST	563	Agricultural Waste Management	None	3	No
NRM	564	Ecosystem Ecology	None	3	No
Subtotal				12	

**8. Student Outcome and Demonstration of Individual Achievement.**

*Board Policy 2:23 requires certificate programs to "have specifically defined student learning outcomes."*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students in the Environmental Policy Certificate will:

- Understand and analyze the economic foundations of environmental and resource policy.
- Understand and conduct economic analysis of contemporary environmental and resource issues.
- Define and understand the legal foundations of environmental law, including various Acts.
- Understand applied ecological principles.

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

Individual Student Outcome	Program Courses that Address the Outcomes			
	AGEC 562	AGEC 572	AGEC 579	ABE 632, AST 563, NRM 564
Define and understand the legal foundations of environmental law, including various Acts.	X			
Understand and conduct economic analysis of contemporary environmental and resource issues.		X		
Understand and analyze the economic foundations of environmental and resource policy.			X	
Understand applied ecological principles.				X

## 9. Delivery Location.

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

- A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
<b>On campus</b>	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
<b>Off campus</b>	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	Yes	015 - Internet Asynchronous— Term Based Instruction 018 - Internet Synchronous	2022-2023 Academic Year
<b>Does another BOR institution already have authorization to offer the program online?</b>	No	<b>If yes, identify institutions:</b>	

- B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)? This question responds to HLC definitions for distance delivery.**

	Yes/No	If Yes, identify delivery methods	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	No		



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	<b>SDSU</b>
<b>TITLE OF PROPOSED CERTIFICATE:</b>	<b>Food Technology</b>
<b>INTENDED DATE OF IMPLEMENTATION:</b>	<b>2022-2023 Academic Year</b>
<b>PROPOSED CIP CODE:</b>	<b>01.1002</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>Dairy &amp; Food Science</b>
<b>BANNER DEPARTMENT CODE:</b>	<b>SDFS</b>
<b>UNIVERSITY DIVISION:</b>	<b>Agriculture, Food, &amp; Environmental Sciences</b>
<b>BANNER DIVISION CODE:</b>	<b>3F</b>

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature

*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate certificate in Food Technology. The proposed Food Technology Certificate will provide knowledge and practical experience for students to have an advanced experience with food technology methods, food components, and product development. Individuals that complete this certificate will be well prepared to advance in their career paths in the food industry or to start their own food technology-based initiatives. Additional electives are available for those that wish to pursue this field further.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree.



SDSU does not request new state resources for the proposed certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver the Food Science (B.S.) and Biological Sciences (M.S. and Ph.D.) – Food Science Specialization.

The Food Technology Certificate supports the mission of SDSU as provided in SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing and pharmacy, and other courses or programs as the Board of Regents may determine.*

The proposed certificate also supports the goals stated in the South Dakota Board of Regents Strategic Plan 2014-2020:

*Goal 1 – Student Success*

- Increase total graduate degrees awarded.

*Goal 2 – Academic Quality and Performance*

- Continue to approve new graduate programs.
- Grow the number of students participating in experiential learning.
- Develop and grow high-quality and distinct academic programs to meet the needs of diverse students and market demands.

*Goal 3 – Research and Economic Development*

- Increase the number of graduates from STEM programs.

In addition, this graduate certificate aligns with the SDSU's Imagine 2023 strategic plan<sup>1</sup> by offering a student-centered education. Specifically, the courses and certificate will contribute to the attainment of *Strategic Goal 1 – Excellence through Transformative Education*. This will be a distinct and high-quality academic program designed to meet student and market demand.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential. For workforce related information, please provide data and examples. Data may include, but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc. Please cite any sources in a footnote.**

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. Given the strong interest in food processing and development practices, individuals with the type of training provided by this certificate program will be in high demand. Individuals may be in career paths that include product development, quality assurance, food safety, regulatory or food law. It is expected that by 2050 the agriculture and food industry will

---

<sup>1</sup> <https://www.sdstate.edu/imagine-2023-aspire-discover-achieve>

be expected to feed 9 billion people while ensuring proper nutrition, safety, variety, affordability, and convenience. To meet these needs numerous technological hurdles must be overcome. Food Scientists and Technologists that thoroughly understand complex food systems, are innovative and can collaborate in an interdisciplinary environment will be in high demand.<sup>2</sup> Overall employment of agricultural and food scientists is projected to grow 6 percent from 2019 to 2029, faster than the average for all occupations. Employment of agricultural and food scientists is projected to grow as research into agricultural production methods and techniques continues.<sup>3</sup>

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The University anticipates students enrolling to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science Master's, one of seven proposed certificates that would stack to that program. Students with a bachelor's degree, but with work experience in the field will particularly benefit from this program. In addition, the certificate will benefit students in food science, dairy manufacturing, agricultural and biosystems engineering, dietetics, nutrition, and microbiology.

**6. Certificate Design**

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

The graduate certificate is designed to be either a stand-alone credential or can be used as an emphasis in a program like the Professional Science (M.S.). As a stand-alone program the certificate will provide training in key elements for success in the food industry, namely an understanding of food systems and food product development.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be food science, dairy manufacturing, agricultural and biosystems engineering, microbiology, nutrition, and dietetics.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

---

<sup>2</sup> Feeding the Future. 2010. Food Technology Magazine Vol 64 No. 7. <https://www.ift.org/news-and-publications/food-technology-magazine/issues/2010/july/features/feeding-the-future> (accessed 1 July 2021).

<sup>3</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural and Food Scientists, at <https://www.bls.gov/ooh/life-physical-and-social-science/agricultural-and-food-scientists.htm> (visited June 26, 2021).

Yes. The Food Technology Certificate may be a stackable credential. Students may apply the credits to the Professional Science Master's (M.S.).

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
DS OR DS	722  731	Advanced Dairy & Food Microbiology (3 cr.) Laboratory Techniques in Dairy Science (3 cr.)	None None	3	No
FS	500	Food Chemistry and Analysis	None	5	No
FS	500L	Food Chemistry and Analysis Lab	None	0	No
FS	551	New Food Product Development	None	4	No
FS	551L	New Food Product Development Lab	None	0	No
Subtotal				12	

**8. Student Outcome and Demonstration of Individual Achievement.**

*Board Policy 2:23 requires certificate programs to “have specifically defined student learning outcomes.*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students in the Food Technology certificate will develop:

- Understanding of advanced Food Technology methods.
- Expertise in basic Food Chemistry.
- Expertise in principles of product development

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

Individual Student Outcomes	Program Courses that Address the Outcomes			
	DS 722	DS 731	FS 500/L	FS 551/L
Develop an understanding of advanced Food Technology methods.	X	X		
Develop expertise in basic Food Chemistry.			X	
Develop expertise in principles of product development.				X

**9. Delivery Location.**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	Yes	015 - Internet Asynchronous– Term Based Instruction 018 - Internet Synchronous	2022-2023 Academic Year
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

**B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)? This question responds to HLC definitions for distance delivery.**

	Yes/No	If Yes, identify delivery methods	Intended Start Date
Distance Delivery (online/other distance delivery methods)	No		



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	SDSU
<b>TITLE OF PROPOSED CERTIFICATE:</b>	Geographic Information Sciences
<b>INTENDED DATE OF IMPLEMENTATION:</b>	2022-2023 Academic Year
<b>PROPOSED CIP CODE:</b>	45.0702
<b>UNIVERSITY DEPARTMENT:</b>	Geography & Geospatial Sciences
<b>BANNER DEPARTMENT CODE:</b>	SGGS
<b>UNIVERSITY DIVISION:</b>	Natural Sciences
<b>BANNER DIVISION CODE:</b>	3T

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature

*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate Geographic Information Sciences (GISc) Certificate. This request is in response to students' needs, market demands, and an ever-changing society. The certificate in Geographic Information Sciences will prepare students to utilize their knowledge of geographic applications, and various geospatial technologies to meet the challenges of today's society. The program includes the necessary courses to prepare the graduate to function in geographic information science and allows students to develop their knowledge and skills in this area. The certificate targets people seeking a different level of learning outside of a traditional degree format, although any student can obtain the certificate to bolster their resume.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree.

New resources are not needed for this graduate certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver an undergraduate major and graduate-level specialization in Geographic Information Sciences.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential.**

Many projections from government agencies and market research firms alike point toward considerable growth of the geospatial technology industry as well as growth in GIS-related employment sectors and fields. According to the Global Geospatial Solutions Market report by Marqual IT Solutions Pvt. Ltd (KBV Research), the market for geospatial solutions will reach \$549.1 billion by 2025, with a market growth rate of 15.6% between 2019 to 2025.<sup>1</sup> Likewise, P&S Market Research estimates a compound annual growth rate of 12.1% from 2020 to 2030 for the global GIS market.<sup>2</sup>

According to the *CareerOneStop*, sponsored by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), jobs in the field of cartography and photogrammetry are expected to grow by approximately 13% between 2018 and 2028. With a median salary over \$68,380, employment in jobs related to cartography and photogrammetry are excellent opportunities for recent university graduates who have GIS experience and specialization.<sup>3</sup>

In the last five years, many state agencies have incorporated geospatial technologies and have created new positions for GISc analysts, technicians, programmers and managers. Some South Dakota agencies that employ persons with GISc training include the Department of Game, Fish and Parks, Department of Transportation, Department of Environment and Natural Resources, and Department of Public Safety to name a few. In addition, Native American tribal governments, city planning departments, and regional planning agencies have created new positions for GISc specialists. Increasingly, there is a demand for GISc professionals in private industry within South Dakota. Surveying and engineering firms throughout the state routinely hire GISc professionals. USGS - EROS employs persons with remote sensing skills. A certificate in Geographic Information Sciences will provide advanced training for individuals working in public and private industries throughout the state of South Dakota, the region and the United States.

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

---

<sup>1</sup> [https://www.reportlinker.com/p05823326/Global-Geospatial-Solutions-Market.html?utm\\_source=GNW](https://www.reportlinker.com/p05823326/Global-Geospatial-Solutions-Market.html?utm_source=GNW) (visited January 5, 2021).

<sup>2</sup> P&S Marketing Research, on the internet at <https://www.psmarketresearch.com/press-release/global-geographic-information-system-market> (visited January 5, 2021).

<sup>3</sup> U.S. Department of Labor Employment and Training Administration. CareerOneStop, <https://www.careeronestop.org/Toolkit/StateAndLocal/ProjectedEmployment.aspx?soccode=171021&location=South%20dakota> (visited July 1, 2021).

The University anticipates students enrolling to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that program. In addition, the certificate will benefit students in data science, natural resource management, and computer science.

## 6. Certificate Design

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. The proposed certificate is designed as a stand-alone credential option for students. The program includes the necessary courses to prepare the graduate to function in geographic information science and allows students to develop their knowledge and skills in this area.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be data science, natural resource management, and computer science.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

Yes. The Geographic Information Sciences Certificate has been designed as a stackable credential that the credits will apply towards the Professional Science (M.S.).

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
GEOG	573-573L	GIS: Data Creation and Integration & Lab	None	3, 0	No
GEOG	574-574L	GIS: Vector & Raster Modeling & Lab	None	3, 0	No
Select two of the following:				6	
GEOG	515	Environmental Geography and Sustainability	None	3	No
GEOG	554	Sustainable Communities	None	3	No
GEOG	575-575L	GIS Applications & Lab	None	3, 0	No
GEOG	583-583L	Aerial Remote Sensing & Lab	None	3, 0	No



Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
GEOG	584-584L	Remote Sensing & Lab	None	3, 0	No
GEOG	585-585L	Quantitative Remote Sensing & Lab	None	3, 0	No
GEOG	768	Global Climate Change	None	3	No
GEOG	786	Geographic Information Systems	None	3	No
Subtotal				12	

## 8. Student Outcome and Demonstration of Individual Achievement.

*Board Policy 2:23 requires certificate programs to “have specifically defined student learning outcomes.”*

### A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?

Students in the Geographic Information Science certificate will:

- Understand the fundamental theory of Geographic Information Science (GISc).
- Become proficient in the use of GISc tools to conduct spatial analyses and build maps that are fit-for-purpose and effectively convey the information they are intended to.
- Apply and interpret fundamental geospatial analyses and visualization techniques.
- Identify and critically analyze patterns of human-environment interactions, including perception, distribution and use of natural resources.
- Demonstrate the ability to work independently and as part of a team.

### B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.

Individual Student Outcomes	Program Courses that Address the Outcomes									
	Required Coursework		Electives							
	GEOG 573	GEOG 574	GEOG 515	GEOG 554	GEOG 575	GEOG 583	GEOG 584	GEOG 585	GEOG 768	GEOG 786
Understand the fundamental theory of Geographic Information Science (GISc).	X	X			X	X	X	X	X	X
Become proficient in the use of GISc tools to conduct spatial analyses and build maps that are fit-for-purpose and effectively convey the information they are intended to.	X	X			X	X	X	X	X	X
Apply and interpret fundamental geospatial analyses and visualization techniques.	X	X			X	X	X	X	X	X
Identify and critically analyze patterns of human-environment interactions, including perception, distribution and use of natural resources.			X	X			X	X		

	Program Courses that Address the Outcomes									
	Required Coursework		Electives							
	GEOG 573	GEOG 574	GEOG 515	GEOG 554	GEOG 575	GEOG 583	GEOG 584	GEOG 585	GEOG 768	GEOG 786
Individual Student Outcomes										
Demonstrate the ability to work independently and as part of a team.	X	X	X	X	X	X	X	X	X	X

## 9. Delivery Location.

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

- A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	Yes	015 - Internet Asynchronous— Term Based Instruction 018 - Internet Synchronous	2022-2023 Academic Year
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

- B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)? This question responds to HLC definitions for distance delivery.**

	Yes/No	If Yes, identify delivery methods	Intended Start Date
Distance Delivery (online/other distance delivery methods)	No		



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	<b>SDSU</b>
<b>TITLE OF PROPOSED CERTIFICATE:</b>	<b>Precision Agriculture</b>
<b>INTENDED DATE OF IMPLEMENTATION:</b>	<b>2022-2023 Academic Year</b>
<b>PROPOSED CIP CODE:</b>	<b>01.0301</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>Precision Agriculture</b>
<b>BANNER DEPARTMENT CODE:</b>	<b>SPAG</b>
<b>UNIVERSITY DIVISION:</b>	<b>Agriculture, Food &amp; Environmental Sciences</b>
<b>BANNER DIVISION CODE:</b>	<b>3F</b>

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature  
*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate certificate in Precision Agriculture. The proposed Precision Agriculture Certificate will provide knowledge and practical experience for students to have an advanced experience with precision farming and its protocols. Individuals that complete this certificate will be well prepared to advance in their career paths in the modern agricultural industry that utilizes advanced precision technology. Additional electives are available for those that wish to pursue this field further.

The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that degree.

SDSU does not request new state resources for the proposed certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver a B.S. in Precision Agriculture.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential. *For workforce related information, please provide data and examples. Data may include, but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc. Please cite any sources in a footnote.***

Agriculture is experiencing a fast-paced evolution as technology continues to develop. Precision agriculture has emerged with an array of new and exciting – and increasingly high-tech – tools. The integration of computer technology with farm equipment, farm sensors, GPS navigation, satellite imagery and drone imagery are quickly revolutionizing agricultural production. While this revolutionary evolution is creating new opportunities within the agricultural industry, it is also generating a need for college graduates, pertinent and applicable research, and Extension expertise related to precision agriculture. SDSU is addressing this change in needs by leading the nation with its B.S. program in Precision Agriculture.

Given the strong interest in advanced agricultural practices utilizing precision techniques, individuals with the type of training provided by this certificate program will be in high demand. Individuals may currently be in or pursuing careers in agronomy, agribusiness organizations, ranch management, geographic information science, geography, Game, Fish and Parks (GFP), Bureau of Land Management (BLM), environmental non-government organizations (NGOs), or sustainability. According to the Bureau of Labor Statistics, those with master's degrees, specialized subject matter expertise, and experience with technologies such as Geographic Information Systems, typically used in Precision Agriculture, will have the best job prospects.<sup>1</sup> Further, employment prospects for soil and plant scientists are expected to increase by 7% during the period 2019-2029.<sup>2</sup> In response to need for increased efficiency of agricultural production systems and reduction of environmental damage, agricultural engineers are expected to be in demand, specifically for precision and automated farming technologies.<sup>3</sup>

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The University anticipates students enrolling to be undergraduates continuing onto a graduate degree and those already employed (new or returning to the university). The graduate certificate is designed to be either a stand-alone, value-added, or stacked credential. The certificate stacks to the M.S. in Professional Science, one of seven proposed certificates that would stack to that program. Students with a bachelor's degree, but with work experience in the field will particularly benefit from this program. In addition, the certificate will benefit

---

<sup>1</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Geographers <https://www.bls.gov/ooh/life-physical-and-social-science/geographers.htm#tab-6> (Accessed 1 July 2021)

<sup>2</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural and Food Scientists <https://www.bls.gov/ooh/life-physical-and-social-science/agricultural-and-food-scientists.htm#tab-6> (Accessed 1 July 2021)

<sup>3</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Agricultural Engineers <https://www.bls.gov/ooh/architecture-and-engineering/agricultural-engineers.htm#tab-6> (Accessed 1 July 2021)

students in agronomy, agricultural and biosystems engineering, animal science, dairy science, geographic information science, geography, and natural resource management.

## 6. Certificate Design

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. Students may pursue the certificate as a stand-alone credential. As a stand-alone program the certificate will provide advanced experience with precision farming and its protocols. Individuals complete this certificate will be well prepared to advance in their career paths in the modern agricultural industry that utilizes advanced precision technology.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. The disciplines most likely to benefit would be agronomy, agricultural and biosystems engineering, animal science, dairy science, geographic information science, geography and natural resource management.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

Yes. The Precision Agriculture Certificate may be a stackable credential. Students may apply the credits to the Professional Science (M.S.).

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
GEOG	573-573L	GIS Data Creation/Integration	None	3, 0	No
GEOG	575-575L	GIS Applications and Lab	None	3, 0	No
PRAG	510-510L	Soil Geography and Land Use Interpretation	None	2, 1	No
PRAG	523	Soil Fertility and Plant Nutrient Management	None	3	No
Subtotal				12	

## 8. Student Outcome and Demonstration of Individual Achievement.

*Board Policy 2:23 requires certificate programs to "have specifically defined student learning outcomes.*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students in the Precision Agriculture certificate will:

- Develop understanding of soil and its use.
- Develop an understanding of precision nutrient management.
- Demonstrate an understanding of GIS data.
- Develop mastery of management through precision farming.
- Develop understanding of GIS applications for precision farming.

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

Individual Student Outcomes	Program Courses that Address the Outcomes			
	GEOG 573-573L	GEOG 575-575L	PRAG 510-510L	PRAG 523
Develop understanding of soil and its use.			X	
Develop an understanding of precision nutrient management.				X
Demonstrate an understanding of GIS data.	X			
Develop mastery of management through precision farming.			X	X
Develop understanding of GIS applications for precision farming.		X		

**9. Delivery Location.**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	Yes	015 - Internet Asynchronous— Term Based Instruction 018 - Internet Synchronous	2022-2023 Academic Year
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

- B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)?** *This question responds to HLC definitions for distance delivery.*

	Yes/No	If Yes, identify delivery methods	Intended Start Date
<b>Distance Delivery (online/other distance delivery methods)</b>	No		





## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Certificate

<b>UNIVERSITY:</b>	<b>SDSU</b>
<b>TITLE OF PROPOSED CERTIFICATE:</b>	<b>Professional Management</b>
<b>INTENDED DATE OF IMPLEMENTATION:</b>	<b>2022-2023 Academic Year</b>
<b>PROPOSED CIP CODE:</b>	<b>52.1301</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>Ness School of Management &amp; Economics</b>
<b>BANNER DEPARTMENT CODE:</b>	<b>SSME</b>
<b>UNIVERSITY DIVISION:</b>	<b>Arts, Humanities &amp; Social Sciences</b>
<b>BANNER DIVISION CODE:</b>	<b>3S</b>

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2.7](#), which pertains to new certificate requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

Institutional Approval Signature  
*President or Chief Academic Officer of the University*

11/17/2021

Date

#### 1. Is this a graduate-level certificate or undergraduate-level certificate?

Undergraduate Certificate ☐

Graduate Certificate ☒

#### 2. What is the nature/ purpose of the proposed certificate? Please include a brief (1-2 sentence) description of the academic field in this certificate.

South Dakota State University (SDSU) requests authorization to offer a graduate Professional Management Certificate. The proposed graduate certificate in Professional Management will provide students with foundational economics, management, and financial skills to aid in advanced business decisions. It is designed to be a stand-alone, value-added, or stacked credential. This certificate will deliver essential management tools that will provide the core for the Professional Science (M.S.). In addition, graduate students in science related majors across campus, including in particular students in the College of Agriculture, Food and Environmental Sciences, will benefit from the certificate. For instance, students in the newly implemented DVM program in collaboration with the University of Minnesota would benefit immensely by adding the Professional Management certificate to their program as many veterinarians end up being small business owners. Graduate students in other areas, such as

animal science, plant science, and dairy science will also benefit by adding the Professional Management Certificate.

SDSU does not request new state resources for the proposed certificate.

**3. If you do not have a major in this field, explain how the proposed certificate relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.**

SDSU is currently authorized to deliver programs in Economics (B.A, B.S., M.S.), Business Economics (B.A, B.S.), Agricultural Business (B.S.), and Entrepreneurial Studies (B.A, B.S.).

The Professional Management Certificate supports the mission of SDSU as provided in SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing and pharmacy, and other courses or programs as the Board of Regents may determine.*

The proposed certificate also supports the goals stated in the South Dakota Board of Regents Strategic Plan 2014-2020:

*Goal 1 – Student Success*

- Increase total graduate degrees awarded.

*Goal 2 – Academic Quality and Performance*

- Continue to approve new graduate programs.
- Grow the number of students participating in experiential learning.
- Develop and grow high-quality and distinct academic programs to meet the needs of diverse students and market demands.

In addition, this graduate certificate aligns with the SDSU's Imagine 2023 strategic plan<sup>1</sup> by offering a student-centered education. Specifically, the courses and certificate will contribute to the attainment of *Strategic Goal 1 – Excellence through Transformative Education*. This will be a distinct and high-quality academic program designed to meet student and market demand.

**4. Provide a justification for the certificate program, including the potential benefits to students and potential workforce demand for those who graduate with the credential.**

The Professional Management Certificate will deliver essential management tools in the areas of management, economics, finance, accounting, agricultural economics, entrepreneurial studies, and marketing. The 12-credit certificate in Professional Management will benefit those entering or already in the workforce. Many prospective students who would be attracted to this program would already be employed and benefit their career trajectories by obtaining this type of education. Graduates will be able to strengthen their skills as a leader and decision-maker within their company.

---

<sup>1</sup> <https://www.sdstate.edu/imagine-2023-aspire-discover-achieve>

Given the strong interest in advanced agricultural practices utilizing precision techniques, individuals with the type of training provided by this certificate program will be in high demand. The management skills gained through the Professional Management Certificate, when combined with any of our agriculture-related M.S. programs, will prepare students well for management positions in an Agricultural or Food Sciences company, with a job growth outlook of 6% annually according to the US Bureau of Labor Statistics Occupational Handbook.<sup>2</sup> Other examples of management positions in specialized fields include Natural Science Managers (5% job growth outlook)<sup>2</sup>, Computer and Information Systems Managers (10% job growth outlook)<sup>3</sup>, Architectural and Engineering Managers (3% job growth outlook)<sup>4</sup>, and Environmental Scientist and Specialists (8% job growth outlook)<sup>5</sup>.

**5. Who is the intended audience for the certificate program (including but not limited to the majors/degree programs from which students are expected)?**

The Professional Management Certificate is designed to be a stand-alone, value-added, or stacked credential. The proposed certificate will provide the core for the Professional Science (M.S.). Graduate students in other areas, such as animal science, plant science, and dairy science will also benefit by adding the professional management credentials.

**6. Certificate Design**

**A. Is the certificate designed as a stand-alone education credential option for students not seeking additional credentials (i.e., a bachelor's or master's degree)? If so, what areas of high workforce demand or specialized body of knowledge will be addressed through this certificate?**

Yes. Students may pursue the certificate as a stand-alone credential. The certificate will provide training in key areas of management applicable to any profession. According to the U.S. Bureau of Labor Statistics Occupational Handbook, employment in management occupations is expected to grow by 5% from 2019-2029, faster than the average for all occupations.<sup>2</sup> "Management" occupations in a wide range of fields are listed, from traditional business manager (financial managers and advertising, promotion, and marketing managers) to managers in specialized fields, such as natural science managers and architectural managers. As such, higher level management skills will provide a beneficial complement to many M.S. programs across the SDSU campus or to any working professional looking to add some higher-level management skills to their existing portfolio.

**B. Is the certificate a value-added credential that supplements a student's major field of study? If so, list the majors/programs from which students would most benefit from**

---

<sup>2</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Natural Sciences Managers, at <https://www.bls.gov/ooh/management/natural-sciences-managers.htm> (visited June 25, 2021).

<sup>3</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Computer and Information Systems Managers, at <https://www.bls.gov/ooh/management/computer-and-information-systems-managers.htm> (visited June 29, 2021).

<sup>4</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Architectural and Engineering Managers, at <https://www.bls.gov/ooh/management/architectural-and-engineering-managers.htm> (visited June 29, 2021).

<sup>5</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Environmental Scientists and Specialists, at <https://www.bls.gov/ooh/life-physical-and-social-science/environmental-scientists-and-specialists.htm> (visited June 29, 2021).

**adding the certificate.**

Yes. The certificate is intended to supplement a SDSU graduate education. Graduate students in science related majors across campus, including in particular students in the College of Agriculture, Food and Environmental Sciences, will benefit from the certificate. For instance, students in the newly implemented DVM program in collaboration with the University of Minnesota would benefit immensely by adding the Professional Management certificate to their program as many veterinarians end up being small business owners. Graduate students in other areas, such as animal science, plant science, and dairy science will also benefit by adding the Professional Management credentials. Students in many other disciplines across campus may find value as well.

**C. Is the certificate a stackable credential with credits that apply to a higher-level credential (i.e., associate, bachelor's, or master's degree)? If so, indicate the program(s) to which the certificate stacks and the number of credits from the certificate that can be applied to the program.**

Yes. This certificate will deliver essential management tools that will provide the core for the Professional Science (M.S.). This certificate will include 12-credits (six required credits and six elective credits) in the areas of Management, Economics, Finance, Accounting, Agricultural Economics, Entrepreneurial Studies, and Marketing.

**7. List the courses required for completion of the certificate in the table below (if any new courses are proposed for the certificate, please attach the new course requests to this form).**

Prefix	Number	Course Title	Prerequisites for Course	Credit Hours	New (yes, no)
ECON/ MGMT	751	Advanced Managerial Economics	None	3	No
ECON/ FIN OR ECON/ ACCT	753 592	Financial Management (3 cr.) Topics (Budgeting) (3 cr.)	None None	3	No
Select two of the following:				6	
AGEC	571	Advanced Farm & Ranch Management	None	3	No
AGEC/ ECON	572	Resource and Environmental Economics	None	3	No
AGEC/ ECON/ ENTR/ FIN/ MGMT/ MKTG	592 or 792	Topics	None	1-4	No
DSCI/ ECON	752	Advanced Business Decisions Science	None	3	No
ECON/ FIN	753	Financial Management ( <i>if not used above</i> )	None	3	No
OM	563	Supply Chain Management	None	3	No
Subtotal				12	

**8. Student Outcome and Demonstration of Individual Achievement.**

*Board Policy 2:23 requires certificate programs to “have specifically defined student learning outcomes.*

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?**

Students in the Professional Management Certificate will be able to:

- Design, analyze, and evaluate management strategies using economic and management theories.
- Use financial and accounting concepts and theories in management decision making.
- Apply economics and management theories and tools to a range of specialties.

**B. Complete the table below to list specific learning outcomes – knowledge and competencies – for courses in the proposed program in each row.**

	Program Courses that Address the Outcomes							
Individual Student Outcome	ECON/ MGMT 751	ECON/ FIN 753	ECON/ ACCT 592/792	ECON/ DSCI 752	AGEC/ ECON/ ENTR/ FIN/ MGMT/ MKTG 592/792	AGEC 571	AGEC/ ECON 572	OM 563
Students will be to able design, analyze, and evaluate management strategies using economic and management theories.	X							
Students will be able to use financial and accounting concepts and theories in management decision making.		X	X					
Students will be able to apply economics and management theories and tools to a range of specialties.				X	X	X	X	X

**9. Delivery Location.**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off-campus location (e.g., UC Sioux Falls, Capital University Center, Black Hills State University-Rapid City, etc.) or deliver the entire program through distance technology (e.g., as an online program)?**

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	<i>If Yes, identify delivery methods</i> <i>Delivery methods are defined in <a href="#">AAC</a> <a href="#">Guideline 5.5.</a></i>	<i>Intended Start Date</i>
<b>Distance Delivery (online/other distance delivery methods)</b>	Yes	015 - Internet Asynchronous– Term Based Instruction 018 - Internet Synchronous	<b>2022-2023 Academic Year</b>
<b>Does another BOR institution already have authorization to offer the program online?</b>	No	<b>If yes, identify institutions:</b>	

**B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the certificate through distance learning (e.g., as an online program)?** *This question responds to HLC definitions for distance delivery.*

	Yes/No	<i>If Yes, identify delivery methods</i>	<i>Intended Start Date</i>
<b>Distance Delivery (online/other distance delivery methods)</b>	No		

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 8 – C**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

**SUBJECT**

**New Program – SDSU – MS in Nutrition and Dietetics**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:23](#) – Program and Curriculum Approval

[BOR Policy 2:1](#) – External Review of Proposed Graduate Programs

**BACKGROUND / DISCUSSION**

South Dakota State University (SDSU) requests permission to offer a Master of Science (MS) program in Nutrition and Dietetics. The MS in Nutrition and Dietetics would meet new credentialing requirements to become a Registered Dietitian Nutritionist (RDN). A RDN is a nutrition counselor who can provide medical nutrition therapy and nutrition education as well as foodservice operations. Starting in January 2024, RDN candidates must have completed a master's degree and an Accreditation for Education of Nutrition and Dietetics (ACEND) accredited supervised practice experience. The MS in Nutrition and Dietetics would be an accelerated program with the BS in Nutrition and Dietetics, and it would allow students to complete the undergraduate prerequisites, graduate program, and competency-based experience in five years.

Potential employment settings for an RDN are numerous and include hospitals, health promotion programs, nursing homes, public health agencies, industries, schools, universities, the armed services and state, and national and international organization. RDNs may also be involved in sports nutrition and corporate wellness or research.

The proposed graduate program will replace SDSU's accredited Nutrition and Dietetics Internship. SDSU requests that the Nutrition and Dietetics Internship fee that is currently being assessed to support the current dietetics internship be moved to the accelerated MS in Nutrition and Dietetics program. This fee is needed to fund the program coordinator and two additional half time clinical instructors to mentor the students during the supervised experiential learning required in the Nutrition and Dietetics (MS).

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211208\_8-C:**

I move to authorize SDSU to offer the MS in Nutrition and Dietetics and approve the requested internship fee, as presented.



The intent to plan for this program was approved in [March 2021](#). Per BOR Policy 2:1, an external review of the program was waived by the executive director since there will be a review of the program by the accrediting body.

#### **IMPACT AND RECOMMENDATION**

SDSU plans to offer the MS in Nutrition and Dietetics on campus. SDSU does not require new state resources. One new course is required for the program. Board office staff recommends approval of the program.

#### **ATTACHMENTS**

Attachment I – New Program Request: SDSU – MS in Nutrition and Dietetics

Attachment II – October 29 BOR Correspondence to SDSU



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Graduate Degree Program

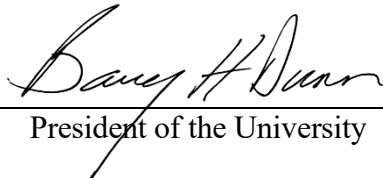
<b>UNIVERSITY:</b>	SDSU
<b>PROPOSED GRADUATE PROGRAM:</b>	Nutrition and Dietetics (M.S.)
<b>EXISTING OR NEW MAJOR(S):</b>	Existing
<b>DEGREE:</b>	Master of Science (M.S.)
<b>EXISTING OR NEW DEGREE(S):</b>	Existing
<b>INTENDED DATE OF IMPLEMENTATION:</b>	2022-2023 Academic Year
<b>PROPOSED CIP CODE:</b>	51.3101
<b>SPECIALIZATIONS:</b>	N/A
<b>IS A SPECIALIZATION REQUIRED (Y/N):</b>	No
<b>DATE OF INTENT TO PLAN APPROVAL:</b>	3/30/2021
<b>UNIVERSITY DEPARTMENT:</b>	School of Health and Consumer Sciences
<b>BANNER DEPARTMENT CODE:</b>	SHCS
<b>UNIVERSITY DIVISION:</b>	Education & Human Sciences
<b>BANNER DIVISION CODE:</b>	3H

☒ **Please check this box to confirm that:**

- The individual preparing this request has read [AAC Guideline 2:10](#), which pertains to new graduate degree program requests, and that this request meets the requirements outlined in the guidelines.
- This request will not be posted to the university website for review of the Academic Affairs Committee until it is approved by the Executive Director and Chief Academic Officer.

#### University Approval

*To the Board of Regents and the Executive Director: I certify that I have read this proposal, that I believe it to be accurate, and that it has been evaluated and approved as provided by university policy.*

  
\_\_\_\_\_  
President of the University

10/14/2021

Date

**1. What is the nature/purpose of the proposed program? Please include a brief (1-2 sentence) description of the academic field in this program.**

South Dakota State University (SDSU) requests authorization to offer an accelerated Master of Science in Nutrition and Dietetics to replace the current accredited Nutrition and Dietetics Internship (NDI) and meet the credentialing requirement for the graduate to be eligible to take the registration examination for Registered Dietitian Nutritionist. The accelerated M.S. in Nutrition and Dietetics is being developed to meet new credentialing requirements by Accreditation Council for Education of Nutrition and Dietetics (ACEND) to become a Registered Dietitian Nutritionist (RDN). The supervised practice experience, which is required to become credentialed and is currently being offered through the Nutrition and Dietetics Internship, will be incorporated into the new accelerated M.S. in Nutrition and Dietetics

request in this proposal.

Beginning January 2024, the minimum degree requirement for eligibility to take the registration examination to become a registered dietitian nutritionist will change from a bachelor's degree to a graduate degree. RDN candidates will be required to complete a master's degree and an Accreditation Council for Education of Nutrition and Dietetics (ACEND) accredited supervised practice experience.<sup>1</sup> The Commission on Dietetic Registration based the decision to change the minimum degree requirement for registration examination eligibility<sup>2</sup> on the recommendations of the Council on Future Practice Visioning Report.<sup>3</sup> Almost all other health care professions have increased entry-level educational standards beyond bachelor's degrees. Elevating the entry-level Registered Dietitian Nutritionist education to a graduate level is consistent with the knowledge, skills, and research base required in the field of nutrition and dietetics. The proposed program is being developed to meet the Future Education Model standards<sup>4</sup> from ACEND providing the competency based supervised practice experiences and a graduate degree simultaneously.

SDSU currently offers a B.S. in Nutrition and Dietetics, M.S. in Dietetics, M.S. in Nutrition and Exercise Sciences with specializations in Nutritional Sciences or Exercise Science, and an ACEND accredited Nutrition and Dietetics Internship (NDI). With approval of the new accelerated M.S. in Nutrition and Dietetics, the NDI will be phased out. The new accelerated M.S. in Nutrition and Dietetics will be the path for students who are choosing to become registered dietitian nutritionist.

The new M.S. in Nutrition and Dietetics graduate program will address ACEND standards and be an accelerated pathway combined with the B.S. in Nutrition and Dietetics for students to become a credentialed professional for practice. Students will start the program at the beginning of their junior year and complete the B.S., M.S., and ACEND competencies requirements. The ACEND competency requirements are in years 3 (D1), 4 (D2) and 5 (D3). All the courses in the program are linked to ACEND competency requirements. This curriculum must be approved by ACEND to become an ACEND accredited program.

A new program request is necessary. Neither the M.S. in Dietetics nor the M.S. in Nutrition and Exercise Sciences – Nutritional Sciences Specialization can be modified sufficiently to fit all the ACEND competency requirements. The M.S. in Dietetics is a Great Plains IDEA consortium graduate degree for the RDN professional, and the student must already hold the RDN credential. The current M.S. in Nutrition and Exercise Sciences – Nutritional Sciences Specialization is a typical graduate degree that prepares students to understand the research process for preparation for a terminal degree. This program is not limited to those who already have an RDN credential and is a pathway for the non-registered dietitian student to gain greater scientific knowledge in nutrition and experience in research for pursuit of a PhD.

## **2. How does the proposed program relate to the university's mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020?**

The M.S. in Nutrition and Dietetics will support the statutory mission of South Dakota State

<sup>1</sup> <https://www.cdrnet.org/graduatedegree>

<sup>2</sup> [https://www.eatrightpro.org/-/media/eatrightpro-files/leadership/hod/resources/cfp\\_visioning\\_report\\_and\\_consensus\\_aggreement\\_december\\_2013.pdf](https://www.eatrightpro.org/-/media/eatrightpro-files/leadership/hod/resources/cfp_visioning_report_and_consensus_aggreement_december_2013.pdf)

<sup>3</sup> <https://www.cdrnet.org/gradegreewhy>

<sup>4</sup> <https://www.eatrightpro.org/acend/accreditation-standards-fees-and-policies/future-education-model>

University as provided by SDCL 13-58-1: *Designated as South Dakota's land grant university, South Dakota State University, formerly the state college of agriculture and mechanical arts, shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in the liberal arts and sciences and professional education in agriculture, education, engineering, home economics, nursing, and pharmacy, and other courses or programs as the Board of Regents may determine.*

This program is aligned with SDSU's strategic plan to “*achieve excellence through transformative education by developing and growing high-quality and distinct academic programs designed to meet the needs of diverse students and market demands.*”

This request is also aligned with the Board of Regents Strategic Plan 2014-2020 Goal 2 “Academic Quality and Performance” to increase number of new graduate programs and grow the number students participating in experiential learning. This requested program will be accredited and includes substantial experiential learning. The accelerated M.S. in Nutrition and Dietetics supports SDBOR Goal 4 of “Affordability and Accountability.” The graduates of the proposed program will obtain the required experiential experiences, didactic components that meet both the undergraduate and graduate requirements in five years. Without this program students could take six to seven years to be eligible for the RDN examination (four years B.S., one to two years for M.S., and one year for the required 1200 hours of supervised practice).

**3. Describe the workforce demand for graduates of the program, including national demand and demand within South Dakota. Provide data and examples; data sources may include but are not limited to the South Dakota Department of Labor, the US Bureau of Labor Statistics, Regental system dashboards, etc. Please cite any sources in a footnote.**

To practice therapeutic nutrition in the state of South Dakota, one must be a licensed nutritionist<sup>5</sup>. The path to becoming a licensed nutritionist is to obtain the RDN credential. To become an RDN, candidates complete ACEND accredited programs. By January 1, 2024, the candidate must also have a graduate degree. The proposed accelerated M.S. in Nutrition and Dietetics will meet the requirements of a graduate degree and ACEND competencies, allowing the candidates to be eligible to take the RDN examination. SDSU is currently the only ACEND accredited nutrition program in the state of South Dakota.<sup>6</sup> SDSU graduates 15 RDN's from the current Nutrition and Dietetics Internship per year. All graduates have employment requiring the RDN credential.

Registered Dietitian Nutritionists work in a wide variety of settings, including<sup>7</sup>:

- Hospitals, clinics, or other health-care facilities, educating patients about nutrition and administering medical nutrition therapy as part of the health-care team. They may also manage the foodservice operations in these settings, or schools, daycare centers or correctional facilities, overseeing everything from food purchasing and preparation to managing staff.
- Sports nutrition and corporate wellness programs, educating clients about the connection between food, fitness, and health.
- Food and nutrition-related business and industries, working in communications, consumer affairs, public relations, marketing, product development or consulting with chefs in

<sup>5</sup> [https://sdlegislature.gov/Statutes/Codified\\_Laws/2059940](https://sdlegislature.gov/Statutes/Codified_Laws/2059940)

<sup>6</sup> <https://www.eatrightpro.org/acend/accredited-programs/accredited-programs-directory>

<sup>7</sup> <https://www.eatrightpro.org/-/media/eatrightpro-files/acend/rdn-factsheet.pdf?la=en&hash=AE2D56CEDFD3287A83DEB807A2B6D5AF96B9FD94>

restaurants and culinary schools.

- Private practice, working under contract with healthcare or food companies, or in their own business. RDNs work with foodservice or restaurant managers, food vendors and distributors, athletes, nursing home residents or company employees.
- Community and public health settings, teaching, monitoring, and advising the public and helping improve quality of life through healthy eating habits.
- Universities and medical centers, teaching physician's assistants, nurses, dietetics students, dentists, and others about the science of food and nutrition.
- Research areas in food and pharmaceutical companies, universities and hospitals directing or conducting experiments to answer critical nutrition questions and find alternative foods or nutrition recommendations for the public.

The U.S Bureau of Labor Statistics predicts the job outlook for Dietitians and Nutritionists from 2019-2029 to grow by 8%, much faster than the average of all occupations.<sup>8</sup> This increased need is also predicted for SD. The workforce demand for RDN's in South Dakota is expected to increase by 7%.<sup>9</sup> Demand for the RDNs is expected to be strong particularly with the aging population.

#### 4. How will the proposed program benefit students?

This accelerated program is being developed to meet the new credentialing requirements (Future Education Model) to become a Registered Dietitian Nutritionist (RDN). In January 2024, RDN candidates must have completed a master's and an Accreditation Council for Education of Nutrition and Dietetics (ACEND) accredited supervised practice experience. The proposed program is being developed to meet the Future Education Model<sup>10</sup> standards from ACEND providing the competency based supervised practice experiences and a graduate degree. The standards can be accessed at <https://www.eatrightpro.org/-/media/eatrightpro-files/acend/futureeducationmodel/femgraduatefinal.pdf?la=en&hash=89123715A3E0E426F0A0CA960299FFEA06714FE5>.

The proposed M.S. in Nutrition and Dietetics will allow students to complete the undergraduate prerequisites, graduate program, and competency-based supervised practice experiences in five years (B.S. + M.S. in Nutrition & Dietetics); thus, meeting the requirements to become a credentialed professional for practice. This is a benefit to the students as they apply during the sophomore year and begin the program during the junior year. Students with previous degrees choosing to become eligible to become registered dietitians must apply and complete years 3 (D1), 4 (D2), and 5 (D3) of the program. Years 3, 4, and 5 (D1, D2, and D3) are developed to meet the required ACEND accredited competencies.

Another benefit of the program is that the supervised practice is imbedded into the didactic portion allowing better coordination with the didactic component and the supervised practice experiential learning component.

<sup>8</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook*, Dietitians and Nutritionists, on the Internet at <https://www.bls.gov/ooh/healthcare/dietitians-and-nutritionists.htm> (visited May 21, 2021)

<sup>9</sup> <https://doh.sd.gov/documents/Providers/RuralHealth/2017WorkforceReport.pdf>

<sup>10</sup> <https://www.eatrightpro.org/acend/accreditation-standards-fees-and-policies/future-education-model>

## 5. Program Proposal Rationale:

### A. If a new degree is proposed, what is the rationale<sup>11</sup>

This is not a new degree.

### B. What is the rationale for the curriculum?

The accelerated M.S. in Nutrition and Dietetics has been proposed as a new program to meet the accreditation standards for the graduate degree requirement to become a registered dietitian. The students completing this degree will meet the requirements to be eligible to take the RDN examination to become a credentialed practitioner.

The proposed program is being developed to meet the Future Education Model standards<sup>12</sup> from ACEND providing the competency-based supervised practice experiences simultaneously with the didactic components and a graduate degree. Standard 4: Curriculum and Learning Activities indicates the competencies must be the basis on which the program's curriculum is built. Demonstration of competence must be integrated in the coursework and supervised experiential learning activities throughout the program. The required elements of the program are listed below, and the program competencies and performance indicators are outlined in question 6.

#### Required Elements

##### 4.1 The Curriculum Map template must be used to document:

- a. Each competency (see Question 6).
- b. Performance indicators (see Question 6) for each competency on which summative assessment occurs in the curriculum.
- c. Course(s) (including supervised experiential learning) in which summative assessment of performance indicators will occur.
- d. How the curriculum:
  1. is sequentially and logically organized,
  2. progresses from introductory to more advanced learning experiences and
  3. builds on previous knowledge, skills and experience to achieve the expected depth and breadth of competence by completion of the program.

##### 4.2 The program's curriculum must provide learning experiences to attain the breadth and depth of the required curriculum competencies. Syllabi for courses (including those with supervised experiential learning) taught within the academic unit must include the relevant competencies.

- a. Learning experiences must prepare students for professional practice with clients/patients with various conditions, including, but not limited to overweight and obesity; disordered eating; developmental, intellectual, behavioral health, neurological, and endocrine disorders; cancer; malnutrition; and cardiovascular, gastrointestinal and renal diseases.
- b. Learning experiences must prepare students to implement the Nutrition Care Process with various populations of diverse cultures, genders and across the life cycle including infants, children, adolescents, adults, pregnant/lactating females

<sup>11</sup> "New Degree" means new to the university. Thus if a campus has degree granting authority for a Ph.D. program and the request is for a new Ph.D. program, a new degree is not proposed.

<sup>12</sup> <https://www.eatrightpro.org/acend/accreditation-standards-fees-and-policies/future-education-model>

and older adults.

- c. Learning experiences must use a variety of educational approaches necessary for delivery of curriculum content to meet learner needs and competencies.

The program has been designed as an accelerated B.S. + M.S. in Nutrition and Dietetics that will provide students learning experiences to attain the breadth and depth of the required curriculum competencies. Students apply during the second semester of their sophomore year and are accepted by the school into the accelerated pathway at the beginning of junior year. Years 3 (D1), 4 (D2), and 5 (D3) are developed to meet the required ACEND accredited competencies. Based on the current program requirements, the program curriculum is designed to allow nine credits that will be applied to the undergraduate and graduate program. The specific courses that will count for undergraduate and graduate credit include NUTR 523 Medical Nutrition Therapy I (3 cr.), NUTR 525 Medical Nutrition Therapy II (3 cr.), and NUTR 560 Nutrigenomics and Molecular Nutrition (3 cr.). For financial aid purposes, students will remain classified as undergraduate students through year 4 until they graduate with their bachelor's degree. At the end of year 3 students will submit their Graduate School application to be accepted into the accelerated graduate program. The curriculum below outlines the graduate level courses only that are completed during years 4 (D2) and 5 (D3) of the accelerated program. To receive the verification statement to be eligible to take the registration examination, the students must complete the required courses in the B.S. in Nutrition and Dietetics and the graduate courses listed below to graduate with the master's degree. The curriculum is designed to be competency-based allowing students to meet the ACEND accredited competencies. For students who are accepted into the accelerated program but later change their minds, they can receive the B.S. in Nutrition and Dietetics upon completion of the coursework through year 4. These students will not be eligible to pursue the registered dietitian credential.

**C. Demonstrate/provide evidence that the curriculum is consistent with current national standards.** *Complete the tables below and explain any unusual aspects of the proposed curriculum?*

The curriculum will be consistent with ACEND standards. The faculty are aligning the curriculum to meet the ACEND accreditation standards. Two faculty who have been leading the recommended changes have attended a training offered by ACEND for development of curriculum to meet the accreditation standards.

**D. Summary of the degree program (complete the following tables):**

<b>M.S. in Nutrition and Dietetics</b>	<b>Credit Hours</b>	<b>Percent</b>
Required courses, all students	39	100%
Electives	0	0%
<b>Total Required for the Degree Total</b>	<b>39</b>	

**Required Courses (Option C- Coursework Only)**

<b>Prefix</b>	<b>Number</b>	<b>Course Title</b>	<b>Credit Hours</b>	<b>New (yes, no)</b>
NUTR	523 <sup>a</sup>	Medical Nutrition Therapy I	3	No
NUTR	525 <sup>a</sup>	Medical Nutrition Therapy II	3	No
NUTR	560	Nutrigenomics and Molecular Nutrition	3	No



Prefix	Number	Course Title	Credit Hours	New (yes, no)
NUTR	695 <sup>a</sup>	Practicum (repeated 2 times for 3 credits)	6	No
NUTR	708	Applied Research and Evidence Based Analysis	3	No
NUTR	712	Advanced Medical Nutrition Therapy	3	Yes
NUTR	715	Public Health Nutrition	3	No
NUTR	725	Nutrition and Human Performance	3	No
NUTR	794	Internship (Supervise Experiential Learning I, II, and III) (repeated 3 times for 4 credits)	12	No
		Subtotal	39	

<sup>a</sup> Practicum courses will be aligned with NUTR 523 Medical Nutrition Therapy I and NUTR 525 Medical Nutrition Therapy II to replace the laboratory component. Revised course requests for NUTR 523 and NUTR 525 will be submitted to remove the co-requisite lab. The practicum course will be repeated and provide the opportunities to demonstrate competency attainment that is being taught in the didactic courses.

## 6. Student Outcomes and Demonstration of Individual Achievement

**A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?** *The knowledge and competencies should be specific to the program and not routinely expected of all university graduates.*

The Nutrition and Dietetics program has been designed to meet the competencies and performance indicators outlined in Appendix A of the ACEND Accreditation Standards for Graduate Degree programs in Nutrition and Dietetics (FG) (Future Education Model). To view the complete list, Appendix A: Competencies and Performance Indicators may be found at: <https://www.eatrightpro.org/-/media/eatrightpro-files/acend/futureeducationmodel/femgraduatefinal.pdf?la=en&hash=89123715A3E0E426F0A0CA960299FFEA06714FE5>.

ACEND competencies are divided into seven units:

1. Foundational Knowledge: Applies foundational sciences to food and nutrition knowledge to meet the needs of individuals, groups, and organizations.
2. Client/Patient Services: Applies and integrates client/patient-centered principles and competent nutrition and dietetics practice to ensure positive outcomes.
3. Food Systems Management: Applies food systems principles and management skills to ensure safe and efficient delivery of food and water.
4. Community and Population Health Nutrition: Applies community and population nutrition health theories when providing support to community or population nutrition programs.
5. Leadership, Business, Management and Organization: Demonstrates leadership, business, and management principles to guide practice and achieve operational goals.
6. Critical Thinking, Research and Evidence-Informed Practice: Integrates evidence-informed practice, research principles and critical thinking into practice.
7. Core Professional Behaviors: Demonstrates professional behaviors and effective communication in all nutrition and dietetics interactions.

**South Dakota State University Nutrition and Dietetics Program (FG)**  
**ACEND Future Education Model Competency Assessment**

<b>Competency (level) - Knows (K), Shows (S), Does (D)</b>	<b>Program Courses that Address the Outcomes<sup>13</sup></b>
<b>1.1</b> Applies an understanding of environmental, molecular factors (e.g. genes, proteins, metabolites) and food in the development and management of disease. <b>(S)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 525 – Medical Nutrition Therapy II NUTR 560 – Nutrigenomics and Molecular Nutrition NUTR 708 – Applied Research and Evidence Based Analysis NUTR 715 – Public Health Nutrition
<b>1.2</b> Applies an understanding of anatomy, physiology, and biochemistry. <b>(S)</b>	NUTR 522 – Advanced Human Nutrition & Metabolism NUTR 523 – Medical Nutrition Therapy I NUTR 525 – Medical Nutrition Therapy II
<b>1.4</b> Integrates knowledge of chemistry and food science as it pertains to food and nutrition product development and when making modifications to food. <b>(S)</b>	NUTR 522 – Advanced Human Nutrition & Metabolism
<b>1.5</b> Applies knowledge of pathophysiology and nutritional biochemistry to physiology, health and disease. <b>(S)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 525 – Medical Nutrition Therapy II NUTR 695 – Practicum (Medical Nutrition Therapy I)
<b>1.6</b> Applies knowledge of social, psychological and environmental aspects of eating and food. <b>(S)</b>	NUTR 525 – Medical Nutrition Therapy II NUTR 695 – Community/Org Leadership Practicum II NUTR 715 – Public Health Nutrition
<b>1.7</b> Integrates the principles of cultural competence within own practice and when directing services. <b>(D)</b>	NUTR 695 – Community/Org Leadership Practicum II NUTR 794 – Supervise Experiential Learning I, II, and III
<b>1.8*</b> Applies knowledge of pharmacology to recommend, prescribe and administer medical nutrition therapy. <b>(S)</b>	NUTR 525 – Medical Nutrition Therapy II NUTR 712 – Advanced Medical Nutrition Therapy
<b>1.9*</b> Applies an understanding of the impact of complementary and integrative nutrition on drugs, disease, health and wellness. <b>(S)</b>	NUTR 794 – Internship (Supervise Experiential Learning I)
<b>1.10</b> Applies knowledge of math and statistics. <b>(S)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 525 – Medical Nutrition Therapy II NUTR 708 – Applied Research and Evidence Based Analysis
<b>1.11</b> Applies knowledge of medical terminology when communicating with individuals, groups and other health professionals. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>1.12</b> Demonstrates knowledge of and is able to manage food preparation techniques. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>1.13</b> Demonstrates computer skills and uses nutrition informatics in the decision-making process. <b>(D)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 695 – Practicum (Medical Nutrition Therapy I Practicum) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>1.14</b> Integrates knowledge of nutrition and physical activity in the provision of nutrition care across the life cycle. <b>(D)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II) NUTR 735 – Nutrition and Human Performance NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>1.15</b> Applies knowledge of nutritional health promotion and disease prevention for individuals, groups and populations. <b>(S)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 695 – Practicum (Community/Org Leadership Practicum II)
<b>1.16</b> Gains a foundational knowledge on public and global health issues and nutritional needs. <b>(K)</b>	NUTR 715 – Public Health Nutrition
<b>2.1</b> Applies a framework to assess, develop, implement and evaluate products, programs and services. <b>(D)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)

<sup>13</sup> Only the competencies that are associated with the graduate courses are listed in this document.

<b>Competency (level) - Knows (K), Shows (S), Does (D)</b>	<b>Program Courses that Address the Outcomes<sup>13</sup></b>
<b>2.2</b> Selects, develops and/or implements nutritional screening tools for individuals, groups or populations. <b>(D)</b>	NUTR 523 – Medical Nutrition Therapy I NUTR 523 – Medical Nutrition Therapy II NUTR 695 – Practicum (Medical Nutrition Therapy I Practicum) NUTR 695 – Practicum (Medical Nutrition Therapy II Practicum) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>2.3</b> Utilizes the nutrition care process with individuals, groups or populations in a variety of practice settings. <b>(D)</b>	NUTR 695 – Practicum (Medical Nutrition Therapy I Practicum) NUTR 695 – Practicum (Medical Nutrition Therapy II Practicum) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>2.4</b> Implements or coordinates nutritional interventions for individuals, groups or populations. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>2.5</b> Prescribes, recommends and administers nutrition-related pharmacotherapy. <b>(S)</b>	NUTR 525 – Medical Nutrition Therapy I NUTR 695 – Practicum (Medical Nutrition Therapy I Practicum) NUTR 712 – Advanced Medical Nutrition Therapy NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>3.1</b> Directs the production and distribution of quantity and quality food products. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>3.2</b> Oversees the purchasing, receipt and storage of products used in food production and services. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>3.3</b> Applies principles of food safety and sanitation to the storage, production and service of food. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>3.4</b> Applies and demonstrates an understanding of agricultural practices and processes. <b>(S)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II)
<b>4.1</b> Utilizes program planning steps to develop, implement, monitor and evaluate community and population programs. <b>(D)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>4.2</b> Engages in legislative and regulatory activities that address community, population and global nutrition health and nutrition policy. <b>(D)</b>	NUTR 715 – Public Health Nutrition
<b>5.1</b> Demonstrates leadership skills to guide practice. <b>(D)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>5.2</b> Applies principles of organization management. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>5.3</b> Applies project management principles to achieve project goals and objectives. <b>(D)</b>	NUTR 695 – Practicum (Community/Org Leadership Practicum II) NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>5.4</b> Leads quality and performance improvement activities to measure, evaluate and improve a program's services, products and initiatives. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>5.5</b> Develops and leads implementation of risk management strategies and programs. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>6.1</b> Incorporates critical thinking skills in practice. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>6.2</b> Applies scientific methods utilizing ethical research practices when reviewing, evaluating and conducting research. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>6.3</b> Applies current research and evidence-informed practice to services. <b>(D)</b>	NUTR 708 – Applied Research and Evidence Based Analysis NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)
<b>7.1</b> Assumes professional responsibilities to provide safe, ethical and effective nutrition services. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)

<b>Competency (level) - Knows (K), Shows (S), Does (D)</b>	<b>Program Courses that Address the Outcomes<sup>13</sup></b>
<b>7.2</b> Uses effective communication, collaboration and advocacy skills. <b>(D)</b>	NUTR 794 – Internship (Supervise Experiential Learning I, II, and III)

**B. Are national instruments (i.e., examinations) available to measure individual student achievement in this field? If so, list them.**

Accreditation Council for Education of Nutrition and Dietetics (ACEND) accreditation requires programs to meet a first-year pass rate of 80% on the RDN credentialing examination.

**C. How will individual students demonstrate mastery? Describe the specific examinations and/or processes used, including any external measures (including national exams, externally evaluated portfolios, or student activities, etc.). What are the consequences for students who do not demonstrate mastery?**

ACEND accreditation standards require the program to ensure that 100% of the students meet the minimum level set for each competency listed above. Students are evaluated on the respective competencies listed above in the respective classes. Students not meeting minimum standards will be required to repeat the particular competency. Students who are not consistently meeting the competency will be advised to change programs.

**7. What instructional approaches and technologies will instructors use to teach courses in the program? *This refers to the instructional technologies and approaches used to teach courses and NOT the technology applications and approaches expected of students.***

The program will be taught using lecture, laboratory, and supervised experiential learning.

**8. Did the University engage any developmental consultants to assist with the development of the curriculum? Did the University consult any professional or accrediting associations during the development of the curriculum? What were the contributions of the consultants and associations to the development of curriculum? *(Developmental consultants are experts in the discipline hired by the university to assist with the development of a new program, including content, courses, and experiences, etc. Universities are encouraged to discuss the selection of developmental consultants with Board staff.)***

The Didactic Program Coordinator and Internship Director attended ACEND training that focused on developing a program to meet the competency-based standards for the Future Education Model graduate program. This program is being designed to meet the national ACEND accreditation standards. The program is submitting a self-study with the same information provided in this new program request to ACEND. Upon receipt of the self-study materials, the program will be required to have an on-site visit from program ACEND trained program reviewers. The review will include a thorough review of the curriculum, learning activities, finances, faculty, program goals, and student learning outcomes.

**9. Are students enrolling in the program expected to be new to the university or redirected from other existing programs at the university? Complete the table below and explain the methodology used in developing the estimates.**

Students will be recruited from the existing B.S. in Nutrition and Dietetics program to the

M.S. in Nutrition and Dietetics. The program will be designed for students to progress from the B.S. in Nutrition and Dietetics into the master's degree. Once the master's program is fully approved, the University plans to submit to discontinue the Nutrition and Dietetics Internship (NDI) accreditation. A teach-out plan will be submitted to ACEND prior to the discontinuing. The Nutrition and Dietetics (B.S.) (Didactic Program in Dietetics) has an enrollment of approximately 20-25 students per year. These graduates apply to the University's current Nutrition and Dietetics Internship (which is accredited to accept 15 students) or other accredited dietetic internships. The University will request accreditation from ACEND for 20 dietetic students/year through the proposed accelerated M.S. in Nutrition and Dietetics. It is planned to phase out the Nutrition and Dietetics Internship and replace it with the proposed accelerated master's program. The Nutrition and Dietetics Internship (NDI) program phaseout plan will be completed by FY 24. The plan is to receive accreditation from ACEND in time to start accepting students into the proposed accelerated Nutrition and Dietetics graduate program in Fall 2022. These students will be undergraduate juniors and complete only undergraduate credit during the junior year (D1). This cohort of students will taking the graduate credit by Fall 2023 (year D2). To not overwhelm the medical facilities in which the supervised practice needs to occur it is planned to phase out the Nutrition and Dietetics Internship and phase in the accelerated M.S. in Nutrition and Dietetics. By Fall 2024, the dietetic internship will be phased out and the proposed graduate program will be able to accept 20 students per year. Thus, SDSU is requesting to be accredited to accept 20 student/year into the program. This number was derived from the number of past graduates in the B.S. in Nutrition and Dietetics who had applied for supervised practice and the number that the medical facilities in the state can accommodate. Students not accepted into the Future Education Model Accelerated M.S. in Nutrition and Dietetics will be able to reapply to the proposed program the following year, change to a different major at SDSU, or complete their B.S. and apply to other accredited supervised practice programs offered in other states.

The credits hours generated by the students is outlined below.

- It is anticipated that 20 students will be in year D1 (2022-2023) of the program (year 3 of entire program). The 20 students in year D1 will complete 36 credits of undergraduate credits generating 720 undergraduate credit hours. These undergraduate hours are not calculated in the accelerated masters.
- In academic year 2023-2024, there will be 20 D2 and 20 D1 students. The D1 students in students in year 2023-2024 will generate 720 undergraduate credits hours and the D2 students in 2023-2024 will generate 300 undergraduate credits for a total of 1020 undergraduate credits. The D2 students in this year will generate 500 graduate credits.
- In year 2024-2025, there will be 20 D1 students generating 720 undergraduate credits and 20 D2 students generating 300 undergraduate credits for a total of 1020 undergraduate credits. In 2023-2024, the D2 students will generate 500 graduate credits and the D3 will generate 280 graduate credits for a total of 780 graduate credits.
- In 2025-2026, there will be 20 D1 students generating 360 undergraduate credits hours and 20 D2 students generating 300 hours of undergraduate credit for a total of 1020 undergraduate credit. There will be 20 D2 generating 500 hours of graduate credit and 20 D3 students generating 280 hours of graduate credit for a total of 780 graduate credits.

	Academic Years*			
	1 <sup>st</sup> (D1)	2 <sup>nd</sup> (D2)	3 <sup>rd</sup> (D2+D3)	4 <sup>th</sup> (D2+D3)
Estimates	FY23	FY24	FY25	FY26
Students new to the university**	20	20	20	20
Students from other university programs				
Continuing students		20	20	20
=Total students in the program (fall)***	20	40	40	40
Program credit hours from graduate****	0	500	780	780
Graduates				20

\*Do not include current fiscal year.

\*\* Students will start this program no later than the junior year of the undergraduate program (D1); all credits during D1 are undergraduate credits. Graduate credits are completed during D2 and D3. Program will accept 20 students per cohort.

\*\*\*In this table, the total number of students in the program is only showing those taking graduate credit which is in D2 and D3. The students are accepted into the accelerated masters as juniors (D1). ACEND accreditation request will reflect that there are 60 students in the program (D1+D2+D3).

\*\*\*\*This is the total number of credit hours generated by students in the program in the required or elective program courses. Use the same numbers in Appendix A – Budget.

**10. Is program accreditation available? If so, identify the accrediting organization and explain whether accreditation is required or optional, the resources required, and the University's plans concerning the accreditation of this program.**

Program accreditation is required from Accreditation Council for Education of Nutrition and Dietetics (ACEND) for the graduates to be eligible to take the national registered dietitian credentialing examination. The proposed graduate program will replace SDSU's accredited Nutrition and Dietetics Internship. SDSU requests that the Nutrition and Dietetics Internship fee that is currently being assessed to support the current dietetics internship be moved to the accelerated M.S. in Nutrition and Dietetics program. This fee is needed to fund the program coordinator and the additional clinical instructor to mentor the students during the supervised experiential learning required in the Nutrition and Dietetics (M.S). The fee structure is described below in question 15.

**11. Does the University request any exceptions to any Board policy for this program? Explain any requests for exceptions to Board Policy. If not requesting any exceptions, enter "None."**

The program is requesting to waive an external review by BOR selected program reviewers. The program will be externally reviewed by ACEND chosen reviewers. The program is responsible for the cost of the ACEND accreditation review, which is approximately \$5000.

**12. Delivery Location**

*Note: The accreditation requirements of the Higher Learning Commission (HLC) require Board approval for a university to offer programs off-campus and through distance delivery.*

**A. Complete the following charts to indicate if the university seeks authorization to deliver the entire program on campus, at any off campus location (e.g., USD Community College for Sioux Falls, Black Hills State University-Rapid City, Capital**

City Campus, etc.) or deliver the entire program through distance technology (e.g., as an online program)?

	Yes/No	Intended Start Date
On campus	Yes	2022-2023 Academic Year

	Yes/No	If Yes, list location(s)	Intended Start Date
Off campus	No		

	Yes/No	If Yes, identify delivery methods <i>Delivery methods are defined in <a href="#">AAC Guideline 5.5</a>.</i>	Intended Start Date
Distance Delivery (online/other distance delivery methods)	No		
Does another BOR institution already have authorization to offer the program online?	No	If yes, identify institutions:	

**B. Complete the following chart to indicate if the university seeks authorization to deliver more than 50% but less than 100% of the program through distance learning (e.g., as an online program)?** *This question responds to HLC definitions for distance delivery.*

	Yes/No	If Yes, identify delivery methods	Intended Start Date
Distance Delivery (online/other distance delivery methods)	No		

**13. Cost, Budget, and Resources: Explain the amount and source(s) of any one-time and continuing investments in personnel, professional development, release time, time redirected from other assignments, instructional technology & software, other operations and maintenance, facilities, etc., needed to implement the proposed major. Address off-campus or distance delivery separately.**

The budget calculations are included in Appendix A and described below.

The requested M.S. in Nutrition and Dietetics graduate program is planned as an accelerated master's program. Students will be able to complete the undergraduate B.S. in Nutrition and Dietetics, supervised experiential practice for credentialing, and M.S. in Nutrition and Dietetics in 5 years and be eligible to take the national registration examination for Registered Dietitian Nutritionist.

The program is requesting to transfer the existing Nutrition and Dietetics Internship fee of \$9,538.40 (FY22) per student to the accelerated M.S. in Nutrition and Dietetics graduate program and continue the NUTR discipline fee of \$29.70 on NUTR courses. The program will accept undergraduates into the program the beginning of the junior year (Year 3, D1) and these students will be taking undergraduate courses only. Students in year 4, (D2) complete



undergraduate and graduate classes. The year 5 (D3) students will only be enrolled in graduate credit. The budget was calculated using only the graduate tuition and fees, the nutrition discipline fee of \$29.70 per credit hours, plus the total dietetic internship fee of \$9,538.40 (FY22). The dietetic intern fee will be changed from being manually assessed twice per year to being assessed on a per credit basis for the 18 credits of supervised experiential learning required of the masters. The courses that we are requesting the discipline fee to be assessed are NUTR 695 Practicum (6 credits) and NUTR 794 Internship (12 credits)

The fee will be used to support the program coordinator and ½ of two instructors' salaries to teach the NUTR 695 practicum clinical experiences at the two major medical facilities in Sioux Falls. NUTR 695 practicum clinical experiences are new to this degree and allow the program to meet the requirement of competency-based supervised practice experiences simultaneously with the didactic components. NUTR 695 is planned to occur during year 4 of undergraduate (D2 of the graduate program). Two ½ time clinical instructors are needed to fulfill the teaching of NUTR 695 as the students are divided between the Avera McKennan and Sanford Medical Centers in Sioux Falls. The medical center nutrition care directors have stated that the maximum number of students that can be accommodated in each facility for the competency-based, supervised practice experiences is 10; thus, the need for the two ½ time clinical instructors. These clinical instructors are required to be with the students at the facilities and ensure that students are demonstrating competence of the required elements. The remaining classes are currently being taught by existing faculty.

It is anticipated that by FY 24 the tuition and fees generated will be sufficient resources to support the salaries of the program coordinator, two ½ time clinical instructors, 25% of the workload of two faculty teaching the graduate level courses, the required accreditation, and travel expenses. The expenses that will need to be covered also include the required annual accreditation fee of approximately \$2600 and a self-study fee for site visit of \$7100. The program fee will also cover travel expenses of the program coordinator and the two clinical instructors. The program also requires an electronic records program and a software to track the competencies. The program does not anticipate a change in the current expenses of approximately \$7000 for these tools. The estimated operating expenses are approximately \$26,100 for FY 23 due to self-study site visit fee and \$19,000 the subsequent years.

The deficit of \$133,740 that occurs in D1 (FY23) is due to accepting students in as juniors into the accredited program. The students only complete undergraduate credit during D1 and this income is not included in the calculations in Appendix A. Additionally, the income from the current dietetic internship (which will be phased out) is not reflected in the budget income outlined in this proposal. The following year, D2 (FY24) students start taking graduate credit and income of \$29,084 is generated above expenses. The income in the subsequent years is \$248,059 above expenses.

14. **Board Policy 2:1 states: “*Independent external consultants retained by the Board shall evaluate proposals for new graduate programs unless waived by the Executive Director.*” Identify five potential consultants (including contact information and short 1-2 page CVs) and provide to the System Chief Academic Officer (the list of potential consultants may be provided as an appendix). In addition, provide names and contact information (phone numbers, e-mail addresses, URLs, etc.) for accrediting bodies and/or journal editors who may be able to assist the Board staff with the identification**

**of consultants.**

The requirement for an outside reviewer was waived for this request. The program requested to have the external consultant visit waived based on the requirement that the program was planned to meet the graduate education standards required by Accreditation Council for Education of Nutrition and Dietetics (ACEND) and creation of only one new course. Also, upon submission of the self-study to ACEND for accreditation, the program will need to schedule an external review and site visit by two trained ACEND appointed reviewers. The self-study and the report from the reviewers will be reviewed by the ACEND board for determination of accreditation status.

**15. Is the university requesting or intending to request permission for a new fee or to attach an existing fee to the program? If yes, explain.**

☒ YES ☐ NO

*Explanation (if applicable):*

SDSU requests to attach an existing dietetic internship fee of \$9538.40 (FY22) and the NUTR discipline fee to the new program. The existing dietetic program fee is being requested to support the program director and the experiential learning experiences required for the program. Currently, the dietetic fee is assessed during the internship with ½ manually assessed in the fall and ½ manually assessed in the spring. These students also are assessed the \$29.70/ credit hour for any NUTR course that they take.

The program is requesting to add the existing fees (dietetic internship fee of \$9538.40 and NUTR discipline fee of \$29.70/credit hour) to the program. Students accepted into the accelerated MS in Nutrition and Dietetics will pay a discipline fee of \$29.70/credit hour for the NUTR courses in the program and the dietetic internship fee of \$9538.40, which will be assessed at \$530/credit hour on the 6 credits of NUTR 695 Practicum and 12 credits of NUTR 794 Internship. This fee of \$530/credit of supervised experiential learning was calculated by dividing the current total dietetics fee of \$9538.40 by 18 credits of supervised experiential learning.

The advantage of billing per credit hour allows automatic billing with less chance of an error versus the current manual process. Changing the fee from annual fee to per credit hour would mean the overall fee for the student might not be the same each semester based on the number of credits taken. However, if credit hours are spread out relatively evenly over the program it would not vary too much. The overall amount would still be the same.

**16. New Course Approval: New courses required to implement the new graduate program may receive approval in conjunction with program approval or receive approval separately. Please check the appropriate statement:**

☒ YES, the university is seeking approval of new courses related to the proposed program in conjunction with program approval. All New Course Request forms are included as Appendix B and match those described in section 5D.

☐ NO, the university is not seeking approval of all new courses related to the proposed program in conjunction with program approval; the institution will submit new course approval requests separately or at a later date in accordance with Academic Affairs Guidelines.

**17. Additional Information:****Additional Admission Requirements**

GRE: Not required

TOEFL: 79-80 Internet-based

TOEFL Essentials: 8.5

IELTS: 6.5

Duolingo: 110

SDSU students or transfer students will apply for admission to the M.S. in Nutrition and Dietetics graduate program at the end of their sophomore year. Student's must have completed general education requirements, and the following courses: CHEM 106 Survey of Chemistry, CHEM 108 Organic and Biochemistry, BIOL 221 Anatomy, BIOL 325 Physiology, MICR 231 General Microbiology, NUTR 315 Human Nutrition, and NURS 201 Medical Terminology. Students must have overall GPA of 3.0 or greater and a science GPA of 2.5 or greater. Students must be accepted into the program at the beginning of their junior year to continue to the graduate program.

**Appendix A – Budget**

## South Dakota State University, M.S. in Nutrition and Dietetics

**1. Assumptions**

		1st FY23	2nd FY24	3rd FY25	4th FY26
<i>Headcount &amp; hours from proposal</i>					
Fall graduate headcount		20	40	40	40
Program FY grader hrs, On-Campus		0	500	780	780
Program FY cr hrs, Off-Campus		0	0	0	0
Faculty, Regular FTE	See p. 3	1.50	2.50	2.50	2.50
Faculty Salary & Benefits, average	See p. 3	\$73,118	\$73,118	\$73,118	\$73,118
Faculty, Adjunct - number of courses	See p. 3	0	0	0	0
Faculty, Adjunct - per course	See p. 3	\$1,000	\$1,000	\$1,000	\$1,000
Other FTE (see next page)	See p. 3	0.00	0.00	0.00	0.00
Other Salary & Benefits, average	See p. 3	\$9,872	\$9,872	\$9,872	\$9,872

**2. Budget**

<i>Salary &amp; Benefits</i>					
Faculty, Regular		\$109,677	\$182,795	\$182,795	\$182,795
Faculty, Adjunct (rate x number of courses)		\$0	\$0	\$0	\$0
Other FTE		\$0	\$0	\$0	\$0
S&B Subtotal		\$109,677	\$182,795	\$182,795	\$182,795
<i>Operating Expenses</i>					
Travel		\$7,400	\$7,400	\$7,400	\$7,400
Contractual Services		\$16,700	\$9,600	\$9,600	\$9,600
Supplies & materials		\$2,000	\$2,000	\$2,000	\$2,000
Capital equipment		\$0	\$0	\$0	\$0
OE Subtotal		\$26,100	\$19,000	\$19,000	\$19,000
<b>Total</b>		<b>\$135,777</b>	<b>\$201,795</b>	<b>\$201,795</b>	<b>\$201,795</b>

**3. Program Resources**

Off-campus support tuition/hr, HEFF net	GR	\$416.35	\$416.35	\$416.35	\$416.35
Off-campus tuition revenue	hrs x amt	\$0	\$0	\$0	\$0
On-campus support tuition/hr, HEFF net	GR	\$301.03	\$301.03	\$301.03	\$301.03
On-campus tuition revenue	hrs x amt	\$0	\$150,516	\$234,806	\$234,806
Discipline fee for Grad NUTR course	\$29.70	\$0	\$14,850	\$23,166	\$23,166
Dietetics discipline fee on NUTR 695 and 794		\$0	\$63,600	\$190,800	\$190,800
Community/Employers		\$0	\$0	\$0	\$0
Grants/Donations/Other (dietetics discipline fee)					
<b>Total Resources</b>		<b>\$0</b>	<b>\$228,966</b>	<b>\$448,772</b>	<b>\$448,772</b>

**Resources Over (Under) Budget**

**(\$135,777)    \$27,171    \$246,977    \$246,977**

Provide a summary of the program costs and resources in the new program proposal.

Estimated Salary & Benefits per FTE	Faculty	Other
Estimated salary (average) - explain below	\$55,333	\$0
University's variable benefits rate (see below)	0.1430	0.1430
Variable benefits	\$7,913	\$0
Health insurance/FTE, FY18	\$9,872	\$9,872
<i>Average S&amp;B</i>	\$73,118	\$9,872

Explain faculty used to develop the average salary & fiscal year salaries used. Enter amount above.

The FY\_23\_ salaries (\$82,000) are of 2 people at 25% of workload (\$20,500 x 2) devoted to teaching in the nutrition and dietetics graduate courses were averaged plus salary for 100% of the program coordinator (\$68,000) to manage the program and two instructors (\$57,000) at 50% each to teach the clinical competencies.  $(41,000 + 68,000 + 57,000 / 3 = \$55,333)$  The two instructors will be hired FY 24. Thus FY 23 requires 1.5 personnel, and all subsequent years are 2.5.

Explain adjunct faculty costs used in table:

None of the courses in this major are planned to be taught by adjuncts. Most of the courses are currently being taught in the current undergraduate and graduate program.

Explain other [for example, CSA or exempt] salary & benefits. Enter amount above.

Summarize the operating expenses shown in the table:

Travel costs: in-state \$2400, out of state \$5000. Contractual services: Accreditation Fee-annual-\$2600, Site visit fee \$7100 FY 23 only (once every 7 years), Electronic medical record software \$2000, competency tracking software \$5000. Materials and supplies: \$2000 allocated per year for computer equipment replacement for coordinator and clinical instructors.

Summarize resources available to support the new program (redirection, donations, grants, etc).

The resources to support the program are from tuition, discipline fees on the NUTR courses and the dietetic internship fee. SDSU requests to attach an existing dietetic internship fee of \$9538.40 (FY22) and the NUTR discipline fee \$29.70/ credit hour of NUTR courses to the new program. The program is requesting to add the existing fees (dietetic internship fee and NUTR discipline fee) to the required 18 required practicum and internship graduate credits. Students accepted into this program will pay a discipline fee of \$530/credit hour for NUTR 695 (6 credits) and NUTR 794 (12 credits). This fee was calculated by dividing the current total dietetics fee of \$9538.40 by 18 credits (\$530/credit). The program is also requesting to maintain the current NUTR discipline fee of \$29.70 on all NUTR courses. The dietetics discipline fee is assessed on the NUTR 695 and 794 which are completed in D2 and D3 years.

State-support: Change cell on page 1 to use the UG or GR net amount.

<b>Off-Campus Tuition, HEFF &amp; Net</b>	<b>FY22 Rate</b>	<b>HEFF</b>	<b>Net</b>	
Undergraduate	\$354.75	\$40.80	<b>\$313.95</b>	Change cell on page 1
Graduate	\$470.45	\$54.10	<b>\$416.35</b>	to point to your net
Externally Supported	\$40.00			

State-support: Change cell on page 1 to use the UG or GR net amount for your university.

<b>On-Campus Tuition, HEFF &amp; Net</b>	<b>FY22 Rate</b>	<b>HEFF</b>	<b>Net</b>	
UG Resident - DSU, NSU	\$253.85	\$29.19	<b>\$224.66</b>	Change cell on page 1
UG Resident - SDSU, USD	\$259.10	\$29.80	<b>\$229.30</b>	
UG Resident - BHSU	\$253.85	\$29.19	<b>\$224.66</b>	to point to your net
UG Resident - SDSMT	\$260.55	\$29.96	<b>\$230.59</b>	
GR Resident - DSU, NSU	\$333.25	\$38.32	<b>\$294.93</b>	Change cell on page 1
GR Resident - SDSU, USD	\$340.15	\$39.12	<b>\$301.03</b>	
GR Resident - BHSU	\$333.25	\$38.32	<b>\$294.93</b>	to point to your net
GR Resident - SDSMT	\$338.90	\$38.97	<b>\$299.93</b>	
UG Nonresident - DSU, NSU	\$357.25	\$41.08	<b>\$316.17</b>	Change cell on page 1
UG Nonresident - BHSU	\$357.25	\$41.08	<b>\$316.17</b>	to point to your net
UG Nonresident - SDSU, USD	\$376.10	\$43.25	<b>\$332.85</b>	
UG Nonresident - SDSMT	\$408.05	\$46.93	<b>\$361.12</b>	
GR Nonresident - DSU, NSU	\$622.15	\$71.55	<b>\$550.60</b>	Change cell on page 1
GR Nonresident - BHSU	\$622.15	\$71.55	<b>\$550.60</b>	to point to your net
GR Nonresident - SDSU, USD	\$654.05	\$75.22	<b>\$578.83</b>	
GR Nonresident - SDSMT	\$680.25	\$78.23	<b>\$602.02</b>	
UG Sioux Falls Associate Degree	\$287.35	\$33.05	<b>\$254.30</b>	Change cell on page 1 to point to your net

#### Variable Benefits Rates

University	FY22	
BHSU		Change the benefits rate cell in the table on page 2 to point to the rate for your university.
DSU		
NSU		
SDSM&T		
SDSU	14.30%	
USD		

## Appendix B – New Course Requests



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Course Request

SDSU	Education & Human Sciences / Health & Consumer Sciences
Institution	Division/Department
Dennis D. Hedge	10/13/2021
Institutional Approval Signature	Date

#### Section 1. Course Title and Description

Prefix & No.	Course Title	Credits
NUTR 712	Advanced Medical Nutrition Therapy	3

Course Description
This course is designed to provide the student with advanced understanding of medical nutrition therapy to include advanced knowledge of specialized nutrition assessment for acute and chronic disease, swallowing screening, current methods for initiation and management of enteral and parenteral nutrition therapy, and nutrition-related pharmacotherapy.

#### Pre-requisites or Co-requisites

Prefix & No.	Course Title	Pre-Req/Co-Req?
NUTR 525	Medical Nutrition Therapy I	Pre-Req

#### Registration Restrictions

None
------

#### Section 2. Review of Course

##### 2.1. Will this be a unique or common course?

☒ Unique Course

Prefix & No.	Course Title	Credits
NUTR 711	Clinical Aspects of Nutrition Support	3
NUTR 728	Pediatric Clinical Nutrition	3

Provide explanation of differences between proposed course and existing system catalog courses below:

The new course, NUTR 712 is designed to build upon content from both NUTR 523 Medical Nutrition Therapy I and NUTR 525 Medical Nutrition Therapy II. The courses that appear to be similar only provide portions of the content and do not build upon the previous content. NUTR 711 Clinical Aspects of Nutrition Support only covers the nutrition assessment for enteral and parenteral nutrition support; whereas NUTR 712 includes the knowledge to meet the ACEND required competency for nutrition-related pharmacotherapy. NUTR 711 is also a Great Plains IDEA (GPIDEA) course and the course content cannot be changed or altered by SDSU without consulting with the GPIDEA consortium. NUTR 728 Pediatric Clinical Nutrition only covers the medical nutrition therapy for pediatrics and does not cover the information needed for acute and chronic disease medical nutrition therapy for adults.



**Section 3. Other Course Information****3.1. Are there instructional staffing impacts?**

☒ No. Schedule Management, explain below: NUTR 712 will replace NUTR 795 Practicum (Dietetic Internship Practicum) (3 credits).

**3.2. Existing program(s) in which course will be offered:** Nutrition and Dietetics (M.S.)**3.3. Proposed instructional method by university:** R - Lecture**3.4. Proposed delivery method by university:** 001 – Face-to-face Term Based Instruction**3.5. Term change will be effective:** Fall 2022**3.6. Can students repeat the course for additional credit?** ☐ Yes ☒ No**3.7. Will grade for this course be limited to S/U (pass/fail)?** ☐ Yes ☒ No**3.8. Will section enrollment be capped?** ☐ Yes, max per section: ☒ No**3.9. Will this course equate (i.e., be considered the same course for degree completion) with any other unique or common courses in the common course system database in Colleague and the Course Inventory Report?** ☐ Yes ☒ No**3.10. Is this prefix approved for your university?** ☒ Yes ☐ No**Section 4. Department and Course Codes (Completed by University Academic Affairs)****4.1. University Department:** Health & Consumer Sciences**4.2. Banner Department Code:** SHCS**4.3. Proposed CIP Code:** 51.3101

Is this a new CIP code for the university? ☐ Yes ☒ No

**NEW COURSE REQUEST**  
**Supporting Justification for On-Campus Review**

Kendra Kattelmann	Kendra Kattelmann	6/15/2021
<b>Request Originator</b>	<b>Signature</b>	<b>Date</b>
Kendra Kattelmann	Kendra Kattelmann	6/15/2021
<b>Department Chair</b>	<b>Signature</b>	<b>Date</b>
Matthew Vukovich	Matthew Vukovich	08/27/21
<b>School/College Dean</b>	<b>Signature</b>	<b>Date</b>

1. Provide specific reasons for the proposal of this course and explain how the changes enhance the curriculum.

NUTR 712 Advanced Medical Nutrition Therapy (3 cr.) was designed to meet Accreditation Council for Education of Nutrition and Dietetics (ACEND) credentialing requirements to become a Registered Dietitian Nutritionist (RDN). This new course request is part of a proposal to replace the current accredited Nutrition and Dietetics Internship (NDI) program with a M.S. in Nutrition and Dietetics. Beginning January 2024, the minimum degree requirement for eligibility to take the registration examination for dietitians will change from a bachelor's degree to a graduate degree. RDN candidates will be required to complete a master's degree and an Accreditation Council for Education of Nutrition and Dietetics (ACEND) accredited supervised practice experience. In NUTR 712 students will have the opportunity to have competency based supervised practice experiences complementing the didactic content of the course.

2. Note whether this course is: ☒ Required ☐ Elective
3. In addition to the major/program in which this course is offered, what other majors/programs will be affected by this course?  
None.

4. If this will be a dual listed course, indicate how the distinction between the two levels will be made.  
N/A
5. Desired section size      20
6. Provide qualifications of faculty who will teach this course. List name(s), rank(s), and degree(s).  
Lacey McCormack, PhD, RDN, LN, Associate professor,  
Kendra Kattelmann, PhD, RDN, LN, FAND, Distinguished Professor
7. Note whether adequate facilities are available and list any special equipment needed for the course.  
Facilities are adequate.
8. Note whether adequate library and media support are available for the course.  
Library facilities are adequate.
9. Will the new course duplicate courses currently being offered on this campus? ☐ Yes ☒ No
10. If this course may be offered for variable credit, explain how the amount of credit at each offering is to be determined.  
N/A



## BOARD OF REGENTS

306 EAST CAPITOL AVENUE, SUITE 200  
 PIERRE, SOUTH DAKOTA 57501-2545  
 (605) 773-3455/FAX (605) 773-5320  
[www.sdbor.edu](http://www.sdbor.edu)

OFFICE OF THE EXECUTIVE DIRECTOR

October 29, 2021

Dr. Dennis Hedge  
 South Dakota State University  
 1451 Stadium Road  
 Brookings, SD 57007

Dr. Hedge:

As a part of routine monitoring, it has been noted that SDSU's new program request for an MS in Nutrition and Dietetics will require accreditation by ACEND, but the submission did not include a Request to Seek Accreditation form. This letter is documentation that the Request to Seek Accreditation form is not necessary.

SDSU has received a waiver for the external review of its proposed MS in Nutrition and Dietetics due to the rigorous site visit required from its accreditor, ACEND, which will equate the intent and purpose of the external review. SDSU already possess accreditation from ACEND for its post-baccalaureate Nutrition and Dietetics Internship program. Due to an industry change in the educational requirement for licensure as a registered dietician nutritionist, SDSU and all universities are required to change their non-degree internship programs to full master's degrees. ACEND requires a self-study and site visit to change the university's accreditation status to include the master's program. Academic Affairs Guideline 4.3 requires Board of Regent authorization before a program may seek accreditation. However, SDSU will not be required to pursue this authorization to accompany their new program request given its existing accreditation with ACEND. Please consider this as documentation of that decision.

Sincerely,

A handwritten signature in black ink that reads "Brian L. Maher".

Dr. Brian L. Maher  
 Executive Director & CEO

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**REVISED**  
**AGENDA ITEM: 8 – D**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**Revisions to BOR Policies 1:11, 3:9 (new 1:34) and 3:18 (Second Reading) and Opportunity Center Plans**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL 13-57-4](#) – Sectarian religion and partisan politics prohibited by university  
[SDCL 12-27-20](#) – Expenditure of public funds to influence election prohibited  
[SD Constitution Art. VI § 3](#) – Freedom of religion – Support of religion prohibited  
[Title VII of the Civil Rights Act of 1964](#)  
[U.S. Constitution Amendment I](#)  
[SD Constitution Art. VI § 5](#) – Freedom of speech  
[SDCL 3-6C-19](#) – Freedom of Speech of Officers and Employees  
[BOR Policy 1:32](#) – Commitment to Freedom of Expression  
[BOR Policy 1:11](#) – Academic Freedom and Responsibility  
[BOR Policy 3:9](#) – Guest Speakers  
[BOR Policy 3:18](#) – Recognition and Funding of Student Organizations

#### **BACKGROUND / DISCUSSION**

The Board approved the first reading of the proposed revisions to Board of Regents Policies 1:11, 3:9 (new 1:34) and 3:18 at its [October meeting](#). At that time, the Board also heard updates from each of the campuses as to the status of their Opportunity Center plans. Copies of the campus plans are included as Attachments IV – IX for the Board’s information, and any necessary discussion thereon, as the institutions are in their final stages of implementation to meet the January 1<sup>st</sup> deadline.

No substantive changes were made to the proposed revisions to BOR Policy 1:11 – Academic Freedom and Responsibility since the first reading. As a result of ongoing discussions with representatives from the Foundation for Individual Rights in Education (“FIRE”), the National Association of Scholars (“NAS”) and the American Council of Trustees and Alumni (“ACTA”), additional revisions were made to BOR Policy 1:34 – Guest Speakers (the old BOR Policy 3:9) to minimize verbiage that could lend itself to improper (i.e., unconstitutional) discretion in the application of an otherwise well intended

(Continued)

\*\*\*\*\*

#### **DRAFT MOTION 20211208\_8-D:**

I move to approve the second and final reading of the proposed revisions to BOR Policies 1:11, 1:34 and 3:18, as presented.

policy. The areas which were modified since the first reading are highlighted for ease of reference. Additionally, as a result of feedback from students, an additional sentence was added to the end of section 1.2 in BOR Policy 3:18 – Recognition and Funding of Student Organizations, which is highlighted, to provide clarity as to the intent and application of the new section. No other substantive changes were made since the first reading.

The information below reflects the rationale provided when the proposed revisions came before the Board for first reading at its October meeting, proving the full context for the entirety of the proposed revisions up for consideration.

At the system level, the proposed revisions to BOR Policy 1:11 (Attachment I) are intended to provide additional clarity around the appropriate use of controversial topics in the classroom, consistent with the Board's August Statement. The current policy does not squarely address the use and discussion of controversial topics in the classroom, and with that void comes uncertainty. The proposed revisions provide clear guidance on the topic, with their basis in well-established and legally sound literature on the topic, consistent with the tenets of academic freedom published by the American Association of University Professors over the last century.

Board policy currently lacks any substantive guidance on institutional sponsored campus speakers, with the current BOR Policy 3:9 saying very little, and is located in an odd section of the manual given its stated application to not only student groups, but also colleges and departments. The proposed revisions set forth in Attachment II serve to delineate between the processes for student organizations and those of colleges or departments, while also establishing considerations for the latter to help promote and encourage robust discussion and differing viewpoints or perspectives on campus. The foregoing isn't overly prescriptive, nor does it limit institutions from supplementing the list of considerations, but it does ensure some commonality across the institutions in how they approach and consider bringing institutionally sponsored guest speakers to campus. Additionally, this policy would be moved out of Section 3 of the Policy Manual and placed in Section 1 (Governance), which is more appropriate given its broad application.

Finally, the proposed changes to BOR Policy 3:18 (Attachment III) provide additional clarity around recognized student organizations. The policy is currently void of any reference to campus advisors, which are commonplace for recognized student organizations across the system. The proposed changes address institutional advisors for recognized student organizations, and include the appropriate role of such advisors, specifically noting that they are not to direct or control the expressive activity of recognized student organizations. Additionally, the proposed section 1.2 is intended to further clarify the separation between the recognized student organizations and the institution, making it clear that recognized student organizations are autonomous and that their actions/speech is not directed by, and should not be attributed to, the institution. Lastly, there are a few edits in section 3.3 to further clarify the viewpoint neutral and non-discriminatory nature of funding considerations and the need to establish and publish such standards or criteria at the campus level.

### **IMPACT AND RECOMMENDATION**

The proposed revisions to BOR Policies 1:11, 1:34 (old 3:9) and 3:18 provide additional guidance and/or clarity in the areas identified above.

Staff recommends approval.

### **ATTACHMENTS**

Attachment I – Proposed Revisions to BOR Policy 1:11

Attachment II – Proposed Revisions to BOR Policy 1:34 (old 3:9)

Attachment III – Proposed Revisions to BOR Policy 3:18

Attachment IV – Opportunity Center Plan – BHSU

Attachment V – Opportunity Center Plan - DSU

Attachment VI – Opportunity Center Plan - NSU

Attachment VII – Opportunity Center Plan - SDSMT

Attachment VIII – Opportunity Center Plan - SDSU

Attachment IX – Opportunity Center Plan - USD

## SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Academic Freedom and Responsibility

**NUMBER:** 1:11

1. The importance of academic freedom in teaching and learning and research and publication is well recognized and accepted. All employees whose duties include teaching, scholarly or creative work, or research are guaranteed the right of aAcademic freedom in such pursuits, is guaranteed to faculty members—subject only to accepted standards of professional responsibility, including, but not limited to, those herein set forth:
  - A. Academic freedom is the freedom to inquire, discover, access, study, discuss, publish, investigate, research, disseminate, and teach, subject to the control and authority of the rational methods by which knowledge is established and accepted in the field. The importance of academic freedom to teaching and learning is recognized and accepted. Academic freedom includes the right to study, discuss, investigate, teach and publish. Academic freedom applies to both teaching and research.—Freedom in teaching and learning and research and publication is fundamental to the advancement of truth and the creation of knowledge.
  - A.B. -Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher-faculty members in teaching and of students to-in freedom in learning. It includes the freedom to perform one's professional duties and to present differing and sometimes controversial points of view, free from reprisal. Faculty members are entitled to freedom in the classroom in the discussion of their subject and in the presentation of various scholarly views, including controversial matter, which is relevant to a given course and course objectives. While controversy is at the heart of free academic inquiry, faculty members should avoid persistently including material that does not relate to a given course or course objectives, or that otherwise detracts from the underlying course objectives. In the many instances where there are differing and even controversial scholarly views, divergent viewpoints and materials should be presented, studied, analyzed and debated to challenge and support students in developing their ability to think critically, form opinions and draw conclusions. They have the freedom to include the presentation of various scholarly views.
  - C. The concept of academic freedom should be accompanied by an equally demanding concept of responsibility. The fFaculty members are members of a learned profession. When they speak or write as private citizens on matters of public concern, they must be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As learned people and as educators, they should remember that the public may judge their profession



and their institution by their utterances. Hence, they should at all times be accurate, ~~should exercise appropriate restraint, should~~ show respect for the opinions of others and ~~should make every effort to~~ indicate ~~that when~~ they are not speaking for the institution.

2. To secure student freedom in learning, faculty members in the classroom and in seminar should encourage free and orderly discussion, inquiry and expression of the course subject matter. Student performance ~~may shall~~ be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.
  - A. Students ~~should must~~ be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.
  - B. ~~Each institution shall establish an academic appeals procedure to permit review of student a~~Student appeals alleging an ~~legations that an~~ academic evaluation was tainted by prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards shall be addressed under Board Policy 2:9. Additionally, each institution shall establish a method by which students can submit complaints regarding allegations of any instruction conducted in a manner which is inconsistent with this policy. These procedures shall prohibit retaliation against persons who initiate appeals or complaints, or who participate in the review of appeals or complaints.
  - C. Students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

**SOURCE:** BOR, Aug. 1979; BOR, December 2005.

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Guest Speakers

**NUMBER:** ~~3:9-~~ 1:34

---

**A. PURPOSE**

To establish policy regarding the sponsoring of guest speakers on campus.

**B. DEFINITIONS**

None

**C. POLICY**

**1. Guest Speakers on Campus**

1.1. Recognized sStudent organizations and colleges or departments of the institution may invite ~~and hear persons of their own choice~~or sponsor guest speakers on campus, in accordance with applicable Board and Institutional policies. Such policies shall only apply when the organizers of the event seek exclusive control of a campus location for the event, or when they reasonably expect the event to attract an audience of fifty (50) or more people. The policies shall set forth content- and viewpoint-neutral criteria under which the institution shall evaluate any conditions imposed on the event. Routine procedures required by the institution before a guest speaker is invited to appear ~~or an event is scheduled~~ on campus shall, without limitation, be designed to ensure that there is orderly scheduling of facilities, adequate preparation for the event, and assurance that the event shall not substantially disrupt the educational process.

1.2. Recognized student organization requests for funding for guest speakers from the general activity fee levied pursuant to Board Policy No. 5:5:4(1)(B) shall be addressed and considered by the institution pursuant to the institutional process established in accordance with BOR Policy 3:18.

1.3. Requests for institutional funds, including funds allocated to departments or colleges of the institution, to sponsor guest speakers should be evaluated based on content- and viewpoint neutral criteria. Such criteria may include, but is not limited to, the extent to which the proposed guest speaker:

1.3.1. Adds to the diversity of thought present on campus as a whole;

- 1.3.2. Allows for questions, discussion and interaction with attendees;
- 1.3.3. Adds to or otherwise complements inter-department study, collaboration and dialogue;
- 1.3.4. Enhances or complements the research, creative scholarship or curricular offerings of the institution; or
- 1.3.5. Is co-sponsored by another regental institution, state agency or local government.

**SOURCE: (RR, 12:02:1, 1977); BOR, March, 1993**

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Recognition and Funding of Student Organizations

**NUMBER:** 3:18

---

### **A. PURPOSE**

To establish policy regarding the recognition of student organizations on campus and the provision of funding thereto.

### **B. DEFINITIONS**

None

### **C. POLICY**

#### **1. Recognition of Student Organizations**

- 1.1. Each institution will develop and publish criteria for recognition of student organizations. These recognition criteria will require student organizations to operate under a formal set of articles that define the powers of the organization and describe how those powers may be exercised, just as articles of incorporation or constitutions define the powers of commercial, nonprofit or governmental entities and describe how these powers may be exercised. Each institution will establish rules for budgeting, custody, expenditure and audit of organization funds, and the recognition criteria will require that recognized student organizations abide by such rules. No such rules or criteria may discriminate against any student or student organization based on the content or viewpoint of their expressive activity.

Such criteria will require student organizations to operate in a nondiscriminatory manner as provided in Board Policy No. 1:18. In compliance with Board Policy No. 1:18(5) institutions will recognize two limited exceptions to the general requirement that organizations not restrict membership or participation on the basis of race, color, creed, religion, national origin, ancestry, citizenship, gender, transgender, sexual orientation, age, disability, genetic information, military service membership or veteran's status. Consistently with rights guaranteed under state and federal constitutions, Board Policy No. 1:18(5) accommodates the distinctive characteristics of intimate associations or expressive associations. In keeping with these guarantees, an institution may not prohibit an ideological, political or religious student organization from requiring its leaders or members of the organization affirm and adhere to the organization's sincerely held beliefs, comply with the organization's standards of conduct, or further the organization's mission or purpose, as defined by the organization.

- 1.1.1. Intimate associations involve distinctively personal aspects of life. Factors that suggest that an organization should be treated as intimate association include: (a) the relative smallness of the organization; (b) a high degree of selectivity in choosing and maintaining members of the organization; (c) the personal nature of the organization's purpose; and (d) the exclusion of nonmembers from the central activities of the organization.
  - 1.1.1.1. A student organization that operates a residential facility for its membership would illustrate the kind of organization that might be classified as an intimate association, at least insofar as relates to limiting membership on the basis of gender.
- 1.1.2. Expressive associations are created for specific expressive purposes, and they would be significantly inhibited in advocating their desired viewpoints if they could not restrict their membership based on race, color, creed, religion, national origin, ancestry, citizenship, gender, transgender, sexual orientation, age, disability, genetic information or military service membership or veteran's status.
  - 1.1.2.1. A student organization dedicated to the practice of a particular religious faith would illustrate the kind of organization that might be classified as an expressive association, at least insofar as relates to limiting membership on the basis of adherence to the tenants of that faith.
- 1.1.3. Exceptions from the nondiscrimination policy will be made only to the extent necessary to accommodate the particular circumstance that warrants an exception; the overarching purpose of supporting student organization activities is to prepare students to act as citizens and leaders of a republican form of government, which by its nature permits discrimination against none.
  - 1.1.3.1. By way of illustration, but not limitation, a student organization operating a residential facility for its membership may be allowed to limit membership on the basis of gender, but not on the basis of religion; a student organization dedicated to the practice of a particular religious faith may be allowed to limit membership on the basis of religion, but, absent any contrary doctrine of faith, not on the basis of gender.
- 1.1.4. Each institution will establish a process that student groups may follow to secure recognition as student organizations. The chief executive officer of the institution will designate an administrator who will be responsible for determining whether a group of students satisfies the criteria for recognition as a student organization. Institutions with student government organizations may request that such organizations review applications for recognition as student organizations and make recommendations to the designated administrator whether a particular group of students satisfies the institutional criteria for recognition.
- 1.2. Recognized student organizations are to exist independent of, and outside of the direct control of the institution. Recognized student organizations are not agents of the institution and are not to be endorsed or directed by the institution. Recognition of, or the provision of funding to, student organization consistent with this policy should not be construed to conflict with or alter the foregoing. Recognized student

organizations are entirely responsible for the actions, activities and liabilities incurred in the name of the recognized student organization and its members acting in their capacity as members of the recognized student organization. The provisions of this section should not be construed or applied to adversely impact or diminish the role of recognized student organizations on campus, but rather to ensure recognized student organizations enjoy the necessary autonomy to protect their right to engage in expressive activity to fullest extent permitted by law, while also maintaining the applicable accountability and responsibility associated with their status.

## 2. Funding of **Recognized** Student Organizations

In order to reduce the economic barriers to forming and operating student organizations or to accessing means of communication, institutions may grant subsidies, pursuant to this section, from funds apportioned from the general activity fee.

Only recognized student organizations may receive disbursements from the fund to finance the organizations' general operational expenses and to subsidize cultural, social, recreational and informational activities and events sponsored by the organizations.

Funding allocated to student organizations shall be distributed in a nondiscriminatory manner in accordance with applicable state and federal authority, and consistent with the institution's interests as outlined herein; provided that

2.1. No student organization will be eligible for fee subsidies:

- 2.1.1. If the funding is prohibited by Article 6, § 3 of the SD Constitution because it will be used for sectarian ceremonies or exercises;
- 2.1.2. If the funding is prohibited by SDCL § 12-27-20 because it will be used for the promotion or opposition of particular candidates for public office or ballot issues in elections, or financing off-campus lobbying or political activities of non-students;
- 2.1.3. If the organization operates a residential facility for its membership or otherwise generates income from commercial activities for the personal use and benefit of members or on behalf of for-profit entities; or
- 2.1.4. If the organization generates income for the personal use and benefit of the sponsoring organization members or on behalf of for-profit entities.

This section does not prohibit a student governance body, recognized by the institution, whose leadership is popularly elected by the students, from using funding to communicate its position on behalf of all students, either through lobbying efforts before legislative bodies.

## 3. Procedures for Requesting Funding and Allocating Funds

- 3.1. Each institution will develop and publish instructions outlining the procedure that recognized student organizations may use to request funding from the general activity fee levied pursuant to Board Policy No. 5:5:4(1)(B).
- 3.2. The chief executive officer of the institution will designate an administrator who will be responsible for determining how funds will be allocated. Institutions with student

government organizations may request that such organizations review applications for funding and make recommendations to the designated administrator.

3.3. Each institution will develop and publish viewpoint-neutral standards and/or criteria used to guide the review of funding requests submitted by recognized student organizations. Subject to the limitations stated herein, these standards will require that decisions be made on grounds unrelated to the exercise by students through the organization of their rights to free expression, to the free exercise of religion, to the freedom of association or to the freedom to petition government. Such rights-neutral mechanisms shall be created and administered in a consistent and non-discriminatory fashion, and may include, without limitation, random selection from among student proposals or prioritization based upon frequency of funding or other objective factors unrelated to the exercise of protected rights.

#### 4. Advisors for Recognized Student Organizations

4.1. Each recognized student organization shall have a faculty or staff advisor from the institution. The role of the advisor is to provide guidance to the recognized student organization on the applicable rules, policies and processes of the institution.

4.2. Each institution shall develop standards to guide advisors in the fulfillment of their duties, which shall include, without limitation, establishing and enforcing the necessary parameters to prohibit advisors from directing or controlling the expressive activity of recognized student organizations.

## **FORMS / APPENDICES:**

None

## **SOURCE:**

BOR October 1994; BOR October 1996; BOR December 2000; BOR April 2013; BOR December 2018; BOR August 2019.



### **Black Hills State University Opportunity Center**

**Purpose:** *In accordance with SDBOR recommendations, the BHSU Opportunity Center offers programming and support for all students, to benefit from education and to prepare to live and work in South Dakota, or anywhere in the world. The BHSU Opportunity Center serves as an inclusive community where all are welcome, accepted and provided access to the services needed to assist, accommodate, retain and graduate, with equal regard given to the unique challenges and needs of every student.*

**Opportunity Center Coordinator:** Assistant Provost

The coordinator will be the main point of contact on campus for all questions related to the Opportunity Center. This office will develop and maintain the Virtual Opportunity Center.

**Current Office Location:** The Center will be temporarily located in the Office of Academic Affairs, WB 218. Upon completion of the renovations to the E.Y. Berry Learning Center (BHSU Library), we will relocate the center to the library where it will be easily accessible and co-located with many of the services affiliated with the center.

**Steering Committee:**

The Steering Committee will meet monthly to coordinate services and activities that work to support student opportunities in order to better deploy campus resources.

- Assistant Provost
- Director, Center for American Indian Studies
- Coordinator, Disability Services
- Coordinator, International Relations
- Director, Veterans Affairs
- Coordinator, Student Engagement
- Director, Student Success Center
- Director, Honors Program
- Career Counselor
- Athletics Representative
- Student Senate Representative
- Faculty Representatives (3)

**Programs, Offices, Committees, and Services that fall within with the Opportunity Center:**

The programs/services listed below will be affiliated with the Opportunity Center without changing their direct reporting lines.

- Chiesman Committee for Civic Engagement
- Disability Services/Testing
- Office of International Relations and Global Engagement
- Student Support Services/TRIO
- Military and Veterans Affairs
- Honors Program
- Math Assistance Center

- Writing Assistance Center
- Athletic Equity and Inclusion Initiatives\*
- Office of Student Engagement\*
- Student Success Center/Tutoring\*
- Career Counseling\*
- Native American Center\*

\*These programs are still under consideration for inclusion in the Opportunity Center.

### **Campus Roll Out**

To inform campus we will:

- a. sit down with the individual offices included in the center, describe the collaboration goals, and solicit ideas and recommendations for campus implementation. October 2021
- b. hold a town hall for faculty and staff to introduce the concept of the center and invite questions and recommendations. November 2021
- c. develop news releases and online eUpdates to inform community members of the reorganization and our intended direction. November 2021
- d. hold a town hall for students to introduce the concept of the center and invite questions and recommendations. January 2022
- e. install campus signage and wayfinding. December 2021
- f. debut our Virtual Opportunity Center. January 2022
- g. begin to hold monthly steering committee meetings. December 2021 or January 2022
- h. update our marketing materials to include an explanation of the center. November 2021



# Black Hills State University Opportunity Center

PROVOST

PRESIDENT

Opportunity Center Coordinator, Assistant Provost

## Steering Committee

Assistant Provost, Chair  
Director, Center for American Indian Studies  
Coordinator, Disability Services  
Coordinator, International Relations  
Director, Veterans Affairs  
Coordinator, Student Engagement  
Director, Student Success Center  
Director, Honors Program  
Career Counselor  
Athletics Representative  
Student Senate Representative  
Faculty Representatives (3), TBD

## Programs, Offices, Committees, and Services\*

Chiesman  
Committee for  
Civic Engagement

Disability  
Services/Testing

Office of  
International  
Relations and  
Global Engagement

Student Support  
Services/TRIO

Honors Program

Athletic Equity and  
Inclusion Initiatives

Office of Student  
Engagement

Student Success  
Center/Tutoring

Writing Assistance  
Center

Math Assistance  
Center

Career Counseling

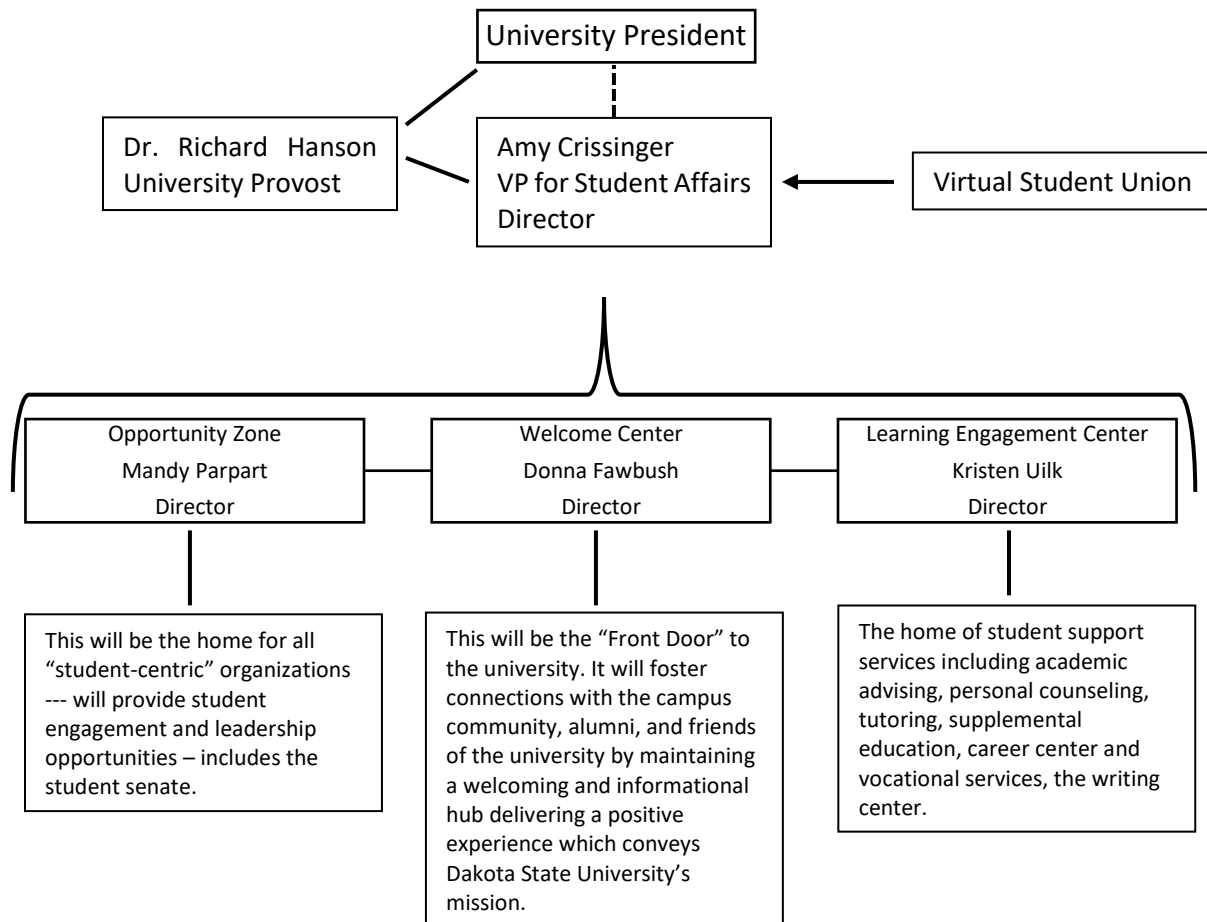
Veterans Affairs

\*The Opportunity Center serves a coordinating function. Many of these programs directly report to a different supervisor.

## DSU

Organizational Structure  
Dakota State University

Our goal: to focus our energy on the guidance and encouragement of students as they work to attain their academic, personal, and career goals. We do not discriminate on the basis of race, sex, ethnicity, religion, disability, veteran status, economic status, or sexual preference. We understand the uniqueness of each student as an individual and offer the services and supports necessary for them to succeed. In other words, DSU provides Opportunity for All.



## Space Needs:

1. Trojan Zone Welcome Center – Reimagine the space to include a prominent welcome space and information desk. The space is designed to welcome and assist current students as well as prospective students and their families, the community, and other constituents. Other considerations have included a receiving area for shipments which could also impact how we provide package and mail service to students.
2. Opportunity Zone – Rearrange the space to provide space for clubs/orgs/student-centered committees to work and collaborate
  - a. Student Media space in lower level of the Union as an extension of space dedicated to student engagement – more details soon
  - b. Residence life staff will need to be relocated. Current top-considered proposal is to bring the entire staff together near the lobby area of the student union
  - c. Phase two may include the removal and relocation of the student mailboxes to open up that space to students
3. Learning Engagement Center – No major needs here but would like to have a welcome/info desk on a smaller scale but similar to our vision for the Welcome Center.
4. Virtual Student Union – A virtual space that is more than a website. Think of virtual conference software or gaming/simulation tools to enhance the virtual experience.

## **Supporting Components**

### **1. LEARN (Academic Excellence)**

Academic Advising  
 Academic Support - Tutoring, Supplemental Instruction,  
 Writing Center, Help Nights  
 Peer Advising  
 Academic Integrity/Academic Success and Recovery  
 Karl Mundt Library  
 Testing Services  
 Course Materials  
 Center of Excellence/General Beadle Honors Program  
 Career and Professional Development

### **2. ENGAGE (Foster Relationships)**

Student Senate  
 Clubs and Organizations  
 Student Activities  
 Strengths Programming  
 STRONG Program  
 Intramurals/Recreation  
 Community Outreach/Service  
 Alumni

### **3. BELONG (Inclusive Excellence)**

EDI/Inclusive Excellence Committee  
 Veterans Affairs  
 Disability Services  
 Clubs and Organizations  
 International Programs  
 Study Away  
 Communication – Trojan Connect (Primary) as well as  
 Activities Post/Discord/Portal/ETC

### **4. LIVE (Cultivate Community)**

Residence Life/Campus Housing - Traditional and non-  
 traditional, Living Learning Communities  
 Residential Programming  
 First Year Residence Experience (FYRE)  
 Dining Services  
 Safety Resource Officer  
 Trojans Helping Trojans/Food Pantry  
 Financial Aid and Scholarships

### **5. GROW (Personal Development)**

New Student Registration  
 New Student Orientation – GO!  
 Mental Health Counseling  
 Alcohol and Other Drug Counseling  
 Wellness Programming

### **6. WORK (Professional Development)**

Career and Professional Development  
 Student Employment  
 Internships  
 Career Preparation Workshops and Events  
 Career Placement  
 Professional Student Organizations



### ***Opportunity for All Implementation***

**Charge 1:** Implement “Opportunity Centers” to provide increased opportunity for all students to succeed is central to NSU’s mission and recently updated strategic priorities.

#### **STRATEGIC PRIORITY - 2a**

2. Build an increasingly diverse, engaged, inclusive, welcoming and supportive culture that nurtures achievement and success for all students, faculty and staff.
  - Implement BOR *Opportunity for All* and individualize support for students’ diverse needs—academic, first generation, financial, cultural, social, emotional, physical, etc.

#### **REPORTING STRUCTURE, OFFICES, and LOCATION**

- All program elements report to either Provost Mike Wanous or Dean of Students Sean Blackburn, who report directly to President Schnoor.
- Program elements will be housed in two immediately adjacent buildings in a prime location at the head of the Campus Quadrangle.
- Academic Affairs Offices reporting to Provost Wanous are relocating to the new Student Success Center including: Academic Advising, American Indian Circle Program, Career Services, Supplemental Instruction, TRIO Student Support Services and Upward Bound, the Tutoring/Math/Writing Center, while Veterans Services will remain in the Avera Student Center.
- Student Affairs Offices reporting to Dean Blackburn remain housed in the Avera Student Center including: Avera Student Health, the Counseling Center, Disability Services, Multicultural Student Affairs, New Student Programs, Prevention Services, Residence Life, Student Organizations, and Title IX.
- A virtual “Opportunity Center” webpage unites all these offices in one website location for students.

Program Elements in Academic Affairs	Current Location	Future Location	Program Elements in Student Affairs	Current Location
Report to the Provost, who reports to the President			Report to the Dean of Students, who reports to the President	
Academic Advising	DH209	TC109 (SSC)	Avera Student Health	222 Avera Student Center
American Indian Circle Program	SP106	MJ109-112 (SSC)	Counseling Center	222 Avera Student Center
Career Services	MJ102	MJ102 (SSC)	Disability Services	222 Avera Student Center
Student Success Center Director	SP104	TC118 (SSC)	Multicultural Student Affairs	222 Avera Student Center
Supplemental Instruction	DH208	TC113 (SSC)	New Student Programs	222 Avera Student Center
TRIO Student Support Services	ASC209/210/211	TC105/108/110 (SSC)	Prevention Services	222 Avera Student Center
TRIO Upward Bound	MJ203/204	MJ203/204 (SSC)	Residence Life	222 Avera Student Center
Tutoring/Math/Writing Center	LIB126	TC112/119 (SSC)	Student Organizations	222 Avera Student Center
Veterans Services	AB102/ASC129	AB102/ASC129	Title IX	222 Avera Student Center

**Charge 2:** Safeguard the fundamental principles of free speech, scientific discovery and academic freedom and protect the rights of students and faculty alike while balancing the Constitutional rights of our students and employees.

NSU publishes the Academic Freedom and Responsibility Statement, derived from BOR Policy 1.11, and Freedom of Learning Statement in the University Catalog and includes both in all course syllabi.

### **Freedom in Learning**

Under Board of Regents and University policy, student academic performance must be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

Page 23 of the NSU Student Handbook includes:

#### **STUDENT FREEDOM IN LEARNING**

To secure student freedom in learning, faculty members in the classroom and in seminar should encourage free and orderly discussion, inquiry and expression of the course subject matter. Student performance may be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

A. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

B. Each institution shall establish an academic appeals procedure (see Student Academic Grievance Procedure\*) to permit review of student allegations that an academic evaluation was tainted by prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards. These procedures shall prohibit retaliation against persons who initiate appeals or who participate in the review of appeals.

C. Students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

\*Page 26 of the Student Handbook outlines the "Student Academic Grievance Procedure." While students have appealed grades for other reasons and the academic deans and Provost have evidence of students following the "Student Academic Grievance Procedure" and the institution enforcing policies and procedures, the institution has encountered no instances in which student appeals alleged an "academic evaluation was tainted by prejudiced or capricious consideration of student opinions."

### **Academic Freedom**

The freedom of faculty to teach the knowledge encompassed by their academic disciplines is vital to successful education and thus must be defended. Under Board of Regents Policy 1:11, "Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of students to freedom in learning. It includes the freedom to perform one's professional duties and to present differing and sometimes controversial points of view, free from reprisal."

Guarantees of academic freedom for faculty are included in the BOR Policy 1.11 and the NSU Faculty Handbook. The NSU Academic Affairs office has no record of any complaint for academic freedom violations.



**Charge 3**

To supplement/enhance knowledge of American government and the principles upon which our country was founded; increase civic engagement; and communication, critical thinking, civility and dispute resolution among individuals with diverse backgrounds, beliefs and perspectives, NSU has completed the following.

The Center for Public History and Civic Engagement has been under development at Northern for two years. The Center was launched in Fall 2021. The Center will provide guest speakers to address topics in American Government, American History, Civic Engagement, and the U.S. Constitution. The Center provides additional programming for Constitution Day, National History Day, and civic engagement for students, faculty and staff, and community members. The Center also recruits students for the South Dakota State Legislative Internship. Center Director Dr. Jon Schaff is professor of history and studies American political thought and American political development. He is the author of many book chapters, articles, and essays as well as two books: *Abraham Lincoln and the Limits of Liberal Democracy* and *Age of Anxiety: Meaning, Identity, and Politics in 21<sup>st</sup> Century Literature and Film* (co-authored).

NSU provides many opportunities through curricular or cocurricular activities that help prepare students to be informed citizens and career ready. Several faculty members embed experiential learning opportunities and engagement with community organizations in their courses with funding support from Center for Excellence in Teaching and Learning (CETL) Pedagogy grants. During faculty fall in-service in August 2020, four faculty presented on their community engagement projects in their classes and advised other faculty on how to integrate community engagement into their own courses. Faculty have also created curriculum, including a public history certificate and service-learning projects in courses that foster students' civic mindsets. In 2020, many activities were coordinated throughout the university to encourage participation in the election process, including coordinating with the League of Women Voters and the SD Secretary of State to register people to vote in the Student Center.

The central core of NSU's mission rests on service to the community, specifically stating NSU will enrich the local and regional community. NSU prides itself on actively developing and nurturing links with the community through academic programs, cultural events, athletics, community service, entrepreneurial partnerships, and through the use of its facilities.

**Charge 4**

To promote equal opportunity and non-discrimination for all through merit-based assessment and decision making and ensure preferential treatment on the basis of one's identity or belief system is not occurring, NSU recognizes the following.

NSU follows all BOR Policies related to employee hiring. Northern's Human Resources and Provost Offices have reviewed hiring and tenure and promotion policies and procedures to ensure that they uphold equal opportunity and non-discrimination. The NSU Employee Handbook, which includes all employee hiring practices, and the NSU Faculty Handbook, which includes faculty hiring and tenure and promotion processes, are available on the NSU portal.

NSU actively promotes a climate of respect and inclusivity across campus. SDBOR Policy 3:4 Student Code of Conduct illustrates our commitment for self-discipline and respect for the rights of others. The NSU Employee Handbook Policy 2.3 outlines our commitment to treat one another civilly and constructively.

**Opportunity for All  
South Dakota School of Mines and Technology  
October 12, 2021**

Historical Context

Last year, South Dakota Mines underwent a divisional realignment with the goal of placing all student success and student support initiatives under the Office of the Provost. The Student Success Center, which at the time included tutoring, mentoring, professional advising, and testing services was already under the Office of the Provost. To that end, this realignment moved the Student Development division under the provost and created some new reporting structures for several of the offices within that division. The Office of Career and Professional Services, along with ADA services and the Title IX Office, both moved from Student Development to the Student Success Center.

The basic idea of the re-alignment was to provide a more uniform approach to the student support services available on campus. In essence, we wanted to create a “one-stop-shop” whereby students could find any support services they may need during their time at South Dakota Mines. The general focus of these services was to increase student retention and persistence and therefore, if the various offices across campus were working together and sharing resources, we could achieve the retention goals as specified in our strategic plan.

The goal was not to necessarily have all the student support services located in one building on campus. In fact, a current renovation project to the Deveraux Library building will create a student success hub whereby all the Student Success offices will be located, along with a math help center, student design center and makerspace, and library operations. Thus, the library building will house those student support services that are predominately academic focused. The student development offices, which include the Ivanhoe International Office, Veterans Resource Office, Student Life and Engagement Office, and the Office for Inclusion are currently located in the lower level of the student union, i.e., the Surbeck Center. Eventually, the Office for Women in Science and Engineering (WiSE) and possibly Tiospaye will also be relocated to the Surbeck Center. Therefore, the student union will house those student support services that may have an academic component, but also provide peer mentoring, mental support, and a general connection to campus through activities and student organizations.

Moving Ahead

With this recent re-alignment, the Opportunity for All center on the campus of South Dakota Mines will essentially be comprised of all the student support services under the Office of the Provost. A virtual presence, in the form of a single webpage on the South Dakota Mines website, will list all the student support services available. The services provided through these offices will be available to all students, both undergraduates and graduates. Over the course of the 2021-2022 academic year, personnel in student success and student development will continue to work together to develop shared strategies for student support. Some areas identified include a common peer mentoring program, use of EAB Navigate to share information, student activities, leadership development, and tutoring.

There is currently an existing Inclusion Committee on the campus of South Dakota Mines. The committee is comprised of faculty, staff, and students from numerous areas of campus. During the 2021-2022 academic year, the committee will be re-working its charter to focus on supporting and building the Opportunity for All center. In addition, the committee will look to include people from local industry that hire graduates from South Dakota Mines and therefore enhance the mission of the committee and that of the Opportunity for All center.

With respect to the South Dakota Mines' strategic plan, there are a few goals under the "Academic & Co-curricular Excellence" and "Campus Culture" initiatives that fit well with the Opportunity for All center. The Opportunity for All center will help Mines "advise and mentor students to maximize their opportunities for academic, professional, and personal success" and "build a sense of community that cultivates collaboration, inclusion, and innovation." The center will help "foster a safe and healthy environment" for students. Lastly, the center will "promote a balanced system that encompasses a universal commitment to academic success, individual well-being, service, and philanthropy."

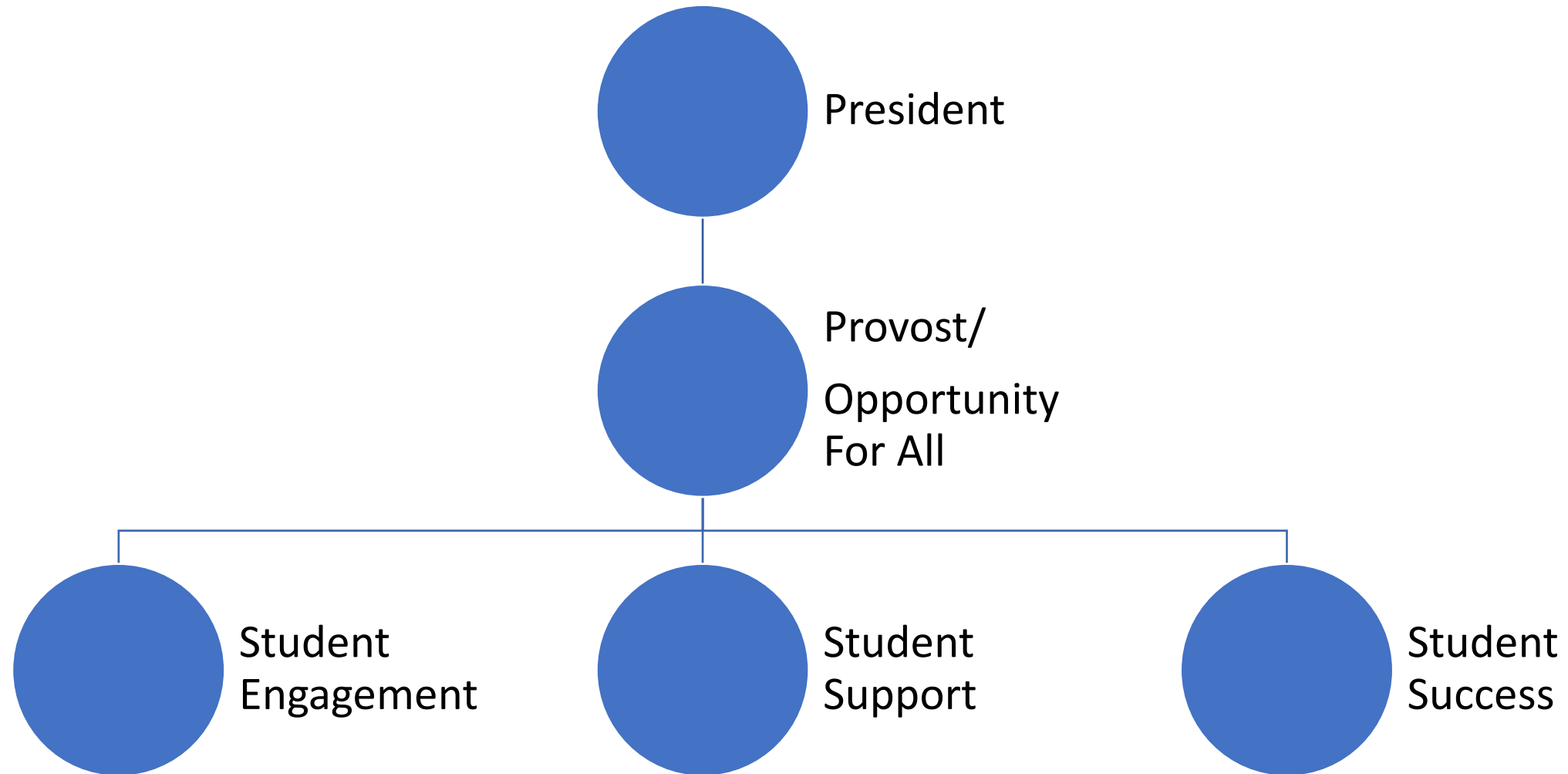
### Additional Information

The point of contact for the Opportunity for All center will be the provost. The provost reports directly to the President of the university. Other personnel who will be involved in the day-to-day operation of the various student services include the Associate Vice President for Student Develop and Dean of Students, Associate Vice President for Student Success, and numerous directors of individual support offices.

Student organizations that include professional groups, religious groups, and groups focused on activities and hobbies will not fall under the Opportunity for All center and will operate based on national (if applicable), state, or local charters. These groups are all student-led and funded using student fees through the Student Senate. All student organizations have an equal opportunity to apply and request funding through the Student Senate on an annual basis.

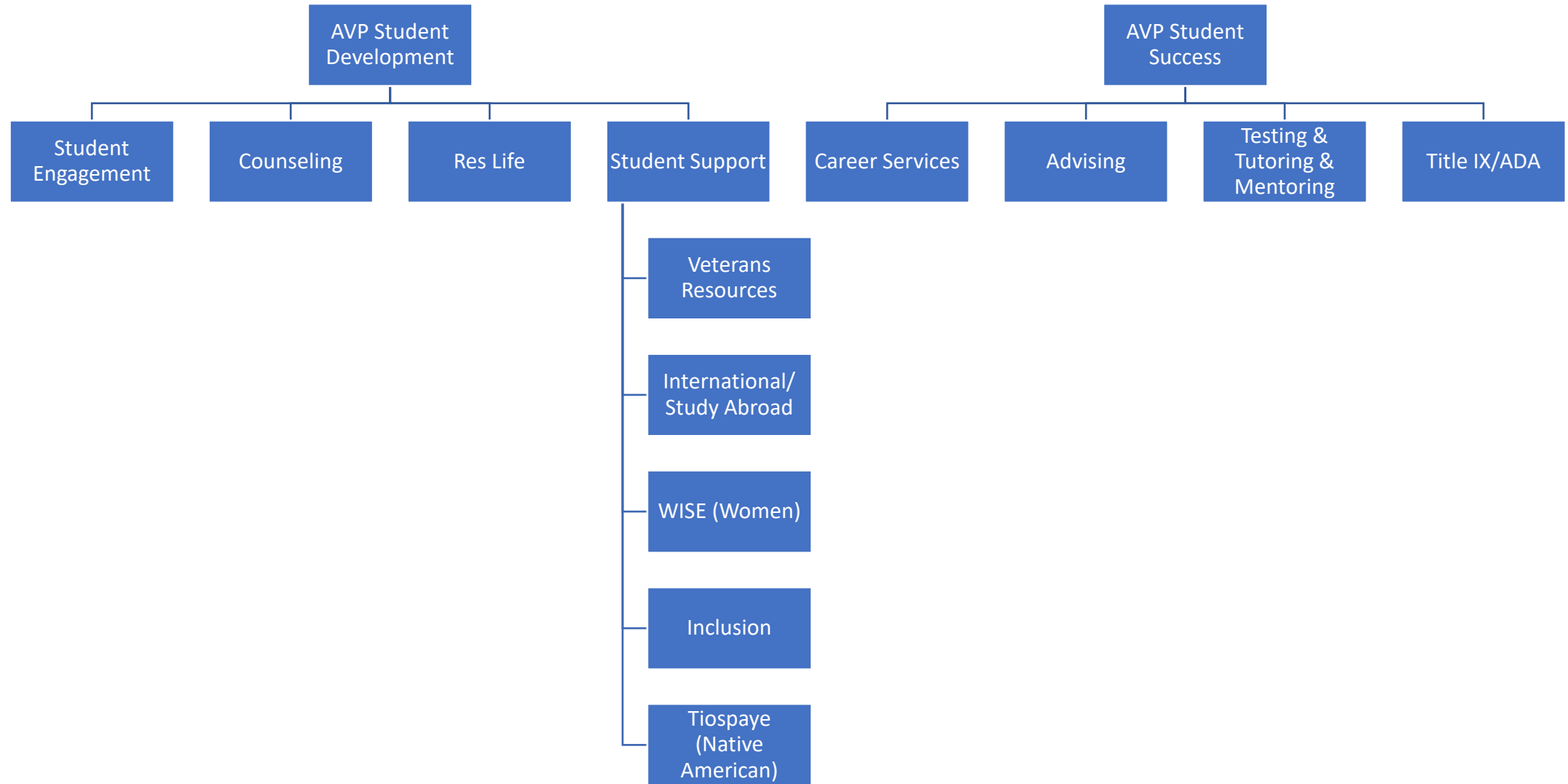
We are still developing a name for the Opportunity for All Center. Some suggestions have been "Rocker Opportunity" or "Rocker Opportunity Student Success".

# Opportunity For All



**C U R I O U S   S M A R T   T E N A C I O U S**

# Opportunity For All



**C U R I O U S   S M A R T   T E N A C I O U S**



**C U R I O U S   S M A R T   T E N A C I O U S**



# SOUTH DAKOTA STATE UNIVERSITY

## Opportunity Center Plan

President Dunn has charged Provost and Vice President for Academic Affairs, Dr. Dennis Hedge, and Vice President for Student Affairs and Enrollment Management, Dr. Michaela Willis, with leading South Dakota State University's implementation of an Opportunity Center to promote student success for all students consistent with the South Dakota Board of Regents charge at their August 2021 meeting. Provost Hedge and Vice President Willis have met weekly since late August to begin discussions and planning for an Opportunity Center at SDSU. To date, the following have been accomplished:

- Determine the overall focus for the opportunity center is centered around our mission of access and student success;
- Review of existing student success offices, efforts, and programs at SDSU;
- Review of current student success model in place at SDSU;
- Evaluation of potential locations for the Opportunity Center office space that is accessible to all students;
- Discussion regarding development of a virtual presence of the Opportunity Center;
- Evaluation of potential organizational structures for an effective Opportunity Center structure;
- Review of leadership options for the Opportunity Center as a direct report to President Dunn;
- Consideration of potential names for the Opportunity Center to tie into our historic land-grant mission;
- Develop a graphic to describe the Opportunity Center at SDSU;
- Finalize draft proposal to include proposed name, organizational structure, referral network, and leadership of the Opportunity Center;
- Seek input from SDBOR regarding draft proposal;
- Present the model to various groups across the University for input through open forums and the shared governance process;
- Evaluate feedback regarding the model and adopt changes as needed;
- Seek SDBOR approval of plans for Opportunity Center at SDSU in December.

Processes currently underway include development of virtual presence for Opportunity Center; finalization location and signage for Opportunity Center; hiring position to coordinate Opportunity Center work; and develop communication plan for the Opportunity Center to University community.

South Dakota State University is committed to the South Dakota Board of Regents (SDBOR) statement released in August 2021 titled *Opportunity for All*. Within this statement was the

December 1, 2021



direction to launch an Opportunity Center at each institution and SDSU has been working toward this directive. The following plan will be implemented at SDSU by the beginning of the spring 2022 semester on January 10, 2022.

SDSU's central focus on the opportunity center is aligned with our student success efforts and tied to our mission of access as South Dakota's land grant institution. As such, the SDSU Opportunity Center be situated within our student success efforts and will become integrated into the Wintode Student Success and Opportunity Center (renamed from Wintode Student Success Center). Communication with the Wintode family has occurred and they have expressed their support for the name change. This structure will make the Opportunity Center prominent in our organizational structure and strengthen our student success efforts for all students at SDSU, aligned with the direction provided by the SDBOR in the *Opportunity for All* statement.

The SDSU Wintode Student Success and Opportunity Center (the Center) positively impacts student success, retention, and graduation by promoting engaged learning and providing innovative approaches to foster academic and personal development. The center is an inclusive community where all are welcome, accepted, and provided access to the services needed to be successful based upon their unique individual needs. The center fosters responsive referrals to services that will enhance individual student's success in achieving their academic and personal goals. Currently, the Wintode Student Success Center is the hub of student success efforts at SDSU including tutoring, mentoring, supplemental instruction, first year advising, and academic recovery efforts. The federally funded TRiO grants, Student Support Services and Upward Bound, also operate under this structure. We will expand efforts by adding opportunity center operations within this center.

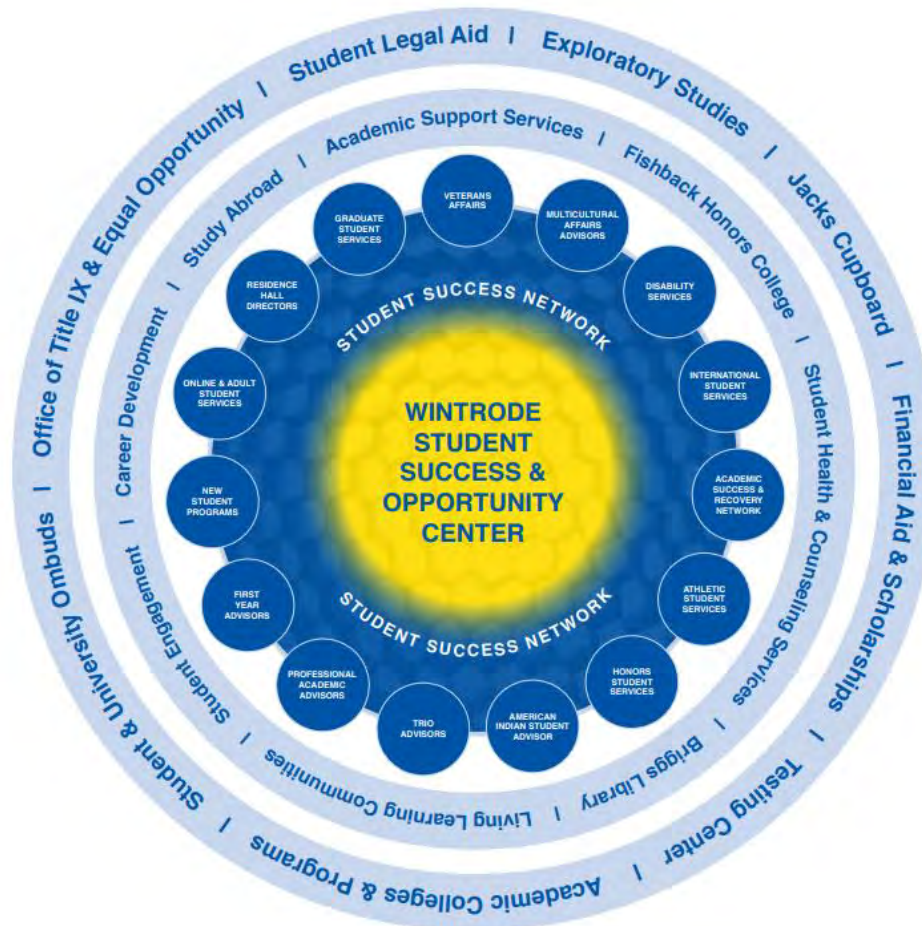
As a component of this change, we will reclassify the position of director of student success center to senior director of student success and opportunity, continuing to report to the provost's office. In addition, we will create a new position to coordinate opportunity center work under the senior director and redirect existing university resources for salary, benefits, and operations serving students for the opportunity center through effective intake and referrals to services and supports to promote their individual needs. The opportunity center contact for the Board of Regents will be the provost and vice president for academic affairs who reports directly to the SDSU president.

The center will be central to the opportunity center work, with a new Student Success NETWORK developed with student success professionals across the university coming together regularly through monthly meetings and training programs to enhance collaborations and referral networks to serve the individual needs of all students. This will be the "glue" or "net" that binds the center to the many resources available across the university. Students will continue to be able to access services through any of the offices and positions within the NETWORK, with the opportunity center providing the "go to" place for students not certain where to begin. The NETWORK professionals will be from various areas to include, but not limited to: online and

December 1, 2021

adult student services, new student programs, first year advisors, TRiO advisors, American Indian student services, international student services, multicultural student advisors, disability services, veterans affairs, graduate student services, residence hall directors, honors student services, academic success and recovery network, professional academic advisors, and athletic student services. This NETWork will meet regularly, engage in training focused on student success advising, and share information regarding services offered to enhance referrals and resources available to promote student success. The NETWork is surrounded by additional student success resources such as academic support services (supplemental instruction, tutoring, mentoring, help centers), career development, the Briggs library, financial aid and scholarships, academic colleges and programs, student engagement, the Fishback honors college, living learning communities, study abroad, testing center, exploratory studies, student legal aid, jacks cupboard, and the student health and counseling clinic to support students with specific needs.

To achieve the goals of the center, the following visual graphic has been developed to articulate the interconnected network of services and supports for every student at SDSU. This graphic has been developed to clarify the network of supports for students at SDSU and how they work together to enhance the student experience and meet individual student needs.



December 1, 2021

A Wintrode Student Success and Opportunity Advisory Council will be developed to allow broad input and advice regarding the operation of the Wintrode Student Success and Opportunity Center. The council will be led by the senior director of student success and opportunity and include members from the SDSU faculty, professional staff, civil services staff, students, and members of the community. Ex-officio liaisons of this council will include the provost and vice president for academic affairs and the vice president for student affairs and enrollment management. This council will meet quarterly.

Currently, SDSU is developing a position description for the reclassified senior director position and the new position to coordinate the work of the opportunity center. We anticipate beginning the search for the new position in December with a February timeline for anticipated onboarding of the new employee. The senior director will begin identifying members for the Student Success Advising NETWork in December, beginning meetings in January 2022. The virtual presence will be developed during December for a January launch with an associated communications plan for students and employees. The advisory council will also be established in December with the first meeting held in January. While we will officially launch the Wintrode Student Success and Opportunity Center in January 2022, SDSU will continue to work on enhancements to the services and resources available to all students throughout the spring semester and beyond, focusing on being responsive to student needs as they change over time.

### **Opportunity for All at the University of South Dakota**

Since the university first began welcoming students to campus in 1882, one of the hallmarks of the University of South Dakota experience has been a focus on student growth and student success. That commitment continues with USD's implementation of the South Dakota Board of Regents' Opportunity for All action plan.

USD will provide increased opportunity for all students to succeed with the USD Opportunity Center, which will create a central connecting point for student success resources, centralize student leadership development opportunities and ensure campus discussion and dialogue is intentional, robust and varied. The Opportunity Center will be a physical office that supplements the virtual connecting point that already exists for USD faculty, staff and students in the form of the Coyote One Stop knowledge base. It will be housed in the Muenster University Center in proximity to where the old Center for Diversity & Community existed.

The Opportunity Center will serve as an umbrella organization for the array of student support services, offices, and efforts already underway on campus, coordinating resources to ensure each student has access to what they need to succeed at USD. Similar to other student-centric offices like Student Veterans' Services and Disability Services, Multicultural Affairs will be housed within the Student Services arm of the Opportunity Center, providing many of the core student success services and resources previously provided through the CDC. This venue will be reconfigured to provide collaborative spaces for all student organizations at USD to work both individually and collectively, with the goal of learning from each other in meaningful ways. Multicultural Affairs will also have one office set aside to bring student services from across campus directly to students on a rotating basis. A regular rotation will include staff from Disability Services, the Student Veterans' Services, Academic & Career Planning, Financial Aid, Registrar, University Housing, the Student Counseling, and other offices as deemed necessary.

The Director of the Opportunity Center is a direct report to President Sheila Gestring, with ongoing responsibilities in student leadership development, campus speakers, career services, and free speech training. The director will oversee and implement an expanded President's Leadership Institute, including a Learning to Lead program aimed at first-year students, an Emerging Leaders program designed for second- and third-year students, and a President's Senior Leadership Institute that targets fourth-year students. This will not only significantly increase the number of students who receive leadership training but will also provide a greater degree of training to those who seek it. The Opportunity Center will also expand USD's current career services efforts to include a deliberate partnership with the USD Alumni Association to match students with alumni mentors and oversight of the new Coyote Careers Kickstart Program.

USD will also use the Opportunity Center to coordinate institutional efforts to advance the rich

tradition of American public universities, built upon free speech, scientific discovery and academic freedom. The director will become a focal point for USD's ongoing efforts to present a wide variety of campus speakers offering multiple perspectives on topics of interest. Under the director's guidance, the Opportunity Center will develop its own speaker series that includes topics with diverging views while also maintaining a master schedule of all campus discussions. It will also serve as a resource for the rest of campus to assist in arranging and identifying speakers who can provide perspectives on current or emerging hot topics and oversee a registry of all campus speakers to keep an inventory of who is speaking on campus in real time. Finally, the Opportunity Center will also serve as a campus resource on USD and BOR free speech policies and facility use procedures. It will play a direct role in making annual presentations on free speech content at freshman orientation and to student organizations.

As the state's comprehensive public liberal arts institution, USD is well-positioned to enhance the preparation of students for informed and responsible citizenry in our democratic republic. The university has a long history of offering civic-minded programming, including Constitution Day events, moderated political forums, campus speakers representing the entire political spectrum, and opportunities for civic and political engagement. The university also has a commendable record of offering academic majors and minors in history, political science, classical humanities and civic leadership, all of which include relevant course content and student experiences. As part of the Opportunity for All framework, USD will better coordinate its existing efforts through a new USD History, Civics & the Law Lecture Series housed in the Office of Academic Affairs. Incentives will be created to encourage academic departments to add additional events to the lecture series. The Office of Academic Affairs and the Opportunity Center will also work with the W.O. Farber Center for Civic Leadership and the Chiesman Center for Democracy to identify additional civic-minded programming to enhance the campus experience.

USD will also use the Opportunity for All framework to promote equal opportunity and non-discrimination for all through merit-based assessment and decision making to ensure that, whether directly or indirectly, preferential or adverse treatment on the basis of one's identity or belief system is not occurring. One effort already underway is a review of the campus-level Expectations of the Faculty document that applies to faculty in the College of Arts & Sciences, Beacom School of Business, School of Education, College of Fine Arts, and University Libraries. The review will be conducted by the Office of Academic Affairs and the relevant deans this fall, and an updated campus-level document will be distributed later this fall or early spring to academic departments who will in turn revise their corresponding unit-level documents. Per Board of Regents policy, documents that are revised during this process will go into effect during the 2022-2023 academic year. A review of faculty expectations for Health Affairs and the School of Law will also take place this academic year.

The Opportunity Center will also play a role in enhancing merit-based assessment and decision making in two specific ways. First, the Opportunity Center will work with Human Resources to develop and conduct search committee trainings for all campus offices. This will ensure that administrators, faculty and staff are following uniform procedures for creating the most broadly representative hiring pools possible and then identifying the most qualified candidates from within those hiring pools. Second, the Opportunity Center director will be involved in a review of current diversity committees to ensure a focus on success for all students, faculty and staff. The director will serve on a campus advisory group that will review the existing charges for the university diversity committees and will then work with the president's leadership team to identify and implement amended charges to those committees so they support all students.

This draft framework is intended to guide USD's forward progress in making an Opportunity Center a reality on campus. Developing a successful Opportunity center will require ongoing engagement, review and refinement after implementation in January 2022; USD will work with the BOR and its peer institutions to help develop standard metrics of success and will continue to have ongoing dialogue with the board and its campus community to assess the Center's ongoing effectiveness.

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**AGENDA ITEM: 8 – E**  
**DATE: December 8-9, 2021**

\*\*\*\*\*

#### **SUBJECT**

**BHSU & Crazy Horse Memorial Foundation Agreement**

#### **CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:3](#) – Agreements and Contracts

#### **BACKGROUND / DISCUSSION**

Crazy Horse Memorial Foundation (“CHMF”), a 501(c)(3), desires to partner with Black Hills State University (BHSU) to offer two cooperative summer semester undergraduate academic programs, the first entitled 7<sup>th</sup> GEN – First-Year and the second entitled 7<sup>th</sup> GEN Upper-Level, which will be offered at the Indian University of North America of Crazy Horse Memorial Foundation through BHSU. The agreement set forth in Attachment I (“Agreement”) outlines the expectations and obligations of the parties. In summary, BHSU will collaborate with CHMF to offer and grant credit for the curriculum outlined in the Agreement, with CHMF funding the instructional and direct operating expenses of the 7<sup>th</sup> GEN Summer Programs. The 7<sup>th</sup> GEN – First-Year Program allows each student to complete up to 12 credit hours (4 course), with the 7<sup>th</sup> GEN Upper-Level Program comprised of a 35-40 hours per week internship, resulting in the award of 3 credit hours through BHSU.

Since the partnership involves both the joint sponsorship of educational programming for which credit is awarded and the operation of an off-campus instructional site that is intended to operate for more than one academic year, Board approval is required per BOR Policy 5:3.

#### **IMPACT AND RECOMMENDATION**

Approval of the Agreement set forth in Attachment I will provide the opportunity for BHSU and CHMF to partner on the 7<sup>th</sup> GEN Summer Programs at the Indian University of North America of Crazy Horse Memorial Foundation, with BHSU providing the instruction and credits for the desired curriculum, with the instructional and operating expenses provided by CHMF.

Board staff recommends approval.

#### **ATTACHMENTS**

Attachment I – BHSU & CHMF Agreement

\*\*\*\*\*

#### **DRAFT MOTION 20211208\_8-E:**

I move to approve the Agreement between Black Hills State University and the Crazy Horse Memorial Foundation in substantially similar form to that set forth in Attachment I.



**Agreement Between  
Crazy Horse Memorial Foundation and its Indian University of North America®  
(IUNA) And  
Black Hills State University  
(BHSU) November, 2021**

This Agreement between Crazy Horse Memorial Foundation (“CHMF”), a 501c3 public charity of international scope offering higher education opportunities through partnerships with select universities and Black Hills State University (“BHSU”), a public university under the control and management of the South Dakota Board of Regents (SDBOR). For good and valuable consideration, consisting of the mutual promises herein, the Parties hereto agree as follows:

This Agreement outlines the cooperative operational implementation of two summer semester, undergraduate academic programs, titled **7<sup>TH</sup> GEN®-First-Year** and **7<sup>TH</sup> GEN® Upper Level**, offered at The Indian University of North America® of Crazy Horse Memorial Foundation. The title 7<sup>TH</sup> GEN refers to the Native philosophy of looking 7 years ahead when making decisions and taking actions.

**7<sup>TH</sup> GEN® First-Year Undergraduate Summer Program**

The purpose of the program is to: 1) offer a culturally-relevant, high impact credit bearing program teaching Native students how to best navigate the requirements of university attendance while completing their first semester; 2) to provide accepted students with the university courses identified herein (up to 12 credit hours each), which will transfer to any regionally accredited college or university; 3) to extend accepted students enrolled in the program a credit bearing paid internship learning experience at the Memorial’s visitor complex with placement in either CHMF or its onsite gift shop and restaurant; and 4) to further fulfill the educational and humanitarian mission of CHMF and BHSU’s commitment to the Black Hills region and support of Native students.

The 7<sup>TH</sup> GEN® First-Year Summer Program recruits and accepts high school graduates who meet the program’s regular or probationary admission requirements, the majority of whom are American Indian or Alaskan Natives, from an applicant pool of eligible students throughout the United States. Accepted students enroll and participate in a summer semester that offers them the opportunity to earn 12 credit hours.

The courses offered include 2 core courses, a College Success Class (3 credit hours) and the Native Studies Internship (3 credit hours). Students then choose 2 other courses from the options of Introduction to Speech, American Indian Art History, English Composition or English Literature, and General Psychology. All students are classified as BHSU students during the

summer semester and they earn BHSU credit hours, which are transferable to a college, university, or technical institute of the students' choice. Students continue their studies at their chosen degree granting institutions in the fall. The 7<sup>TH</sup> GEN<sup>®</sup> First-Year Summer Program includes a rigorous academic component which includes the unique Internship and a structured residential experience immersed in Native culture. The Program is designed to validate and empower students, while helping them foster the skills, knowledge and habits to succeed in college and life. The inspirational story of Crazy Horse Memorial and Crazy Horse are key components in both curricular and co-curricular activities.

### **7<sup>TH</sup> GEN<sup>®</sup> Upper-Level Undergraduate Summer Program**

To further inspire and create an additional educational opportunity in leadership and career development for students who successfully completed the First-Year 7<sup>TH</sup> GEN<sup>®</sup> or Wizipan Programs of IUNA, the Upper-Level Program is available to select applicants who are chosen to enroll in a full-time internship (35-40 hours per week) at Crazy Horse Memorial or with other select employers throughout the Black Hills region. The Wizipan Program referenced above is a 15 credit hours certificate program in leadership and sustainability offered at IUNA during the fall semester in partnership with South Dakota State University. In addition to the experiential component, students gather once per week for the academic component of the class. Students earn 3 BHSU credit hours and again, the credit is transferable to the student's degree granting college.

Students may be second semester first-year through senior status college students including students who may have dropped out of college and need a pathway back.

### **BHSU Covenants and Agrees to Undertake the Following Duties and Obligations:**

1. Extend the following courses in a face-to face format: ENG 101 Composition I or ENG 210 English Literature (3 credits); Psych 101 General Psychology (3 credits); SPCM 101 Fundamentals of Speech (3 credits); American Indian Art History (3 credits); College Success Class (3 credits); Native Studies Internship (3 credits); and EXPL 394 Upper-Level Leadership and Career Development Internship (3 credits). If extenuating conditions warrant, the courses, with the exception of the Internships, may be offered online. However, face-to-face delivery at IUNA with enrolled IUNA students only is the preferred delivery model.
2. Work with CHMF to develop and deliver a joint, annual recruitment plan for the 7<sup>TH</sup> GEN<sup>®</sup> Summer Programs.
3. Maintain strong academic standards for courses offered at CHMF. No annotations will be made on transcripts to distinguish between courses offered at CHMF and those offered on the home campus.

4. Employ and/or credential qualified faculty to teach the courses and one or more teaching assistants as needed. Provide faculty appointments appropriate to academic credentials in accordance with BHSU policies. CHMF employees assigned to teach should be approved by BHSU in advance. Assigned faculty will be chosen jointly by CHMF and the appropriate BHSU department chair and dean and provost. The faculty will be contracted through BHSU and CHMF will reimburse the faculty salaries. If approved by CHMF and BHSU, some appointed faculty may be directly employed by CHMF, in which case, reimbursement will not be necessary.
5. Delegate direct supervision of the 7<sup>TH</sup> GEN® Summer Programs to CHMF, unless otherwise required to comply with BHSU policy, in which case CHMF will be engaged and consulted in any necessary decision-making and/or action. However, with respect to academic matters, the faculty's direct supervisor will remain the respective BHSU department chair and college/school dean.
6. Work with CHMF to evaluate the courses and faculty each summer semester; the parties will share any information pertinent to the evaluation that they gain or develop independently.
7. Extend BHSU library services and library privileges to enrolled students in the 7<sup>th</sup> GEN Programs, and faculty and teaching assistants employed pursuant to paragraph 4 above.
8. Name a main BHSU on campus point-of-contact/program coordinator with whom CHMF will work to plan and deliver the program, to include admission, registration, and billing details.
9. Assist with student recruitment and serve on the interview and selection committee and ensure accepted students are properly enrolled in the appropriate BHSU classes.
10. In concert with CHMF, plan and implement robust, culturally-relevant co-curricular programs for enrolled students in the 7<sup>th</sup> GEN Programs.
11. Arrange for state fleet vehicles for the summer semester with the understanding that the state fleet may only be used for official business as allowed per SD BOR and/or BHSU policy. CHMF faculty and staff driving fleet vehicles are required to complete a volunteer form prior to driving state vehicles.
12. Maintain a complete record of academic work completed by students and share this record with CHMF as authorized herein.

13. Make available BHSU counseling services for students in need.
14. Offer the courses identified in paragraph 1 above at the Board of Regents' externally funded tuition rate.
15. Annually review and approve academic plans and budgets for the First-Year and Upper-Level Summer programs. Operate the program in keeping with approved budgets and bill for tuition, faculty reimbursement, and fleet costs in keeping with this Agreement.
16. Develop specialized student and faculty/staff handbooks for the 7<sup>TH</sup> GEN<sup>®</sup> Programs jointly with CHMF.
17. Assist CHMF with annual research on college persistence and college completion of students who successfully complete the program. Provide National Clearing House data through BHSU to CHMF researchers as needed.
18. Consult with CHMF on any planned grant proposals and/or research involving or related to the academic programs identified in this Agreement.
19. Comply with the rules, regulations, and policies of state and federal governments, and the policies of the Higher Learning Commission, SD Board of Regents, and Black Hills State University. Extend regional accreditation to courses and programs at CHMF and provide evidence of accreditation to CHMF.
20. Comply with the rules, regulations, and policies of CHMF, except if in conflict with the laws, rules, regulations, and policies of the Higher Learning Commission, the SD Board of Regents, and Black Hills State University.

**CHMF Covenants and Agrees to Undertake the Following Duties and Obligations:**

1. Fund the instructional and direct operational expenses for the 7<sup>TH</sup> GEN<sup>®</sup> Summer Programs, in keeping with the approved CHMF budget prepared annually. To include:
  - a. Student tuition at the SDBOR approved externally funded tuition rate.
  - b. Faculty and teaching assistant salaries. Assigned faculty will be chosen jointly by CHMF and the appropriate BHSU department chair and dean. The faculty will be contracted through BHSU and CHMF will reimburse the faculty salaries. If agreed upon by the parties, some appointed faculty may be directly employed by CHMF.
  - c. Fleet expenses for use of state vehicles.
  - d. An onsite director and assistant director for the programs.
  - e. Onsite residence life manager and residential advisors providing 24/7 oversight.
  - f. Onsite academic advising and academic success coaching for enrolled students

- while onsite and beyond the program.
  - g. CHMF will provide food and lodging to faculty and teaching assistants assigned to the program who cannot commute.
  - h. CHMF will fund the majority of the students' food and lodging expense in the 7<sup>TH</sup> GEN<sup>®</sup> First-Year Summer Program. The student will be responsible for \$800 food and lodging expense paid to CHMF and for a \$50 Room Deposit. An external party or tribe may fund the students' expense share as arranged.
  - i. CHMF or an arranged third party will be responsible for a majority or up to 100% of the student food and lodging costs for the 7<sup>TH</sup> GEN<sup>®</sup> Upper-Level Program. Payment of student food and lodging costs may vary depending on the business location of the internships. Program fact sheets will fully clarify and disclose any student responsibility to pay food and lodging costs.
  - j. Books.
  - k. Co-Curricular expenses.
2. Prepare students and faculty/staff handbooks jointly with BHSU.
  3. CHMF will provide direct supervision of the program, subject to any limitations stated herein. For academic matters, faculty supervisors remain the respective BHSU department chair and college or school dean.
  4. Recruit students to the programs and conduct interviews and accept up to 32 students in the 7<sup>TH</sup> GEN<sup>®</sup> First-Year Program and the annual enrollment number set for the 7<sup>TH</sup> GEN<sup>®</sup> Upper- Level Program as determined by CHMF. Share the contact information of all student prospects with the BHSU director of admissions.
  5. Develop and administer admission applications for each program jointly with BHSU.
  6. Organize, deliver, and supervise co-curricular activities in keeping with the learning objectives of the 7<sup>th</sup> GEN Programs.
  7. Annually obtain the data for, draft the report of, and share with BHSU the research results of the college persistence/college graduation and employment information on students who successfully completed the program, regardless of where they are pursuing degrees.
  8. Plan and deliver the annual student and faculty and staff orientations prior to the start of the Summer Programs.
  9. Operate the 7<sup>TH</sup> GEN<sup>®</sup> Summer Programs in keeping with the terms of the Agreement and CHMF approved budgets.

10. Provide instructional and residential space for the 7<sup>TH</sup> GEN<sup>®</sup> First-Year Program at CHMF and at an arranged location or locations for the Upper-Level Program.
11. Comply with the applicable laws, regulations, and policies of state and federal governments, and the policies of the Higher Learning Commission the SDBOR, and BHSU.

### **No Partnership**

AGREEMENT. Nothing herein shall be construed as a waiver of sovereign immunity on behalf of BHSU. For purposes of this, Agreement, BHSU and CHMF are separate and independent legal entities, and are not related in any manner. Neither party shall have the authority to legally bind, incur any liability on behalf of, or direct the work of, the other party, their officers, agents, or employees.

### **Notices**

Any notice or other communication required under this Agreement shall be in writing and communicated to the following points of contact. Notices shall be directed to the parties as indicated below or to such other address as may have been designated in writing by the addressee

#### **If to CHMF**

Chair of the Board of Directors  
Crazy Horse Memorial Foundation  
12151 Avenue of the Chiefs  
Crazy Horse, SD 57730  
memorial@crazyhorse.org  
605-673-4681

#### **If to BHSU**

President Laurie Nichols  
Black Hills State University  
1200 University Street  
Spearfish, SD 57799  
Laurie.Nichols@bhsu.edu  
605-642-6111

#### **With a copy to:**

CEO  
Crazy Horse Memorial Foundation  
12151 Avenue of the Chiefs  
Crazy Horse, SD 57730  
[Monique@crazyhorse.org](mailto:Monique@crazyhorse.org)  
605-673-4681

### **Publication of Research**

BHSU as a state institution of higher education engages in research that is compatible, consistent, and beneficial to its academic role and mission. Therefore, significant results of

research activities must be reasonably available for publication. The parties acknowledge that BHSU has the right to publish results in keeping with this Agreement. CHMF must approve, in advance, any research to be conducted at or about CHMF involving enrolled students during the term of this Agreement and thereafter. CHMF shall have thirty (30) days to review and comment on any proposed publication resulting from the work conducted in accord with this Agreement. If CHMF finds errors of fact in the proposed publication, the two parties shall negotiate over the wording. If Agreement cannot be reached between CHMF and the researcher, CHMF will write a footnote, to be identified by its source, pointing out these errors of fact, and the source-noted footnote will be included in the publication. CHMF must approve the use of its corporate name and identity, including The Indian University of North America <sup>2</sup> in BHSU-approved publications and in research submitted for publication in accord with this Agreement.

### **Non Discrimination**

BHSU and CHMF agree not to discriminate or harass individuals on the basis of sex, race, color, creed, national origin, ancestry, citizenship, gender, gender identification, transgender, sexual orientation, religion, age, disability, genetic information, U.S. veteran status, or any other status that may be protected under the U.S. and South Dakota law against discrimination. Both parties understand that in keeping with the CHMF mission, preference is given to students and faculty who are enrolled members of federally recognized tribes.

BHSU and CHMF will comply with the applicable Family Educational Rights and Privacy Act (FERPA) requirements and protection of Student Information. Confidential student records and information ("Student Information") include hard copy, and any other format or medium, Student Education Record Information and personally identifiable information contained therein as defined by FERPA. CHMF shall not disclose Student Information except as permitted or required by the Agreement, as required by law, or as otherwise authorized in writing by BHSU. CHMF agrees not to use Student Information for a purpose other than the purpose for which the disclosure was made. The parties shall develop, implement, maintain, and use appropriate administrative, technical, and physical security measures to preserve the confidentiality, integrity, and availability of all electronically maintained or transmitted Student Information received from, or on behalf of students in the 7<sup>TH</sup> GEN<sup>®</sup> Summer Programs. These measures will be extended by Agreement to all subcontractors used by CHMF.

CHMF shall report in writing to BHSU any use or disclosure of Student Information not authorized by this Agreement. For purposes of this Agreement, BHSU shall designate CHMF as school officials with a legitimate educational interest in the educational records of students participating in the program only to the extent expressly allowed above.



### **Confidentiality**

BHSU agrees that any propriety information supplied to it by CHMF during the course of research performed by BHSU will not be included in any published material without prior approval by CHMF.

Beyond recruiting and general description of the 7<sup>th</sup> GEN® Programs, CHMF and BHSU will not include each other's names in any advertising, sales promotion, or other publicity matter without the prior written approval of the authorized leader within each organization.

### **Term**

The 7<sup>th</sup> GEN programs outlined herein and established in this Agreement will be evaluated annually by representatives of BHSU and CHMF at the conclusion of each summer semester and shall include a written evaluation of this Agreement to determine if any revisions are needed for the following year.

Unless written notification is provided by either of the parties by January 1, for the summer semester of the following calendar year, this Agreement, unless terminated earlier for cause, will be automatically renewed for another year to provide a continuous, contractual understanding. It is agreed and understood that both parties desire a long-term relationship in operating and developing the BHSU and CHMF association to expand academic programs to serve Native students and help them succeed in life.

### **Termination and Cure Period**

In the event of a breach of this Agreement, the Non-breaching party must provide Notice of the Breach. The Breaching party has Ninety Days after receipt of the written notice to cure or inform the Non-breaching party of their plans to cure. In the event that the breach is not cured within the 90 day time period, or the Non-breaching party is not satisfied with breaching party's plan to cure, the Non Breaching party may terminate this AGREEMENT by a final written Notice. Such termination shall not become effective with respect to enrolled students in the 7<sup>th</sup> GEN Program until they complete the program.

This Agreement depends upon the continued availability of the externally funded tuition rate from the SDBOR for this purpose and on the continued availability of funds from CHMF. If for any reason the SDBOR externally funded tuition rate becomes unavailable or CHMF lacks adequate funds for the Programs, this AGREEMENT will be terminated, but termination must occur prior to the start of a summer semester.

Termination for any of the funding reasons stated above shall not constitute a default by BHSU or CHMF, nor shall it give rise to a claim against CHMF, BHSU, the SDBOR, or the State of South Dakota.

#### **Final Agreement.**

This Agreement constitutes the final, complete and entire Agreement of the parties as to the subject matter contained herein, and supersedes all prior Agreements, negotiations, and communications of the parties, whether oral or written.

#### **Severability.**

The invalidity of all or any part of any section of this Agreement shall not render invalid the remainder of this Agreement or the remainder of such section. If any provision of this Agreement is held to be unenforceable for any reason, it shall be modified rather than voided, if possible, in order to achieve the intent of the parties to this Agreement to the extent possible.

#### **Amendments**

No amendment of any provision of this Agreement shall be valid unless the same shall be in writing and signed by all of the parties to this Agreement.

#### **Waiver**

No waiver by any party of any default, misrepresentation, or breach of any representation, warranty or covenant hereunder, whether intentional or not, shall be deemed to extend to any prior or subsequent default, misrepresentation, or breach of any representation, warranty or covenant hereunder or affect in any way any rights arising by virtue of any

default, misrepresentation, or breach of any representation, warranty or covenant prior to or subsequent to such occurrence.

**Assignment**

No party may assign either this Agreement or any of its rights, interests or obligations hereunder without the prior written consent of the other party or parties.

**Construction**

In the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the parties and no presumption or burden of proof shall arise favoring or disfavoring any party by virtue of the authorship of any of the provisions of this Agreement.

**Headings**

The section headings contained in this Agreement are inserted for convenience only and shall not affect in any way the meaning or interpretation of this Agreement.

**Counterparts**

This Agreement may be executed in one (1) or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Acknowledges and Agreed to by:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

# CRAZY HORSE MEMORIAL FOUNDATION

---

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared \_\_\_\_\_, as \_\_\_\_\_ of Crazy Horse Memorial Foundation, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

---

Notary Public

My Commission Expires:\_\_\_\_\_

(SEAL)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

BLACK HILLS STATE UNIVERSITY

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 :ss.  
COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared \_\_\_\_\_, as \_\_\_\_\_ of Black Hills State University, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

Notary Public  
My Commission Expires: \_\_\_\_\_

The South Dakota Board of Regents adjourned its regular business meeting on December 9, 2021 and will meet again for its next regular business meeting on March 28-29, 2021 in Spearfish.

I, Brian Maher, Executive Director & CEO of the South Dakota Board of Regents, declare that the above is a true, complete and correct copy of the minutes of the Board of Regents meeting held on December 8-9, 2021.

A handwritten signature in black ink that reads "Brian L. Maher". The signature is written in a cursive, flowing style.

Dr. Brian L. Maher  
Executive Director & CEO  
South Dakota Board of Regents