

**BOARD OF REGENTS  
MINUTES OF THE MEETING  
October 6-7, 2021**

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**BOARD OF REGENTS  
MINUTES OF THE MEETING  
October 6-7, 2021**

The South Dakota Board of Regents convened at 10:00 a.m. Mountain Time on October 6, 2021 at South Dakota School of Mines & Technology in Rapid City, South Dakota. Regent Bastian established a quorum with a roll call vote.

ROLL CALL:

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

\*Regent Wink participated via Zoom.

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; 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, OCTOBER 6, 2021**

Regent Bastian declared a quorum present and called the meeting to order at 10:00 a.m.

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

IT WAS MOVED by Regent Rave, 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 August 3-5, 2021**

IT WAS MOVED by Regent Rave, seconded by Regent Venhuizen, to approve the minutes of the Board of Regents meeting on August 3-5, 2021.

Regent Partridge asked for clarification on page 2 of the August 2021 meeting minutes where a budget proposal regarding end point detection was referenced. In order to have the appropriate staff available to answer the question, it was decided that the vote to approve the August 2021 minutes would be deferred to later in the meeting.

### **Motion to Dissolve into Executive Session**

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to dissolve into Executive Session at 10:15 a.m. on Wednesday, October 6th, 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 3:00 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 10:10 a.m.

The Board reconvened in public session at 3:30 p.m.

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

Regent Thares reported that the Board dissolved into Executive Session at 10:15 a.m. on Wednesday, October 6th, 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 rising from Executive Session at 3:30 p.m. to resume the regular order of business.

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 Rave, 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 22 to 24 of the official minutes.

### **1-C Approval of the Minutes – Meeting on August 3-5, 2021 – CONTINUED**

Continuing the earlier discussion, Regent Partridge asked for clarification about a budget proposal for end point detection as mentioned on page 2 of the August 2021 minutes.

Heather Forney, System Vice President of Finance & Administration, explained that this was an ARPA budget proposal for a total of roughly \$4.5 million approved at the August retreat.

SUBSTITUTE MOTION: IT WAS MOVED by Regent Partridge, seconded by Regent Roberts, to approve an amendment to the minutes to include the amount of the budget proposal by inserting words on page 2 after "proposal" to say "in the amount of \$4.472 million from ARPA funds". Motion passed.

IT WAS MOVED by Regent Rave, seconded by Regent Partridge, to approve the minutes of the Board of Regents meeting on August 3-5, 2021, as amended. Motion passed.

### **3-B Welcome and Presentation by SDSMT President Jim Rankin**

President Jim Rankin welcomed meeting attendees to SDSMT and provided an update on the efforts and accomplishments of the university.

### **3-C (1) Student Organization Awards – South Dakota School of Mines & Technology**

Dr. Joseph Dlugos, SDSMT Associate Vice President for Student Development and Dean of Students, and Cory Headley, SDSMT Director of Student Engagement, presented the SDSMT student organization award winners for 2020. Study Dakota accepted the award for academic excellence. Lambda Chi Alpha accepted the award for community service. Society of Physics Students accepted the award for organizational leadership.

A copy of the Student Organization Awards – South Dakota School of Mines & Technology can be found on pages 25 to 26 of the official minutes.

### **3-C (2) Student Organization Awards – Black Hills State University**

Dr. Pam Cariveau, BHSU Interim Vice President of Academic Affairs, presented the BHSU student organization award winners for 2020. Health Sciences Student Organization accepted the

award for academic excellence. KBHU TV accepted the award for community service. Student Government Association accepted the award for organizational leadership.

A copy of the Student Organization Awards – Back Hills State University can be found on pages 27 to 28 of the official minutes.

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

President Griffiths introduced Amy Crissinger as the new Vice President of Student Affairs at DSU.

President Rankin introduced Dr. Joseph Dlugos as the new Associate Vice President of Student Development at SDSMT.

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

Regent Venhuizen said he was very happy to attend the ribbon cutting for the Precision Ag building at SDSU recently. Additionally, he attended the ribbon cutting at the newly renovated National Music Museum at USD and encouraged all to take the opportunity to visit.

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

Zebadiah Johnson, Student Federation Executive Director, provided an update on Student Federation activity.

### **3-G (1) Report of the Executive Director – Senate Bill 55 Outreach Sessions**

Dr. Brian Maher, South Dakota Board of Regents Executive Director & CEO, explained that outreach sessions to share the work of the Senate Bill 55 Task Force are underway and will conclude next week. These meetings are an opportunity to update campus communities and local legislators about the Senate Bill 55 Task Force process and recommendations in advance of a final report that will be issued to the Governor and Joint Committee on Appropriations prior to the statutory deadline of November 15, 2021.

A copy of the Report of the Executive Director – Senate Bill 55 Outreach Sessions can be found on page 29 of the official minutes.

### **3-G (2) Report of the Executive Director – Fall 2021 Semester and Covid Update**

Dr. Brian Maher, South Dakota Board of Regents Executive Director & CEO, explained that university leadership has continually provided the Board office updates on major topics or highlights from their COVID response this Fall 2021 semester. Dr. Maher said these updates have been important in determining the best course of action. The COVID-19 infection rates within higher education have been low and seem to be trending in the right direction. He thanked the presidents for their hard work to ensure safety while also supporting a good student experience on campus.

A copy of the Report of the Executive Director – Fall 2021 Semester and Covid Update can be found on page **30** of the official minutes.

### **3-G (3) Report of the Executive Director – SDBOR Enrollment Update**

Dr. Brian Maher, South Dakota Board of Regents Executive Director & CEO, explained that system headcount was down slightly this semester, but that is not surprising considering the issues surrounding the pandemic. He said campuses are already gearing up for next year's enrollment and recruitment efforts. He said the needs-based scholarship will be important to both enrollment and retention in future years.

A copy of the Report of the Executive Director – SDBOR Enrollment Update can be found on pages **31** to **33** of the official minutes.

### **3-H By-Laws Amendments**

Nathan Lukkes, Board of Regents General Counsel, explained that two primary changes are being proposed to the By-Laws of the Board. The first change adjusts the structure of the Audit Committee, which is currently a separate standing committee of the Board. The proposed changes maintain the Audit Committee and its current functions, but rather than have it operate as a separate standing committee, the Audit Committee would operate as a sub-committee of the Budget and Finance Committee. This structure better aligns the standing committees to capitalize on the shared subject matter and expertise that spans these two committees, without detracting from the role of either. The second change creates a Legislative Committee, which is not a standing committee, but rather a special committee, which exists to be called upon when needed, similar to the Search Committee. The Legislative Committee would exist to provide input and advice to the Executive Director and/or Board on legislation and legislative matters. He said several activities were also added to the list under the Committee on Academic and Student Affairs, and noted that these lists of activities are meant to be a general scope of activities and not exhaustive.

IT WAS MOVED by Regent Thares, seconded by Regent Partridge, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final readings of the amendments to the By-Laws, as shown in Attachment I. Motion passed.

A copy of the By-Laws Amendments can be found on pages **34** to **43** of the official minutes.

### **3-I Final Senate Bill 55 Report and Recommendations**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, and Heather Forney, System Vice President of Finance and Administration, provided the final SB 55 Task Force Report and Recommendations to the Board of Regents. They said the Board is not being asked to accept the recommendations of the Task Force at this time. Instead, Board action is meant to acknowledge the report as submitted by the Task Force before it is shared with the Governor and the Legislature's Joint Committee on Appropriations.

The Task Force recommendations will be considered separately and will come to the Board in various ways, i.e. through Board meeting agenda items, the Executive Director, the Board of Regents Committee on Academic and Students Affairs as well as the Board of Regents Committee on Budget and Finance.

Regent Rave asked about the outreach/feedback sessions. Specifically, he asked about the positive and negative comments received at each.

Dr. Maher said one common theme from attendees has been caution not to think of efficiency only, but rather to consider growth as well.

Dr. Minder responded by saying these sessions have been a dialog and each have taken a life of its own. For instance, the session in Rapid City the previous evening focused on leveraging the power of the in-progress economic impact study.

Regent Venhuizen said he has attended three of the four outreach sessions that have taken place thus far. At these, he noticed concern from attendees that the universities will lose their sense of identity. He said that is not the intention and specializing identity and mission is actually what makes the universities strong. He reinforced that the appropriations of state tax funds for post-secondary education in South Dakota is much less than the surrounding states. He said we are running a system with less funds and doing many things well and efficiently and that can't be said enough.

Regent Roberts referenced the letter to the Governor and Legislature that goes along with the final SB55 Task Force Report. She asked that a paragraph be included that highlights the many good things the system is already doing well with much less funding than surrounding states.

Regent Partridge provided some background on the inception of SB55 and reinforced that this work is a major effort and just a beginning.

Both Regents Brown and Bastian said this is a continuing, living document and much of the work will be incorporated into the strategic plan.

Regent Stork thanked the staff members for their intensive work on this project.

IT WAS MOVED by Regent Roberts, seconded by Regent Rave, to accept the SB55 Task Force report in Attachment I and direct the executive director to submit it to the Governor and Legislature in its final form. Motion passed.

A copy of the Final Senate Bill 55 Report and Recommendations can be found on pages 44 to 111 of the official minutes.

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

There were no public comments.

## **CONSENT AGENDA**

IT WAS MOVED by Regent Venhuizen, seconded by Regent Partridge, to approve consent agenda items 5-A through 5-N. Motion passed.

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

#### **5-A New Program Request – NSU – Minor in Adapted Physical Education**

Authorize Northern State University to offer a minor in Adapted Physical Activities, as presented.

A copy of the New Program Request – NSU – Minor in Adapted Physical Education can be found on pages **112** to **121** of the official minutes.

#### **5-B Program Reactivation Request – USD – MM in Music with a specialization in the History of Musical Instruments**

Approve the University of South Dakota's request to reactivate the Master of Music degree in Music with a specialization in the History of Musical Instruments.

A copy of the Program Reactivation Request – USD – MM in Music with a specialization in the History of Musical Instruments can be found on pages **122** to **123** of the official minutes.

#### **5-C (1) Articulation Agreements – South Dakota State University**

Approve South Dakota State University's articulation agreement with Riverland Community College.

A copy of the Articulation Agreements – South Dakota State University can be found on pages **124** to **129** of the official minutes.

#### **5-C (2) Articulation Agreements – University of South Dakota**

Approve the University of South Dakota's articulation agreement with Mitchell Technical College.

A copy of the Articulation Agreements – University of South Dakota can be found on pages **130** to **135** of the official minutes.

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

Approve Northern State University's agreement on academic cooperation with Pukyong National University, as presented.

A copy of the Agreement on Academic Cooperation – NSU can be found on pages **136** to **140** of the official minutes.

#### **5-E Memorandum of Understanding – NSU & South Dakota Educational Access Foundation**

Approve the Memorandums of Understanding between Northern State University and the South Dakota Education Access Foundation, as presented.

A copy of the Memorandum of Understanding – NSU & South Dakota Educational Access Foundation can be found on pages **141** to **154** of the official minutes.

#### **5-F Request to Seek Accreditation – SDSMT**

Approve South Dakota School of Mines & Technology's request to seek accreditation from the Engineering Accreditation Commission (EAC) of ABET, Inc. for its BS in Biomedical Engineering.

A copy of the Request to Seek Accreditation – SDSMT can be found on pages **155** to **159** of the official minutes.

#### **5-G SDSU & SD Department of Agriculture & Natural Resources Joint Powers Agreement – Ash Tree Herd Immunity Investigation**

Approve the Joint Powers Agreement set forth in Attachment I.

A copy of the SDSU & SD Department of Agriculture & Natural Resources Joint Powers Agreement – Ash Tree Herd Immunity Investigation can be found on pages **160** to **165** of the official minutes.

#### **5-H Digital Forensics Center Joint Powers Agreement – DSU & Attorney General's Office**

Approve the Joint Powers Agreement in substantively similar form to that set forth in Attachment I.

A copy of the Digital Forensics Center Joint Powers Agreement – DSU & Attorney General's Office can be found on pages **166** to **175** of the official minutes.

#### **Budget and Finance – Consent**

#### **5-I BOR Policies 6:1 – Facilities Planning & 6:10 – Legislative Authorization of Private or Grant Funded Facilities Revisions (First & Final Reading)**

Move to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final readings of BOR Policy 6:1 – Facilities Planning, as shown in Attachment I and BOR Policy 6:10 – Legislative Authorization of Private or Grant Funded Facilities, as shown in Attachment II.

A copy of the BOR Policies 6:1 – Facilities Planning & 6:10 – Legislative Authorization of Private or Grant Funded Facilities Revisions (First & Final Reading) can be found on pages **176** to **179** of the official minutes.

#### **5-J DSU Resolution – Public Sidewalk**

Move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the easement as stated therein, to draft and execute any necessary document(s) resulting therefrom, and to authorize staff to take any action(s) necessary to effectuate the intentions thereof.

A copy of the DSU Resolution – Public Sidewalk can be found on pages **180** to **187** of the official minutes.

#### **5-K South Dakota State University Plat Resolution and Greek Village Lease**

Move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and public Lands proceed with the plat as stated therein; and to further approve the Fourth Amendment to Master Ground Lease between the Board and South Dakota State College Development Association, included as Attachment II; and authorize the Board's Executive Director to execute any additional documents necessary to effectuate the foregoing.

A copy of the South Dakota State University Plat Resolution and Greek Village Lease can be found on pages **188** to **193** of the official minutes.

#### **5-L M&R Projects (Projects Greater Than \$250,000)**

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

A copy of the M&R Projects (Projects Greater Than \$250,000) can be found on page **194** of the official minutes.

#### **5-M SDSU Naming Request – First Bank & Trust Arena**

Move to approve the request from SDSU to rename the Frost Arena within the Stanley J. Marshall Center, as presented in Attachment I.

A copy of the SDSU Naming Request – First Bank & Trust Arena can be found on pages **195** to **198** of the official minutes.

#### **5-N FY22 Operating Budgets**

A copy of the FY22 Operating Budgets can be found on pages **199** to **225** of the official minutes.

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

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

A copy of the Interim Actions of the Executive Director can be found on pages **226** to **230** of the official minutes.



### **5-P Capital Project List**

A copy of the Capital Project List can be found on pages **231** to **235** of the official minutes.

### **5-Q Building Committee Report**

A copy of the Building Committee Report can be found on page **236** of the official minutes.

### **5-R Public Service Activity 2021 Report**

A copy of the Public Service Activity 2021 Report can be found on pages **237** to **255** of the official minutes.

## **ACADEMIC AND STUDENT AFFAIRS**

### **6-A (1) Special Schools Update – SD School for the Deaf**

Kim Wadsworth, Superintendent for the South Dakota School for Deaf, provided an update on the state of the school, including information about its mission, partners, and programs.

A copy of the Special Schools Update – SD School for the Deaf can be found on pages **256** to **264** of the official minutes.

### **6-A (2) Special Schools Update – SD School for the Blind and Visually Impaired**

Dan Trefz, Superintendent for South Dakota School for the Blind and Visually Impaired, provided an update on the state of the school, including information about its budget, expenditures, and improvements to its learning environment.

A copy of the Special Schools Update – SD School for the Blind and Visually Impaired can be found on pages **265** to **269** of the official minutes.

### **6-B SDSBVI Comprehensive Plan for Special Education**

Dan Trefz, Superintendent for South Dakota School for the Blind and Visually Impaired, explained that each year the Board of Regents is asked to approve the Comprehensive Plan developed by SDSBVI staff. Local school boards across the state are required to approve similar plans, and since the SDBOR serves in this capacity for SDSBVI, formal approval is required prior for submission.

IT WAS MOVED to Regent Brown, seconded by Regent Rave, to approve the South Dakota School for the Blind and Visually Impaired's Comprehensive Plan for Special Education as presented.

A copy of the SDSBVI Comprehensive Plan for Special Education can be found on pages **270** to **315** of the official minutes.

**THURSDAY, OCTOBER 7, 2021**

**Breakfast Meeting with Area Legislators**

Representative Trish Ladner (District 30), Representative Tim Goodwin (District 30), Representative Becky Drury (District 32), Representative Chris Johnson (District 32), Representative Mike Derby (District 34), Representative Tina Mulally (District 35), Representative Tony Randolph (District 35), Representative Mary Fitzgerald (District 31), Senator David Johnson (District 33), Senator Jessica Castleberry (District 35), Senator Helene Duhamel (District 32) met with Board members to informally discuss priorities in the public university system.

The Board reconvened at 9:05 a.m.

**6-C Opportunity for All**

Nathan Lukkes, Board of Regents General Counsel, explained that at its August meeting the Board approved a statement and action plan in regard to Opportunity for All, which directed Board staff and presidents to take certain actions and report back at the October Board meeting. He introduced three proposed revisions to policies related to the Opportunity for All efforts, including 1:11 (academic freedom), 3:9 (guest speakers), and 3:18 (student organizations).

Regent Venhuizen commended Nathan Lukkes for thinking through how the principles approved by the Board at its August meeting translate into policy.

Regent Wink also expressed her appreciation for Mr. Lukkes' work. She then shared a prepared statement on her thoughts related to Diversity Centers or Opportunity Centers as well as recent discussions of diversity, inclusion, and equity.

She said she whole-heartedly believes in the value of diversity and sees its value everywhere including on the prairie where there is a multitude of diverse grasses. She said it has been explained to her that the greater the diversity, the heavier the calves in the fall. She said on the prairies: The greater the diversity, the healthier the environment. On perspectives: The greater the diversity, the broader the thought. On people: The greater the diversity, the better the democracy. Further, she explained that she has spent years in classrooms and believes in the value of inclusion because she has seen how it benefits us all. Additionally, the struggle for equity is one of her bedrock principles.

She said she sees no ill will in any of her colleagues, as they talk about diversity, inclusion, and equity. And, it would please her greatly, if she could support her colleagues' vote for Opportunity Centers, but she indicated that she cannot. She explained that she believes opportunity for all is good, not bad. The language used to describe the new, proposed Opportunity Centers is good, not bad. She said she shares the values as stated in the BOR documents.

The reason for her concern is two-fold. First, she feels the primary job of regents is to lead, not to react. When we slip into reaction, we are no longer leaders. Watch any playground at any school, and you will see this play out again and again. She believes Opportunity Centers to be a reaction,

and probably an unnecessary reaction. In addition, reaction begets reaction. When we react, others will react. She said she believes this has already started, and it is a slippery slope which leads to her second concern. She fears the unintended consequences of this reaction will have a chilling effect on free thought; will lead to low morale among students, faculty, and staff; will hurt faculty recruitment; will have a very negative impact on accreditation; will stifle research and grant writing; and will hurt student enrollment.

Because of this she explained that she will vote no on Opportunity for All Centers as a vote of conscience.

Regent Partridge clarified that the motion is on the approval of policy revisions, not Opportunity Centers. He thinks policies 3:9 and 3:18 are interconnected and important to vote on together. He would encourage the passage of the policies as all three work well together.

Regent Roberts responded to Regent Wink's statement. She agrees with much of Regent Wink's sentiment but is disappointed with the latter part as she feels it is a political negative when opportunity for all students is a very important element of what the universities do.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to approve the first reading of the proposed revisions to BOR Policies 1:11, 3:9 and 3:18, as presented.

ROLL CALL:

Brown – AYE

Partridge – AYE

Rave – AYE

Stork – AYE

Venhuizen – AYE

Wink – AYE

Thares – AYE

Roberts – AYE

Bastian – AYE

Motion passed.

The presidents of the universities were invited to share examples of how they are operationalizing the statement of values approved by the Board in August.

After each president addressed the Board, Regent Venhuizen recognized the work of the universities and their plans to operationalize the intent of the Board regarding opportunity for all. He made comments on good leadership, which includes the need to both react to challenges and create opportunities. He submitted that the Board of Regents is doing both: reacting to challenges and creating opportunities. He said student success is extremely important to this system and the work of universities generally. Finally, he thanked Regent Wink for her statement because she shared diversity of thought, which makes this Board and its work better.

Regent Wink shared a story about data collected recently from Mines students, who appear to be asking for professional development around diversity.

Regent Rave and Brown, who both served on the subcommittee that helped to develop the guiding principles, recognized the good work of both the Board office and presidents.

Regent Partridge said this has been a well thought out exercise and supports the mission of the Board of Regents as articulated in the strategic plan.

A copy of the Opportunity for All can be found on pages **316** to **325** of the official minutes.

## **8. Senate Bill 55 Recommendation on Missions**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, introduced Charles Ansell from Complete College America and explained that he and his organization aim to promote strategies to enhance Purpose (student goals), Momentum (completion), Structure (career path) and Support (academic success) for student-centered higher education systems. She said Complete College America has much experience and expertise in working with other Boards on mission strategies and mission review. Because of that, he has been invited to present information to the Board that will be valuable prior to considering formal adoption of the Senate Bill 55 (SB55) Task Force recommendation on missions.

Mr. Ansell shared information on Complete College America and its efforts already completed in South Dakota, the power of common policies, transferable courses within a system, and common technology platforms as well as consideration for updating university mission statements.

Regent Partridge asked if there is a recommendation regarding how the Board of Regents should act with technical institutes for transferability. Mr. Ansell provided insight on reverse transfer, shared metrics, articulation agreements, and data.

Dr. Minder noted that the Board of Regents is beginning conversations with the Board of Technical Education on enhanced partnerships, and she is excited for what the future holds.

Regent Wink said all three subcommittees of the SB55 Task Force strongly recommended a review of missions.

Dr. Minder concluded by saying there is much to understand still before the Board can determine whether it wishes to commit to a review and update of missions. She explained that she will bring a Board item to the December meeting on the issue.

A copy of the Senate Bill 55 Recommendation on Missions can be found on page **422** of the official minutes.

## **6-D (1) Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:23 – New Program, Program Modification, Curriculum, Inactivation/Termination (First Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, reiterated the SB55 Task Force Recommendations related to New Program Requests.

She said considering these recommendations, the BOR academic staff in collaboration with the Academic Affairs Council (AAC) has developed a revised BOR Policy 2:23 provided in Attachment I of the agenda item. The draft revisions consider other external Regental policies, academic policies, and various research tools. The draft policy is designed to move all curriculum planning into one succinct policy.

Regent Venhuizen asked for clarification on the current processes versus the proposed process, especially related to the Intent to Plan. Dr. Minder said the proposed process has the Intent to Plan go directly to the Board's Committee on Academic and Student Affairs.

Both Regents Roberts and Bastian asked that it also go to the full Board, even if just through a comment in the Executive Directors' report.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed new BOR Policy 2:23, as presented. Motion passed.

A copy of the Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:23 – New Program, Program Modification, Curriculum, Inactivation/Termination (First Reading) can be found on pages 326 to 337 of the official minutes.

**6-D (2) Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:34 – Academic Program Evaluation (New Policy) (First Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, explained that the SB55 Academic Subcommittee arrived at its common recommendations after review of several articles, research on best practices, and evaluation of data within the Regental system. One of its recommendations, which was incorporated into the full task force report, focuses on program productivity.

The Task Force recommended that the Board of Regents revise policies related to “program productivity,” the common name given to the existing system policy addressing academic programs with a low number of graduates. The revised policies should include new metrics analyzing whether failure to meet enrollment or graduation requirements results in the program as retained, terminated, consolidated, or other outcomes. The new metrics and policies should also include information that better reflects the actual cost of offering the program, program alignment with strategic plans and state workforce needs, alignment with the new academic program approval process, consideration of academic quality, and options for input from faculty and students. The Task Force further recommends that the central office work with the Board of Regents to standardize and define the quantitative data provided in support of the new program productivity metrics.

In addition to this recommendation, guiding principles were also provided to BOR academic senior staff by the SB55 Academic Subcommittee. As a result, the BOR academic staff in cooperation with the Academic Affairs Council (AAC) developed a new BOR Policy 2:34 shown in Attachment I of the agenda item. The purpose of this new policy is twofold: 1) to establish a process providing optimal solutions for evidence-based metrics in academic program evaluation

and review, and 2) to incorporate a review process encompassing program outlays, enrollment pressures, strategies for interventions, and financial health.

Regent Roberts thanked Dr. Minder for spearheading this project as it satisfies the desires expressed by regents over the years.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed new BOR Policy 2:34, as presented. Motion passed.

A copy of the Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:34 – Academic Program Evaluation (New Policy) (First Reading) can be found on pages 338 to 351 of the official minutes.

**6-D (3) Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:35 – Course Enrollment Management (New Policy) (First Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that academic programming and curricular offerings are essential aspects of that which the Board of Regents governs. The new proposed policy is designed to respond to enrollment management including low enrolled sections. The need to manage section size includes the need to manage enrollment overall, including section enrollment, course/section rotation, and academic class capacity.

This proposed policy requires changes to existing BOR Policies 2:21 and 5:17, and these will be addressed in meeting agenda items 6-D(4) and 6-D(5). Essentially, though, this policy as shown in Attachment I of the agenda item will replace both policies. The objective to streamline one policy will be to ensure that course enrollment is monitored by understanding section size, scheduling or rotation of sections, academic class capacity, and canceling of sections. All course enrollment methodologies are tightly coupled academic functions. Maximizing the strategies necessary for advising and continual enrollment management will mark success for the campus.

Regent Venhuizen asked for clarification on the 7/10 rule, which he thought included a percentage. Dr. Minder said it does allow for a certain percentage, but it was difficult to make reporting accurate because of the many allowed exemptions. In the proposed policy, there would be no exemptions, she explained. She explained this new process would be trialed in a pilot phase and success would be to limit small classes to 18 percent. If that is not possible she would work to understand why and then determine whether a higher percentage is necessary.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed new BOR Policy 2:35, as presented. Motion passed.

A copy of the Senate Bill 55 Recommended Policy Revisions – BOR Policy 2:35 – Course Enrollment Management (New Policy) (First Reading) can be found on pages 352 to 361 of the official minutes.

**6-D (4) Senate Bill 55 Recommended Policy Revisions – Repeal BOR Policy 2:21 – Summer Term (First Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, explained that along with the proposed new BOR Policy 2:35 Enrollment Course Management found in Board agenda item 6 – D(3), it is recommended that BOR Policy 2:21 Summer Term be repealed. The objective of moving this policy language to BOR Policy 2:35 is to ensure that all aspects of course enrollment, including summer term, is in one policy location.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, approve the first reading to repeal BOR Policy 2:21 – Summer Term, as presented. Motion passed.

A copy of the Senate Bill 55 Recommended Policy Revisions – Repeal BOR Policy 2:21 – Summer Term (First Reading) can be found on pages 362 to 363 of the official minutes.

**6-D (5) Senate Bill 55 Recommended Policy Revisions – BOR Policy 5:17 – Instructional Funding (First Reading)**

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that along with the proposed new BOR Policy 2:35 Enrollment Course Management found in BOR Agenda Item 6 – D(3), it is being recommended that the policy language regarding section size in BOR Policy 5:17 Instructional Funding be relocated to the proposed new BOR Policy 2:35.

The objective of moving this policy language to BOR Policy 2:35 is to ensure that all aspects of course enrollment is located within one policy. The goal is to monitor course enrollment management holistically, including section size, scheduling or rotation of sections, academic class capacity, and overall adding/canceling of sections.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed revisions to BOR Policy 5:17, as presented. Motion passed.

A copy of the Senate Bill 55 Recommended Policy Revisions – BOR Policy 5:17 – Instructional Funding (First Reading) can be found on pages 364 to 367 of the official minutes.

**6-E 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 (First Reading)**

Nathan Lukkes, Board of Regents General Counsel, explained that 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 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 supervisors to implement corrective action in a timely and prudent fashion, without unnecessarily elevating the same to the realm of discipline.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed revisions to BOR Policy 4:4, BOR Policy 4:7, and BOR Policy 4:14, as presented. Motion passed.

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 (First Reading) can be found on pages 368 to 391 of the official minutes.

#### **6-F New Program Request – NSU – MEd in Art Education**

Dr. Erin Fouberg, NSU Associate Vice President for Academic Affairs, explained that NSU requests permission to offer a Master of Science in Education (MS.Ed.) program in Art Education. The MS.Ed. in Art Education will enhance the content knowledge and pedagogical skills of K-12 art teachers in South Dakota and across the country. The academic field of Art Education combines a deeper understanding of art history, theory, and methods with a broader knowledge of art techniques and processes. The program would primarily be an online degree program, with a practice-oriented summer residency taking place on campus. The program will advance knowledge and skills of professional, working art educators.

Regent Partridge asked questions about when the program would breakeven. Dr. Fouberg explained that it would cash flow in year two as there would only be one faculty member needed for the program.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to authorize Northern State University to offer the MS.Ed. in Art Education, as presented. Motion passed.

A copy of the New Program Request – NSU – MEd in Art Education can be found on pages 392 to 421 of the official minutes.

#### **BUDGET AND FINANCE**

##### **9-A (1) RESERVED**

##### **9-A (2) RESERVED**

##### **9-A (3) BOR Policy Revisions – BOR Policy 4:39 – Alternative Work Schedules (First Reading)**

Kayla Bastian, System Director of Human Resources, described a revision to BOR Policy 4:39. She said in the midst of the last several months, remote work has become a relevant issue for every work environment. She said the policy gives the campuses curbs and gutters in this regard.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the first reading of the proposed revisions to BOR Policy 4:39, as outlined in Attachment I. Motion passed.



A copy of the BOR Policy Revisions – BOR Policy 4:39 – Alternative Work Schedules (First Reading) can be found on pages 423 to 428 of the official minutes.

### **9-B BHSU-RC Renovation & Addition for West River Nursing Education Facility Design Plan**

BHSU President Nichols provided background on the SB55 recommendation to revamp and refocus Black Hills State University – Rapid City (BHSU-RC), which has had less and less use over the years. In response to the shortage of nurses in South Dakota as well as the need to better use the facility, she described the opportunity to address many needs through re-envisioning the center to a West River Nursing Education Facility.

Kathy Johnson, BHSU Vice President for Academic Affairs, explained that BHSU and SDSU request approval for the renovation and addition to the West River Nursing Education Facility. The Preliminary Facility Statement for this project was approved by the Board of Regents at its May 2021 meeting. This renovation and addition allow for the most efficient teaching of BHSU and SDSU nursing classes, which will help increase the number of nursing graduates needed in Rapid City to address the severe nursing shortage in the region.

Regent Partridge asked if the building addition and expansion of square footage maximizes the footprint or would it possible to build more. Kathy Johnson said there is more room to build, if necessary.

In response to a question by Regent Thares, Mary Ann Krogh, SDSU Dean of the College of Nursing, said in the current space they have been limited to a class size of 48 students because there was no room to expand. However, by moving to the BHSU-RC site, they have been able to expand to 72 students because they have classroom capacity, though there are some challenges considering they are spread over three buildings.

IT WAS MOVED by Regent Thares, seconded by Regent Partridge, to approve the Facility Program Plan for BHSU-Rapid City's Renovation & Addition for West River Nursing Education with initial cost estimates of \$15,114,644 using a request of \$8 million from the State of South Dakota, HEEF Funds, and private donations. Motion passed.

A copy of the BHSU-RC Renovation & Addition for West River Nursing Education Facility Design Plan can be found on pages 429 to 448 of the official minutes.

### **9-C DSU Athletics Event Center Facility Program Plan (FPP)**

Stacy Krusemark, DSU Vice President for Finance, explained that DSU is requesting approval of the Facility Program Plan for its proposed new Athletics Event Center. The Preliminary Facility Statement for this project was approved at the December 2016 Board of Regents meeting. The new facility would provide much needed space to accommodate DSU's growing sports and Esports programs, including competition, practice, academic, and support space.

Regent Partridge asked if the construction and M&R is 100 percent privately funded. Stacy Krusemark confirmed that that is correct. He also noted that there is no plan to increase the General Activity Fee because of this project.

Regent Thares said he is concerned that the construction estimate is light. Stacy Krusemark understood the concern and is interested in the bidding climate once they are ready. He said there may need to be changes to the design to accommodate the actual costs.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the Facility Program Plan for Dakota State University's Athletics Event Center with initial cost estimates of \$28,047,000 using private donations. Motion passed.

A copy of the DSU Athletics Event Center Facility Program Plan (FPP) can be found on pages 449 to 457 of the official minutes.

#### **9-D NSU Replace Lincoln Hall Combined Preliminary Facility Statement (PFS) and Facility Program Plan (FPP)**

NSU President Schnoor provided background on the impetus for the building project, which will provide modern classrooms and office space for NSU's School of Business, Office of Admissions, and the SDSU Accelerated Nursing Program. He said NSU is asking for \$29.5 million of support for the project. He shared information about the demolition and replacement of space as part of the project.

Veronica Paulson, NSU Vice President for Academic Affairs, requested approval of NSU's Preliminary Facility Statement and Facility Program Plan for the demolition of Lincoln Hall and the construction of a new facility on the site. She provided details on the current conceptual design, projected operational costs, M&R costs, space allocations, and projected budget and funding needs.

Regent Venhuizen said we cannot repeat enough times how many private donations have gone to NSU in the last several years. The support has been phenomenal.

IT WAS MOVED by Regent Thares, seconded by Regent Partridge, to approve the combined Preliminary Facility Statement and Facility Program Plan to replace Lincoln Hall at Northern State University with a cost not to exceed \$29.5 million from State of South Dakota General Funds, to establish a building committee, and to submit this project for legislative approval. Motion passed.

A copy of the NSU Lincoln Hall Preliminary Facility Statement and Facility Program Plan can be found on pages 458 to 472 of the official minutes.

#### **9-E SDSU SJAC Wrestling Revised Facility Design Plan (FDP)**

Barry Mielke, SDSU Associate Vice President of Facilities and Services, explained that SDSU requests approval of the revised Facility Design Plan to increase the total project cost to \$4,900,000

to account for the recent inflation of metal materials costs, which are the driving factors of the cost increases. He said the original Facility Design Plan was approved by the Board in May 2021.

IT WAS MOVED by Regent Thares, seconded by Regent Brown, to approve South Dakota State University's Revised Facility Design Plan with an increased budget of \$4,900,000 for design and construction of the Sanford Jackrabbit Athletic Center Wrestling Addition using private donations. Motion passed.

A copy of the SDSU SJAC Wrestling Revised Facility Design Plan (FDP) can be found on pages 473 to 478 of the official minutes.

#### **9-F SDSU Lincoln Hall Facility Design Plan (FDP)**

Barry Mielke, SDSU Associate Vice President of Facilities and Services, explained that SDSU requests approval of the Facility Design Plan for the second phase of renovation of Lincoln Hall. Funding for this project was approved by the South Dakota Legislature via SB43, and the Facility Program Plan was approved by the Board of Regents at its December 2020 meeting.

IT WAS MOVED by Regent Thares, seconded by Regent Venhuizen, to approve South Dakota State University's Facility Design Plan for renovation of Lincoln Hall at a cost not to exceed \$17,243,765 utilizing a combination of HEFF, grant, and donated funds. Motion passed.

A copy of the SDSU Lincoln Hall Facility Design Plan (FDP) can be found on pages 479 to 497 of the official minutes.

#### **9-G USD Wellness Center Expansion Facility Design Plan (FDP)**

President Gestring explained that USD requests approval of the Facility Design Plan for the USD Wellness Center Expansion. The 45,800 square foot expansion will better accommodate use by students, athletes, faculty, staff, and community members as well as include a 50-meter competition pool, a second pool for wellness and recreation activities, hot tub, steam room, restrooms, locker rooms, and mechanical/HVAC systems for the new square footage.

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to approve the University of South Dakota's Facility Program Plan for the Wellness Center Addition at an amount not to exceed \$25,000,000 utilizing a combination of private donations, and Auxiliary, Bond, and Local funds. Motion passed.

A copy of the USD Wellness Center Expansion Facility Design Plan (FDP) can be found on pages 498 to 508 of the official minutes.

#### **9-H USD Health Sciences Building Revised Facility Design Plan (FDP)**

President Gestring explained that USD requests approval of the revision to the Facility Design Plan for USD's Health Sciences Building, which was approved by the Board of Regents in October

2020. The revision of the FDP is due to an increase in project costs, specifically in the areas of technology, furnishing, and equipment costs.

IT WAS MOVED by Regent Thares, seconded by Regent Roberts, to approve the University of South Dakota's updated Facility Design Plan for the new Health Sciences Building at a cost not to exceed \$22,875,000. Motion passed.

A copy of the USD Health Sciences Building Revised Facility Design Plan (FDP) can be found on pages 509 to 521 of the official minutes.

## **9-I RESERVED**

## **9-J Dakota Bioproducts Innovation Institute**

Nathan Lukkes, Board of Regents General Counsel, explained that the Dakota Bioproducts Innovation Institute will serve as the primary tenant in Bioproducts Facility being constructed at the Research Park at SDSU, serving as the conduit for the public/private partnership and research and economic development activities envisioned for the facility, with the Research Park at SDSU (Growth Partnership) being the owner/landlord of the facility.

Regent Partridge asked if there will be additional tenants along with Dakota Bioproducts Innovation Institute. Nathan Lukkes said there will most certainly be more activity in addition to this group.

IT WAS MOVED by Regent Thares, seconded by Regent Partridge, to authorize the incorporation of the Dakota Bioproducts Innovation Institute by filing Articles of Incorporation in substantially similar form to those set forth in Attachment I of the agenda item, to adopt the by-laws for the corporation in substantially similar form to those set forth in Attachment II of the agenda item, and to authorize staff to take any actions necessary to effectuate the foregoing, which includes inserting the relevant information upon conclusion of related negotiations and approval of the Executive Director. Motion passed.

A copy of the Dakota Bioproducts Innovation Institute can be found on pages 522 to 539 of the official minutes.

## **ADJOURNMENT**

IT WAS MOVED by Regent Roberts, seconded by Regent Partridge, to adjourn the meeting. Motion passed.

The meeting adjourned at 12:15 p.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, October 6, 2021, in accordance with SDCL 1-25-2 to discuss matters authorized therein. Following executive session on June 23<sup>rd</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-C – Award one (1) year of prior service credit toward tenure and one (1) year of prior service credit toward promotion for Dr. Mark Spanier (DSU).*

*2-D – Approve the request to grant tenure as a Professor to Dr. Syed Ahmed (SDSU).*

*2-E – Award an honorary Doctorate of Public Service to James L. Scull (SDSMT).*

*2-H – Approve the agreements as presented, which are conditioned upon securing any necessary legislative approval(s) associated therewith.*

*2-J – Approve the terms of the employment contract addendum.*

*2-K – Approve the partial waiver of sabbatical repayment for Todd Menkhaus as requested by President Rankin.*

*2-L – Approve the employment contract as outlined in Attachment I for USD women's volleyball coach, Leanne Williamson.*

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

*2-O – Authorize settlement with Discount Seeds, Inc. upon terms and conditions substantively similar to those presented, subject to final review and approval of the Executive Director and the General Counsel, and to authorize any action(s) necessary and appropriate to effectuate the same.*

*2-P – Approve the gift agreement in substantively similar form to that presented, subject to final editing and approval of the same by the SDSU President and Executive Director, and authorize staff to take any actions necessary carryout the provisions and intent thereof.*

BLACK HILLS STATE UNIVERSITY						
Name	Title	Effective Date	Job Change Reason	New Salary	Prior Salary	% Increase
Connie Feist	Head Women's Triathlon Coach	7/22/2021	Permanent Additional Duties	\$40,000.00	\$30,901.00	29.4%
SOUTH DAKOTA STATE UNIVERSITY						
Name	Title	Effective Date	Job Change Reason	New Salary or Rate	Prior Salary or Rate	% Increase
Cibele Teieria Pinto	Imagining Engineer II	7/22/2021	Reclassification	\$66,601.00	\$60,546.00	10.0%
Kristi Villar	Assistant Softball Coach	7/22/2021	Retention	\$48,000.00	\$42,611.00	12.6%
Zachary Boyle	Assistant Chief Aircraft Mechanic	7/22/2021	Market/Equity Increase	\$27.14	\$24.67	10.0%
Charles Miller	Associate Athletic Trainer	7/22/2021	Retention	\$57,000.00	\$53,266.00	7.0%
Rachel Runge	Laboratory Coordinator	7/22/2021	Reclassification	\$38,334.00	\$34,381.74	11.5%
Beth Walstrom	Population Health Specialist	6/22/2021	Reclassification	\$58,086.00	\$44,434.00	30.7%
Dalitso Yabwalo	Research Associate I	6/22/2021	Retention	\$63,354.00	\$49,130.00	29.0%
UNIVERSITY OF SOUTH DAKOTA						
Name	Title	Effective Date	Job Change Reason	New Salary	Prior Salary	% Increase
Neil Fulton	Dean, School of Law	6/22/2021	FY Salary Increase/Tenure	\$282,750.00	\$250,000.00	13.1%
Sonja Kraus	Assistant Professor	7/22/2021	Sal Adj-Unusual Circumstance	\$55,766.00	\$49,810.00	12.0%
Michael McCrone	Athletic Trainer	6/22/2021	Sal Adj-Unusual Circumstance	\$42,000.63	\$37,444.00	12.2%
Anjaneyulu Putta	NMR Specialist	6/22/2021	Sal Adj-Unusual Circumstance	\$64,646.00	\$57,484.78	12.5%
Ann Waterbury	Director, Human Subjects	6/22/2021	FY Salary Increase/Additional Duties	\$73,431.20	\$67,099.16	9.4%

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SOUTH DAKOTA SCHOOL FOR THE DEAF						
Name	Title	Effective Date	Job Change Reason	New Salary	Prior Salary	% Increase
Sharon Jones	Outreach Consultant	7/22/2021	Sal Adj-Unusual Circumstance	\$46,555.00	\$43,755.00	
Julie Luke	Outreach Consultant	7/22/2021	Sal Adj-Unusual Circumstance			

APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR				
NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Jade Herman	Chief of Staff	8/22/2021	\$84,000.00	SDSM&T
Adrianna Heinert	Outreach Vision Consultant	8/26/2021	\$42,630.00	SDSBVI
Katie Kirchgasler	Teacher	8/26/2021	\$43,260.00	SDSBVI
Rachel Lynch	Teacher	8/23/2021	\$42,630.00	SDSBVI

**SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – C (1)**

**DATE: October 6-7, 2021**

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**SUBJECT**

**South Dakota School of Mines & Technology 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 School of Mines & Technology (SDSMT) Student Organization Awards will be presented at the October BOR meeting in Rapid City.

SDSMT Award for Academic Excellence: StudyDakota

StudyDakota was founded with the intention of helping those in the SDSMT community succeed academically and provide tutoring resources to others who may not have had access otherwise. This program not only aids middle and high school students in their initial steps of education, but it also provides the opportunity for college volunteers to review the basic concepts on which their major areas of study are built upon. While the program was only created in the last academic year, it has already recruited around 42 tutors. The organization has hosted over 25 tutoring sessions in just a few months, assisting students who attend various schools in the Rapid City Area School District and surrounding area.

SDSMT Award for Community Service: Lambda Chi Alpha

Lambda Chi Alpha is a fraternity of male students that emphasizes strong moral values and the value of service. Over the last academic year, members volunteered more than 250 volunteer hours despite COVID-19 related restrictions and a chapter-wide quarantine. They performed services hours in several ways. For instance, the group helped build a trail behind the school, hosted an event called Brothers Feeding Others where the group served dinner to over 200 college students, performed a trash cleanup on the M-hill, packaged food and volunteered to collect food donations for Feeding South Dakota.

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**INFORMATIONAL ITEM**



SDSMT Award for Organizational Leadership: Society of Physics Students

The purpose of the Society of Physics Students (SPS) is to advance the knowledge of physics in the region, promote the interest of physics in the surrounding academic and local communities, and nurture a professional attitude amongst its members. The members, officers, and advisor of SPS took it upon themselves to explore every avenue available to them to promote the group's mission throughout the COVID-19 challenges. The group co-hosted two socials and several virtual colloquiums with the Department of Physics for all students and members to attend. It also participated in student organization fairs and Go to Mines Campus Open Houses as well as attended numerous off-campus events to help promote the university to surrounding communities to update them about ongoing efforts and research done at SDSMT.

**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: October 6-7, 2021**

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**SUBJECT**

**Black Hills 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 Black Hills State University (BHSU) Student Organization Awards will be presented at the October BOR meeting in Rapid City.

BHSU Award for Academic Excellence: Health Sciences Student Organization

The Health Sciences Student Organization (HSSO) functions to prepare pre-professional students for a career in one of the many healthcare disciplines. HSSO facilitates students' education in non-academic aspects that are not easily addressed through classroom activities. Members are provided with avenues for health-related job training or shadowing and are supported in their preparation for application to professional school. During the last academic year, HSSO members organized and recruited for blood drives as well as organized and produced the Spearfish Middle School Sciences Fair held at the BHSU Young Center.

BHSU Award for Community Service: KBHU TV

KBHU TV is a student led, on-campus television station that strives to produce information televised for students, faculty/staff, and the community. Members have worked hard to ensure its programming is up-to-date with technical enhancements and that it appropriately supported the community through the challenges caused by COVID-19. Examples of this included participating in a light show for the city of Spearfish by making a scene in its Winder Wonderland fundraiser as well as creating a short video of local Christmas light displays set to BHSU concert choir music for the senior citizens in nursing homes who were not able to participate in their usual holiday traditions.

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**INFORMATIONAL ITEM**

BHSU Award for Organizational Leadership: Student Government Association

The Student Senate is the voice of the entire student population. It strives to foster productive communication among students, administration, faculty, and staff. The Student Senate held several significant events and activities over the past school year, including a mask-up campaign, the promotion of adventure weekends to encourage students to stay in the northern hills area over the weekends, development of a Trick or Treat so Others can Eat Campaign to support the local food pantry, hosted a district legislator debate to better inform the community and BHSU members of political topics, hosted a weekly speakers series, and participated in the testing of possible new logos for the university.

**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 – G (1)**

**DATE: October 6-7, 2021**

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**SUBJECT**

**Report of the Executive Director – Senate Bill 55 Outreach Sessions**

**CONTROLLING STATUTE, RULE, OR POLICY**

[Senate Bill 55](#)

**BACKGROUND / DISCUSSION**

Outreach sessions on the six public universities campuses are underway, and will conclude next week, to follow up on the work of the Senate Bill 55 Task Force over the past year.

These meetings are an opportunity to update campus communities and local legislators about the Senate Bill 55 Task Force process and recommendations in advance of a final report that will be issued prior to the statutory deadline of November 15, 2021. Representatives of the Board, its staff, public university presidents, and task force members are attending these outreach sessions to visit with area residents.

At the time of the Board's October meeting, four of the six campus meetings will have been held. Two remain in the following week: Aberdeen on October 12 and Vermillion on October 14.

**IMPACT AND RECOMMENDATIONS**

Executive Director Maher will update Board members on discussions held at the outreach sessions.

**ATTACHMENTS**

None

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**INFORMATIONAL ITEM**

**SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – G (2)**

**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Report of the Executive Director – Fall 2021 Semester and Covid Update**

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND / DISCUSSION**

As the Fall 2021 semester commenced, university leadership has continually provided the Board office updates on major topics or highlights from their COVID response.

**IMPACT AND RECOMMENDATIONS**

Since the COVID-19 response by campus must adjust to daily or weekly circumstances, Executive Director Maher will discuss the latest information and updates available to him when he meets with the Board in October.

**ATTACHMENTS**

None

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**INFORMATIONAL ITEM**

**SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – G (3)**

**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Report of the Executive Director – SDBOR Enrollment Update**

**CONTROLLING STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND / DISCUSSION**

Fall 2021 headcount enrollment at South Dakota's six public universities is largely unchanged from last year. System headcount was down 121 students, a decline of 0.35 percent. Total headcount at the six public universities was 33,445.

Another measure of enrollment is full-time equivalent (FTE) students. FTE for the Fall 2021 term, based on total credit hours generated by all students within the regents' system, was 23,964, a decline of 2.53 percent or 621 students over last year.

**IMPACT AND RECOMMENDATIONS**

Enrollments are substantially flat, which was to be expected considering the ongoing pandemic.

**ATTACHMENTS**

Attachment I – Board of Regents Fall 2021 Enrollment Announcement

\*\*\*\*\*

**INFORMATIONAL ITEM**



# News Release

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**FOR IMMEDIATE RELEASE:** Friday, September 24, 2021

## Board of Regents Releases Fall Enrollment for 2021

PIERRE, S.D. – Fall headcount enrollment at South Dakota’s six public universities is largely unchanged from last year, the South Dakota Board of Regents reported today. System headcount was down 121 students, a decline of 0.35 percent. Total headcount at the six public universities was 33,445.

Another measure of enrollment is full-time equivalent (FTE) students. FTE for the Fall 2021 term—based on total credit hours generated by all students within the regents’ system—was 23,964, a decline of 2.53 percent or 621 students over last year.

“Enrollments are substantially flat and that is about what we expected, since we still see impacts from the ongoing pandemic,” said Brian L. Maher, the regents’ executive director and CEO.

“While we dedicated ourselves to offering a more normal higher education experience this fall, these are challenging times. Our public university system is prepared to meet that challenge head on, delivering South Dakota a well-educated workforce and engaged citizens.”

### South Dakota Public University System: Fall 2021 Enrollments

Institution	Headcount				Full-time Equivalent			
	Fall 2020	Fall 2021	Enrollment Difference	Percentage Difference	Fall 2020	Fall 2021	Enrollment Difference	Percentage Difference
BHSU	3,608	3,539	-69	-1.91%	2,357.02	2,228.95	-128.07	-5.43%
DSU	3,186	3,219	33	1.04%	2,045.83	1,978.17	-67.67	-3.31%
NSU	3,431	3,340	-91	-2.65%	1,769.78	1,750.12	-19.67	-1.11%
SDSMT	2,477	2,418	-59	-2.38%	2,039.92	2,012.88	-27.03	-1.33%
SDSU	11,405	11,465	60	0.53%	9,248.53	9,058.91	-189.62	-2.05%
USD	9,459	9,464	5	0.05%	7,125.03	6,935.42	-189.61	-2.66%
<b>TOTAL</b>	<b>34,566</b>	<b>33,445</b>	<b>-121</b>	<b>-0.35%</b>	<b>24,586.1<sub>1</sub></b>	<b>23,964.4<sub>5</sub></b>	<b>-621.65</b>	<b>-2.53%</b>

The historical trend of headcount and FTE enrollment in South Dakota’s public university system, dating back to 1999, is shown in the following charts:

–more–

## Fall Enrollment – 2

**South Dakota Public University System  
Headcount Enrollment 1999-2021**

Fall Term	System	% Change
1999	26,616	
2000	27,134	1.95%
2001	28,446	4.84%
2002	29,533	3.82%
2003	29,716	0.62%
2004	29,844	0.43%
2005	30,720	2.94%
2006	30,901	0.59%
2007	32,148	4.04%
2008	32,943	2.47%
2009	33,779	2.54%
2010	36,440	7.88%
2011	36,103	-0.92%
2012	36,430	0.91%
2013	36,365	-0.18%
2014	36,532	0.46%
2015	36,439	-0.25%
2016	36,531	0.25%
2017	36,662	0.36%
2018	35,737	-2.52%
2019	34,520	-3.41%
2020	33,566	-2.76%
2021	<b>33,455</b>	<b>-0.35%</b>

**South Dakota Public University System  
Full-Time Equivalent Enrollment 1999-2021**

Fall Term	System	% Change
1999	21,606	
2000	21,616	0.04%
2001	22,339	3.35%
2002	23,008	3.00%
2003	23,605	2.59%
2004	23,534	-0.30%
2005	24,089	2.36%
2006	24,144	0.23%
2007	24,512	1.52%
2008	24,926	1.69%
2009	25,468	2.17%
2010	26,625	4.54%
2011	26,720	0.35%
2012	26,468	-0.94%
2013	26,782	1.18%
2014	26,737	-0.17%
2015	26,684	-0.20%
2016	26,600	-0.32%
2017	26,634	0.13%
2018	26,093	-2.03%
2019	25,304	-3.02%
2020	24,586	-2.84%
2021	<b>23,964</b>	<b>-2.53%</b>



## **SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – H**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

### **SUBJECT**

**By-Laws Amendments (First & Final Reading)**

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

[By-Laws of the SDBOR](#)

### **BACKGROUND / DISCUSSION**

The proposed amendments to the By-Laws of the Board set forth in Attachment I serve to advance two primary changes, in addition to supplementing the jurisdiction of the Committee on Academic and Student Affairs to cover a few areas not currently referenced in the By-Laws (i.e., course enrollment(s), retention, learning management system(s) and student and financial aid management system(s)).

The first change adjusts the structure of the Audit Committee, which is currently a separate standing committee of the Board. The proposed changes maintain the Audit Committee and its current functions, but rather than have it operate as a separate standing committee, the Audit Committee would operate as a sub-committee of the Budget and Finance Committee. This structure better aligns the standing committees to capitalize on the shared subject matter and expertise that spans these two committees, without detracting from the role of either. The second change creates a Legislative Committee, which is not a standing committee, but rather a special committee, which exists to be called upon when needed, similar to the Search Committee. The Legislative Committee would exist to provide input and advice to the Executive Director and/or Board on legislation and legislative matters.

### **IMPACT AND RECOMMENDATIONS**

The proposed changes will better align the Audit Committee and Budget and Finance Committee, while also providing an additional committee of the Board to assist with legislative matters.

Staff recommends approval.

### **ATTACHMENTS**

Attachment I – Proposed Amendments to By-Laws

\*\*\*\*\*

### **DRAFT MOTION 20211006\_3-H:**

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 amendments to the By-Laws, as shown in Attachment I.

## BY-LAWS OF THE SOUTH DAKOTA BOARD OF REGENTS

### Article I. Name

Section 1.0     Legal Name. The legal name of the Board is the Board of Regents.

### Article II. Organization of the Board

Section 2.0     Membership. The Board is composed of nine voting regents appointed by the Governor and confirmed by the senate. One of the nine regents shall be a student regent. The regents are subject to SDCL Chapter 13-49 regarding terms and qualifications.

Section 2.1     Officers. The Board shall elect a President, Vice-President and Secretary at the first regularly scheduled meeting of the Board following the end of the annual Session of the South Dakota Legislature. The terms of the President, Vice-President and Secretary shall run through the end of first such regularly scheduled meeting of the Board in the following year. The President of the Board may convene the Officers between regularly scheduled meetings of the Board to address and provide direction on urgent matters of importance to the Board.

Section 2.2     Duties of the President. The President shall preside at all meetings, appoint committees, and perform such other duties as authorized by statute, policy, agreement, or the By-Laws; delegated by the Board; or customarily placed upon the presiding officer of a deliberative body.

Section 2.3     Duties of the Vice-President. The Vice-President shall assume the duties of President when ordered or when the President is absent or otherwise unable to serve.

Section 2.4     Duties of the Secretary. The Secretary shall sign documents according to established practice and perform official duties as the Board may from time to time determine.

Section 2.5     Vacancies. The Board shall fill a vacancy occurring in any of its offices at any regular or special meeting for the unexpired term of the office.

### Article III. Standing Committees

Section 3.0 Organization. Each regent shall be appointed to at least one Standing Committee at the first regularly scheduled meeting of the Board following the end of the annual Session of the South Dakota Legislature. The President of the Board shall designate a chairperson for each Standing Committee. The terms of each shall run through the end of the first regularly scheduled meeting of the Board following the end of the annual Session of the South Dakota Legislature in the following year. A majority of the Standing Committee members present and voting shall constitute a quorum for conducting business. The affirmative vote of a majority of the Standing Committee members shall be required to take action. The President of the Board shall serve as an ex-officio voting member of all Standing Committees. The President shall also have the authority to designate a regent from one Standing Committee to serve on another Standing Committee as required to conduct business.

Section 3.1 Standing Committees. The following Standing Committees are hereby authorized: (1) Committee on Academic and Student Affairs, (2) Committee on Budget and Finance, and (3) Audit Committee, which shall function as a sub-committee of the Committee on Budget and Finance. Except where indicated otherwise, each Standing Committee shall consist of no more than three regents (not counting the President who is an ex-officio voting member), who shall be appointed by the President of the Board, and shall report directly to the Board. When possible, the President shall make the Standing Committee appointments based upon the preference of each regent. The chairperson of each Standing Committee may appoint additional non-regent members, on an ad hoc basis, as necessary and appropriate to address specific topics within the jurisdiction of the Standing Committee.

Section 3.1.1 Committee on Academic and Student Affairs. The jurisdiction of the Committee on Academic and Student Affairs shall include the following, in addition to other related activities~~be as follows~~:

- Accreditation
- Articulation Activities
- Course Enrollment(s)
- Curriculum
- Enrollment and Retention
- Financial Aid, Tuition Waiver and Scholarship
- Faculty Rank, Tenure, and Promotions
- Faculty/Staff Development Service Policies
- Graduation Lists
- Guidance and Counseling
- Learning Management System(s)
- Libraries
- Program Review and Development

Reciprocity, Academic Compacts, Slot Programs  
 Student Relations  
Student and Financial Aid Information System(s)  
 Research and Grant Proposals

## Section 3.1.2

Committee on Budget and Finance. The jurisdiction of the Committee on Budget and Finance shall include the following, in addition to other related activities~~be as follows:~~

Accounting  
 Athletics (reported through the Athletics Committee)  
 Bonding  
 Budget  
 Civil Service/Exempt Personnel Activities  
 Facilities and Physical Plant  
 HEFF and School and Public Lands Fund  
 Inventory  
 Investments  
 Maintenance and Repair  
 Payroll  
 Personnel Actions  
 Purchasing and Printing  
 Salaries and Fringe Benefits  
 Travel and Contractual Review  
 Tuition  
 Foundations  
 Fund Raising/Gifts and Donations  
 Fiscal Integrity and Budget of Athletic Programs  
 Compliance by Athletic Programs  
 Personnel Contracts of Athletics Programs  
 All Aspects of Intercollegiate Athletics Programs

## Section 3.1.3

Audit Committee. The jurisdiction of the Audit Committee shall include the following, in addition to other related activities~~be as follows:~~

Financial Oversight and Control  
 Financial Reporting  
 External and Internal Audit Functions and Reports  
 Internal Controls  
 Compliance with Laws, Regulations, and Policies  
 All Functions of the Chief Financial Officer of the Institutions

The Audit Committee shall consist of three to five members appointed by the President (not counting the President who is an ex-officio voting member): three members shall be regents, and up to two members ~~shall~~

may be non-regents who are permanent residents of the State of South Dakota. ~~The Any~~ non-regents shall be appointed for three-year terms.

Section 3.2 Meetings. Standing Committee meetings may be held in conjunction with regular meetings of the Board. A special meeting of any Standing Committee may be called by the President of the Board, the Executive Director with the consent of the President of the Board, or the chairperson of the Standing Committee. Prior to a Standing Committee meeting or a Board meeting, the Standing Committee chairpersons and any other interested regents may be briefed on agenda items by staff.

Section 3.3 Action. A Standing Committee may take one of the following actions on an agenda item before reporting back to the Board:

- (a) Recommend adoption
- (b) Recommend adoption with amendment(s)
- (c) Recommend against adoption
- (d) Forward without a recommendation
- (e) Recommend deferral to a date certain
- (f) Recommend re-referral to same committee for further study and/or hearings
- (g) Recommend referral to another committee with or without a recommendation
- (h) Receive for information purposes
- (i) Recommend adoption of a new policy or revision to a current policy
- (j) Recommend adoption of a new procedure or revision to a current procedure.

Standing Committees shall report back to the Board following each Standing Committee meeting.

**Article IV. Special Committees**

Section 4.0     Special Committees. The following Special Committees are hereby authorized by order of the Board: Search Committee and Legislative Committee. Additional Special Committees may be appointed from time to time by order of the Board for such purpose(s) and duration as the Board deems appropriate. Except where indicated otherwise, each Special Committee shall consist of no more than three regents (not counting the President who is an ex-officio voting member), who shall be appointed by the President of the Board, and shall report directly to the Board. The President of the Board shall serve as an ex-officio voting member of all Special Committees.

Section 4.1     Search Committee. All nationwide search activities conducted by the Board shall be assigned a Search Committee.

Section 4.1.1     Organization. The President of the Board shall appoint a Search Committee, the chairperson of the Search Committee, and any local or campus advisory committee that may supplement the Search Committee. The Executive Director shall serve as staff to the Search Committee.

Section 4.1.2      Action. The chairperson of the Search Committee or the President of the Board shall approve the position announcement prior to publication. The Search Committee shall determine appropriate materials to be submitted by the candidates for position vacancies. The screening process shall be conducted by the Search Committee. The Search Committee may share the application materials with any local or campus advisory committee appointed by the President of the Board as the Search Committee deems appropriate. The Search Committee will contact references and conduct meetings to select semifinalists. From this group, approximately three to five finalists will be selected by the Search Committee. The Search Committee may provide input and a recommendation to the Board regarding the applicants. The Board shall ultimately make any hiring decision.

Section 4.2      Legislative Committee. The Legislative Committee shall engage in legislative matters in accordance with Section 4.2.2 below.

Section 4.2.1      Organization. The President of the Board shall appoint a Legislative Committee and the chairperson of the Legislative Committee. The Executive Director and/or their designee(s) shall serve as staff to the Legislative Committee.

Section 4.2.2      Action. The Legislative Committee shall provide input and advice to the Executive Director and/or Board on proposed or prospective legislation and associated impacts, issues, positions and/or strategies. The Legislative Committee is not intended to act in lieu of the Board, but if necessary, it may offer direction to the Executive Director on legislative matters on behalf of the Board when time constraints do not allow for engagement with the Board.

## **Article V. Meetings of the Board**

Section 5.0      Regular Meetings. An annual schedule of meetings shall be prepared in advance by the Board.

Section 5.1      Special Meetings. Special meetings of the Board will be held on the call of the President or by joint request of a majority of the regents, with due and reasonable notice always being given.

Section 5.2      Public Meetings. Regular and special meetings of the Board shall be appropriately noticed and open to the media and the public in accordance with SDCL Chapter 1-25, except by vote of the Board for discussion of those matters which are permitted under South Dakota statutes to be discussed in an executive or closed meeting.

- Section 5.3 Quorum. A majority of the regents shall constitute a quorum for the transaction of business, except as otherwise provided in these By-Laws.
- Section 5.4 Parliamentary Procedure. On questions of parliamentary procedure, Robert's Rules of Order, Revised, shall prevail.
- Section 5.5 Official Action. The affirmative vote of a majority of the regents shall be required to take official action. Official action by the Board shall be in the form of (1) By-Laws or Board Policy Actions, (2) Special Resolutions, and (3) Ordinary Business. All By-Laws or Board policy actions, special resolutions, and ordinary business have equal validity. In case of conflict, the one passed last shall prevail.
- Section 5.5.1 Final Action on Board Policy. Any proposed Board policy adoptions and revisions (including By-Laws) may not be finally passed until they have official action at two separate Board meetings. However, the Board may waive this requirement by unanimous consent of the regents voting on the proposed Board policy adoption or revision.
- Section 5.6 Agenda. The Board office must receive all requests for items to be placed on a Standing Committee or the Board agenda no later than seven working days prior to the meeting. Any request must be in writing and accompanied by the necessary background information. Failure to comply with the requirements of this section may cause the Standing Committee or the Board to defer the proposed agenda item until the Standing Committee or the Board has sufficient time to review the item. Approval by two-thirds of the members shall be required to add an item to the agenda of the Standing Committee or the Board if the Board office did not receive the item at least seven working days prior to the meeting. The By-Laws shall govern the placement of items on the agendas of appropriate Standing Committees by jurisdiction or the Board. The regular order of business at all Board meetings shall be:
- (a) Approval of agenda
  - (b) Approval of minutes of preceding meetings
  - (c) Standing Committees' consideration of agenda items as a whole Board, or reports thereof
    - (1) Committee on Academic and Student Affairs
    - (2) Committee on Budget and Finance
    - (3) Audit Committee (as necessary)

## Article VI. Employees



Section 6.0 Executive Director. The Board shall employ an Executive Director, who shall perform such duties as are delegated by the Board. The salary of the Executive Director shall be set by the Board. The Executive Director shall be responsible for the employment and termination of additional staff in accordance with the personnel policies of the Board.

## **Article VII. Communications**

Section 7.0 Communications by the Board. The President of the Board is the only regent authorized to make official pronouncements for the Board, and then as instructed by the Board. The Executive Director of the Board is authorized to speak for the Board and the state system of higher education with respect to any policy matters that have received the approval of the Board, and on administrative matters which have been entrusted to the Executive Director by law or by the Board. The President or Superintendent of each institution, as chief executive officer of his/her respective institution, is responsible for all releases and information issued from his/her institution.

## **Article VIII. Indemnification**

Section 8.0 Indemnification. If any claim or action is instituted against the Board or any of its regents, officers, or employees arising out of an act or omission occurring in the exercise of official duties or responsibilities as a regent or an officer of the Board, or within the scope of the employment, the Board may request authorization from the Attorney General for any one or more of the following:

- (a) Indemnification of such regent, officer, or employee for the court costs incurred in the defense of such claim or action;
- (b) Payment to, or indemnification of, such regent, officer, or employee for the reasonable attorney fees incurred by virtue of such claim or action;
- (c) Payment to, or indemnification of, such regent, officer, or employee for a judgment based upon such claim or action; or
- (d) Payment to, or indemnification of, such regent, officer, or employee for a compromise or settlement of such claim or action.

Section 8.1 Limitations. Indemnification is subject to the limitations and exceptions in SDCL Chapter 3-19.

## **Article IX. Amendments**

Section 9.0 Amendments. These By-Laws may be amended or repealed, consistent with Section 5.5.1, at any regular or special meeting of the Board, by a majority vote of the regents, provided that proper notice of any proposed amendments shall be deemed to have been given to each regent and to the Executive Director if included in the normal agenda distribution given before the meeting at which they are to be proposed.

**SOURCE: BOR October 2015; BOR October 2016; BOR October 2017; BOR December 2017; BOR June 2019**

## **SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 3 – I**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**Final Senate Bill 55 Task Force Report and Recommendations**

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

[Senate Bill 55](#)

### **BACKGROUND / DISCUSSION**

The state legislature passed Senate Bill 55 (SB 55) during the 2020 legislative session. The bill required the Board of Regents to assemble a Task Force to examine possible program and administrative efficiencies at the six public universities. The SB 55 Task Force met collectively six times – five times in face-to-face meetings and once virtually. In addition to the face-to-face meetings of the full Task Force, nearly twenty subcommittee meetings occurred virtually.

### **IMPACT AND RECOMMENDATIONS**

The final SB 55 Task Force Report and Recommendations will be presented to the Board of Regents at its October meeting. The findings and recommendations set forth in this report are not wholly inclusive of all topics investigated by the Task Force; the Task Force investigated some topics and found insufficient evidence to recommend substantive changes. In some cases, the Task Force has recommended areas that require the Board of Regents, the university system's central office, and/or institutional representatives to engage in further analysis or study. In other cases, implementation of recommendations that follow are already in progress. In all cases, the Board of Regents is committed to full consideration of each recommendation.

At this time, the Board is not being asked to accept the recommendations of the Task Force. Board action is meant to acknowledge the report as submitted by the Task Force before it is shared with the Governor and the legislature's Joint Committee on Appropriations. The Task Force recommendations will be considered separately and will come to the Board in various ways, i.e. through Board meeting agenda items, the Executive Director, the Board of Regents Committee on Academic and Students Affairs as well as the Board of Regents Committee on Budget and Finance.

### **ATTACHMENTS**

Attachment I – Senate Bill 55 Task Force Report and Recommendations

\*\*\*\*\*

### **DRAFT MOTION 20211006\_3-I:**

I move to accept the SB55 Task Force report in Attachment I and direct the executive director to submit it to the Governor and Legislature in its final form.

# Report of the Senate Bill 55 Task Force

Submitted by

The South Dakota Board of Regents  
in compliance with Senate Bill 55  
of the 2020 South Dakota State Legislature

October 2021

Prepared by the Board of Regents Central Office  
on Behalf of the SB 55 Task Force





ATTACHMENT I

**BOARD OF REGENTS**

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OFFICE OF THE EXECUTIVE DIRECTOR

XXXX, 2021

Governor Kristi Noem  
Joint Committee on Appropriations

RE: Findings of the Senate Bill 55 (2020) Task Force

Dear Governor Noem and Members of the Joint Committee on Appropriations,

Please accept the following report in compliance with Senate Bill 55 (SB 55) as signed into law in 2020. SB 55 required the Board of Regents to “assemble a task force to examine possible program and administrative efficiencies and cost effectiveness through the shared administration” of the six public universities. The Board of Regents in turn appointed a twenty-person task force representing different geographic areas of the state and broad professional perspectives. The SB 55 Task Force began work in October of 2020 and concluded their work in June of 2021.

I trust you will find this report as clear evidence of compliance with, and a commitment to, the requirements and principles of SB 55. The SB 55 Task Force recognizes that South Dakotans invest significant resources in its public universities. The findings of the SB 55 Task Force will help us maximize the return on that investment. Moreover, the work of the SB 55 Task Force coincides with the university system’s launch of a new strategic planning effort. The recommendations in this report will inform and shape those conversations as we continue to provide the best higher education we can for current and future students.

Respectfully,

Signature  
Brian L. Maher  
Executive Director  
South Dakota Board of Regents

Signature  
John W. Bastian  
President  
South Dakota Board of Regents

**Board of Regents**

John W. Bastian, President

Pam Roberts, Vice President

Jim Thares, Secretary

Joan Wink

Barb Stork

Brock Brown

Tony Venhuizen

Jeff Partridge

Tim Rave

Brian Maher, Executive Director

**Acknowledgments**

The Board of Regents thanks the following for their assistance in preparing this report.

Members of the SB 55 Task Force: Rep. Hugh Bartels, Hal Clemensen, Paulette Davidson, Barry Dunn, Sheila Gestring, Rep. Chris Karr, Jim Lochner, Nadifa Mahamed, Sen. Ryan Maher, Elsie Meeks, Doug Morrison, Jim Neiman, Sen. Reynold Nesiba, Laurie Nichols, Barb Stork, Jim Thares, Tyler Tordsen, Joan Wink, and Jon Veenis.

Former members of the Board of Regents who served during the work of the SB 55 Task Force: Jim Morgan, Kevin Schieffer, and Randy Schaefer.

Guest speakers and discussion participants who addressed the SB 55 Task Force: former Regents Pat Lebrun, Kathryn Johnson, and Harvey Jewett, former Black Hills State University President Kay Schallenkamp and former University of South Dakota President Jim Abbott, former Board of Regents Executive Director Tad Perry, and current Indiana Commissioner for Higher Education Teresa Lubbers.

Current and former staff from the Board of Regents central office who assisted the SB 55 Task Force: Kayla Bastian, Wendy Caveny, Heather Forney, Dave Hansen, Lindsey Heiss, Joelle Lien, Nathan Lukkes, Janice Minder, Jay Perry, Janelle Toman, and Molly Weisgram.

University presidents not assigned to the SB 55 Task Force: Dakota State University President José-Marie Griffiths, South Dakota School of Mines & Technology President James Rankin, and former Northern State University President Timothy Downs.

Private citizens and community organizations that offered suggestions and comments to the Task Force.

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## **EXECUTIVE SUMMARY**

South Dakota’s Ninety-fifth Legislature passed Senate Bill 55 (SB 55), “An Act to require the Board of Regents to assemble a task force to study the operations and functions of the institutions of higher education under the board's authority.” Governor Noem signed the bill into law on March 20, 2020. To comply with the legislature’s direction, the Board of Regents appointed sixteen members and the legislature’s Joint Committee on Appropriations appointed four members to the SB 55 Task Force. The SB 55 Task Force met collectively six times and its subcommittees gathered for another twenty meetings to examine the areas of review set out in Senate Bill 55 and to analyze the quality and effectiveness of Regental operations. The summary of Task Force findings and recommendations are below, and descriptions of each recommendation are laid out within the following report.

### **The Task Force recommends that the Board of Regents:**

1. Issue a request for proposals (RFP) for a system-wide food contract.
2. Transition to a single nursing program in Rapid City and utilize the West River Health Science Center for nursing program space needs.
3. Work with the legislature to ease statutory requirements for high performance green building standards.
4. Create incentives to encourage additional energy and utility savings at each institution.
5. Revise the current process for analyzing facility space needs and approving new buildings and renovations.
6. Collaborate with the legislature to ensure the university system receives appropriate financial benefit when the state refinances bonds on facilities used for academic purposes.
7. Purchase and implement contract management software.
8. Improve data to analyze institutional staffing and expenditure levels.
9. Review institutional funding models to determine if those models are equitable and sustainable.
10. Continue to closely monitor central office staffing and functions; several other recommendations in this report may affect central office functions and staffing in the future.

11. Implement a new business model for the Community College for Sioux Falls site that provides long-term financial viability.
12. Direct BHSU and SD Mines to work toward greater collaboration and/or consolidation of common functions, contracts, and services that exist at both institutions.
13. Investigate potential savings through a single contract with DocuSign rather than individual contracts with each of the six institutions.
14. Prepare and publish an updated economic impact study that analyzes the quantifiable impact of the six public universities on the state economy.
15. Establish a system-wide approach for high performance computing.
16. Review human resources functions for potential areas of consolidation.
17. Implement technologies that streamline human resources functions for NFE and CSA employees.
18. Conduct ongoing Lean reviews of practices and procedures.
19. Develop and implement policies that address technology interoperability and data governance standards that apply to all institutions and the central office.
20. Collaborate with legislators and the State Auditor's Office on transferring the approval process for employee moving allowances within the university system.
21. Work with each institution to review and revise their current list of peer institutions.
22. Establish a system-wide approach for Title IX/Equal Employment Opportunity compliance through shared or consolidated services.
23. Implement a single, system-wide service and project management software for all institutions and the central office.
24. Establish a system-wide telephone standard for all institutions to use Voice over Internet Protocol (VoIP) technology.
25. Establish a common system standard for Identity and Access Management (IAM) that applies to all universities and the central office.
26. Establish a common system standard for Endpoint Detection and Recovery/Response that applies to all universities and the central office.
27. Continue refining policies related to distance/online education.
28. Continue investigating options for expanding system-wide contracts for library resources.

29. Investigate options for expanding student mental health options to include telehealth options.
30. Institute a new institutional mission framework that more clearly defines the individual contributions and expertise of each institution.
31. Improve upon and expand its advocacy of public higher education.
32. Explore additional opportunities for collaboration between institutions in the delivery of online coursework.
33. Revise policies related to minimum course section size (i.e., minimum enrollments required to offer an individual course section) to improve the efficiency of coursework delivery.
34. Use the data provided in a program demand gap analysis to inform decisions on academic program duplication within the system (i.e., academic programs offered at more than one institution).
35. Revise policies related to “program productivity,” the common name given to policies addressing academic programs with a low number of graduates.

## **SENATE BILL 55 OVERVIEW**

South Dakota’s Ninety-fifth Legislature passed Senate Bill 55 (SB 55), “An Act to require the Board of Regents to assemble a task force to study the operations and functions of the institutions of higher education under the board's authority.” Governor Noem signed the bill into law on March 20, 2020. The law required the Board of Regents to assemble a task force to include four members of the Legislature’s Joint Committee on Appropriations and to examine the following by November 15, 2021:

- (1) The possible combining of administration at all levels of operation within an institution;
- (2) The possible combining of operations and functions across multiple institutions;
- (3) The possible combining of the administration of programs across multiple institutions;
- (4) A review of the duplication of program offerings;
- (5) A review of the academic majors with low enrollments and low numbers of graduates;
- (6) A review of functions outside the core missions of teaching, learning, and research;
- (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents;
- (8) A review of the viability of the university centers; and
- (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The full text of SB 55 is available in Appendix I.

## **ORGANIZATION OF THE SB 55 TASK FORCE**

To comply with the legislature’s direction and accomplish the tasks set forth, the Board of Regents appointed Brian Maher, the Executive Director and CEO of the Board of Regents, to chair the task force (hereafter the “SB 55 Task Force” or “Task Force”). The Board of Regents sought a broad collection of viewpoints from leaders representing the entire state in assembling the Task Force. The Board of Regents named fifteen members in addition to Executive Director Maher and the legislature’s Joint Committee on Appropriations appointed four members. The SB 55 Task Force members included:

Ryan Maher, State Senator (Isabel)  
 Reynold Nesiba, State Senator (Sioux Falls)  
 Hugh Bartels, State Representative (Watertown)  
 Chris Karr, State Representative (Sioux Falls)  
 Jim Thares, Board of Regents (Aberdeen)  
 Joan Wink, Board of Regents (Howes)  
 Barb Stork, Board of Regents (Dakota Dunes)  
 Sheila Gestring, USD President (Vermillion)  
 Laurie Nichols, BHSU President (Spearfish)  
 Barry Dunn, SDSU President (Brookings)  
 Jim Neiman, CEO, Neiman Enterprises (Hulett, WY)  
 Tyler Tordsen, Regional Director for US Senator Mike Rounds (Sioux Falls)  
 Paulette Davidson, CEO, Monument Health (Rapid City)  
 Elsie Meeks, Board Chair, Lakota Funds (Pine Ridge)  
 Nadifa Mahamed, Student, SDSU (Sioux Falls)  
 Hal Clemensen, Board of Directors, Agtegra Cooperative (Aberdeen)  
 Jon Veenis, Retired CEO, ELM Resources (Sioux Falls)  
 Jim Lochner, Retired COO, Tyson Foods (Dakota Dunes)  
 Doug Morrison, Administrator, Sioux Falls School District (Sioux Falls)

The SB 55 Task Force met collectively six times – five times in face-to-face meetings and once virtually. The dates of these meetings are as follows: 10/8/2020 (Rapid City), 11/12/2020 (Vermillion), 1/7/2021 (virtual), 4/15/2021 (Spearfish), 5/13/2021 (Sioux Falls), 6/3/2021 (Brookings). In addition to the face-to-face meetings of the full Task Force, nearly twenty subcommittee meetings occurred virtually.

The SB 55 Task Force divided into three subcommittees with each receiving a specific charge related to the legislation's requirements. The subcommittees consisted of:

Administration Subcommittee

Thares (co-chair), Gestring (co-chair), Neiman, Bartels, Karr, Tordsen

*Assigned Aspects of SB 55:* The possible combining of administration at all levels of operation within an institution; The possible combining of operations and functions across multiple institutions; The possible combining of the administration of programs across multiple institutions; Any other possible cost-effective measures the task force determines are worthy of examination (all subcommittees).

*Note: The Administration Subcommittee adopted a working definition of efficiency as the quality of effective operations to include energy, time, and money. Therefore, the Administration Subcommittee evaluated effectiveness and efficiency together in making recommendations.*

Academic Subcommittee

Wink (co-chair), Nichols (co-chair), Clemensen, Davidson, Mahamed, Meeks, Nesiba

*Assigned Aspects of SB 55:* A review of the duplication of program offerings; A review of the academic majors with low enrollments and low numbers of graduates; Any other possible cost-effective measures the task force determines are worthy of examination (all subcommittees).

Infrastructure/Ancillary Subcommittee

Stork (co-chair), Dunn (co-chair), Veenis, Lochner, R. Maher, Morrison

*Assigned Aspects of SB 55:* A review of functions outside the core missions of teaching, learning, and research; A review of the operations and functions provided as an efficiency through the central office of the Board of Regents; A review of the viability of the university centers; Any other possible cost-effective measures the task force determines are worthy of examination (all subcommittees).

**THE BOARD OF REGENTS AND THE UNIVERSITY SYSTEM**

Article 14, Section 3 of the South Dakota Constitution places the state's universities "under the control" of the Board of Regents. The Board of Regents consists of nine volunteer members appointed by the Governor and confirmed by the South Dakota State Senate. The universities under the authority of the Board of Regents are Black Hills State University (BHSU) in Spearfish, Dakota

State University (DSU) in Madison, Northern State University (NSU) in Aberdeen, South Dakota School of Mines & Technology (SD Mines) in Rapid City, South Dakota State University (SDSU) in Brookings, and the University of South Dakota (USD) in Vermillion. The Board of Regents executes its authority to manage the resources of the university system (personnel, facilities, and financial) through the adoption of policies, approval of programs, selection and evaluation of system and institutional executives, and the setting of annual budgets, tuition and fees, and legislative budget requests.

The Board of Regents recognizes its responsibility for appropriate stewardship of financial resources from the state, from students, and from sources external to the institutions. The Board recognizes the desirability of unique, differentiated institutions that function as a part of a higher education system focusing on the collective use of resources for maximum common good. The recommendations set forth by the SB 55 Task Force will have relevance to current and future students, alumni, communities, faculty and staff, and the citizens of South Dakota. The Board of Regents also recognizes its commitment to each of these stakeholders. Paramount to this commitment is prioritizing opportunities for students to learn, develop, and succeed through the delivery of quality higher education.

### **TASK FORCE FINDINGS AND RECOMMENDATIONS**

The findings and recommendations set forth in this report are not wholly inclusive of all topics investigated by the Task Force; the Task Force investigated some topics and found insufficient evidence to recommend substantive changes. In some cases, the Task Force has recommended areas that require the Board of Regents, the university system's central office, and/or institutional representatives to engage in further analysis or study. In other cases, implementation of recommendations that follow are already in progress. In all cases, the Board of Regents is committed to full consideration of each recommendation.

The release of this report also coincides with the start of a new cycle of strategic planning in the university system. The Board of Regents will use the work of the Task Force to inform the next strategic plan, including adopting further efficiency practices, defining specific action steps, and maintaining institutional quality for South Dakota. The SB 55 Task Force presents the following findings and recommendations to the Board of Regents, the Governor, and the legislature's Joint Committee on Appropriations.

<b>1. Issue an RFP for a Single, System-wide Food Service Contract</b>
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*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents issue a request for proposals (RFP) for a system-wide food contract. Each institution currently has their own food service contract with a vendor of their own selection. The vendors typically provide food service to students in addition to providing campus catering functions. The food service vendors work with institutions to include customizable supplemental food options on campus as supported by student requests or votes, such as chain restaurants (e.g., Chick-fil-A) or coffee shops (e.g., Einstein Brothers). Consolidation of food service contracts through a single provider would drive a lower total cost to institutions and also to students. The Task Force further recommends that the process for selecting a system-wide food service provider include:

1. Maintaining options for customizable student-supported specialty shops on individual campuses.
2. Assuming any financial obligations of existing food service contracts at individual institutions by the selected vendor.
3. Appointing a committee comprised of representatives from each institution and the central office to review proposals received from the RFP.
4. Selecting the appropriate vendor from the RFP process should be based on the vendor's financial commitment, efficiency, organizational philosophy, and accountability.



**2. Transition to a Single Nursing Program in Rapid City and Utilize the West River Health Science Center for the Nursing Program's Classroom and Administrative Space**

*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (4) A review of the duplication of program offerings; (8) A review of the viability of the university centers.

The Task Force recommends that the Board of Regents transition to a single nursing program in Rapid City and utilize the West River Health Science Center for nursing program space needs. The university system currently has two authorized undergraduate nursing programs operating West River; both SDSU and USD offer the Bachelor of Science in Nursing degree in Rapid City. The two programs have separate faculty, coordination, recruitment practices, and other administrative practices with little to no collaboration. The two programs do, however, share facilities provided by Monument Health to offer the programs. The Task Force overwhelmingly expressed concern over the perceived inefficiency of two institutions offering competing nursing bachelor's degree programs within the same city.

Relatedly, BHSU also contributes to nursing education in the West River region by offering an associate degree in applied health sciences; this program allows students to complete pre-nursing coursework before enrollment in the SDSU or USD nursing programs. The West River Health Science Center (WRHSC) within BHSU-Rapid City, created in 2020, houses the BHSU applied health sciences program. The WRHSC provides services to students pursuing nursing or health-related degrees.

All three subcommittees of the Task Force had assigned aspects of SB 55 that intersected with the delivery of West River nursing. The Administration Subcommittee's charge included "possible combining of operations and functions across multiple institutions," the Infrastructure and Auxiliary Subcommittee's charge included reviewing the "viability of the university centers [e.g., BHSU-Rapid City]," and the "review of the duplication of program offerings" fell under the Academic Subcommittee. The following specific recommendations represent the collective work of all three subcommittees. Specifically, the Task Force recommends:

1. Terminating USD's authority to offer the Bachelor of Science in Nursing in Rapid City. The Board of Regents has authority to approve and/or terminate off-campus site locations for academic programs. Terminating USD's nursing program in Rapid City ends the

duplicative nursing programs in the West River region; SDSU should retain their existing nursing programs in Rapid City. This decision does not affect the USD nursing program offered in Vermillion.

2. Terminating USD's nursing program in Rapid City should include a phased "teach out" plan that allows current students to complete their degree through USD. Current Board of Regents policies address this process as do regulations of the Higher Learning Commission (the regional accreditor approved by the US Department of Education for South Dakota universities).
3. Expanding the enrollment capacity of SDSU's West River nursing program. The expansion should, at minimum, equal the maximum combined enrollments currently available in Rapid City through the SDSU and USD nursing programs. While the university system expects to gain efficiency of operations through consolidation to one Rapid City nursing institution, it is imperative that the transition does not inhibit, limit, or diminish the university system's contribution to filling the demand for nurses in the West River region.
4. Retaining faculty and staff that formerly worked for the USD Rapid City nursing program when practical. Such employees should receive priority in hiring when positions open within the SDSU nursing Rapid City site. This process should follow all applicable state law and existing Board of Regents policies.
5. Utilizing the current site of BHSU-Rapid City as the West River Health Science Center, serving students in the region with academic programming related to nursing, respiratory care, and other health science related fields. SDSU's nursing and respiratory care program should relocate from the current site provided by Monument Health to the WRHSC.
6. Collaborating with the legislature to secure funding to renovate the BHSU-Rapid City site to function as the WRHSC. Several current classrooms require conversion to simulation laboratory space in order to provide nursing and related programming.

7. Maintaining BHSU's authority to direct the day-to-day operations of the WRHSC while maintaining close coordination and communication with other system universities that offer health-related programming at the site. The expectations for such collaboration should be set in Memorandums of Understanding (MOUs) between the institutions and approved by the Board of Regents. Any new health-related programs from system universities approved for delivery in Rapid City should align with the WRHSC, including usage of office and classroom space where practical.
8. Collaborating with the legislature to amend SDCL 13-51-1.2 and any other relevant statutes to allow nursing students to pay state support/on-campus tuition rates in Rapid City. Current statutory language prevents students taking face-to-face courses at sites other than the home campus of an institution to receive the lower state support tuition rate and requires charging the higher self-support tuition rate. However, SDCL 13-51-1.2 recognizes the state's need for nurses by authorizing state-support tuition rate for "nursing courses offered at the Pierre site." As the market has shifted, the Pierre site no longer offers nursing programs, but demand remains in the West River region. The Task Force notes that allowing state-support tuition for pre-nursing students at the WRHSC is crucial to meeting the region's workforce needs.

*Note: The Board of Regents took preliminary action on many of these items at its June 2021 meeting.*

### **3. Ease Statutory Requirements for High Performance Green Building Standards**

*SB 55 Point(s) Addressed:* (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents work with the legislature to ease statutory requirements for high performance green building standards. In 2008, South Dakota implemented standards requiring new or renovated public buildings to comply with high-performance green building standards (i.e., a silver standard rating under the US Green Building Council's Leadership in Energy and Environmental Design [LEED]). SDCL 5-14-32 through 5-14-38 includes these requirements. While the 2008 legislation came with good intentions, compliance also came with a cost prohibitive regulatory burden. By central office estimates, compliance with the silver LEED certification requirements cost the university system upwards of five million dollars over the previous five years. In addition, compliance efforts delay project completion. Easing the green building standards would increase efficiency by reducing unnecessary construction costs for university system buildings. The Task Force recommends collaborating with legislators to revise these standards to find a less burdensome solution.

*Note: The 2021 South Dakota Legislature passed SB 134 with Senator Ryan Maher as prime sponsor and Representative Hugh Bartels as co-sponsor (both Senator Maher and Representative Bartels served on the SB 55 Taskforce). The bill eliminated requirements of meeting the silver LEED certification for new buildings and renovations, easing the regulatory burden on the university system.*

#### **4. Create Incentives for Institutions to Increase Energy/Utility Savings**

*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents create incentives to encourage additional energy and utility savings at each institution. A variety of energy savings projects are occurring on campuses within the university system, all with potential to achieve greater efficiency. As one example, BHSU has installed solar panels on multiple academic buildings. Task Force discussions with a consultant indicated that revised practices could result in savings of up to one million dollars throughout the university system. Such savings provide opportunities to reinvest money in maintenance and repair projects. However, current state practices lack incentives to create greater energy and utility efficiencies; institutions may keep savings up to the cost of a contract for energy savings but must revert any additional savings to the state. Specifically, the Task Force recommends:

1. Engaging a consultant to work with universities on energy and utility saving strategies, including establishing savings goals for each institution.
2. Collaborating with legislators on statutory changes that ensure institutions can retain and reinvest energy and/or utility savings in maintenance and repair projects.

<b>5. Revise Process for Reviewing Facility Utilization and Approving New or Renovated Facilities</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents revise the current process for analyzing facility space needs and approving new buildings and renovations. Campus facilities are expensive to construct and maintain, making the efficient use of facilities a concern for institutions, legislators, students, and citizens. Facilities that are unused or underutilized draw resources away from institutional objectives in teaching and research as well as adding additional operational costs. Replacement costs for buildings vary depending on usage; those that are in high use for laboratory space or require significant technology investments have higher replacement values. In addition to construction costs, facilities have ongoing expenses in maintenance and repair (M&R). System universities currently have a goal of investing 2 percent of the building's value annually for M&R purposes, a number derived from estimates that a building's useful lifespan lasts fifty years and a 2 percent annual investment will equal 100 percent of the value over that time. Given this background, the Task Force expressed concern with the university system's current approval processes for the construction and renovation of facilities. The Task Force specifically recommends:

1. Implementing a new building utilization report with improved metrics. The central office has prepared an annual facilities inventory and utilization report since 1992. This report provides high level statistical profiles of existing facilities and their use; however, the Task Force recommends a revised version that is more functional for making facility decisions. The revised report should analyze academic building usage to include classroom/laboratory capacity and utilization at various times of day. The revised facilities and inventory report should occur annually.

2. Consulting the annual facilities inventory and utilization report prior to approval of all new buildings and building renovation. The report data should aid in making more informed decisions on actual need for new buildings or renovations.
3. Continuing the requirement that institutions develop M&R priority lists and submit the lists to the Board of Regents. The M&R priority list should include renovation projects categorized by level of importance to the institution as well how critical each item is to the institution's operations. The Board of Regents should consult this list prior to approval of renovation projects.
4. Investigating potential policies that request that buildings paid for by donor contributions (as opposed to state funds) include a percentage of donations specifically assigned for M&R investment.
5. Investigating the creation of a staff position in the central office or use of a consultant with expertise in the building process. The position should review facility construction and renovation proposals, monitor construction and renovation projects, prepare the annual facilities and inventory report, and make recommendations to the Board of Regents.
6. Creating a system work group to review and revise the approval process for capital projects. The workgroup should consist of representatives from the central office, at least two institutions, and the State Engineer's office.

<b>6. Revise Statutes to Allow Financial Benefits to University System on Refinanced Bonds of Academic Spaces</b>
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*SB 55 Point(s) Addressed:* (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents work with the legislature to ensure the university system receives appropriate financial benefit when the state refinances bonds on academic facilities. Under current practice, the South Dakota Building Authority (SDBA) issues bonds on behalf of the Board of Regents for academic buildings. The proceeds from these bonds aid in building new academic facilities and fund maintenance and repair activities. The bonds are not in the name of the Board of Regents – the SDBA and Board of Regents enter into a lease agreement for the term of the bond. The university system’s lease payment matches SDBA’s bond debt service with a service fee added to the lease payment for SDBA’s management of the bond and building insurance.

SDBA has the authority to refinance these bonds when fiscally advantageous to the State of South Dakota. However, the SDBA does not amend the lease agreement with the university system to reflect the refinanced bond terms. All savings that accrue from the refinanced bonds revert to the State of South Dakota and the university system does not receive any benefit from the refinancing. In addition, 11.5 percent of tuition and fees paid by students goes into the Higher Education Facilities Fund (HEFF) per SDCL 13-53-15. The university system uses HEFF dollars to make bond payments which occur at the higher financing rate and not the renegotiated lower rate; student tuition and fees dollar are then in turn subsidizing the state’s general fund under this arrangement.



## **7. Implement Contract Management Software**

*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents purchase and implement contract management software. There are numerous contractual agreements within the university system, including those that exist for individual institutions and those function for the entire university system and central office. As a few examples, contractual agreements exist for food vendors, professional services, consultants, software, and healthcare providers. Given the sheer volume of active contracts, proper contract management is of vital importance. Proper management of contracts and contractual relationships increases efficiency by ensuring timely payments and vendor compliance with contract obligations. The Task Force recommends that the university system purchase contract management software to ensure proper management of existing and future contracts. Such software will reduce risk management liability and reduce opportunities for mismanagement. Specifically, the Task Force recommends that the software have capabilities for:

1. Digitizing contracts so they are accessible electronically and integrate with existing software programs used by institutions and the central office (e.g., Banner, DocuSign, etc.).
2. Notifying university system staff of pending contract payments, renewal dates, expiration dates, and outstanding payment balances.
3. Providing advance notification of contract termination dates so that university system staff has appropriate time to consider contract extensions or RFPs for a new service provider.
4. Providing assistance with drafting new contracts through customizable templates for contract clause language.

*Note: The university system has purchased contract management software and is in the process of implementation at institutions and the central office.*

# **8. Use Improved Data Analysis for Review of Institutional Staffing and Expenditures**

*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents use improved data to analyze institutional staffing and expenditure levels. The Task Force finds that a rigorous examination of staffing and expenditures at each institution and within departments/administrative units is crucial to finding greater efficiencies. However, without improved data showing comparisons to other universities nationally, the Board of Regents cannot adequately set realistic benchmarks. Each function, division, department, school, college, etc. within a university has a cost and personnel investment needed to operate – knowing if South Dakota’s universities are within the national standards is critical information prior to any recommended changes. Therefore, a clear need exists for data from a broader collection of universities. To achieve this, the Task Force recommends that the university system join the HelioCampus Benchmarking Consortium. The HelioCampus Benchmarking Consortium (formerly ABC Insights) is a vendor-provided service that brings a large number of colleges and universities together for the purposes of providing comparable data. HelioCampus provides standardized measurements that consider student enrollment, staffing levels, and expenditures by department and service areas. The resulting data shows comparative administrative efficiency, allowing institutions to make more strategic decisions on the allocation of resources. The Task Force further recommends an initial commitment of three years with the consortium and an annual review of comparison data.

*Note: The university system has joined the HelioCampus consortium and is currently awaiting reports with comparison data.*

<b>9. Review Current Institutional Funding Models and Recommend Modifications to Ensure Funding is Equitable and Sustainable</b>
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*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents review the current institutional funding models to determine if funding is equitable and sustainable. In recent years, legislators, university presidents, and private citizens have raised questions disparities in state resources (i.e., money from the state's general fund) provided to individual universities. The most common inquiry is whether there should be equal funding per full time equivalent (FTE) student. As an example, in 2018, the legislature's Joint Committee on Appropriations (JCA) issued a letter of intent asking the Board of Regents for information on the distribution of general funds among the state universities. As part of that letter, the Legislative Research Council provided information to the JCA showing wide disparities in state funding per FTE. The Board of Regents responded to the letter of intent with information illustrating the legislative decisions over time that created these disparities, including but not limited to specific appropriations by the legislature to individual institutions and leftover vestiges of multiple funding formulas that are no longer part state statute.

The Task Force also reviewed this issue and the accompanying historical information. The Task Force found that reallocating general funds among the universities solely on an FTE basis is an oversimplification of a complex issue. However, the Task Force is also clear that funding inequities within the university system do exist and that a new process for allocation of general funds is overdue. The Task Force recommends that the Board of Regents appoint a workgroup with representation from all six institutions and the central office to review the system's funding structure. The workgroup should conclude their work and provide recommendations to the Board of Regents in time for the tuition and fee setting process for FY2023. Specifically, the Task Force recommends:

1. Analyzing total institutional funding, including funding received through enrollment (i.e., tuition and fees) and general fund allocations to individual institutions. The

recommendations from the workgroup should seek to minimize state funding disparities between institutions and determine an equitable and sustainable model. Any new models offered for consideration should include options for modifying the allocations to individual institutions based on annual enrollment.

2. Reviewing all tuition and fee components, including but not limited:
  - a. Tuition differentials between resident and non-resident students.
  - b. Special tuition programs approved by the Board of Regents, such as Children of Alumni, South Dakota Advantage, and Minnesota Reciprocity.
  - c. Special discipline fees (e.g., additional fees charged to specific courses that require additional expenses to offer them, such as specialized technology, specialized equipment, or maintaining a specialized accreditation).
  - d. Options for equalizing tuition for online and face-to-face courses.
  - e. Tuition and fee rates at other regional institutions to ensure competitiveness with the market.
  - f. Potential consequences of any tuition and fee changes, such as unintended incentives encouraging or discouraging more online courses or face-to-face enrollment.
3. Ensuring any resulting change in the tuition structure should endeavor to remain revenue neutral, meaning that total tuition and fee revenue generated under the new structure would not result in a significant increase in total revenue to the institutions or cost to students.
4. Collaborating with legislators to revise SDCL 13-51-1.2 to eliminate requirements that online courses and face-to-face courses must have different tuition rates. This statutory change would provide the Board of Regents with greater flexibility to align tuition structures and recognize the changing market for how students participate in higher education.
5. Collaborating with legislators on any statutory changes needed to align workgroup recommendations with general fund reallocations.

6. Performing the same analysis as described above at a minimum of every four years.

*Note: The Board of Regents has appointed the workgroup as recommended with the intention of having further recommendations in time for the 2022 legislative session and the tuition and fee setting process for FY2023. In addition, the legislature passed SB 27 in the 2021 session to include language that “All courses offered at off-campus locations, which does not include online or other remote technology course offerings, will be at self-support tuition rates established by the Board of Regents.”*

<b>10. Continue Monitoring Staffing and Functions of the Central Office</b>
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*SB 55 Point(s) Addressed:* (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents

The Task Force recommends that the Board of Regents continue to closely monitor central office staffing and functions; several other recommendations in this report may affect central office functions and staffing in the future. The Task Force analyzed central office staffing relative to assigned office responsibilities, staffing, job descriptions, compensation, and comparisons to other states. This included comparative data from the Midwestern Higher Education Compact (MHEC), State Higher Education Executive Officers (SHEEO), and Educause (a nonprofit association focused on information technology in higher education). The Task Force specifically reviewed comparisons to twenty-four other states with governing boards that function with similar authority to the South Dakota Board of Regents, considering total enrollment and the number of institutions in the respective university systems.

Broadly speaking, the Task Force finds that the staffing and expenditures of the central office are in line with national norms and in some areas function with less staff by comparison. The central office functions as staff to the Executive Director, who in turn carries out the directives of the Board of Regents. The Executive Director's charge includes directing a unified university system where six universities function collectively to the maximum benefit of the state. Achieving this requires governance and administrative practices that encourage and prioritize institutional collaboration and compliance with system directives – functions driven by the Executive Director and the central office staff. The central office staff provide independent analysis to the Executive Director and the Board of Regents, free of biases that may come from a specific institution's perspective. A strong central office is crucial to executing the overall efficiencies and system-wide governance recommendations found throughout this report.

<b>11. Investigate Alternative Models to Provide Financial Viability for Community College for Sioux Falls Site</b>
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*SB 55 Point(s) Addressed:* (8) A review of the viability of the university centers.

The Task Force recommends that the Board of Regents implement a new business model for the Community College for Sioux Falls site that provides long-term financial viability. Sioux Falls is the largest city in the state and the center of the state's population growth, yet it does not have a public, four-year university. The university system has long offered face-to-face coursework in Sioux Falls in order to provide opportunities for place-bound students in this population center. In the early 1990s, the Center for Public Higher Education included coursework from USD, SDSU, and DSU in the Bergeland Building in downtown Sioux Falls. This collaboration later transitioned to space leased at Southeast Technical College and operated under the name USDSU (a combination of the acronyms for University of South Dakota [USD], South Dakota State University [SDSU], and Dakota State University [DSU]). In 2009, the collaboration moved to its present site in northwest Sioux Falls under the name the University Center-Sioux Falls. In 2015, USD assumed primary administrative responsibility for operating the site, renaming it the Community College for Sioux Falls (CCSF) in 2019. However, enrollment in Sioux Falls has declined dramatically in recent years. This decline is due to multiple factors, including corresponding increases in students taking online coursework and statutory regulations (i.e., SDCL 13-51-1.2 and 13-51-1.3) making the cost of face-to-face coursework in Sioux Falls more expensive than courses occurring on individual campuses. As a result, CCSF has generated far less revenue than necessary to cover operating expenses or to pay down bonds on the facilities.

The CCSF site currently has three buildings: Classroom Building-Community College Main, Science & Technology Classroom Building, and the GEAR Center. The Classroom Building-Community College Main and Science & Technology Classroom Building are underutilized as a result of the enrollment declines while the GEAR Center building operates at capacity. The Task Force specifically recommends that the Board of Regents investigate and consider the following options for the facilities at the CCSF site:

1. Renovating and repurposing the CCSF Classroom Building-Community College Main as part an expansion of the GEAR Center. The USD Graduate Education and Applied Research Center (GEAR Center) building provides specialized suites and equipment

supporting public and private research activities. The GEAR Center provides space and services for the commercialization of technologies and the development of pharmaceutical, biologics, and medical devices for clinical trials. The GEAR Center currently operates near maximum capacity and is considering expansion options. The GEAR Center connects to the Classroom Building-Community College Main Building by an above ground walkway.

2. Renovating and repurposing the Science & Technology Classroom Building for use as the site for SDSU's health sciences programs in Sioux Falls, such as nursing, pharmacy, and respiratory care. SDSU has operated pharmacy and nursing programs (both undergraduate and graduate level) in Sioux Falls for decades. The Sioux Falls location of these programs provides enhanced access to clinical sites for students and close relationships with several of the state's leading medical service providers. However, these programs have grown in demand and current administrative, classroom, and laboratory facilities are inadequate. In addition, the programs are in separate facilities, leading to inefficiencies of operations and a lack of cohesion. The nursing program operates out of space on the campus of Southeast Technical College while upper-level pharmacy courses take place at CCSF. SDSU is currently considering various options for a consolidated health sciences location in Sioux Falls. Renovation of the Science & Technology Classroom Building for use by SDSU health sciences programs may provide an opportunity to address SDSU's space needs and better utilize the existing space at CCSF.
3. Investigating the sale of the Classroom Building-Community College Main and Science & Technology Classroom Building. If other options for use of the buildings at the CCSF site prove unobtainable, then the Board of Regents should consider selling the buildings to eliminate existing bond payments.
4. Collaborating with the legislature on any statutory revisions or funding requests associated with the items listed above. Funding for renovations to the Classroom Building-Community College Main and Science & Technology Classroom Building, as well as sale of either facility, require legislative approval. In addition, sale of the buildings may require statutory revisions to SDCL 13-51-1.3.



<b>12. Combine Duplicative Functions at BHSU and SD Mines Where Appropriate</b>
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*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions.

The Task Force recommends that BHSU and SD Mines work toward greater collaboration and/or consolidation of common functions, contracts, and services that exist at both institutions. BHSU and SD Mines share the same geographic space within the state; the home communities of Spearfish and Rapid City are only forty-five miles apart and BHSU operates the BHSU-Rapid City site near the campus of SD Mines. Combining institutional leadership and academic oversight is particularly difficult with these two institutions given the vastly different institutional missions, funding priorities, academic programming, and student populations. Yet there are many other areas in which the close proximity of the two institutions provides natural opportunities for collaboration.

The current BHSU and SD Mines administrations have worked with the Task Force to find appropriate functions where shared resources create greater efficiencies. The ongoing discussions between BHSU and SD Mines also provide an initial step toward expanding these considerations to other university system institutions, providing a blueprint for expanding consortium approaches for all public universities in the state. Specifically, the Task Force recommends:

1. Consolidating travel reimbursement and audit functions between the two institutions. BHSU and SD Mines currently assign part of one staff person's time to these tasks. While this consolidation does not result in a reduction of staff, this will create a more efficient and effective process by having a single point of contact and personnel dedicated to serving both institutions. Implementation of this recommendation is currently underway to include creation of electronic filing systems that eliminates paper copies and processing delays.
2. Consolidating Student Identification Card functions between the two institutions. This includes loading and processing data, training users, and managing software and network infrastructure. Both campuses currently perform the functional operations of loading student identification card data, loading pictures, and maintaining student demographic information. However, BHSU currently manages the network infrastructure for student

identification card technology for both institutions. Therefore, BHSU should absorb the functional operations related to student identification card data for both institutions, including processing information for new students and data changes for returning students.

3. Consolidating cost-saving energy and water conservation efforts. BHSU has had recent success in lowering campus energy and water costs, including but not limited to a 15 percent reduction in the water used by grounds crews irrigating the campus as well as securing grants and rebates for energy conservation efforts. Implementing similar practices at SD Mines through shared coordination of efforts may result in additional savings at both institutions with minimal additional investment. The Task Force recommends that consolidation efforts in this area include:
  - a. Sharing responsibility for a staff position responsible for coordinating the cost-saving energy, water, and related efforts between both institutions.
  - b. Sharing efforts in securing grants and rebates for energy conservation efforts.
  - c. Sharing efforts in water conservation by grounds crews.
  - d. Sharing efforts in the installation of electrical smart meters that produce data for the state's utility tracking software. This data aids in making decisions that reduce energy demand.
  - e. Investigating cost savings that may occur through a joint hazardous waste disposal contract for both institutions.
  - f. Investigating the feasibility of using BHSU as a shared service center for cost-saving sustainability and conservation efforts for all universities in the state system.
4. Consolidating the purchasing functions between the two institutions. BHSU and SD Mines should investigate additional consolidation of purchasing functions between the two universities. In 2006, system universities consolidated many purchasing functions into a shared services approach, known as the University Procurement Professionals (UPP). Under this system, purchasing buyers from each school establish commodity areas in which they specialize, making purchases for the entire system. As an example of the UPP process at work, all institutions collaborated during the Covid-19 pandemic to find and purchase bulk supplies that were difficult to locate (e.g., sanitizer, wipes, tests, etc.). However, some

purchasing functions still occur solely at the campus under established dollar limits and under institutional policies and procedures. BHSU and SD Mines should review their institutional purchasing policies and procedures for alignment. Aligning the policies and procedures will allow analysis of additional consolidation options for purchasing functions on behalf of both institutions.

*Note: SD Mines, BHSU, and the central office are currently working through the implementation of the collaborations recommended here.*

<b>13. Investigate Potential Cost Savings Through Combining DocuSign Contracts</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions.

The Task Force recommends that the Board of Regents investigate potential savings through a single contract with DocuSign rather than individual contracts with each of the six institutions. DocuSign is a private vendor providing document sharing software for electronic signatures. Currently, all six system universities and the Board office have individual contracts with DocuSign with varying start/end dates. The expiration of these contracts ranges from November of 2021 to October of 2022. As the individual contracts expire, University representatives should work with the USD purchasing office and DocuSign to establish short-term renewals aligning the end dates on a common coterminous date. That will create the opportunity to establish a system-wide agreement at a lower cost than currently available individually.

*Note: BHSU and SD Mines discussed a joint DocuSign contract during their broader discussions of potential areas for consolidation and collaboration discussed in Recommendation 12. At that time, two institutions were unable to secure a joint DocuSign contract. Continuing discussions have occurred at the system level pursuing a system-wide contract. The system will continue these discussions with intent of opening negotiations with DocuSign in FY22. If the system cannot secure a cost competitive contract covering all institutions at that time, the Board of Regents will consider other vendors and options to implement this recommendation.*

<b>14. Conduct a New Economic Impact Study and Release the Findings</b>
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SB 55 Point(s) Addressed: (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents prepare and publish an updated economic impact study that analyzes the quantifiable impact of the six public universities on the state economy. The six universities provide a tremendous economic benefit to South Dakota. The last economic impact study (2016) concluded that SD Mines, BHSU, NSU, DSU, SDSU, and USD combine to generate \$2.66 billion annually from a state investment of \$197 million in public funds. This impact derives from student, employee, and university purchases of goods and services in the state. With over 25,000 students and 5,000 employees, the university system is a major contributor to the state's economy. A data-driven analysis of the economic impact of the university system will demonstrate the return on the state's investment in public higher education. Likewise, the study will aid the university system in articulating their value to students, stakeholders, and legislators. The study should include the economic impact of the university system collectively in addition to the individual contributions of each university.

*Note: The Board of Regents has issued a request for proposals and selected a vendor to conduct an economic impact study. The tentative completion date of the project is December 2021.*

<b>15. Establish USD and SDSU as Shared Services Centers for High Performance Computing</b>
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SB 55 Point(s) Addressed: (2) The possible combining of operations and functions across multiple institutions.

The Task Force recommends that the Board of Regents establish a system-wide approach for high performance computing. *High performance computing* is the use of computing resources for handling data intensive tasks that standard computer workstations are unable to address. All institutions in the system have high performance computing needs; however, institutions with a mission that includes significant high-level research activity have greater needs than others. As the two primary research institutions in the university system, SDSU and USD already have high performance computing expertise and capabilities. SDSU and USD should function as shared service centers providing high performance computing expertise and capabilities to the other system universities. The other institutions (BHSU, SD Mines, NSU, and DSU) should leverage the high performance computing resource investments at either SDSU or USD.

<b>16. Consolidate Human Resources Functions Under the Central Office or Through Shared Service Models</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents.

The Task Force recommends that the Board of Regents review human resources functions for potential areas of consolidation. This review should identify human resources efficiencies achievable through implementation of technology and/or consolidation of functions through shared services centers or through centralization under the central office. The intent of this review is to identify functions and processes requiring uniform, consistent approaches to reduce risk management liability, address duplication, increase effectiveness, and create centers of expertise. The review process should occur with the assistance of an external consultant or through a Lean review so that perspectives of individual institutions and the board office both receive consideration. In addition, the information provided through HelioCampus (see Recommendation 8) should provide data on best practices for human resources staffing. The Task Force identified several preliminary areas for consolidation that need further consideration by the Board of Regents including employee classification, compensation, payroll and training.

<b>17. Implementation of Human Resources Technologies to Facilitate Efficiency</b>
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*SB 55 Point(s) Addressed:* (6) A review of functions outside the core missions of teaching, learning, and research; (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents.

The Task Force recommends that the Board of Regents implement technologies that streamline human resources functions for NFE and CSA employees. By state law, the university system has multiple employee classifications, each with different rules, regulations, and statutory requirements. The three primary classifications are faculty (e.g., university instructors and faculty), NFE, and CSA. Non-Faculty Exempt employees (NFE) are employees who are not faculty but are exempt from the State Career Service System under SDCL 3-6D-4. These are employees who perform administrative and professional/technical support functions. Civil Service Act employees (CSA) includes all employees not exempted in SD CL 3-6D-4. These are employees who have managerial duties at a policy-making level, high degrees of confidentiality, and responsibility for providing advice of a legal or technical nature to an institution administrator.

Currently, many of the basic personnel action processes for NFE and CSA employees occur manually and with paper documentation, including processes such as new hire information, position changes, terminations, and performance evaluation. The current manual processes use a disproportionate amount of staff time to complete. The Task Force identified key areas in which to implement technologies to alleviate inefficient processes, specifically:

1. Expanding the use of electronic personnel action forms to streamline processes, including new hire, terminations, position changes and other related personnel actions.
2. Implementing standardized online performance management processes to streamline performance evaluations for NFE and CSA employees. This will allow a consistent, reportable, and more effective performance management solution across the system that will save time for all supervisors, human resource offices, and administration.
3. Reviewing additional human resources functions and actions for options where technology can streamline processes.



<b>18. Implement Ongoing Lean Reviews of Practices and Procedures</b>
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*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents use the existing council system to conduct ongoing Lean reviews of practices and procedures. The university system utilizes a council system to recommend and review policies prior to adoption by the Board of Regents. The councils currently include the Academic Affairs Council, Business Affairs Council, Student Affairs Council, Technology Affairs Council, and the Council of Presidents and Superintendents. Each council includes representation from each institution and the central office staff. Lean (e.g., Six Sigma) is a management tool emphasizing continuous improvement, maximizing value, utilizing fewer resources, and reducing waste. Organizations that adopt Lean principles often see improvements in providing services while simultaneously reducing costs. While Lean's origins are in the private sector, government agencies have also experienced success in adapting Lean principles. In 2016, the South Dakota Legislature began implementing Lean reviews of selected state agencies. The Legislature selected the Board of Regents for Lean implementation beginning in 2020. Conducting Lean reviews hold tremendous potential for long-term reductions in system expenditures. While each council should select processes for review each year, the Task Force specifically recommends:

1. Continuing the current project of the Technology Affairs Council utilizing Lean to identify and implement common, system-wide technology standards. This includes reviewing hardware/software solutions, establishing shared service opportunities when practical, contract consolidation, risk avoidance, and ensuring financial sustainability. The Task Force understands that individual institutions have existing contracts and agreements with service providers; any system standards adopted as part of this recommendation should include a phased in approach that recognizes the terms of the existing contracts.

2. Conducting a Lean review through the Academic Affairs Council to document faculty workload and create related governance policies. The Lean review should identify a common form for capturing workload data, and establishing common definitions, data standards, and naming conventions in the university system. This process should include working with stakeholders from the central office and institutional representatives from academic records, academic affairs, faculty, and technology areas.
3. Conducting a Lean review through the appropriate council(s) on the onboarding and offboarding of employees (“onboarding” is the process of orienting new employees and “offboarding” is the process of formal separation through resignation, termination, or retirement). The university system should develop shared onboarding and offboarding procedures.

*Note: The university system is currently working through several Lean review processes as recommended here, including those related to establishing common technology standards and faculty workload.*

<b>19. Identify and Implement Standards for Technology Interoperability and Data Governance</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents develop and implement policies that address technology interoperability and data governance standards that apply to all institutions and the central office. In simplest terms, *interoperability* is the ability for information technologies (e.g., computers, networks, software, etc.) to exchange data across the university system while *data governance* provides a framework for addressing risk management, access, integrity, and quality of data. Currently, the university system does not have consistent standards for interoperability, leading to technology purchases at individual institutions that are not compatible with each other. In addition, current data governance policies are ambiguous and lack standardization, leading to both confusion and the potential for security breaches. Updated policies on technology interoperability, standard tool sets, and data governance will improve efficiency and provide greater risk management for sensitive information. Specifically, the Task Force recommends:

1. Identifying system-wide standards for technology tools (e.g., software) that support efficient, secure methods of data interoperability, including software hosted on-campus and off-campus.
2. Reviewing current processes, procedures, and policies to identify system-wide standards for data governance and technology interoperability applicable to all institutions and the central office. This includes identifying common data definitions and classifications.
3. Reviewing policies and audit procedures and recommending modifications to support on-going data management, governance, and security.

*Note: The university system has initiated the process to gather information on requirements to support the selection of the appropriate interoperability tool(s).*

<b>20. Transfer the Processing of New University Employee Moving Expenses to the University System</b>
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*SB 55 Point(s) Addressed:* (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents collaborate with legislators and the State Auditor's Office on transferring the approval process for employee moving allowances within the university system. SDCL 3-9-9 through SDCL 3-9-12 establish state policy on travel and moving expenses in the recruitment of staff. Various sections of the state's Administrative Rules supplement these statutory provisions. Currently, the South Dakota Board of Finance processes these payments on behalf of the university system. However, the Board of Finance meeting schedule often delays timely reimbursement. Bringing this process within the university system or processing through the State Auditor would reduce unnecessary delays in reimbursement.

<b>21. Review the Current List of Peer Institutions</b>
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*SB 55 Point(s) Addressed:* (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents work with each institution to review and revise their current list of peer institutions. Institutions use a variety of measures to determine their effectiveness, including comparison to other peer universities. Understanding how a university compares against peers provides useful insights on institutional quality, identify areas of strength, and determine opportunities for improvement. Institutional peers typically come from institutions that have similar missions, enrollment, student body demographics, academic programs, research investments, and other related variables. Once peers are determined, an institution can use publicly reported information to make comparisons on student graduation rates, enrollment trends, tuition and fees, staffing, financial health, and other efficiency measures. Institutions, however, change over time. This means that an institution may need an updated set of identified peers as it changes or as institutions on a peer list undergo change themselves.

The central office should work with the university presidents to establish a methodology that ensures selection of appropriate peers. This selection process should account for the selection of different groups of peers used for different purposes. For example, the central office should manage comparative peers used to report on institutional success or efficiency. Similarly, institutions may select other peer groups that identify competitor institutions as well as aspirational peers that are useful for internal planning and measuring institutional growth. Revised and updated institutional peers will improve analysis and reporting on key performance factors.

*Note: The university system has created a committee to review peer institutions. The committee's work includes identifying common definitions and methodologies prior to presenting peer lists to the Board of Regents for approval.*

<b>22. Consolidate Title IX and EEO Compliance Functions Through a Shared Services Model</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions.

The Task Force recommends that the Board of Regents establish a system-wide approach for Title IX/Equal Employment Opportunity compliance through shared or consolidated services. All universities must follow federal regulations established in Title IX of the Education Amendments of 1972 (Title IX) and the Equal Employment Opportunity Act of 1972 (EEO). In short, these require that universities function in a nondiscriminatory manner; failure to comply may result in the loss of eligibility for federal financial aid among other penalties. Each institution has personnel devoted to Title IX and EEO compliance. However, the resources available for compliance varies greatly by institution. Addressing specific Title IX and EEO compliance functions through a system-wide approach increases risk avoidance, decreases liability, provides more efficient use of staff, and reduces redundant job functions. Specifically, the Task Force recommends:

1. Consolidating Title IX and EEO investigative functions for the university system through a shared service center, with personnel located at USD and SDSU. The shared service center would conduct Title IX and EEO investigations for all six institutions, with oversight through the system's legal counsel. The shared service center should also pursue opportunities for centralized Title IX and EEO training programs/materials, templates/forms, etc. for all institutions.
2. Facilitating Title IX and EEO hearing processes through the system's central office (rather than individually by each institution), with the system's legal counsel providing the necessary staffing/support for the hearings.
3. Consolidating the compliance functions/processes for Title IX and EEO to include common system policies, forms and reporting structures, investigative practices, hearing procedures, and training programs for all institutions, as well as the elimination, reorganization, or redeployment of existing compliance staff.

<b>23. Implement a Shared Service and Project Management Software</b>
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*SB 55 Point(s) Addressed:* (1) The possible combining of administration at all levels of operation within an institution; (2) The possible combining of operations and functions across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents implement a single, system-wide service and project management software for all institutions and the central office. The Task Force identified a need for a single platform that will assist each institution's information technology department in tracking and responding to inquiries related to computer software and hardware systems. In addition, the Task Force noted a need for a service platform to manage projects throughout the university system.

The system Technology Affairs Council and Business Affairs Council (both including representatives from all institutions) has identified TeamDynamix as the appropriate software provider. The TeamDynamix software is customizable to the individual branding of each institution but remains integrated with the central office and other universities. Implementing this platform brings multiple departments and services together through technology, allowing users to retrieve information, submit service requests, and track progress. The software also streamlines staff functions by sharing workflow with relevant parties, reducing steps needed to accomplish tasks, and ensuring quicker response times to internal service requests (e.g., IT complaints and outages). As an example, USD's use of TeamDynamix resulted in increased efficiency in call center operations including an 18 percent reduction in time to resolution for service requests and a 13 percent reduction in front-line call center staff. In addition, the platform allowed USD to increase student staffing and reduce full-time staff, resulting in lower personnel costs.

Currently three institutions (SDSU, USD, and DSU) use TeamDynamix; the other three institutions and the central office should migrate to it after securing a system-wide contract. This software standard will provide long-term cost savings and create consistent project management.

*Note: The university system has acquired a system license for TeamDynamix and is in the process of migrating all institutions and the central office to the software.*

<b>24. Establish a System Standard to Transition Telephone Services to Voice over Internet Protocol (VoIP) Technology</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents establish a system-wide telephone standard for all institutions to use Voice over Internet Protocol (VoIP) technology. VoIP allows users to place voice calls over broadband internet connections rather than traditional analog telephone technology. VoIP technology provides users with greater functionality while simultaneously lowering costs for telephone services. Currently, each institution has a separate contract for telephone services with some using VoIP technology and some not. Combining all institutions into a single system contract for VoIP services will create efficiencies through a single service provider and provide long-term savings. In addition, the Task Force recommends:

1. Implementing policy recommendations through the university system's Technology Affairs Council (including representatives from each institution) that identify VoIP as a system technology standard.
2. Identifying a single VoIP service provider for a consolidated system contract. This process should phase in to accommodate the existing service provider contracts held by individual institutions.



<b>25. Establish a System Standard for Identity and Access Management</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents establish a common system standard for Identity and Access Management (IAM) that applies to all universities and the central office. IAM is the process that defines access privileges for users of information technology (IT) resources, including but not limited to computers, networks, routers, servers, smartphones, and other devices. IAM ensures that appropriate users (e.g., staff, students, etc.) have access while simultaneously preventing unauthorized users that may cause harm to IT resources or violate contracts and licenses. Currently, the university system does not have a common standard for IAM that applies to all institutions. This can cause disruptions to students who take courses online from multiple institutions within the system as well as create IT security vulnerabilities. Identifying and implementing a single strategy will create efficiencies through a single service provider, streamline services for all universities, reduce risk, and provide long-term cost savings. Governance of the IAM system should occur through the Regents Information System of the central office. Regents Information Systems and the Technology Affairs Council should establish the common system standard through a Lean review or other formal process.

<b>26. Establish a System Standard for Endpoint Detection and Recovery/Response</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents establish a common system standard for Endpoint Detection and Recovery/Response that applies to all universities and the central office. Endpoint detection and recovery/response protects devices that connect to the network, including but not limited to computers, networks, routers, servers, smartphones, and other devices. Like all modern organizations, the number of endpoints utilized by faculty, staff, and students continues to grow in the university system. Endpoint detection and recovery/response helps the university system prevent data breaches and identify security threats in the early stages. In addition, it provides valuable information on how the breach occurred that is useable later in improving defenses. Currently, the university system does not have a common standard for endpoint detection and recovery/response that applies to all institutions. Insurance requirements mandate increased security in this area and implementation should reduce risks of malicious cyberattacks. Combining all institutions into a single strategy will create efficiencies through a single service provider, streamline services for all universities, reduce risk, and provide long-term cost savings. Governance of the endpoint detection and recover/response protocols should occur through the Regents Information System branch of the central office. Regents Information Systems and the Technology Affairs Council should establish the common system standard for the tool, a process to manage information generated, and a response mechanism to high-risk threats through a Lean review or other formal process.

<b>27. Ongoing Refinement of Distance/Online Education Policies</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents continue refining policies related to distance/online education. Time constraints and the depth of research on other matters prevented the Task Force from providing detailed recommendations in this area. However, the Task Force did identify three areas in which policy and process refinement could lead to greater efficiency and continuous improvement within the university system. The Task Force recommends that the Board of Regents continue with the following:

1. Reviewing and updating Online Course Quality Assurance process and policies. Online Course Quality Assurance is the process by which the university system reviews online courses to ensure they meet required standards. Current processes and policies related to online quality assurance require updates.
2. Reviewing processes for professional licensure disclosures/reporting for online students. The State Authorization Reciprocity Agreement (SARA) is the multi-state effort to authorize higher education institutions to offer online programs across state lines. Executive Order 2018-05 and SDCL 13-48-42 authorize the Board of Regents as South Dakota's portal agency for compliance with SARA regulations. Both SARA and the US Department of Education have reporting requirements for programs that lead to professional licensure, including informing students if the program will meet requirements in the state in which the student resides. This process requires research by each institution on licensure requirements for multiple occupations in numerous states. The Board of Regents should further explore the use of technology for managing the reporting requirements and making reporting more efficient.
3. Reviewing policies related to online accessibility under the Americans with Disabilities Act. The ability for students with disabilities to engage with digital content is critical for academic success. In addition, institutions must comply with legal requirements related to

accessibility. The Board of Regents should continue to work with the institutions and students with disabilities to understand the access challenges within the online learning environment. Defining strategies to gain full compliance with federal law should be primary to these discussions.

<b>28. Continue Investigating Options for Expanding System-wide Contracts for Library Resources</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (3) The possible combining of the administration of programs across multiple institutions; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents continue investigating options for expanding system-wide contracts for library resources. The Task Force requested that the System Library Council (consisting of representatives from each institution) conduct a thorough review of all university system library subscriptions. The findings identified that the system contracts already implemented have created greater opportunities for access to library information at a reduced cost for all institutions. However, the review did not yield additional opportunities to consolidate contracts in ways that provided expanded access to resources or cost reductions at this time. As current library resource subscriptions or contracts expire, the university system should continue to review options for possible system-wide memberships or participation.

<b>29. Expand Student Mental Health Options Through Telehealth Options</b>
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*SB 55 Point(s) Addressed:* (6) A review of functions outside the core missions of teaching, learning, and research; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents investigate options for expanding student mental health options to include telehealth options. Student demand for mental health services have increased tremendously in recent years. As evidence of this demand, a February 2019 article in the *New York Times* stated that over 60 percent of students nationally reported “overwhelming anxiety.” The Covid-19 pandemic only increased this demand from students; a September 2020 *Inside Higher Education* article indicated that a quarter of students surveyed during the Covid-19 crisis had considered suicide. Moreover, faculty and staff need additional training on these emerging student mental health needs. All system institutions need additional assistance in providing mental health services. Telehealth options provide opportunities to expand student access to these vital services. The university system should seek funding for expanded mental health programming through telehealth options, to include requests for funding available through the federal America Rescue Plan Act of 2021 (ARPA) as administered in South Dakota through the state’s Bureau of Finance and Management (BFM).

*Note: BFM distributed rules associated with ARPA funds in May of 2021. ARPA included eligible funding categories for behavioral healthcare needs including but not limited to mental health treatment, crisis intervention, and outreach promoting access to health and social services. Central office staff met with representatives from the Department of Social Services (DSS) to identify a plan and budget for an ARPA proposal submitted to BFM for consideration. The Board of Regents received information on this proposal and related budget requests at its June 2021 meeting.*

### **30. Update University Mission Statements to Better Define Distinctions Between Institutions**

SB 55 Point(s) Addressed: (4) A review of the duplication of program offerings; (5) A review of the academic majors with low enrollments and low numbers of graduates; (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends the Board of Regents institute a new institutional mission framework that more clearly defines the individual contributions and expertise of each institution. Primarily, the new mission framework should define the curriculum emphases of each institution to effectively regulate unnecessary academic program duplication and aid informed decision-making on low enrolled programs as requested within SB 55. However, a rigorous review and update of institutional missions will have additional benefits. The Board of Regents governs a unified higher education system in which its six universities each contribute in distinct ways. Revised mission statements should establish substantive differentiation in the service each university fulfills in the broader system mission to the state in academic programming, geographic areas served, and scope of research investments.

The Task Force has provided a policy framework for consideration by the Board of Regents in updating institutional missions. This draft framework identifies the primary functions of each campus, statutorily authorized academic programming, and research scope so that the six institutions serve distinct purposes. Within this framework, the Board of Regents should work with institutional communities to establish additional specialization in academic programs and other areas. The Task Force further recommends the Board of Regents study and consider other variables that can drive mission differentiation for each institution, including but not limited to differential admission standards, differential tuition and fee rates, authority to offer remedial coursework, and authority to offer high school dual credit courses.

#### Recommended Institutional Mission Framework

*Note: The policy framework/statement found in the following pages provides important information related to institutional missions within South Dakota's system of public higher education and gives context to the work of reviewing these missions. This proposed policy would supplement, not necessarily replace, current Board of Regents policies that identify the missions for each institution. Existing institutional mission policies may require revision after consideration by the Board of Regents.*

## BOR INSTITUTIONAL MISSIONS POLICY STATEMENT

The South Dakota Board of Regents has constitutional authority to govern and set policy for South Dakota's system of public higher education. This includes the authority to enhance the legislatively defined mission of each of the six universities within the system through Board of Regents policy. Each university has unique traits and distinct expertise; the Board's responsibility includes integration of these traits and expertise in a collective use of resources for the common good of the state. The Board avoids unnecessary duplication of functions and programming by focusing the resources of individual institutions in a cooperative fashion. South Dakota Codified Law (SDCL) reinforces the Board's responsibility to "establish the departments and courses of study, in the institutions under its control" (SDCL 13-53-1) and to "administer the schools as to enable each one of them to do in the best manner its own specific work, with a view to the strictest economy, and so as to unify and harmonize the entire work of all the schools" (SDCL 13-53-3).

To ensure that the Board of Regents responds to the state's need for an educated workforce and citizenry while maintaining efficient use of resources, the Board has established that there are three different categories of universities within the system:

- research universities
- regional universities
- special focus universities

Each category serves a distinct purpose within the system relative to academic programs, scholarly research, and populations served. Universities further identify and define unique capabilities within their assigned category that make each institution a distinct and integral part of the overall university system. Strategic planning at universities within the system must recognize the statutory and Board approved missions.

## DEFINITIONS

### *Primary Functions*

- **Research Universities** offer a broad array of undergraduate, graduate, and professional programs and are characterized as doctoral granting with a Carnegie Classification of very high or high research activity. Institutions operating within this sector are nationally



recognized research institutions with significant commitments to receipt of external funding.

- **Regional Universities** serve the educational and programming needs of their geographic region and offer a number of undergraduate and limited master's-level programs, but no doctoral programs. The emphasis is on teaching and service with limited focus on basic or applied research activity.
- **Special Focus Universities** offer undergraduate, graduate, and professional programs with a high concentration of such programs in a single field or narrowly focused set of related fields. Special focus universities offer master's and doctoral programs within their special focus area as well as maintain a research commitment within the assigned special focus area.

*Secondary Functions* are those functions related to institutional missions specifically identified in state code or Board of Regents policy as assigned to the university.

*Additional Statutory Functions* are those functions not directly related to institutional mission identified in state code or the state constitution as assigned to a specific university. These typically include research and state service initiatives.

*Curriculum Emphases* are the areas of academic programming assigned to the university through state code, state constitution, or Board of Regents policy. Curriculum emphases guide the addition of new academic programs at the institutional level and guide approval by the Board of Regents.

*Research Focus* defines institutional commitment to scholarly research as informed by the Carnegie Classification of Institutions of Higher Education and Board of Regents policy. Research focus and the level of graduate programs are closely related, thus this section includes the highest level of graduate degree authorized for each institution and the predominant fields in which the institution engages in research.

*Geographic Scope* defines the physical geographic areas in which the university functions. Generally speaking, those institutions with a primary function of a research university operate on a national and global scale, regional universities operate primarily in service to the state and to their regional communities, and specialty focus universities serve the state with a broader scope within their special academic focus.

*The following chart shows the current primary functions, secondary functions, additional statutory functions, curriculum emphases, research focus, and geographic scope for each institution within the South Dakota university system.*

	Primary Function	Secondary Functions	Additional Statutory Functions	Curriculum Emphases	Research Focus	Geographic Scope
<b>USD</b>	Research University	SD's liberal arts university; comprehensive university of BOR system; School of Medicine; School of Law; Community College for Sioux Falls <sup>1</sup>	Center for Indian studies <sup>2</sup>	Liberal arts and sciences, business, education, fine arts, law and medicine <sup>3</sup>	Doctoral, high research activity, comprehensive programs; medical school <sup>4</sup>	State, region, nation, and beyond
<b>SDSU</b>	Research University	South Dakota's land-grant university, including a comprehensive land grant mission <sup>5</sup>	Agriculture extension work, agriculture experiment station, animal disease research & diagnostic laboratory, art museum, agricultural heritage museum <sup>6</sup>	Liberal arts and sciences, agriculture, education, engineering, home economics, nursing and pharmacy; respiratory therapy; veterinary science collaborations <sup>7</sup>	Doctoral, high research activity, STEM dominant programs <sup>8</sup>	State, region, nation, and beyond
<b>BHSU</b>	Regional University	The only multipurpose university in western SD; BHSU-Rapid City; preparation of elementary & secondary teachers <sup>9</sup>	Center for Indian studies <sup>10</sup>	Elementary and secondary education <sup>11</sup>	Master's, education-dominant with arts & sciences <sup>12</sup>	State, West River SD region, Rapid City via BHSU-RC
<b>NSU</b>	Regional University	Preparation of elementary and secondary teachers <sup>13</sup>	Center for statewide e-learning <sup>14</sup>	Elementary and secondary education <sup>15</sup>	Master's, education-dominant with other professional programs <sup>16</sup>	State, Northeastern SD region
<b>DSU</b>	Specialty Focus University	Technology-infused programs in computer management/information systems <sup>17</sup>	Lake County museum <sup>18</sup>	Computer management, information systems, electronic data processing, elementary and secondary education, and medical records <sup>19</sup>	Doctoral in specialized focus fields <sup>20</sup>	State and region, national scope within specialty focus
<b>SD MINES</b>	Specialty Focus University	SD's technological university <sup>21</sup>	Mining experiment station, museum of geology and paleontology <sup>22</sup>	Engineering, natural sciences, mining, and metallurgy <sup>23</sup>	Doctoral in specialized focus fields <sup>24</sup>	State and region, national scope within specialty focus

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- <sup>1</sup> “Liberal arts university” in SDCL 13-57-1, “comprehensive university” in BOR Policy 1:10:1, school of medicine in SDCL 13-57-3.1, CCSF leadership in BOR Policy 1:10:1. The school of law is not authorized in a separate state statute like the school of medicine, but SDCL 13-57-1 authorizes USD for “professional education in ... law and medicine.”
- <sup>2</sup> SDCL 13-57-3.2.
- <sup>3</sup> SDCL 13-57-1.
- <sup>4</sup> Carnegie Classification of Institutions of Higher Education, Basic Classification Description ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)) and Graduate Instructional Program Classification ([https://carnegieclassifications.iu.edu/classification\\_descriptions/grad\\_program.php](https://carnegieclassifications.iu.edu/classification_descriptions/grad_program.php)).
- <sup>5</sup> SDCL 13-58-1 designates SDSU as “South Dakota's Land-grant University” and BOR Policy 1:10:2 adds the statement that SDSU is “unique within the South Dakota System of Higher Education because of its comprehensive land grant mission.”
- <sup>6</sup> Agriculture and home economics extension in SDCL 13-54-1, agricultural experiment station in SDCL 13-58-11, ADRDL in SDCL 13-58-13, SD art museum in SDCL 13-58-19, agricultural heritage museum in SDCL 13-49-32.
- <sup>7</sup> Liberal arts and sciences, agriculture, education, engineering, home economics, nursing and pharmacy in SDCL 13-58-1. Respiratory care is in SDCL 13-59-2.4 and authorized for DSU “unless otherwise transferred by the Board of Regents” which occurred at the May 2020 BOR meeting transferring the program to SDSU. Veterinary students in SDCL 13-49-20.14.
- <sup>8</sup> Carnegie Classification of Institutions of Higher Education, Basic Classification Description, ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)).
- <sup>9</sup> “The only multipurpose university in western South Dakota” and leadership of BHSU-RC in BOR Policy 1:10:4. “Preparation of elementary and secondary teachers” in SDCL 13-59-1.
- <sup>10</sup> SDCL 13-59-2.1.
- <sup>11</sup> SDCL 13-59-1.
- <sup>12</sup> Carnegie Classification of Institutions of Higher Education, Basic Classification Description ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)) and Graduate Instructional Program Classification ([https://carnegieclassifications.iu.edu/classification\\_descriptions/grad\\_program.php](https://carnegieclassifications.iu.edu/classification_descriptions/grad_program.php)).
- <sup>13</sup> SDCL 13-59-1.
- <sup>14</sup> The state legislature authorized funding for e-learning at NSU in 2001 and BOR Policy 1:10:6 authorizes NSU for “a special emphasis on E-learning.”
- <sup>15</sup> SDCL 13-59-1.
- <sup>16</sup> Carnegie Classification of Institutions of Higher Education, Basic Classification Description ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)) and Graduate Instructional Program Classification ([https://carnegieclassifications.iu.edu/classification\\_descriptions/grad\\_program.php](https://carnegieclassifications.iu.edu/classification_descriptions/grad_program.php)).
- <sup>17</sup> “Technology-infused programs in computer management/information systems” is a summary of BOR Policy 1:10 and SDCL 13-59-2.2.
- <sup>18</sup> SDCL 13-59-17.
- <sup>19</sup> SDCL 13-59-2.4. The “medical records” programs referenced in statute currently include DSU’s BS in health information management and the AS in health information technology.
- <sup>20</sup> Carnegie’s current basic classification for DSU is “Master's Colleges & Universities: Small Programs.” The special focus designation used here is likely to appear in the next Carnegie classification update and recognizes the proposed Board designation for DSU as a special focus university. Carnegie Classification of Institutions of Higher Education, Basic Classification Description ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)) and Graduate Instructional Program Classification ([https://carnegieclassifications.iu.edu/classification\\_descriptions/grad\\_program.php](https://carnegieclassifications.iu.edu/classification_descriptions/grad_program.php)).
- <sup>21</sup> BOR Policy 1:10:3.
- <sup>22</sup> Mining experiment station in SDCL 13-60-4 and museum of geology and paleontology in SDCL 13-60-8.
- <sup>23</sup> Engineering and the natural sciences in SDCL 13-60-1. The South Dakota Constitution 14-5 states that “mining and metallurgy” shall be taught in at least one institution and currently is taught at SD Mines.
- <sup>24</sup> Carnegie Classification of Institutions of Higher Education, Basic Classification Description ([https://carnegieclassifications.iu.edu/classification\\_descriptions/basic.php](https://carnegieclassifications.iu.edu/classification_descriptions/basic.php)) and Graduate Instructional Program Classification ([https://carnegieclassifications.iu.edu/classification\\_descriptions/grad\\_program.php](https://carnegieclassifications.iu.edu/classification_descriptions/grad_program.php)).

<b>31. Expand Advocacy and Communication with Higher Education Stakeholders</b>
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*SB 55 Point(s) Addressed:* (9) Any other possible cost-effective measures the task force determines are worthy of examination.

The Task Force recommends that the Board of Regents improve upon and expand its advocacy of public higher education. The Board of Regents should broaden relationships with state officials, legislators, congressional representatives, workforce/industry leaders, K-12 community, technical colleges, university home communities, and the public. The Task Force notes the importance of relationship building with these constituencies to ensure transparency, attain recognition for higher education's contributions to the state, and encourage equitable funding for each institution. To achieve these goals, the Task Force specifically recommends:

1. Increasing the frequency of conversations with key legislators outside of legislative session, including regular meetings with members of the Joint Committee on Appropriations.
2. Publishing and/or presenting an annual State of the University System describing yearly accomplishments and efficiencies achieved.
3. Continuing partnerships with K-12, private universities/college, tribal colleges, and technical colleges within the state on collaborations that best serve South Dakota students and residents.
4. Scheduling annual or regular meetings with state congressional delegation staff to advocate for federal policies benefiting South Dakota students and residents.
5. Updating the system's economic impact study to communicate the tremendous financial benefit and return on investment provided by the university system to the state. See Recommendation 14.
6. Promoting the success of academic innovations unique to South Dakota's higher education system, including but not limited to the common catalog (e.g., common general education

requirements, course names and numbering, and transcript) that create seamless student transfer between system universities and collaborative academic programs that provide students with expertise from multiple institutions.

7. Promoting the success of shared service innovations unique to South Dakota's higher education system that create financial and personnel efficiencies, including but not limited to the common enterprise data system for student information systems, human resources, and finance operations.
8. Creating, sharing, promoting, and executing a new strategic plan for the university system that incorporates the findings and recommendations of the SB 55 Task Force.
9. Sharing the results of the Program Demand Gap Analysis study commissioned by the SB 55 Task Force with other stakeholders to aid in promoting workforce development within the state. This includes the state legislature, state agencies, Governor's Office of Economic Development, and regional workforce organizations.
10. Establishing an ongoing Board of Regents appointed advisory committee promoting the relationship between public universities and workforce development. The advisory committee/task force should include regents, presidents, state government officials, and leaders from a variety of South Dakota industry and business sectors. The committee/task force should engage in and promote public conversations about the number of graduates in high need fields, skills developed through a public university education, the value of a liberal arts education, and public/private collaborations to retain more graduates in the state.

<b>32. Increase Internal Collaboration on Online Course Delivery</b>
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*SB 55 Point(s) Addressed:* (2) The possible combining of operations and functions across multiple institutions; (4) A review of the duplication of program offerings; (5) A review of the academic majors with low enrollments and low numbers of graduates.

The Task Force recommends the Board of Regents explore additional opportunities for collaboration between institutions in the delivery of online coursework. The university system's existing policy framework provides opportunities for institutional collaboration exceeding those in most other states. The university system utilizes a common course catalogue and common transcript; in simplest terms, the common catalogue and common transcript allow students to use courses from any system institution to fulfill credits at any other system institution (e.g., History 101 at BHSU is equivalent to History 101 at USD). This framework eliminates the uncertainty that exists when students attempt to transfer completed coursework within the system. Closer monitoring of online courses available from multiple institutions may provide opportunities to collapse underutilized course sections (e.g., course sections not at maximum enrollment) into fewer sections, reducing instructional delivery costs. The Task Force specifically recommends:

1. Preparing a report through the central office that monitors online course rotation schedules and courses with multiple online sections. The report should aid in decisions to cancel a section and enroll students in a section offered by another system institution.
2. Establishing policies that replace multiple low-enrolled identical online course sections with a single course section for students from all institutions when possible.
3. Establishing policies that promote increased use of collaborative programs (e.g., majors, minors, etc.) within the system where multiple institutions share authority to offer the program, share course requirements to complete the program, and rotate the offering of the courses between the institutions. Such an approach would maintain a robust catalog of online academic programs available throughout the system while controlling unnecessary duplication and unneeded expense. Current examples exist within the system providing a template for replication, including but not limited to German and Physics programs.

### **33. Revise Course Section Enrollment Policies**

SB 55 Point(s) Addressed: (5) A review of the academic majors with low enrollments and low numbers of graduates.

The Task Force recommends the Board of Regents revise policies related to minimum course section size (i.e., minimum enrollments required to offer an individual course section) to improve the efficiency of coursework delivery. As context, individual courses may have multiple sections. For example, History 101 is a *course*; History 101 may have *sections* offered at 8:00 a.m., 9:00 a.m., and 10:00 a.m. Current system policy requires undergraduate courses to have a minimum of ten students, master’s courses to have a minimum of seven students, and doctoral courses to have a minimum of four students. However, there are exceptions built into the policy depending on the designated “instructional method” assigned to each course. The “instructional method” is determined by the nature of the teaching required. For example, courses designated with the instructional method “studio” (courses designed for significant student/teacher engagement in fine arts courses), “workshop” (intense, narrowly tailored topic courses typically offered in some graduate programs), and “internships” (field-based learning) are all excluded from reporting requirements under the existing policy. The instructional method-based exceptions prevent an accurate understanding of the effectiveness of the policy. Moreover, a disparate number of course sections with low enrollment make the delivery of coursework less efficient and more expensive by requiring more faculty to teach fewer students. To achieve greater efficiency in the delivery of coursework, the Task Force specifically recommends:

1. Eliminating “instructional method” references from system policies and related exceptions to minimum course section enrollment policies. In addition, the Task Force recommends eliminating all other exceptions to the policy other than those discussed in Section 3 of this recommendation.
2. Placing the responsibility for managing compliance with minimum course section enrollment policies on the institutions and establish incentives for compliance.
3. Establishing policies that allow a maximum of 18 percent of an institution’s undergraduate course sections to have enrollments below the minimum enrollment requirements. In



addition, the Board of Regents should receive an annual report of course sections that are below minimum enrollments, including documenting any low enrolled course sections offered in order to ensure students had access to coursework required for degree completion.

4. Standardizing the process for institutions creating new course sections where individual instruction is a component (e.g., currently some institutions combine all such students into one course section while others enroll each student in a separate course section). This will result in more accurate tracking of policy compliance.
5. Establishing policies governing low enrolled course sections offered during summer or non-standard academic terms that ensure financial viability for institutions offering the course.

<b>34. Utilize a Data-driven Program Demand Gap Analysis to Inform Decisions on Necessary/Unnecessary Academic Program Duplication</b>
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*SB 55 Point(s) Addressed:* (4) A review of the duplication of program offerings; (5) A review of the academic majors with low enrollments and low numbers of graduates.

The Task Force recommends that the Board of Regents use the data provided in a program demand gap analysis to inform decisions on academic program duplication within the system (i.e., academic programs offered at more than one institution). Duplication of programs within the system is not currently a rampant problem; about 75 percent of undergraduate and graduate majors in the university system are available at a single institution. Where program duplication does exist, it is not always a negative – the challenge to the Board of Regents is to determine when program duplication is necessary and when it is unnecessary. One significant measure in determining whether program duplication is necessary or unnecessary is recognition of the university system’s role in supplying an educated workforce to South Dakota’s businesses and industries. The Task Force commissioned Emsi, a private labor market analytics firm, to complete an academic program demand gap analysis to determine the current alignment of major fields of study with the state’s workforce needs. The Emsi analysis provides a starting point for data-driven decisions when proposals for duplicative academic programs come forward. To further guide the use of the Emsi program demand gap analysis, the Task Force further recommends:

1. Using the information provided in the academic program demand gap analysis as a central variable in decisions on proposals for new academic programs that are potentially duplicative within the university system.
2. Identifying high demand occupations and related academic fields that may require expansion or development to meet anticipated workforce needs.

3. Reviewing academic programs where public universities produce a surplus of graduates relative to state workforce demand. However, the Task Force cautions that not all such academic programs require termination or reduction. In some cases, graduates in high demand fields compete in regional or national labor markets and may choose employment outside of South Dakota, creating state workforce shortages despite universities producing an adequate number of graduates. In such situations, it is imperative that the public universities produce more graduates in a field than labor projections indicate are necessary. It is also important for the Board of Regents to work with state and regional workforce and/or economic development organizations to identify businesses and industries that need graduates from the university system.
4. Updating the information in the Emsi analysis on a regular basis. The Emsi analysis looks at a specific point in time, therefore has a limited timeframe for reliability. Labor and workforce markets can change quickly, especially as technology makes some occupations obsolete and creates new ones. The Board of Regents should update this analysis every three to five years to ensure academic program offerings continue to align with workforce and student demand.
5. Sharing the program demand gap analysis with other stakeholders to aid in promoting workforce development within the state. This includes the state legislature, state agencies, Governor's Office of Economic Development, and regional workforce organizations. Moreover, the Board of Regents should consider partnership with the state technical colleges on future editions of the program demand gap analysis to produce an integrated and comprehensive view of public higher education's relationship to the state workforce.

<b>35. Revise Policies for Academic Programs with Low Enrollments and Low Number of Graduates</b>
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SB 55 Point(s) Addressed: (5) A review of the academic majors with low enrollments and low numbers of graduates.

The Task Force recommends the Board of Regents revise policies related to “program productivity,” the common name given to policies addressing academic programs with a low number of graduates. The revised policies should include new metrics analyzing whether failure to meet enrollment or graduation requirements result in the program as retained, terminated, consolidated, or other outcomes. The new metrics and policies should also include information that better reflect the actual cost of offering the program, program alignment with strategic plans, state workforce needs, alignment with the new academic program approval process, consideration of academic quality, and opportunities for input from faculty and students. The Task Force further recommends that the central office work with the Board of Regents to standardize and define the quantitative data provided in support of the new program productivity review and that the strategic impact, academic quality, student success, and financial health metrics be added to all program reviews. The Task Force specifically recommends:

1. Implementing an annual review process of academic programs for compliance with new standards on graduates produced (i.e., degree completions), minimum enrollment, and net revenue generated. The primary metrics used in the annual program productivity review process should include:
  - a. The number of degree completions within the academic program.
  - b. Student headcount enrollment in the academic program.
  - c. The revenue and expenses generated by offering the academic program. The revenue and expense calculation should include faculty workload, faculty average salaries and benefits, number of course sections within the program, enrollment in course sections within the program, student credit hours generated by program, total tuition and fee revenue collected by the program, total revenue generated from grants or other sources beyond tuition and fees, total expenditures, and net revenue and expenditures).

2. Implementing a set of secondary metrics that may justify continuation of a program that fails to meet the standards of the primary metrics. Secondary metrics should include elements for strategic impact, academic quality, student success, and financial health of the program.
3. Revising policies so that if a program meets the productivity standards for enrollment and net revenue generation regardless of the number of degree completions, then the program meets policy standards.
4. Revising policies so that programs flagged as not meeting the new program productivity standards have an opportunity to submit improvement plans at the discretion of the Board of Regents. Improvement plans should be submitted within a specific time or the program should be considered as not meeting policy standards.
5. Revising policies to make clear that all terminated programs shall include a teach-out plan in compliance with the requirements of the Higher Learning Commission (the regional accreditor approved by the US Department of Education for South Dakota), providing the least disruption for students, faculty, and staff.
6. Revising the New Program Proposal guidelines to align with the program productivity policy and guidelines. A New Program Review should be implemented to review New Program growth, enrollment, and budget projections.

## Senate Bill 55

### **An Act to require the Board of Regents to assemble a task force to study the operations and functions of the institutions of higher education under the board's authority.**

Be it enacted by the Legislature of the State of South Dakota:

**Section 1.** The Board of Regents shall assemble a task force consisting of at least eleven members to examine the possible program and administrative efficiencies and cost effectiveness that may be achieved through the shared administration of the South Dakota School of Mines and Technology, Black Hills State University, Dakota State University, Northern State University, South Dakota State University, and the University of South Dakota. The membership of the task force shall include four members of the Joint Committee on Appropriations appointed by the Joint Committee on Appropriations. All expenses incurred in carrying out the work of the task force shall be paid out of funds appropriated or otherwise provided to the board.

The board shall present the findings of the task force to the Governor and to the Joint Committee on Appropriations no later than November 15, 2021.

**Section 2.** The task force examination shall include the following:

- (1) The possible combining of administration at all levels of operation within an institution;
- (2) The possible combining of operations and functions across multiple institutions;
- (3) The possible combining of the administration of programs across multiple institutions;
- (4) A review of the duplication of program offerings;
- (5) A review of the academic majors with low enrollments and low numbers of graduates;
- (6) A review of functions outside the core missions of teaching, learning, and research;
- (7) A review of the operations and functions provided as an efficiency through the central office of the Board of Regents;
- (8) A review of the viability of the university centers; and
- (9) Any other possible cost-effective measures the task force determines are worthy of examination.

**Signed March 20, 2020**

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – A**  
**DATE: October 6-7, 2021**

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**SUBJECT**

**New Program Request – NSU – Minor in Adapted Physical Activities**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

Northern State University (NSU) requests authorization to offer a minor in Adapted Physical Activities. The minor in Adapted Physical Activities will allow students to gain hands-on experiences providing fitness and sports opportunities to special populations. The minor provides enough credits for a student to become a Certified Adapted Physical Education teacher, allowing students to be more employable and also supporting NSU's partnership with the South Dakota School for the Blind and Visually Impaired. The proposed program will be the only minor of this type in the state of South Dakota.

**IMPACT AND RECOMMENDATION**

NSU plans to offer the minor in Adapted Physical Activities on campus and online. NSU does not request new state resources. No new courses will be required.

Board office staff recommends approval.

**ATTACHMENTS**

Attachment I – New Program Request: NSU – Minor in Adapted Physical Activities

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-A:**

I move to authorize Northern State University to offer a minor in Adapted Physical Activities, as presented.



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Baccalaureate Degree Minor

Use this form to propose a new baccalaureate degree minor (the minor may include existing and/or new courses. An academic minor within a degree program enables a student to make an inquiry into a discipline or field of study beyond the major or to investigate a particular content theme. Minors provide a broad introduction to a subject and therefore develop only limited competency. Minors consist of a specific set of objectives achieved through a series of courses. Course offerings occur in a specific department or may draw from several departments (as in the case of a topical or thematic focus). In some cases, all coursework within a minor proscribed; in others cases, a few courses may form the basis for a wide range of choices. Regental undergraduate minors typically consist of 18 credit hours. Proposals to establish new minors as well as proposals to modify existing minors must recognize and address this limit. 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 Baccalaureate Degree Minor Form to the university website for review by other universities after approval by the Executive Director and Chief Academic Officer.

<b>UNIVERSITY:</b>	NSU
<b>TITLE OF PROPOSED MINOR:</b>	Adapted Physical Activities
<b>DEGREE(S) IN WHICH MINOR MAY BE EARNED:</b>	Human Performance & Fitness Physical Education Sport Marketing & Administration Special Education Any
<b>EXISTING RELATED MAJORS OR MINORS:</b>	Physical Education
<b>INTENDED DATE OF IMPLEMENTATION:</b>	Fall 2021
<b>PROPOSED CIP CODE:</b>	13.1314
<b>UNIVERSITY DEPARTMENT:</b>	Health & Physical Education Department
<b>BANNER DEPARTMENT CODE:</b>	NHPE
<b>UNIVERSITY DIVISION:</b>	School of Education/College of Professional Studies
<b>BANNER DIVISION CODE:</b>	5E

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

- The individual preparing this request has read [AAC Guideline 2.8](#), which pertains to new baccalaureate degree minor 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.*

Michael Werners  
President (or Designee) of the University

7/27/2021  
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. Do you have a major in this field (*place an “X” in the appropriate box*)? ☒ ☐  
Yes No
2. If you do not have a major in this field, explain how the proposed minor relates to your university mission and strategic plan, and to the current Board of Regents Strategic Plan 2014-2020.
3. What is the nature/purpose of the proposed minor? Please include a brief (1-2 sentence) description of the academic field in this program.

Through Northern State University’s Adapted Physical Activities minor, students will gain hands on experiences providing fitness and sport opportunities to special populations. Northern State University’s Adapted Physical Activities minor will be the only such minor in the state, will directly prepare students for the workplace, and will make students more employable by giving them broader skills to provide fitness and sport opportunities for individuals with disabilities.

4. How will the proposed minor benefit students?

Northern State University’s Adapted Physical Activities Minor provides enough credits for a student to become a Certified Adapted Physical Education teacher, allowing our graduates to be more marketable at a regional, if not national, level. Additionally, the minor supports Northern’s partnership with the South Dakota School of the Blind and Visually Impaired (SDBVI) and recent curricular additions in the School of Education (e.g., MEd in Special Education).

5. Describe the workforce demand for graduates in related fields, 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.

Currently, CA, LA, ME, MI, MN, NE, OH, OR, RI, SD, WI, and WY have certifications in adapted physical education. However, none of the SDBOR schools offer enough course requirements to become a Certified Adapted Physical Educator (CAPE). Earning this minor will increase the employability of Northern graduates in South Dakota and also in neighboring states (MN, WI, NE).

6. Provide estimated enrollments and completions in the table below and explain the methodology used in developing the estimates (*replace “XX” in the table with the appropriate year*).

Fiscal Years*			
1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>

<i>Estimates</i>	<b>FY 22</b>	<b>FY 23</b>	<b>FY 24</b>	<b>FY 25</b>
<b>Students enrolled in the minor (fall)</b>	<b>5</b>	<b>8</b>	<b>10</b>	<b>12</b>
<b>Completions by graduates</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>8</b>

\*Do not include current fiscal year.

**7. What is the rationale for the curriculum? Demonstrate/provide evidence that the curriculum is consistent with current national standards.**

The Adapted Physical Activities Minor provides enough credits (nine) for a student to become a certified Adapted Physical Education teacher. Currently, CA, LA, ME, MI, MN, NE, OH, OR, RI, SD, WI, and WY have certifications in adapted physical education. However, none of the SDBOR schools offer enough course requirements to become a certified adapted physical educator (CAPE). Offering this minor would allow our students increased employability in South Dakota and also in neighboring states (MN, WI, NE).

The courses of PE 352 - Adapted Physical Education, PE 378 - Assessment of Adapted Physical Education, PE 379- Sport for Individuals with Disabilities, and HLTH 240- Health & Fitness for the older adult, provide a well-rounded curriculum centered on special populations in the world of health, physical education, fitness, and sport.

**8. Complete the tables below. Explain any exceptions to Board policy requested.**

*Minors by design are limited in the number of credit hours required for completion. Minors typically consist of eighteen (18) credit hours, including prerequisite courses. In addition, minors typically involve existing courses. If the curriculum consists of more than eighteen (18) credit hours (including prerequisites) or new courses, please provide explanation and justification below.*

**A. Distribution of Credit Hours**

<b>Adapted Physical Activites</b>	<b>Credit Hours</b>	<b>Percent</b>
Requirements in minor	18	100%
Electives in minor	0	0%
<b>Total</b>	<b>18</b>	<b>100%</b>

**B. Required Courses in the Minor**

<b>Prefix</b>	<b>Number</b>	<b>Course Title</b> <i>(add or delete rows as needed)</i>	<b>Prerequisites for Course</b> <i>Include credits for prerequisites in subtotal below.</i>	<b>Credit Hours</b>	<b>New (yes, no)</b>
PE	202	Professional Preparation: Individual & Dual Activities		2	No
PE	203	Professional Preparation: Team Activities		1	No
HLTH	240	Health and Fitness for Special Populations		3	No

PE	352	Adapted Physical Education		3	No
PE	378	Assessment of Developmental and Adapted Physical Activities	PE 353 (included in the minor)	3	No
PE	379	Sport for Individuals with Disability		3	No
PE	452	Motor Learning & Development		3	No
Subtotal				18	

**9. Elective Courses in the Minor: List courses available as electives in the program. Indicate any proposed new courses added specifically for the minor.**

Prefix	Number	Course Title (add or delete rows as needed)	Prerequisites for Course <i>Include credits for prerequisites in subtotal below.</i>	Credit Hours	New (yes, no)
					Choose an item.
					Choose an item.
Subtotal				0	

**A. What are the learning outcomes expected for all students who complete the minor? How will students achieve these outcomes?**

South Dakota Board of Regent Standards	Program Courses that Address the Outcomes						
Individual Student Outcome (Same as in the text of the proposal)	PE 202	PE 203	HLTH 240	PE 352	PE 378	PE 379	PE 452
Students will recognize the value of diversity, inclusion, and equity in fitness, sport, and health-related professions (Cross-Curricular Skill: Diversity, Inclusion, Equity).			X	X	X	X	
Students will develop a systematic process of exploring issues, objects or works through the collection and analysis of evidence that results in informed conclusions or judgments. Analysis is the process of breaking complex topics or issues into parts to gain a better understanding of them (Cross-Curricular Skill: Inquiry and Analysis).			X			X	X
Students will develop knowledge of professional ethical standards and their responsible application within the discipline (Cross-Curricular Skill: Ethical Reasoning).			X	X	X	X	
Students will develop the ability to know when there is a need for information, to be able to identify, locate, evaluate, and effectively and responsibly use and convey that information to address the need or problem at hand (Cross-Curricular Skill: Information Literacy).	X	X		X		X	X

Students will develop a habit of mind characterized by the comprehensive exploration of issues, ideas, artifacts, and events before accepting or formulating an opinion or conclusion. Both the capacity to combine or synthesize existing ideas, images, or expertise in original ways and the experience of thinking, reacting, and working in an imaginative way characterized by a high degree of innovation, divergent thinking, and risk taking (Cross-Curricular Skill: Critical and Creative Thinking).			X	X	X	X	
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<b>National Adapted Physical Education Standards</b>	<b>Program Courses that Address the Outcomes</b>						
<b>Individual Student Outcome</b> (Same as in the text of the proposal)	PE 202	PE 203	HLTH 240	PE 352	PE 378	PE 379	PE 452
<i>Adapted Physical Education National Standards (APENS)</i> <b>Standard 1: HUMAN DEVELOPMENT</b> The foundation of proposed goals and activities for individuals with disabilities is grounded in a basic understanding of human development and its applications to those with various needs. For the adapted physical education teacher, this implies familiarity with theories and practices related to human development. The emphasis within this standard focuses on knowledge and skills helpful in providing quality APE programs.	X		X				X
<b>APENS Standard 2: MOTOR BEHAVIOR</b> Teaching individuals with disabilities requires some knowledge of how individuals develop. In the case of APE teachers, it means having knowledge of typical physical and motor development as well as understanding the influence of developmental delays on these processes. It also means understanding how individuals learn motor skills and apply principles of motor learning during the planning and teaching of physical education to students with disabilities.			X				X
<b>APENS Standard 4: MEASUREMENT AND EVALUATION</b> This standard is one of the foundation standards underscoring the background an adapted physical educator should have in order to comply with the mandates of legislation and meet the needs of students. Understanding the measurement of motor performance, to a large extent, is based on a good grasp of motor development and the acquisition of motor skills covered in other standards.	X		X	X	X		

<b>APENS Standard 5: HISTORY AND PHILOSOPHY</b> This standard traces facts regarding legal and philosophical factors involved in current day practices in adapted physical education. This information is important to understand the changing contribution that physical education can make in their lives. Major components of each law that related to education and physical activity are emphasized. The review of history and philosophy related to special and general education is also covered in this area.				X		X	
<b>APENS Standard 6: UNIQUE ATTRIBUTES OF LEARNERS</b> Standard 6 refers to information based on the disability areas identified in the Individuals with Disabilities Education Act (IDEA) found within school age population. Material is categorically organized in order to present the information in a systematic matter. This organization is not intended to advocate a categorical approach to teaching children with disabilities. All children should be treated as individuals and assessed to determine what needs they have.				X	X	X	
<b>APENS Standard 7: CURRICULUM THEORY AND DEVELOPMENT</b> As you are planning to teach physical education to students with disabilities, you should recognize that certain Curriculum Theory and Development concepts, such as selecting goals based on relevant and appropriate assessments, must be understood by APE teachers. As you have no doubt discovered Curriculum Theory and Development is more than writing unit and lesson plans. Nowhere does this come into play more than when you are planning a program for a student with disability.	X			X	X		
<b>APENS Standard 8: ASSESSMENT</b> This standard addresses the process of assessment, one that is commonly taught as part of the basic measurement and evaluation course in a physical education degree curriculum. Assessment goes beyond data gathering to include measurements for the purpose of making decisions about special services and program components for individuals with disabilities.					X		

<b>APENS Standard 9: INSTRUCTIONAL DESIGN AND PLANNING</b> Instructional design and planning must be developed before an APE teacher can provide services to meet legal mandates, educational goals and most importantly the unique needs of individuals with disabilities. Many of the principles addressed earlier in human development, motor behavior, exercise science and curriculum theory and development are applied to this standard in order to successfully design and plan programs of physical education.				X	X		
<b>APENS Standard 10: TEACHING</b> A major part of any APE position is teaching. In this standard many of the principles addressed earlier in such standard areas as human development, motor behavior, and exercise science, are applied to this standard in order to effectively provide quality physical education to individuals with disabilities.	X			X	X	X	
<b>Standard 15: COMMUNICATION</b> In recent years, the role of the professional in APE has evolved from being a direct service provider to include communicating with families and other professionals in order to enhance program instruction for individuals with disabilities. This standard includes information regarding the APE teacher effectively communicating with families and other professionals using a team approach in order to enhance service delivery to individuals with disabilities.				X		X	

**10. What instructional approaches and technologies will instructors use to teach courses in the minor?** *This refers to the instructional technologies and approaches used to teach courses and NOT the technology applications and approaches expected of students.*

Lecture and experiential learning. Northern State University faculty will work with the staff and faculty at the South Dakota School for the Blind and Visually Impaired (SDBVI) to integrate learning opportunities on the SDBVI campus for students enrolled in the courses in this minor. The program itself will not be delivered off site at the SDBVI, but faculty will build on the collaboration between NSU and SDBVI to offer experiences at SDBVI for students in the program.

**11. 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 Center 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	Fall 2021

	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)	Yes	Online	Fall 2021
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 minor 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)	Choose an item.		Choose an item. Choose an item.

**12. Does the University request any exceptions to any Board policy for this minor? Explain any requests for exceptions to Board Policy. If not requesting any exceptions, enter "None."**

None.

**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 minor. Address off-campus or distance delivery separately.**

Northern State University will request the addition of a discipline fee for health and wellness courses to purchase new equipment in support of the curriculum's inclusion of adaptive physical activities. Northern graduates will encounter a range of access to equipment in the workplace. Northern students will be taught to adapt the materials traditionally found in a grade school gym so they can work in a low-to no-budget environment. Other Northern graduates will be asked to assess and purchase equipment and materials to expand inclusion in their workplace. A discipline fee is needed to broaden equipment and materials in Northern

courses so students will learn to assess, select, and use inclusive equipment and materials – preparing them to bring that skill into the workplace.

**14. New Course Approval:** New courses required to implement the new minor may receive approval in conjunction with program approval or receive approval separately. Please check the appropriate statement (*place an “X” in the appropriate box*).

☐ 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 7.*

☒ 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.*

**15. Additional Information:** *Additional information is optional. Use this space to provide pertinent information not requested above. Limit the number and length of additional attachments. Identify all attachments with capital letters. Letters of support are not necessary and are rarely included with Board materials. The University may include responses to questions from the Board or the Executive Director as appendices to the original proposal where applicable. Delete this item if not used.*



**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – B**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Program Reactivation Request – USD – MM in Music with a specialization in the History of Musical Instruments**

**CONTROLLING STATUTE, RULE, OR POLICY**

[AAC Guideline 2.12](#) – Programs on Inactive Status

**BACKGROUND / DISCUSSION**

The University of South Dakota (USD) has submitted a request asking to reactivate the Master of Music degree in Music with a specialization in the History of Musical Instruments (see Attachment I). The program was inactivated due to the complete renovation of its primary research facility, the National Music Museum. That renovation will be complete and the research facilities of the museum fully available by Fall 2023.

**IMPACT AND RECOMMENDATION**

There are no additional costs to activate the program as the instructors for this degree are taken from the staff of the National Music Museum, who are already in place.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – USD Program Reactivation Request

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-B:**

I move to approve the University of South Dakota's request to reactivate the Master of Music degree in Music with a specialization in the History of Musical Instruments.



UNIVERSITY OF  
SOUTH DAKOTA

July 26, 2021

Dr. Janice Minder  
SD Board of Regents  
306 East Capitol Avenue, Suite 200  
Pierre, SD 57501

Dear Dr. Minder,

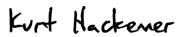
On behalf of the University of South Dakota, I am writing to reactivate the Master of Music degree in Music with a specialization in the History of Musical Instruments. The program was inactivated due to the complete renovation of the primary research facility, the National Music Museum. That renovation will be complete, and the research facilities of the museum will be fully available by Fall 2023.

There are no additional costs to activate the program, instructors for this degree are taken from the staff of the National Music Museum, who are already in place. There are only two programs like this in the world—and the National Music Museum is the premier research center for musical instruments in the United States. This will benefit students wanting to get this degree without having to go to Europe (the only other program is at the University of Edinburgh, in Scotland). We anticipate two students per year, as per past practice. From a program productivity perspective, it is important to note that this program uses resources that are already in place. This includes the use of National Music Museum staff as instructors, and the use of College of Fine Arts courses that are already offered as part of other graduate degrees. As a result, this is a highly cost-effective program, and in fact increases the productivity of our other graduate degrees in music by filling out our graduate music history and theory courses.

Thank you for your consideration. If you need further information, please let me know.

Sincerely,

DocuSigned by:

Kurt Hackemer

Kurt Hackemer, Provost and Vice President for Academic Affairs

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – C (1)**

**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Articulation Agreements – South Dakota State University**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

BOR 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 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, South Dakota State University (SDSU) requests approval for the following articulation agreement:

- Students who have completed coursework in the Associate of Science degree in Agricultural Sciences at Riverland Community College (RCC) can apply credit toward the Bachelor of Science degree in Agronomy at SDSU.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – SDSU Articulation Agreement: RCC

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-C(1):**

I move to approve South Dakota State University’s articulation agreement with Riverland Community College.

<p style="text-align: center;"><b>MINNESOTA STATE COLLEGES AND UNIVERSITIES*</b></p> <p style="text-align: center;"><b>ARTICULATION AGREEMENT BETWEEN</b></p>	<p style="text-align: center;"><b>Riverland Community College AND South Dakota State University</b></p>
<p>*The Board of Trustees of the Minnesota State Colleges and Universities is authorized by Minnesota Statutes, Chapter 136F to enter into Agreements and has delegated this authority to colleges and universities.</p>	

This Agreement is entered into between Riverland Community College (hereinafter sending institution), and South Dakota State University (SDSU) (hereinafter receiving institution).

The sending institution has established an **Agricultural Sciences A.S.** (hereinafter sending program), and the receiving institution has established a **B.S. in Agronomy** (hereinafter receiving program) and will facilitate credit transfer and provide a smooth transition from one related program to another. It is mutually agreed:

#### **Admission and Graduation Requirements**

- A. The receiving institution's admission and program admission requirements apply to both direct entry students and to students who transfer under this agreement.
- B. Students must fulfill the graduation requirements at both institutions.
- C. Students must complete the entire sending program and meet the receiving institution's admission requirements for the agreement to apply.

#### **Transfer of Credits**

- A. The receiving institution will accept 60 credits from the sending program. A total of 65 credits remain to complete the receiving program.
- B. Courses will transfer as described in the attached Program Articulation Table.

#### **Implementation and Review**

- A. The Chief Academic Officers or designees of the parties to this agreement will implement the terms of this agreement, including identifying and incorporating any changes into subsequent agreements, assuring compliance with system policy, procedure and guidelines, and conducting a periodic review of this agreement.
- B. This Articulation Agreement is effective upon agreement by all parties and shall remain in effect until terminated or amended by either party with 90 days prior written notice.
- C. The college and university shall work with students to resolve the transfer of courses should changes to either program occur while the agreement is in effect.

## PROGRAM ARTICULATION TABLE

	College (sending)	University (receiving)
Institution	Riverland Community College	South Dakota State University
Program name	AGRICULTURAL SCIENCES	AGRONOMY
Award Type (e.g., AS)	A.S.	B.S.
Credit Length	60 credits	125 CREDITS
CIP code (6-digit)		
Describe program admission requirements (if any)	MUST MEET ALL ENTRANCE REQUIREMENTS	MUST MEET ALL ENTRANCE REQUIREMENTS

### Instructions

- List all required courses in both academic programs.
- MnTC goal areas transfer to the receiving institution according to the goal areas designated by the sending institution.
- Do not indicate a goal area for general education courses that are not part of the MnTC.
- For restricted or unrestricted electives, list number of credits.
- Credits applied: the receiving institution course credit amount may be more or less than the sending institution credit amount. Enter the number of credits that the receiving institution will apply toward degree completion.
- Show equivalent university-college courses on the same row to ensure accurate DARS encoding.
- Equiv/Sub/Wav column: If a course is to be encoded as equivalent, enter Equiv. If a course is to be accepted by the university as a "substitution" only for the purposes of this agreement, enter Sub. If a course requirement is waived by the receiving institution, enter Wav. If a course is to be accepted by the university as a MnTC goal area, restricted elective or unrestricted elective, leave the cell blank.

(To add rows, place cursor outside of the end of a row and press enter.)

### SECTION A - Minnesota Transfer Curriculum-General Education

College (sending)			University (receiving)			
course prefix, number and name	Goal(s) <sup>1</sup>	Cr edi ts	course prefix, number and name	Goal(s) <sup>1</sup>	Credits Applied	Equiv Sub Wav
Minnesota Transfer Curriculum-General Education						
ENGL-1101: Composition I	1,2	3	ENGL-101: Composition I	1	3	
MATH-2021: Fundamentals of Statistics	4	4	STAT-281: Introduction to Statistics	5	4	
SPCH-1100: Fundamentals of Speech	1,9	3	CMST-101: Fundamentals of Speech	2	3	
ECON-2291: Macroeconomics <b>OR</b>	5,8	3	ECON-202: Principles of Macroeconomics <b>OR</b>	3	3	
ECON-2292: Microeconomics			ECON-201: Principles of Microeconomics (SGR#3)			
MATH-1110: College Algebra	2,4	3	MATH-114: College Algebra	5	3	
BIOL-1091: General Biology I	2,3	4	BIOL-151-151L: Biology Survey I and Lab	6	4	
PHYS-1000: Introduction to Physics	2,3	3	PHYS-101-101L: Survey of Physics and Lab	6	3	
SOCI-1101: Social Problems	5,9	3	SOC 150: Social Problems	3	3	
MNTC Elective		1	ELECT-100T		1	
BIO-1092: General Biology II	3,10	4	BIOL-153-153L: Biology Survey II and Lab	6	4	
PHIL-1130: Ethics	6,9	3	PHIL-220: Introduction to Ethics (SGR#4)	4	3	
CHEM-1121: General Organic and Biochemistry	3,10	3	CHEM-120-120L: Elementary Organic Chemistry and Lab		3	
GEOG-1200: Human Geography	5,10	3	GEOG-200: Introduction to Human Geography (SGR#3)	3	3	
<b>MnTC/General Education Total</b>		<b>40</b>				
<b>Special Notes, if any:</b>						

<sup>1</sup> MnTC goal areas transfer to the receiving MnSCU college/university according to the goal areas designated by the sending college/university

**SECTION B - Major, Emphasis, Restricted and Unrestricted Electives or Other**

(pre-requisite courses, required core courses, required courses in an emphasis, or electives (restricted or general) within the major). Restricted electives (in Major) fulfill a specific requirement within a major. Example A: "Chose two of the following three courses;" Example B: A Biology degree may require 40 science credits (20 credits of required courses + 20 credits of listed related courses, such as botany, genetics, sociobiology, etc. which students can select).

Major, Emphasis, Restricted, Unrestricted Electives or Other Courses				
AGSC-1020: Introduction To Soil Sciences	3	PS-213-213L: Soils and Lab	3	
AGSC-1030: Crop Production	4	PS-103-103L: Crop Production and Lab	4	
AGSC-2020: Introduction to Animal Science	3	AS-102: Fundamentals of Animal Science	3	
AGBS-2000: Introduction to Agribusiness Management	3	AGEC-271: Farm and Ranch Management	3	
AGSC-2010: Introduction to Precision Ag, Geo Info, and GPS	4	PRAG-203-203L: Introduction to Precision Ag	4	
AGSC-1010: Introduction to Agriculture, Food and Natural Sciences	3	PS-119: First Year Seminar	3	
Restricted elective credits - list courses (if none enter 0)	0		0	
Unrestricted elective credits (if none enter 0)	0	College's unrestricted elective credits accepted in transfer (if none enter 0)	0	
<b>Major, Emphasis, Unrestricted Electives Total</b>	<b>20</b>	<b>Total College Credits Applied (sum of sections A and B)</b>	<b>60</b>	

**SECTION C - Remaining University (receiving) Requirements**

	course prefix, number and name	Credits
	PS 285: Agricultural Computations	2
	AHPS Elective (Take at least 2 credits from each of the three areas: Crops, Plant Protection, or Soils/Environmental Protection and a total of 15 credits of AHPS Electives) The two credits cannot solely be PS 320 or PS 321 credits.	15
	PS 223-223L: Principles of Plant Pathology and Lab	3
	CHEM 106-106L Chemistry and Survey and Lab OR CHEM 112-112L: General Chemistry I and Lab	4
	PRAG 423 Soil Fertility and Plant Nutrient Management	3
	ENGL-201: Composition II	3
	PS 383-383L or BIOL 202-202L or BIOL 371: Principles of Crop Improvement and Lab (3 cr), or Genetics and Organismal Biology and Lab(4 cr), or Genetics(3 cr)	3-4
	PS 405-405L or PS 407-407L: Entomology and Lab or Insect Pest Management and Lab	3
	AGEC 354, or AS 285/L, or MKTG 474, or ENGL 379: Agricultural Marketing and Prices, or Livestock Evaluation and Marketing and Lab, or Personal Selling, or Technical Communication AHPS Elective Take at least 2 credits from each of the three areas (Crops, Plant Protection, or Soils/Environmental Protection)	3
	BOT 327-327L or BOT 419-419L: Plant Physiology and Lab (4 cr), or Plant Ecology and Lab (3 cr)	3-4
	Natural Resources Stewardship Elective: Select from ABS 203, ABS 482, BIOL/PHIL 383, PRAG 410/L, PS 243, PS 407/L, or PS 462/L	3-4
	PS 494 or HO 494*Internship	1
	ABS 475-475L: Integrated Natural Resource Management and Lab	3
	PS 445-445L: Weed Science and Lab	3
	PS 490 or HO 490: Internship-Seminar	1

	PS 421/L & PS 492, <b>Or</b> MICR 231-231L: Soil Microbiology and Lab & Topics –Ex. In Soil Micro, <b>Or</b> General Microbiology and Lab	4
	Arts and Humanities/Diversity (SGR #4): Coursework must be completed from two disciplines or a sequence of foreign language courses.	3
	Electives as needed to reach 125 credits	
	Note: Student must have a 2.5 or higher GPA and a grade of C or higher in each course used to satisfy the Agronomy core curriculum.	
	<b>Total Remaining University Credits</b>	65

SECTION D - Summary of Total Program Credits			
College (sending) Credits		University (receiving) Requirements	
MnTC/General Education	40		
Major, Emphasis, Unrestricted Electives or Other	20		
<b>Total Riverland CC Credits</b>	60	<b>Total Riverland CC Credits Applied</b>	60
		<b>Remaining credits to be taken at SDSU</b>	65
		<b>Total Program Credits</b>	125
Special Notes, if any:			

College	Name	Signature	Date
Chief Academic Officer			
Interim Provost & VP Academic Affairs	Dr. Michelle Malott		
Title			
University	Name	Signature	Date
Chief Academic Officer			
Provost & VP Academic Affairs	Dennis Hedge		
Title			
DARS Encoder			



**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – C (2)**

**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Articulation Agreements – University of South Dakota**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

BOR 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 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, the University of South Dakota (USD) requests approval for the following articulation agreement:

- Students who have completed coursework in the Associate of Applied Science degree in Speech-Language Pathology Assistant at Mitchell Technical College (MTC) can apply credit toward the Bachelor of Science degree in Health Sciences at USD.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – USD Articulation Agreement: MTC

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-C(2):**

I move to approve the University of South Dakota’s articulation agreement with Mitchell Technical College.

## PROGRAM TO PROGRAM ARTICULATION AGREEMENT

THE UNIVERSITY OF SOUTH DAKOTA (USD)  
and  
MITCHELL TECHNICAL COLLEGE (MTC)

---

Agreement with Respect to Applying the  
**SPEECH-LANGUAGE PATHOLOGY ASSISTANT**  
**Associate of Applied Sciences Degree Program at MTC**  
Towards the  
**HEALTH SCIENCES**  
**Bachelor of Science Degree Program at USD**

---

### I. Parties

The parties to this agreement are The University of South Dakota (USD) and Mitchell Technical College (MTC).

### II. Purpose

The purpose of this agreement is to:

- A. have a signed articulation agreement that addresses the varying needs of students and complementary nature of the institutions' programs;
- B. provide increased educational opportunities for students from South Dakota and the region;
- C. extend and clarify educational opportunities for students;
- D. provide MTC students who have completed the AAS degree in Speech-Language Pathology Assistant an opportunity to earn a Bachelor of Science in Health Sciences degree.

### III. Academic Program

#### **Graduation Requirements for the BS in Health Sciences at USD**

Health Science Major Requirements:	44
General Education Credits:	30-32 <sup>1</sup>
<u>Transfer up to 49 block credits from MTC Speech-Language Pathology Assistant:</u>	<u>49</u>
<b>Total credits required:</b>	<b>120</b>

<sup>1</sup>Natural Science general education requirements are reflected in the Health Sciences Major Anatomy and Physiology requirements.

- A. Requirements to be completed at USD for the Health Sciences major are reflected in the catalog website: <http://catalog.usd.edu/index.php>
- B. The general education coursework to meet Regental System General Education Requirements must also be completed as outlined below. This coursework may be taken at MTC if courses are delivered under the current General Education agreement with the Board of Regents. General education coursework will be transferred if the Regental System General Education transfer requirements are met. If all required General Education credits are completed at MTC while successfully completing the Speech-Language Pathology Assistant program, a total of 76 credit hours may transfer. If students have additional equivalent coursework that meets Health Science Major Requirements, a total of 90 transfer credits may be allowed.

#### General Education Course Requirements

USD General Education Requirements		Credit Hours	Mitchell Technical College Transferable General Education Course (Must Meet Regental System Requirements)	Credit Hours
<b>SGR 1</b> <b>Written Communication and Literacy Skills (6 credits required)</b>	English 101 Composition	3	English 101 Composition	3
	Approved SGR 1 Course	3		
<b>SGR 2</b> <b>Oral Communication (3 credits required)</b>	Approved SGR 2 Course	3	SPCM 101 Fundamentals of Speech	3
<b>SGR 3</b> <b>Social Sciences (3 credits required; two disciplines)</b>	Approved SGR 3 Course; Discipline 1	3	SOC 100 Intro to Sociology	3
	Approved SGR 3 Course; Discipline 2	3	PSYC 101 General Psychology	3
<b>SGR 4</b> <b>Humanities &amp; Fine Arts (6 credits required; 3 Humanities &amp; 3 Fine Arts)</b>	Approved Humanities Course	3		
	Approved Fine Arts Course	3		
<b>SGR 5</b> <b>Mathematics</b>	Approved SGR 5 Course	3		
<b>SGR 6</b> <b>Natural Sciences (6 credits required)</b>	PHGY 220/L Human Anatomy/Physiology I* PHGY 230/L Human Anatomy/Physiology I <b>OR</b> HSC 280/L Essentials of Human Anatomy & Physiology <b>AND</b> Approved 3 credit-hour SGR 6 Course	8		
<b>Total General Education Credits</b>		<b>30-32<sup>1</sup></b>		<b>12</b>

\*PHGY 220 Requires Chem 106 or higher as a prerequisite; Chem 106 or higher requires Math 114 College Algebra or higher as a prerequisite.

<sup>1</sup>Natural Science general education requirements **are reflected** in the Health Sciences Major Anatomy and Physiology requirements.

**IV. Pathway One: Reverse Articulation (completing years one and two at USD, years three and four at MTC, and transferring MTC credits back to USD for completion of degree)**

- A. Students will complete the required Health Science major courses through the University of South Dakota during the first two years of their education. During the third year of their education, they will enter the Speech-Language Pathology Assistant program at MTC and complete the requirements for the AAS in Speech-Language Pathology Assistant at the end of the fourth year.
- B. Upon successful completion of the requirements of the AAS degree in Speech-Language Pathology Assistant, the student will transfer back to USD and apply for graduation. At that time, USD will accept a block of up to 49 technical course credits in transfer. In addition to the Speech-Language Pathology Assistant technical course block credits, general education coursework that is equivalent to Regental courses will be transferable and accepted by USD.
- C. USD will waive the graduation requirement that 15 of the last 30 credits for the baccalaureate degree must be earned as institutional credit.
- D. Students must meet all other Board of Regents and university graduation requirements in order to receive a degree.

**V. Pathway Two: Forward Articulation (completing the AAS in Speech-Language Pathology Assistant at MTC and transferring to USD to complete the Bachelor of Science in Health Sciences)**

- A. Upon successful completion of the requirements of the AAS in Speech-Language Pathology Assistant, students may transfer to USD to complete the BS in Health Sciences. At that time, USD will accept a block of up to 49 technical course credits from the AAS degree in Speech-Language Pathology Assistant. Students must successfully complete the AAS degree in Speech-Language Pathology Assistant from MTC prior to transferring to USD for the technical course credits to be accepted. Transferable general education coursework in addition to up to 49 technical course block credits will be accepted.
- B. Students will complete the requirements for the Health Sciences major and any other general education or free elective requirements that remain unsatisfied.
- C. Students must meet all Board of Regents policies and university graduation requirements in order to receive a degree.

**VI. Additional requirements**

Students transferring coursework from MTC must have a cumulative GPA of 2.0 on a 4.0 scale.

**VII. Obligations**

Both parties agree to confer with each other on a yearly basis regarding changes in curricula involved in this articulation agreement.

#### **VIII. Modification**

This agreement may be modified from time to time by the South Dakota Board of Regents and Mitchell Technical College.

#### **IX. Incorporation of terms in master agreement.**

The parties have entered into the present agreement pursuant to the original agreement of January 24, 2005, which was updated in 2006 and again in 2020 between the Mitchell Board of Education on behalf of Mitchell Technical College and the South Dakota Board of Regents on behalf of Black Hills State University, Dakota State University, Northern State University, the South Dakota School of Mines and Technology, South Dakota State University and The University of South Dakota. This agreement shall be subject to all terms and conditions stated in the July 1, 2020 agreement.

#### **X. Termination**

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.

#### **XI. Effective Date of Agreement:**

The agreement applies to students who graduated from MTC in 2000 or later. This agreement was updated in 2020 is in effect upon approval of all parties.

For University of South Dakota:

\_\_\_\_\_  
Haifa Abou-Samra  
Dean, School of Health Sciences  
University of South Dakota

Date: \_\_\_\_\_

\_\_\_\_\_  
Sheila K. Gestring  
President  
University of South Dakota

Date: \_\_\_\_\_

For Mitchell Technical College:

\_\_\_\_\_  
Carol Grode-Hanks  
Dean of Academics  
Mitchell Technical College

Date: \_\_\_\_\_

\_\_\_\_\_  
Mark Wilson  
President  
Mitchell Technical College

Date: \_\_\_\_\_

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – D**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Agreement on Academic Cooperation – Northern State University**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

BOR Policy 5:3 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, Northern State University (NSU) seeks approval to enter into an agreement on academic cooperation with the Pukyong National University, Republic of Korea.

**IMPACT AND RECOMMENDATION**

The agreement results in the opportunity for joint research, faculty collaboration, and potential student exchange. Regarding student exchange, students will pay tuition and fees to their home institution (with exceptions noted in Section 7 of the student exchange agreement). Students will be responsible for paying for their own housing, meals, travel, health insurance, and any other incidental costs.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – Agreement on Academic Cooperation: Pukyong National University

\*\*\*\*\*

**DRAFT MOTION**

Approve Northern State University’s agreement on academic cooperation with Pukyong National University, as presented.



**Memorandum of Understanding between  
Pukyong National University, Republic of Korea  
and  
Northern State University, USA**



Pukyong National University, Republic of Korea and Northern State University, Aberdeen, South Dakota, USA, recognizing the benefits to their respective universities through the establishment of international links, agree to formulate this Memorandum of Understanding (MoU), aiming to promote cooperation and exchange between the two parties.

Both parties, based on the principle of equality and mutual benefits, will develop cooperation and exchange in the following areas, within the framework of this Agreement.

1. The development of collaborative partnerships that will include student, faculty, and staff exchanges.
2. Establishing and promoting areas of research collaboration and cooperation in fields of mutual interest. This may include conducting collaborative research projects and/or the exchange of academic information and materials.
3. The promotion of other academic activities, as jointly agreed upon, to better enhance mutual understanding and cooperation between the parties.

It is understood that the implementation of this Agreement will begin on the day it is signed by both parties and will continue thereafter for a period of five (5) years. It may be amended or modified by mutual written agreement by academic or administrative representatives of both parties and it may be terminated at the initiative of either party with a written notice of at least six months prior to the termination.

An agreement for each specific exchange activity will be signed after friendly discussion and negotiation.

This Agreement is drawn in both English and Korean languages. Both copies have the same validity.

Signed on behalf of  
Pukyong National University

Dr. Young-Soo JANG  
President  
Pukyong National University  
Republic of Korea

Date: 24. 05. 2021

Signed on behalf of  
Northern State University

President  
Northern State University  
USA

Date: 7-29-21





**Student Exchange Agreement between  
Pukyong National University and  
Northern State University**



Pukyong National University and Northern State University conclude this Agreement to promote student exchange, based upon the Memorandum of Understanding (MoU) between Northern State University and Pukyong National University.

**1. Duration of Stay**

The duration of stay for exchange students shall not exceed a period of one academic year, and shall be subject to the agreement of the host institutions.

**2. Numbers of Exchange Students**

Each institution will work with the host institution on acceptance. The institutions undertake to balance the numbers of students from each institution over the term of the Agreement. With the agreement of the host institution the number of student exchanges in a particular year may change where it is necessary to "balance" the numbers of exchange students.

**3. Status of Exchange Students**

Each institution shall normally accept incoming exchange students as visiting students who do not plan to obtain a degree from the host university.

**4. Acceptance Procedures**

The students participating in the exchange program under the terms of this Agreement shall be selected initially by the home institutions, and the host institution shall make the final admission decisions in each case.

**5. Study Program**

Each exchange student shall determine the study program at the host institution in consultation with academic advisors at both the home and host institutions. Depending on the study program, language requirements and/or other prerequisites may be imposed in accordance with the regulations of the host institutions. Exchange students will normally be permitted to enter a program in which there is space and no limits on access, provided the student meets the stipulated prerequisite requirements. Academic advisor contact information must be given to host institution each semester.

**6. Academic Record and Accreditation**

The host institutions shall evaluate the academic performance of each exchange student according to its rules. Students shall be responsible for requesting that transcripts be sent, at their expense, to their home University. The home institution may give credit to each student according to its regulations.

**7. Tuition, Fees and Expenses:**

Students from partner institutions pay tuition at their home campus. Therefore, they are not required to pay tuition at the host institution. Exchange students will be responsible for all fees and expenses required by the host institution. A list of required fees will be provided by the host institution each semester. In addition, all incoming exchange students to NSU will be required to pay the following:

- Round-trip airfare
- Mandatory university room or housing
- Mandatory meal plan as stipulated by university regulations
- Required South Dakota regental approved medical insurance
- Textbooks and living expenses
- Expenses related to entry and departure from the country
- All visa related fees
- Any fees associated with targeted courses at the host institution and required support fees.

**8. Government Requirements**

Exchange students will meet all requirements of the host country as regards immigration, including where appropriate, arrangements for their families and dependents. Exchange students shall ensure that they keep their host institution fully informed of their movements and their contact details during the period of their exchange. The host institution will act as the point of contact with the student.

**9. Financial Responsibility**

Exchange student shall take out comprehensive health insurance which is valid in the host country and host institution. Exchange students shall be responsible for their own expenses, including travel expenses, food, accommodation costs, and health care fees. The host institution will assist the exchange student to find initial accommodation wherever necessary.

**10. Program Administration**

Each institution shall designate an officer for general program administration, and shall inform the other institution of any changes in these arrangements. The officer shall be in regular contact with each other to make arrangements necessary to implement this Agreement. All programs are subject to the regulations and conditions as set forth by the Office of International Programs at Northern State University and the Office of International Affairs at Pukyong National University.

**11. Conditions for Collaboration**

Nothing in the Agreement shall be construed by one Exchanging Institution as an indemnification of the other for liabilities of a party or third persons for property loss or damage or death or personal injury arising out of the performance of this Agreement. Any liabilities or claims for property loss or death or personal injury by an Exchanging Institution or its agents, employees, contractors or assigns or by third persons, arising out of and during this agreement shall be determined according to applicable law.

**12. Commencement and Duration of the Agreement**

The Agreement shall enter into force on the date of its signing by both institutions and shall remain in force for five years.

Either institution may, by giving six months written notice to the other institution, terminate the Agreement. In the absence of such and early termination, the renewal of this Agreement shall be reviewed by the two institutions no less than six months prior to the natural termination of the current Agreement.

In the event that either party terminates the Agreement, the host institution shall honor the terms of the Agreement for students whose exchange has been approved prior to the termination, as if the Agreement remained in force for the period of exchange.

The terms of this Agreement may be revised or modified at any time through joint review and recommendation by both institutions. No revision or modification shall come into effect until such time as both institutions have signed a letter agreeing to the revision or modification.

The following signatures are affixed as acknowledgement and acceptance of the terms of this Agreement:

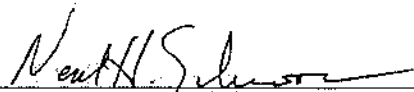
For Pukyong National University:



Dr. Young-Soo JANG  
President  
Pukyong National University  
Republic of Korea

Date: 24.05.2021

For Northern State University:



President  
Northern State University  
USA

Date: 7-29-21

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – E**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Memorandum of Understanding – NSU & South Dakota Educational Access Foundation**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

In [May 2020](#), Northern State University (NSU) requested and received approval to enter into an agreement with the South Dakota Educational Access Foundation (SDEAF) for the relaunch of their College Prep Program (CPP) for Fall 2020 and Spring 2021.

This partnership helps provide Aberdeen area high school students (Aberdeen Central, Roncalli, and Aberdeen Christian) with financial need a grant to pay the student's portion of tuition, books, and fees for one course each term.

**IMPACT AND RECOMMENDATION**

The attached agreements would allow NSU to continue their agreement with SDEAF and College Prep Program through Summer 2025.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – NSU & SDEAF MOU – College Prep Program

Attachment II – NSU & SDEAF MOU – Tuition Grant

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-E:**

I move to approve the Memorandums of Understanding between Northern State University and the South Dakota Education Access Foundation, as presented.



June 2, 2021

South Dakota Board of Regents  
306 East Capitol Ave  
Suite 200  
Pierre SD 57501

Subj: REQUEST APPROVAL OF MEMORANDUMS OF UNDERSTANDING  
BETWEEN NORTHERN STATE UNIVERSITY AND SOUTH DAKOTA  
EDUCATION ACCESS FOUNDATION

Ref: (a) BOR Policy 5:5:3

Encl: (1) Memorandum of Understanding between Northern State University and South  
Dakota Education Access Foundation for High School Dual Credit Tuition Grant  
(2) Memorandum of Understanding between Northern State University and South  
Dakota Education Access Foundation for College Prep Program (CPP)

Per reference (a), Northern State University requests approval of enclosures (1) and (2). Northern has a long-standing partnership with the South Dakota Education Access Foundation offering underrepresented high school students tuition grants for high school dual credit courses since 2010. The attached Memorandums of Understanding cover a four (4) year period, fall 2021 through summer 2025.

Enclosure (1), provides Aberdeen area high school students (Aberdeen Central, Roncalli, and Aberdeen Christian) with financial need a grant to pay the students portion of tuition, books, fees, and parking for one course each term. The High School Dual Credit Tuition Grant program has been available since 2010.

Enclosure (2), provides all South Dakota high school students who place for foundation courses ENGL 033, MATH 095 or READ 041 and have financial need a grant to pay the students tuition of \$145.00 per credit hour and books. The College Prep Program (CPP) has been available since 2014. The CPP provides underrepresented students the opportunity to enroll in ENGL 101 or MATH 103/114 as High School Dual Credit upon successful completion of the required foundation course(s).

Sincerely,

Ronald E. Brownie  
Director, Online & Continuing Education

Northern State University  
1200 S. Jay St. | Aberdeen, SD 57401  
northern.edu

Online and Continuing Education  
605-626-2568 | Fax 605-626-2542  
online@northern.edu

**Memorandum of Understanding  
For Northern State University  
Tuition Grant Program  
for Aberdeen Area High School Students**

Northern State University  
1200 South Jay Street  
Aberdeen SD 57401

South Dakota Education  
Access Foundation  
115 First Ave SW  
Aberdeen SD 57401

Referred to as NSU or Northern

Referred to as SDEAF

This Memorandum of Understanding (MOU) is prepared in response to a request by the South Dakota Education Access Foundation (SDEAF). The South Dakota Education Access Foundation invited NSU to make a formal proposal to offer Aberdeen area high school (Aberdeen Central, Roncalli, and Aberdeen Christian) students a tuition and textbook grant for one HSDC course each term. Students must meet the SDEAF Financial Need requirements and the South Dakota Board of Regents HSDC admission requirements.

This MOU outlines the agreement between Northern State University and South Dakota Education Access Foundation and addresses the management of services supporting the NSU undergraduate academic HSDC courses and programs.

**I. GOALS**

- a. Provide underrepresented Aberdeen area High School juniors/seniors the opportunity to complete one High School Dual Credit Course at no cost each term.
- b. Prepare underrepresented college-ready high school graduates.

**II. Definitions/Acronyms**

- a. Financial Need – Students eligible for/receiving free/reduced lunch
- b. HSDC – High School Dual Credit
- c. SDEAF – South Dakota Education Access Foundation

**III. RESPONSIBILITIES**

Upon approval of the BOR, continuing fall 2021 through summer 2025, NSU agrees to offer undergraduate HSDC courses for Aberdeen area high school students with financial need who meet Admission Requirements in section VII below

- a. Upon approval of the South Dakota Board of Regents, the SDEAF Grant will pay the students portion of the established HSDC tuition rate as prescribed by the South Dakota Legislature and SDBOR.

## NSU SDEAF MOU - May 21, 2021

- b. SDEAF agrees to pay the HSDC tuition rate at the beginning of each semester. The NSU Finance Office will invoice SDEAF for total HSDC tuition with an itemized list after the official Census Date.
- c. SDEAF agrees to pay the student's required textbook fees for one eligible HSDC course. The SDEAF textbook grant will be applied to the more expensive textbooks if a student registers for more than one course. The NSU Book Store/Finance Office will invoice SDEAF for textbooks/e-text charges after the official Census Date.
- d. Northern agrees to promote and market the SDEAF Tuition Grant program to all eligible high school students.
- e. Northern agrees to proactively encourage HSDC students to participate in NSU tutoring on-campus and online using Smarthinking 24/7 service.
- f. Northern will process a student's drop or withdrawal request per SDBOR policy.
- g. Tuition paid by SDEAF on the student's behalf will be returned to SDEAF upon drop/withdrawal, as described by BOR Policy 5:7 Refunds.
- h. The student's final course grades are awarded per the evaluation procedures listed in the course syllabi. NSU will forward a final aggregate grade report for HSDC students receiving SDEAF Tuition Grant at the end of each term to the SDEAF President/Board.

**IV. Program**

The NSU Director of Online & Continuing Education (OCE) is responsible for managing the day-to-day administrative operations of NSU programs/courses delivered in connection with the SDEAF Tuition Grant. The Director of OCE is the official liaison between NSU and SDEAF. However, academic issues remain the responsibility of the respective Academic Units at NSU. The Director of OCE will collaborate with the SDEAF President on a routine basis.

**V. Course Scheduling**

The South Dakota Department of Education maintains the aggregate HSDC course schedule dashboard on the SDmyLife website.

**VI. Faculty Assignments**

Northern is responsible for recruiting and hiring qualified faculty to deliver the scheduled courses each term. Northern may assign full-time faculty or qualified adjunct faculty to teach HSDC courses as described in the South Dakota Board of Regents (SDBOR) Policy 2:13. Teaching assignments are at the discretion of the Academic Department Chair, Dean, Associate VP of Academic Affairs, and/or the Provost/VPAA.

## NSU SDEAF MOU - May 21, 2021

**VII. Admissions Requirements:**

To participate, students must be a qualifying junior or senior eligible to enroll at a high school in South Dakota. To qualify, students must meet one of the requirements listed under either Sections 1 (for juniors) & 2 (for seniors) OR all of the requirements under Section 3. Students not meeting the requirements in Sections 1-3 may take and meet the required scores for an exam listed under Section 4 to qualify for the program.

1. High school junior eligible to enroll in a high school in South Dakota who meets one of the following requirements:
  - a. earn an ACT composite score of 24 reflective of the 70% percentile; or
  - b. rank in upper one-third of their graduating class; or
  - c. earn a cumulative GPA of at least 3.50 on a 4.0 scale;
2. High school senior eligible to enroll in a high school in South Dakota who meets one of the following requirements:
  - a. earn an ACT composite score of 21 reflective of the 50% percentile; or
  - b. rank in the upper one-half of their graduating class; or
  - c. earn a cumulative GPA of at least 3.25 on a 4.0 scale;
3. High School junior or senior eligible to enroll in a high school in South Dakota who meets all of the following Undergraduate admissions requirements:
  - a. ACT score of 18 (or 21 for USD & SDSM&T); and
  - b. Successful completion of coursework Requirements
    - Four Years of English
    - Three years of advanced mathematics
    - Three years of laboratory science
    - Three years of social studies
    - One year of fine arts
4. Take one of the assessments below and meet the required score(s):
  - a. 10th Grade ACT Aspire Summative Assessment – (Score 434 or higher)  
*Students may contact their high school for more information on the ACT Aspire Assessment.*
  - b. ACCUPLACER Classic (Sentence Skills – Score 86 or higher AND Elementary Algebra – Score 76 or higher)  
*Students may contact a Dual Credit Campus Contact for more information on the ACCUPLACER Exam.*
  - c. ACCUPLACER Next Generation (QAS (Quantitative Reasoning, Algebra & Statistics) - Score 255 or higher AND Writing - Score 263 or higher)  
*Students may contact a Dual Credit Campus Contact for more information on the ACCUPLACER Exam.*



## NSU SDEAF MOU - May 21, 2021

**VIII. Eligibility:**

Students participating in the HSDC program must be High School juniors/seniors attending a South Dakota high school or home school students who place for HSDC courses. The high school/home school student must have a current Memorandum of Understanding on file with the South Dakota Department of Education. Additionally, students must meet SDEAF financial need requirements.

**IX. Registrations**

The NSU Admissions staff are responsible for processing High School Dual Credit Applications. Northern will promote the SDEAF Tuition Grant opportunity to all Aberdeen area High School Principals, Counselors, and students. Marketing campaigns may include, but are not limited to, emails, postcard mailings, Facebook, formal letters, NSU staff visits to high schools, etc.

**X. Student Issues**

The Director of OCE may act as the initial contact for student issues and concerns. Student academic/non-academic petitions will follow standard NSU processes.

**XI. Support Services**

Northern will provide the necessary administrative support to deliver CPP. Northern support services will include: processing College Prep Dual Credit Program applications and registrations, providing SDEAF with enrollment reports, detailed tuition and textbook invoices, end of term grade reports, EAB Navigate Student Success Management System reporting follow-up with high school administrators, advising services for high school administrators, students, and parents.

Specifically, OCE staff will collaborate with the assigned instructors to encourage students to have access to and referrals to the Smarthinking 24/7 online tutoring services and MyMathLabs tutoring services. Northern will require faculty assigned to foundation courses to proactively use the EAB Navigate Student Success Management System for Early Alert. When students are flagged in EAB Navigate Student Success Management System as At-Risk, OCE staff will provide more direct personal contact and follow-up (emails and phone calls) with the student and the respective HSDC Point of Contact. Students in the Aberdeen area will also have access to tutoring services on-campus during normal tutoring center services hours.

**XII. Term of Agreement**

The term of this agreement is for the period beginning August 1, 2021, and lasting through July 31, 2025, contingent on the availability of SDEAF funding.

## NSU-SDEAF MOU - May 21, 2021

**XIII. Indemnification**

SDEAF agrees to indemnify and hold the State of South Dakota, its officers, agents and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of performing services hereunder. This section does not require SDEAF to be responsible for or defend against claims or damages arising from the errors or omissions of the State, its officers, agents or employees or from the errors or omissions of third parties that are not officers, employees or agents of SDEAF, unless such errors or omissions resulted from the acts or omissions of SDEAF. Nothing in this agreement is intended to impair the insurance coverage of SDEAF or any subrogation rights of the SDEAF's insurers.

**XIV. Amendment Provision**

This agreement contains the entire understanding between the parties unless otherwise noted, and is subject to and will be construed under the laws of the State of South Dakota, and may only be amended with the written consent of both parties.


**Continued Funding and Governing Law**

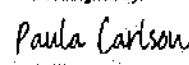
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This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

The signatures affixed below agree to the Memorandum of Understanding described above. Northern State University or South Dakota Education Access Foundation may request modification/amendment to the MOU in writing at any time. The parties listed below must approve modifications/amendments to the MOU. Northern State University and SDEAF will review this MOU annually. Modifications may be made to the MOU upon mutual agreement between NSU and SDEAF. The MOU is considered automatically renewed unless changes are required or written notification of cancellation is provided. Northern or SDEAF may cancel the CPP with sixty days' written notice before the term start date.

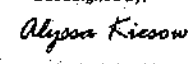
NSU SDEAF MOU - May 21, 2021

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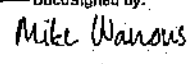
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President, SDEAF (Date)

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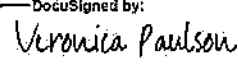
6/1/2021

Dean College of Arts and Sciences (Date)

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6/1/2021

Provost/VP of Academic Affairs (Date)

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NSU President (Date)

**Memorandum of Understanding  
For Northern State University  
College Prep Program  
Delivered at NSU Campus or Online**

Northern State University  
1200 South Jay Street  
Aberdeen SD 57401

South Dakota Education  
Access Foundation  
115 First Ave SW  
Aberdeen SD 57401

Referred to as NSU or Northern

Referred to as SDEAF

This Memorandum of Understanding (MOU) is prepared in response to a request by the South Dakota Education Access Foundation (SDEAF). The South Dakota Education Access Foundation invited NSU to make a formal proposal to offer undergraduate courses on the NSU Aberdeen Campus or online, which meet the South Dakota Board of Regents remedial (foundation) course requirements for students with financial need. This agreement is created with the understanding that foundation courses are offered as part of the NSU Dual Credit Programs. To distinguish this program from other dual credit offerings, the program will be referred to as the "College Prep Program (CPP)."

This MOU outlines the agreement between Northern State University and South Dakota Education Access Foundation and addresses the management of services supporting the NSU undergraduate academic courses and programs.

**I. GOALS**

- a. Provide underrepresented SD High School juniors/seniors the opportunity to complete Foundation English, Math, and Reading classes.
- b. Provide students who pass the CPP access to college-level English (ENGL 101) and Mathematics (MATH 103/114) through the HSDC program at any BOR Institution.
- c. Prepare underrepresented college-ready high school graduates.

**II. Definitions/Acronyms**

- a. CPP – College Prep Program
- b. Financial Need – Students eligible for/receiving free/reduced lunch
- c. HSDC – High School Dual Credit
- d. SDEAF – South Dakota Education Access Foundation

**III. RESPONSIBILITIES**

Upon approval of the BOR, continuing fall 2021 through summer 2025, NSU agrees to offer undergraduate foundation courses for SD high school students with financial need

## NSU SDEAF MOU - May 21, 2021

who meet Admission Requirements in section VII below and place for foundation English, Math, and/or Reading classes as outlined in the BOR Academic Affairs Guidelines 7.6.XII.E. Placement Concordance Table, Addendum A.

- a. Upon approval of the South Dakota Board of Regents, the CPP tuition rate will equal the HSDC tuition rate (currently \$145.00 per credit hour) as prescribed by the South Dakota Legislature and SDBOR.
- b. SDEAF agrees to pay the CPP tuition rate at the beginning of each semester. The NSU Finance Office will invoice SDEAF for total CPP tuition with an itemized list after the official Census Date.
- c. SDEAF agrees to pay the student's required textbook fees for eligible CPP classes. The NSU Book Store/Finance Office will invoice SDEAF for CPP textbooks/e-text charges after the official Census Date.
- d. SDEAF agrees to pay the students portion of the HSDC tuition rate (\$48.33 per credit hour) and textbooks for college-level English and Math courses for CPP students who pass the Foundation courses.
- e. Northern will monitor enrollments to ensure the total amount for items III.b, and III.c above do not exceed \$45,000.00 per year.
- f. Northern agrees to offer ENGL 033, MATH 095, and READ 041 in fall 2021 through summer 2025.
- g. Northern agrees to accept SDBOR approved CPP per credit hour tuition rate.
- h. Northern agrees to admit CPP students who pass the Foundation courses into college-level English and Math classes. A student may enroll in ENGL 101 or MATH 103/114 at any BOR Institution.
- i. Northern agrees to promote and market the CPP to all eligible high school students.
- j. Northern agrees to proactively encourage CPP students to participate in NSU tutoring on-campus and online using Smarthinking 24/7 service.
- k. Northern will process a student's drop or withdrawal request per SDBOR policy.
- l. Tuition paid by SDEAF on the student's behalf will be returned to SDEAF upon drop/withdrawal, as described by BOR Policy 5:7 Refunds.
- m. The student's final course grades are awarded per the evaluation procedures listed in the course syllabi. NSU will forward a final aggregate grade report for CPP students to SDEAF at the end of each term.

NSU SDEAF MOU - May 21, 2021

#### **IV. Program**

The NSU Director of Online & Continuing Education (OCE) is responsible for managing the day-to-day administrative operations of NSU programs/courses delivered in connection with the CPP. The Director of OCE is the official liaison between NSU and SDEAF. However, academic issues remain the responsibility of the respective Academic Units at NSU. The Director of OCE will collaborate with the SDEAF President on a routine basis.

#### **V. Course Scheduling**

Northern agrees to offer online sections of ENGL 033, MATH 095, and READ 041 for fall 2021 through summer 2025.

#### **VI. Faculty Assignments**

Northern is responsible for recruiting and hiring qualified faculty to deliver the scheduled courses each term. Northern may assign full-time faculty or qualified adjunct faculty to teach CPP courses as described in the South Dakota Board of Regents (SDBOR) Policy 2:13. Teaching assignments are at the discretion of the Academic Department Chair, Dean, Associate VP of Academic Affairs, and/or the Provost/VPAA.

#### **VII. Admissions Requirements:**

Admission to the CPP will be limited to standard enrollment caps for one (1) section of ENGL 033, MATH 095, and READ 041 each semester. Northern will contact SDEAF leaders if CPP Admissions exceed the participant limit. Students will be admitted based on the guidelines outlined below.

**High school junior/senior eligible to enroll in a high school in South Dakota eligible for/receiving free/reduced lunch with a Cumulative Grade Point Average (CGPA) of 2.25 or higher and meets one or more of the following requirements:**

- a. Placement for MATH 095 –
  - Math Index (MI) 1149 or lower
  - ACCUPLACER Elementary Algebra 75 or lower
  - Smarter Balanced 2627 or lower
- b. Placement for ENGL 033
  - ACT English subscore 17 or lower
  - ACCUPLACER Sentence Skills 85 or lower
  - Smarter Balanced 2582 or lower
- c. Placement for READ 041
  - ACT Reading subscore 17 or lower
  - ACCUPLACER Reading 84 or lower

NSU SDEAF MOU - May 21, 2021

### **VIII. Eligibility:**

Students participating in the CPP must be High School juniors/seniors attending a South Dakota high school or home school students who place for foundation course. The high school/home school student must have a current Memorandum of Understanding on file with the South Dakota Department of Education. Additionally, students must meet SDEAF financial need requirements.

### **IX. Registrations**

The NSU Online & Continuing Education staff are responsible for processing High School CPP Dual Credit Applications. Northern will promote the CPP to all South Dakota High School Principals, Counselors, and students. Marketing campaigns may include, but are not limited to, emails, postcard mailings, Facebook, formal letters, NSU staff visits to high schools, etc.

### **X. Student Issues**

The Director of OCE may act as the initial contact for student issues and concerns. Student academic/non-academic petitions will follow standard NSU processes. Northern students enrolled at HCC may submit administrative and academic concerns to the Director of OCE for initial consultation and resolution, if possible. Issues not resolved by the OCE Director will be directed to the appropriate administrative department or Academic Department Chair/Dean or Associate VP of Academic Affairs or Provost/VP of Academic Affairs.

### **XI. Support Services**

Northern will provide the necessary administrative support to deliver CPP. Northern support services will include: processing College Prep Dual Credit Program applications and registrations, providing SDEAF with enrollment reports, detailed tuition and textbook invoices, end of term grade reports, EAB Navigate Student Success Management System reporting follow-up with high school administrators, advising services for high school administrators, students, and parents.

Specifically, OCE staff will collaborate with the assigned instructors to encourage students to have access to and referrals to the Smarthinking 24/7 online tutoring services and MyMathLabs tutoring services. Northern will require faculty assigned to foundation courses to proactively use the EAB Navigate Student Success Management System for Early Alert. When students are flagged in EAB Navigate Student Success Management System as At-Risk, OCE staff will provide more direct personal contact and follow-up (emails and phone calls) with the student and the respective HSDC Point of Contact. Students in the Aberdeen area will also have access to tutoring services on-campus during normal tutoring center services hours.

NSU SDEAF MOU - May 21, 2021

## **XII. Term of Agreement**

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## **XIV. Amendment Provision**

This agreement contains the entire understanding between the parties unless otherwise noted, and is subject to and will be construed under the laws of the State of South Dakota, and may only be amended with the written consent of both parties.

### **Continued Funding and Governing Law**

The 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 funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, this Agreement will be terminated by the State. Termination for any of these reasons is not a default by the State nor does it give rise to a claim against the State.

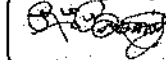
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## NSU SDEAF MOU - May 21, 2021

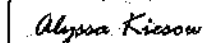
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Director, Online &amp; Continuing Education (Date)

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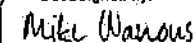


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Dean College of Arts and Sciences (Date)

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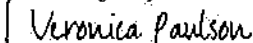


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Provost/VP of Academic Affairs (Date)

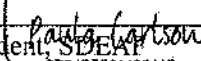
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NSU President (Date)

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President, SDEAF (Date)

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – F**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Request to Seek Accreditation – South Dakota School of Mines & Technology**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:10](#) – Relationship of Curriculum and Instruction to Statutory Objectives

**BACKGROUND / DISCUSSION**

BOR Policy 1:10 specifies that “Each campus must seek and receive Board approval before applying for initial accreditation or an expanded scope of accreditation for academic programs.” In accordance with Board policy, South Dakota School of Mines & Technology (SDSMT) requests approval to seek accreditation from the following accrediting agency:

Accrediting Agency: Engineering Accreditation Commission (EAC) of ABET, Inc.

Program: BS in Biomedical Engineering

Advantages: Pursuing ABET accreditation for the Biomedical Engineering (BS) program will provide graduates of that program with the opportunity to pursue licensure as a professional engineer. ABET accreditation also indicates that a program meets the standards set by the technical profession through oversight by member professional and technical societies. Accreditation will standardize assessment of student learning for continuous improvement and provide the tools for the program to continue to provide our graduates the skills and knowledge required to pursue productive careers as biomedical engineers.

The Higher Learning Commission (HLC), a regional accrediting agency recognized by the U.S. Department of Education, awards institutional accreditation for higher education institutions in South Dakota. A variety of unique organizations award specialized/program accreditation within distinct programs or departments at Regental institutions. A general reference document on institutional and specialized/program accreditation is available on the BOR website at the link below.

- [Special Analysis: Accreditation in Higher Education](#)

(Continued)

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**DRAFT MOTION 20211006\_5-F:**

I move to approve South Dakota School of Mines & Technology’s request to seek accreditation from the Engineering Accreditation Commission (EAC) of ABET, Inc. for its BS in Biomedical Engineering.

**IMPACT AND RECOMMENDATION**

SDSMT anticipates a one-time fee of \$1,010 for initial accreditation, an annual maintenance fee of \$700, and a fee of \$3,285 every six years for accreditation reviews to be covered through the Academic Affairs budget.

Board staff recommends approval.

**ATTACHMENTS**

Attachment I – SDSMT Request to Seek Accreditation: EAC of ABET, Inc



## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### Request to Seek Accreditation

Use this form to request permission to seek accreditation of an approved program. Board of Regents (BOR) action is required to seek program accreditation.

<b>UNIVERSITY:</b>	SDSM&T
<b>PROGRAM:</b>	<b>Biomedical Engineering (BS)</b>
<b>CIP CODE:</b>	<b>14.0501</b>
<b>UNIVERSITY DEPARTMENT:</b>	<b>MNNS: Nanoscience &amp; Nanoengineering</b>
<b>UNIVERSITY DIVISION:</b>	

#### 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

7/26/21  
 \_\_\_\_\_  
 Date

#### 1. Level of program seeking accreditation (place an "X" in the appropriate box):

- ☐ Certificate

☐ Associate

☒ Bachelor's

☐ Doctoral

☐ Master's

#### 2. Accrediting Agency:

Engineering Accreditation Commission (EAC) of ABET, Inc.

#### 3. What are the advantages of accreditation?

ABET, Inc. provides periodic quality review of educational programs in applied and natural sciences, computing, engineering, and engineering technology fields. ABET accreditation indicates that a program meets the standards set by the technical profession through oversight by member professional and technical societies.

According to the National Council of Examiners for Engineering (NCEES), the most common path to licensure as a professional engineer in many states includes possessing an earned bachelor's degree from a program that is ABET accredited. Therefore, pursuing ABET accreditation for the

Biomedical Engineering (BS) program will provide graduates of that program with the opportunity to pursue licensure as a professional engineer.

Further, the culture of ABET accreditation is strong at South Dakota Mines, with many other engineering and computer science programs accredited through ABET, Inc. Having an additional program on campus that is ABET accredited will further standardize assessment of student learning for continuous improvement. It will also provide the tools for the program to continue to provide our graduates with the skills and knowledge required to pursue productive careers as biomedical engineers and/or prepare them for success in graduate or professional educational programs, to continue their professional growth.

**4. What are the anticipated costs involved in accreditation, including:**

**A. Costs involved in undergoing self-study and preparing the application for accreditation:**

Amounts in the chart below are based on the most currently available fee schedule from ABET, Inc. Costs listed below are specific to this request for the Biomedical Engineering (BS); additional costs are incurred for the other programs at South Dakota Mines that currently possess ABET, Inc. accreditation.

<b>Description</b>	<b>Cost</b>	<b>Frequency</b>	<b>Notes</b>
Readiness Review for Initial Accreditation	\$1,010	One-time	Program is seeking confirmation of Readiness Review requirement (reply from ABET pending)
Annual Maintenance for Accredited Programs	\$700	Annual	
Accreditation Reviews	\$3,285	Every six years	

**B. Out-of-pocket costs related to dues or site visits:**

Not applicable.

**C. Base budget implications including incremental costs and minimum base resources required (dollars and FTE):**

The Annual Maintenance and Accreditation Review costs identified in the chart above, indicate an annual base budget implication of an additional \$700 and a base budget implication of an additional \$3,285 every six years.

**5. What is the source of the revenue needed?**

Costs associated with accreditation are covered through the Academic Affairs budget.

**6. What is the estimated date for submission of accreditation application?**

At this time, the goal of the program is to join the accreditation cycle for all other ABET accredited programs at South Dakota Mines in AY 2022-2023. With this in mind, if the Readiness Review is required, the Readiness Review Request will be submitted to ABET by 9.1.2021 (with the Readiness Review report submitted by 10.1.2021). If the Readiness Review is not required, this program will be included with all other ABET accredited programs on the formal Request for Evaluation submitted to ABET by 1.31.2022. The self-study report will be completed and submitted to ABET by 6.30.2022 and the onsite accreditation review visit will occur in Fall, 2022.

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – G**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**SDSU & SD Department of Agriculture and Natural Sources Joint Powers Agreement – Ash Tree Herd Immunity Investigation**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

The South Dakota Department of Agriculture and Natural Resources (DANR) desires to enter into a Joint Powers Agreement (JPA) with South Dakota State University (SDSU) to conduct an investigation of herd immunity with ash trees treated by injections with emamectin benzoate. The JPA set forth in Attachment I would run through September 30, 2022, with a total project cost not to exceed \$122,300. DANR will provide up to \$61,150 to SDSU, with SDSU providing matching funds equal to the amount paid by DANR, but not in excess of \$61,150.

BOR Policy 5:3 (“Contracts Requiring Board Action...D. Joint powers agreements”), requires Board approval of JPAs. As such, Board approval of the JPA set forth in Attachment I is necessary.

**IMPACT AND RECOMMENDATION**

The attached JPA will allow SDSU to receive funding from DANR to conduct an investigation of herd immunity with ash trees treated by injections with emamectin benzoate.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – SDSU & SD Department of Agriculture and Natural Resources JPA

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-G:**

I move to approve the Joint Powers Agreement set forth in Attachment I.

JOINT POWERS AGREEMENT  
BETWEEN  
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL  
RESOURCES  
RESOURCE CONSERVATION & FORESTRY DIVISION  
AND  
SOUTH DAKOTA STATE UNIVERSITY

This Joint Powers Agreement ("Agreement" hereinafter) made and entered into by and between the South Dakota Department of Agriculture and Natural Resources, Resource Conservation and Forestry Division, an agency of the State of South Dakota, 523 East Capitol Ave., Pierre, SD 57501-3182, (hereinafter "DANR") and the South Dakota State University, 1015 Campanile Ave, SAD 200, Box 2201, Brookings, SD 57007 (hereinafter "SDSU").

I.  
GENERAL PROVISIONS

A. DANR and SDSU hereby enter into this Agreement in consideration of and pursuant to the terms and conditions set forth herein.

SDSU and DANR will perform those services described in the Work Plan, attached hereto as Exhibit A "An investigation of herd immunity with ash trees treated by injections with emamectin benzoate" and by this reference incorporated herein.

1. Services under this Agreement shall commence on the date last signed and end on September 30, 2022, unless sooner terminated pursuant to the terms hereof.

2. DANR will make payment for services as provided in Exhibit A. The total contract amount will not exceed \$122,300. The contract amount is comprised of up to \$61,150 to be paid by DANR and SDSU matching funds up to equal to the amount paid by DANR, but not in excess of \$61,150. Payments will be made upon submission of non-cash vouchers from SDSU. Documentation of expenditures is necessary to show that the required match for federal funds has been met by SDSU.

3. SDSU may charge an administrative fee or indirect charge equal to the indirect rate allowed by the United States Forest Service for federal grants provided to DANR. For this agreement, the DANR indirect rate is 13 percent. The difference between the SDSU's administrative fee and the allowed indirect rate for DANR may be used as in-kind match upon written agreement between DANR and SDSU.

4. SDSU agrees to report to DANR any event encountered during performance of this Agreement which results in injury to a person or property of third parties, or which may otherwise subject SDSU or DANR to liability. SDSU shall report any such event to DANR immediately upon discovery. SDSU's obligation under this section shall only be to report the occurrence of any event to DANR and to make any other report provided for by their duties or applicable law. SDSU's obligation to report shall not require disclosure of any information subject to privilege or confidentiality under law (e.g., attorney-client communications). Reporting to DANR under this section shall not excuse or satisfy any obligation of SDSU to report any event to law enforcement or other entities under the requirements of any applicable law.

5. This Agreement may be terminated by DANR or SDSU hereto upon thirty (30) days written notice. In the event SDSU breaches any of the terms or conditions hereof, this Agreement may be terminated by DANR at any time with or without notice. If termination for such default is affected by DANR, any payments due to SDSU at the time of termination may be adjusted to cover any additional costs to DANR because of SDSU's default. Upon termination DANR may take over the work and may award another party an agreement to complete the work under this Agreement. If after DANR terminates for a default by SDSU it is determined that



SDSU was not at fault, then SDSU shall be paid for eligible service rendered and expenses incurred up to the date of termination.

6. 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 funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, this Agreement will be terminated by DANR. Termination for any of these reasons is not a default by DANR nor does it give rise to a claim against DANR.

7. This Agreement may not be assigned without the express prior written consent of DANR. This Agreement may not be amended except in writing, which writing shall be expressly identified as a part hereof, and be signed by an authorized representative of each of the parties hereto.

8. This Agreement shall be governed by and construed in accordance with the laws of South Dakota without regards to any conflicts of law principles, decisional law, or statutory provision that would require or permit the application of another jurisdiction's substantive law. Venue for any lawsuit pertaining to or affecting this Agreement shall be in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

9. SDSU will comply with all federal, state and local laws, regulations, ordinances, guidelines, permits, and requirements applicable to providing services pursuant to this Agreement, and will be solely responsible for obtaining current information on such requirements.

10. SDSU may not use subcontractors to perform the services described herein without the express prior written consent of DANR. SDSU will include provisions in its subcontracts requiring its subcontractors to comply with the applicable provisions of this Agreement, to indemnify DANR, and to provide insurance coverage for the benefit of DANR in a manner consistent with this Agreement. SDSU will cause its subcontractors, agents, and employees to comply, with applicable federal, state and local laws, regulations, ordinances, guidelines, permits, and requirements and will adopt such review and inspection procedures as are necessary to assure such compliance.

11. Any notice or other communication required under this Agreement shall be in writing and sent to the address set forth above. Notices shall be given by and to Gregory Josten on behalf of the DANR, Dr. James J. Doolittle on behalf of SDSU, or such authorized designees as either party may from time to time designate in writing. Notices or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail, provided that notice of default or termination shall be sent by registered or certified mail, or, if personally delivered, when received by such party.

12. In the event that any court of competent jurisdiction shall hold any provision of this Agreement unenforceable or invalid, such holding shall not invalidate or render unenforceable any other provision hereof.

13. 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 herein, this Agreement constitutes the entire agreement with respect to the subject matter hereof.

## II. JOINT POWERS

DANR and SDSU agree to the following provisions pursuant to the Joint Powers Act (SDCL 1-24):

1. This Agreement does not establish a separate legal entity as contemplated by SDCL 1-24-5. The cooperative undertaking described herein will be financed and conducted under the provisions of this agreement by DANR and SDSU respectively. Each party has responsibilities under the terms of this Agreement and no joint board or joint administrator will be used. Purchase and maintenance of equipment used to fulfill the agreement will be undertaken by the respective agencies as described herein. No real property will be purchased to use for this Agreement.
2. A copy of this Agreement will be filed by DANR, with the Attorney General and Legislative Research Council not more than 14 days after the execution as required by SDCL 1-24-6.1.
3. All parties must comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C 2000d) and, in accordance with Title VI of that act, no person in the United States shall, on the grounds of race, color, or national origin, be exclude from participating in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediate take any measures necessary to effectuate this agreement.
4. Nothing in this Agreement shall be construed as an indemnification by one party or the other for liabilities of a party or third party for property loss, or damage, or death, or personal injury arising out of the performance of this Agreement. Any liabilities or claims for property loss, or death, or personal injury by a party or its agents, employees, contractors or assigns or by third persons, arising out of and during this agreement shall be determined according to applicable law.
5. The parties signify their agreement to this work plan by the signatures affixed below.

IN WITNESS WHEREOF, the parties signify their agreement effective the date first written by the signatures affixed below.

SDSU

STATE OF SOUTH DAKOTA

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print/ Signature)

\_\_\_\_\_  
Hunter Roberts  
Secretary  
South Dakota Department of Agriculture  
and Natural Resources

\_\_\_\_\_  
(title)

## Exhibit A

### An investigation of herd immunity with ash trees treated by injections with emamectin benzoate

#### Summary

Emerald ash borer (EAB) (*Agrilus planipennis*) is a lethal threat to North American ash (*Fraxinus* spp). The survival of untreated trees is less than one or two percent. The most common strategies for community management of this insect is by removing infested trees and treating trees. Another possible strategy to reduce treatment costs is examine whether herd immunity is an effective tool for managing EAB. This study will evaluate the effectiveness of this strategy and determine what percentage of trees must be treated to achieve this indirect protection from EAB.

#### Background

Herd immunity is a strategy mentioned in community EAB management plans. Herd immunity occurs when treating a portion of a population extends indirect protection to untreated members. If a percentage of ash trees in a community are treated, this may provide protection to nearby untreated trees.

This strategy could decrease the cost of EAB management. However, there is little research data to support its application. An identified interest of the Forest Service Pesticide Impact Assessment Program is the efficacy of trunk injection of emamectin benzoate.

If ash trees are treated by trunk injection with emamectin benzoate:

- 1) Is herd immunity an effective strategy for slowing tree mortality?
- 2) If so, what is the percentage of trees that must be treated to provide indirect protection to nearby untreated trees and over what distance does this protection occur?

#### Overview

The study will be in Sioux Falls South Dakota where EAB was confirmed in 2018. Sioux Falls requires all commercial EAB applicators to 1) only use trunk injections, and 2) tag and report the location, diameter, insecticide product, and rate for every tree treated regardless of ownership. Approximately 15% of the 84,000 ash have been treated in the community to date.

Objective #1 – Determine whether herd immunity is an effective management strategy.

Using Sioux Fall's treated trees database, trees treated in 2018 and 2020 will be selected and all untreated ash with a 90 m radius of these ash examined for current or past EAB infestations.

Objective #2 – Determine what percentage of trees must be treated to achieve herd immunity.

Neighborhoods with clusters of treated ash trees will be selected and untreated ash within a 90 m radius of the cluster inspected for present or past EAB infestations.

Note: This study/project involves the use of pesticides, but the findings are not intended to be submitted to the U.S. Environmental Protection Agency in support of a research or marketing permit. This research is therefore not covered by the Federal Insecticide, Fungicide, and Rodenticide Act Good Laboratory Practices regulations. The results of such a study may not be accepted by the EPA if the study is submitted to EPA at a later date.

#### Methods

Trees treated with emamectin benzoate in neighborhoods with ash density greater than 8 trees/ha and where EAB is present will be sampled. One hundred ash trees, between 30 and 40 cm dbh, treated in 2018 and repeated in 2020, will be selected. Circles will be established around each treated tree at 15, 30, 60 and 90 m intervals. Every untreated ash larger than 2.5-cm within each circle will be examined to determine current or past EAB infestation. An aerial lift and climbers will be used to conduct canopy inspections to determine whether an ash tree is infested and by dissecting branches samples to determine how long it has been infested. At least 50 neighborhoods with grouping of treated ash, where adjacent property owners have treated anywhere from two to 20 trees will be studied in a similar manner as above. We will utilize zero-inflated generalized liner models to assess the effect of treating on untreated trees over time.

### Outcomes

A formal report of the results and our conclusions submitted to the granting agency and Sioux Falls. The report on the value of herd immunity will be posted on the DANR website. The report will discuss whether our results indicate herd immunity has an application in management, and if so, what percentage of the ash population may require treating and the distances in which nearby ash receive indirect protection.

The results will also be prepared for submission to *Arboriculture & Urban Forestry*, a peer-review journal widely read by city foresters in the United States and Canada. The results, whether they show herd immunity works, or not, will be of value to communities preparing to manage this insect or are in the initial phase of an infestation.

Budget	Requested funds	Non-federal match	Match source
Salary	\$38,000	\$37,860	SDSU
Travel for collection	\$3,500	\$3,000	Industry (tree companies)
Travel for meetings			
Travel for others	\$543		
Contracting	\$9,250	\$4,000	SD Arborist Association
Equipment		\$2,500	SDSU
Supplies	\$750		
Overhead	\$9,107	\$13,790	Unrecoverable overhead from SDSU at rate of 46%
Totals	\$61,150	\$61,150	

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – H**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**Digital Forensics Center Joint Powers Agreement – Dakota State University & Attorney General’s Office**

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

The Board approved Dakota State University (DSU) entering into an agreement with the South Dakota Attorney General’s Office (AG’s Office) to put in place the infrastructure necessary to create a Digital Forensics Center at DSU at its [December 2018](#) meeting. The Joint Powers Agreement (JPA) ran through September 30, 2021, providing DSU with \$250,000 a year for three years, to establish and maintain the DSU Digital Forensics Center. The AG’s Office and DSU now desire to renew the JPA, effectively extending the relationship through September 30, 2024, as set forth in Attachment I, and to provide the services and reports contained in Exhibit I of Attachment I.

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.

**IMPACT AND RECOMMENDATION**

The attached JPA will allow DSU to continue its Digital Forensic Center, in partnership with the AG’s Office, for another three years, as set forth in Attachment I, and to provide the services and support associated therewith.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – Digital Forensics Center JPA (*will be provided when finalized*)

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-H:**

I move to approve the Joint Powers Agreement in substantively similar form to that set forth in Attachment I.

JOINT POWERS AGREEMENT  
BETWEEN  
SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL  
AND  
DAKOTA STATE UNIVERSITY

THIS AGREEMENT is entered by and among the South Dakota Office of Attorney General 1302 E Hwy 14 Ste 3, Pierre SD, 57501 (hereinafter identified as AGO) and Dakota State University, 820 N Washington Ave. Madison, SD 57042 (hereinafter identified as DSU).

WHEREAS, cyber-enabled crime, data breaches, identity theft and cyber-attacks have become a serious problem for businesses, individuals and government entities in South Dakota and are expected to increase significantly in the years ahead;

WHEREAS, the FBI's IC3 report shows annual financial losses from cybercrime activities in 2016 for South Dakota victims were approximately \$1 million. This is thought to represent only a small portion of actual losses;

WHEREAS, AGO has recognized a need for additional digital forensics education, training and services for law enforcement officers and agencies throughout South Dakota;

WHEREAS, the AGO Division of Consumer Protection has recognized a need for increased access to cybercrime technical services in order to provide information and assistance to consumers in South Dakota;

WHEREAS, DSU and its faculty are recognized for excellence in digital forensics and cyber security education and research by the United States National Security Agency ("NSA") and the United States Department of Homeland Security ("DHS"). In addition, its faculty includes experts in network protection, threat detection and mitigation and reverse engineering. DSU currently holds four Centers of Academic Excellence designations from the NSA and DHS and offers cybersecurity education programs at the Certificate, Associate, Baccalaureate, Master's and PhD levels.

WHEREAS, DSU intends to increase its digital forensics training, education and service capacity through the creation of a Digital Forensics Center on the campus of DSU in Madison, South Dakota;

WHEREAS, AGO and DSU desire to collaborate to put in place, at DSU, the staff and infrastructure necessary to create a digital forensics center in South Dakota to provide information and services to the Division of Consumer Protection and to law enforcement agencies within South Dakota;

NOW THEREFORE, in consideration of the covenants and agreements contained herein, and the joint and mutual benefits and responsibilities flowing to each party as outlined in this Agreement, the parties agree as follows:

1. **AUTHORITY:** The parties enter into this AGREEMENT pursuant to the following authority:
  - (a) AGO pursuant to the provisions in SDCL ch. 1-11, 1-24 and 37-23; and,
  - (b) DSU pursuant to the provisions in SDCL ch. 1-24 and authorization of the South Dakota Board of Regents.
2. **PURPOSE OF AGREEMENT:** The purpose of this Agreement is for AGO and DSU to cooperate to establish and maintain a digital forensics center to provide digital forensics and cyber security training and services.
  - (a) In consideration of DSU's observance and performance of the covenants, terms and conditions set forth herein, the AGO Division of Consumer Protection agrees to provide DSU with a \$250,000 grant, each year, for three years to establish and maintain the DSU Digital Forensics Center. This grant will be paid quarterly starting October 1, 2021. In the event this agreement is terminated at a time other than the end of a quarter, DSU will refund a pro-rata amount for any month of service that has not yet started.
  - (b) In consideration of the grant from the AGO Division of Consumer Protection and observance of the covenants, terms and conditions set forth herein, DSU agrees to establish the Digital Forensics Center and to provide the services and reports outlined in Exhibit 1.
  - (c) This Agreement is not meant and shall not be construed to limit any existing or additional cooperative efforts between the parties. Except as expressly provided herein, nothing in this Agreement is intended to affect the respective rights, duties, and responsibilities of AGO or DSU.
  - (d) It is understood by AGO that DSU will seek to enhance and expand its services and capacity by working with other governmental agencies at the local, regional and Federal level.
  - (e) It is understood by both parties to this agreement that the Digital Forensics Lab is a new service in South Dakota and therefore it would be difficult to estimate the demand for services provided under this Agreement. Therefore, the Director of the Center and the Director of the Division of Consumer Protection agree to meet

quarterly to evaluate the volume and type of services needed and the ability of the Center to meet the demand.

3. PERIOD OF PERFORMANCE: The term of this Agreement shall be 3 years and will commence on October 1, 2021 and conclude on September 30th, 2024 unless extended by agreement of the parties.
4. TERMINATION: This Agreement can be terminated by DSU or AGO for any reason by providing 30 days prior written notice to the other party or upon agreement of the parties. In addition, AGO can terminate this Agreement immediately for violation of the confidentiality provision in paragraph 7. The obligations of DSU under the confidentiality and records retention provisions set forth in paragraphs 7 and 8 below shall survive termination or expiration of the Agreement between the parties.
5. FUNDING: Notwithstanding any other provision, the performance by AGO of its obligations under this Agreement depends upon the receipt by AGO of both funds and expenditure authority. This Agreement will be terminated if AGO Division of Consumer Protection funds become unavailable or if the AGO does not have expenditure authority for the funds. AGO will provide DSU with written notice of the unavailability of funds or expenditure authority and the effective date of the termination of the Agreement. Termination under this provision does not constitute a default or give rise to any claim against AGO.
6. ASSIGNMENT AND SUBCONTRACTING: This Agreement, or any part thereof, or benefits to be received hereunder, shall not be assigned, transferred, or otherwise disposed of to any person, firm, corporation or other entity. DSU may not use subcontractors to perform the services described herein.
7. CONFIDENTIALITY PROVISION: For purposes of this paragraph, "AGO Confidential Information" shall include all information disclosed to DSU by AGO, including any division or program of AGO, to the extent that such disclosure was for purposes of this Agreement. AGO Confidential Information shall not include information that (i) was in the public domain at the time it was disclosed to DSU; (ii) was known to DSU without restriction at the time of disclosure by AGO; (iii) was independently developed by DSU without the benefit or influence of AGO's information; or (iv) becomes known to DSU without restriction from a source not connected to AGO.
  - (a) DSU acknowledges AGO's need to keep confidential information it maintains, that is subject to various confidentiality statutes and legal privileges held by AGO as well as by other agencies, state agency clients, in-state and out-of-state government entities, and third parties.



- (b) Unless specifically authorized under this Agreement, DSU shall not disclose any AGO Confidential Information to any third person or entity for any reason without the express written permission of an AGO officer or employee with authority to authorize the disclosure. DSU shall not make use of AGO Confidential Information except to exercise rights and perform obligations under this Agreement. DSU agrees to immediately notify AGO of any request for, or demands for release of, any AGO Confidential Information, or of any unauthorized release or disclosure of AGO Confidential Information, whether such release or disclosure was intentional or inadvertent.
- (c) DSU acknowledges and agrees that DSU is held to the same standard of care in guarding AGO Confidential Information as AGO applies to AGO's own confidential or proprietary information and materials of a similar nature, and no less than holding AGO Confidential Information in the strictest confidence. DSU shall protect the confidentiality of AGO Confidential Information from the time of receipt to the time that such information is either returned to AGO or destroyed to the extent that it cannot be recalled or reproduced.
- (d) DSU agrees to return all AGO Confidential Information to AGO's custody upon the end of the term of this agreement, unless otherwise agreed in a writing signed by both parties.
- (e) DSU acknowledges and agrees that AGO Confidential Information may include personal and/or identifying information regarding a "person". In addition to any notice or disclosure required pursuant to SDCL 22-40-20, DSU shall notify the Director of Consumer Protection of the AGO of any "breach of system security", as defined in SDCL 22-40-19. Such notice shall be given by email delivered to [consumerhelp01.state.sd.us](mailto:consumerhelp01.state.sd.us) not more than two (2) business days following the discovery by or notification to DSU of the breach. As used herein, "person" is as defined in SDCL 22-1-2.
- (f) DSU will enforce the terms of this Confidentiality Provision to its fullest extent possible. DSU shall not make AGO Confidential Information available to any of its employees, officers, or agents except those who have agreed to obligations of confidentiality at least as strict as those set out in this Agreement and who have a need to know such information. DSU further agrees to remove any employee or agent from performing work under this Agreement that has or is suspected to have violated the terms of this Confidentiality Provision.
- (g) Neither this Confidentiality Provision, nor any part thereof, shall establish any privacy rights to, for or on the part of, any employee of DSU or of AGO or waive any remedies against any such person for illegal, improper, or unauthorized use of AGO Confidential Information.

- (h) Upon request by AGO, DSU shall securely dispose of all AGO Confidential Information in all of its forms, such as disk, CD/ DVD, backup tape and paper. Such information shall be permanently deleted and shall not be recoverable, according to National institute of Standards and Technology (NIST) approved methods. Certificates of destruction shall be provided to AGO.
  - (i) DSU will implement, maintain and update security incident and data breach procedures that comply with all State and Federal requirements, including but not limited to, the Information Technology Security Policy established by the State of South Dakota, Bureau of Information and Telecommunications (the "TTSP"). DSU officers, employees, agents, and subcontractors who may have access to any AGO Confidential Information will complete a background check as required by the ITSP, the findings for which will be provided to both DSU and the AGO Division of Consumer Protection. AGO reserves the right to prohibit access to AGO Confidential Information by any person based upon the results of the background check. Additionally, DSU shall immediately notify AGO in the event that any individual is arrested for or charged with a crime during the term of this Agreement which is punishable as a felony, or which involves theft, deceit or dishonesty.
8. **RETENTION OF RECORDS:** DSU agrees to maintain or supervise the maintenance of records necessary for the proper and efficient operation of the program. At a minimum, DSU shall retain such records for not less than five (5) years after termination or expiration of this Agreement. If any litigation, claim, or audit is started before the expiration of the five-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. The five-year retention period may be extended upon written notice by AGO.
  9. **ACCESS TO RECORDS:** DSU acknowledges that records related to the provision of digital forensics and analysis services of case information and data under this Agreement may be subject to discovery in civil or criminal proceedings. DSU agrees to allow AGO, through any authorized representative, access to and the right to examine and copy such records for purposes of responding to requests for discovery.
  10. **WORK PRODUCT:** The parties agree that the documents and reports created by DSU in performance of the services in Exhibit I, including, without limitation, the technical briefs, training materials, protocols and related materials, may be used, disclosed and distributed by either party without limitation provided that any such documents will not be copyrighted without written approval of AGO. Nothing in this Paragraph is intended to supersede the prohibition on the disclosure of Confidential Information as set forth in Paragraph 7 herein.

11. **REPORTING:** DSU agrees to report to AGO any event encountered in the course of performance of this Agreement which results in injury to the person or property of third parties, or which may otherwise subject DSU or AGO to liability. DSU shall report any such event to AGO immediately upon discovery. DSU's obligation under this section shall only be to report the occurrence of any event to AGO and to make any other report provided for by their duties or applicable law. DSU's obligation to report shall not require disclosure of any information subject to privilege or confidentiality under law (e.g., attorney-client communications).
12. **AMENDMENTS:** This Agreement may not be modified or amended except in writing, which writing shall be expressly identified as part of this Agreement.
13. **ADMINISTRATION OF AGREEMENT:** The Parties declare that no specific entity as contemplated in SDCL 1-24-4(2) is being created to implement this Agreement, and that the cooperative undertaking herein described shall be administered by DSU, through its Vice President of Research and Economic Development, and AGO, through the Division of Consumer Protection, or authorized designees as contemplated in SDCL 1-24-5.
14. **NOTICE:** All notices or other communication required under this Agreement shall be in writing and sent to the addresses set forth above. Notices shall be given by the Vice President of Research and Economic Development on behalf of DSU and to the Director of Consumer Protection on behalf of AGO, or such authorized designees as a party may from time to time designate in writing. Notices or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail or, provided that notice of default or termination shall be sent by registered or certified mail, or, if personally delivered, when received by such party.
15. **SEVERABILITY:** If any provision of this Agreement shall be held unenforceable or invalid by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision herein.
16. **SUPERCEDENCE:** 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 herein, this Agreement constitutes the entire agreement with respect to the subject matter hereof.
17. **THIRD PARTY RIGHTS:** This Agreement is intended to only govern the rights and interest of the parties named herein. It is not intended to, does not and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any third party in any matters, civil or criminal.

18. FILING REQUIREMENTS: The parties acknowledge that a true and correct copy of this Agreement will be filed with the Office of Attorney General and the Legislative Research Council within 14 days of its final execution pursuant to SDCL 1-24-6.1.
19. AUTHORIZED SIGNATURES: By the signature of their representative below, DSU and AGO certify that approval of this has been obtained by that governmental body's officer pursuant to SDCL 1-24-3 and 1-24-6 and that each representative is authorized to sign on the party's behalf.

**State of South Dakota**  
**Office of the Attorney General**

**Dakota State University**

BY:

Name:

Title:

ATTORNEY GENERAL

Exhibit I  
Digital Forensics Center

## SERVICES

- Provide digital forensics lab for law enforcement and the Division of Consumer Protection referrals.
- Provide a Cybercrime Technical Brief for the Division of Consumer Protection and law enforcement statewide. The brief will include higher level data and trends useable for law enforcement and will not be disclosed to the public. The brief will be produced monthly, due by the 7<sup>th</sup> of each month.
- Provide the Division of Consumer Protection a version of the monthly Cybercrime Technical Brief suitable for media outlets and consumers.
- Provide the Division of Consumer Protection 2 digital forensics onsite training programs annually. The topic, date and location of the training will be mutually agreed upon by the parties.
- Provide digital forensics training sessions for law enforcement organizations at various locations. 2 such training sessions will be provided during the first year of the Agreement, 3 during the second year and 4 during the third year. The date and locations of the training will be mutually agreed upon by the parties. The topics of the trainings shall include, without limitation:
  - Digital Extraction Training for all law enforcement
  - Computing and Technology Essentials
  - Introduction to Cyber Security
- Provide education and awareness presentations in various public and private forums
- Subject to the approval by AGO, develop a protocol for the provision of digital forensics and analysis services of case information and data.
- Using the approved protocol and upon request of the AGO Division of Consumer Protection or the Division of Criminal Investigation, conduct digital forensic and analysis services for South Dakota state and local law enforcement agencies
- Expert witness testimony

## PERFORMANCE REPORTS

- DSU shall provide the AGO Division of Consumer Protection with quarterly performance reports which shall include, without limitation:
  - Summary of overall progress in establishing and maintaining the Digital Forensics Center
  - Status of various performance measures that reflect such progress including without limitation:
    - The number of calls received by type of caller
    - The number and type of education and awareness presentations provided
    - Other outreach efforts conducted
    - The number of referrals received for digital forensic and analysis services

- The number of digital forensics/analysis cases completed including quantity of data and type of device

**STAFF SKILLS**

In providing the foregoing services, the Digital Forensics Center shall be staffed by trained and certified professionals including the following:

- GIAC Certified Forensic Examiner (GCFE)
- Computer Hacking Forensic Investigator (CHFI)
- Access Certified Examiner (ACE)

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – I**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**BOR Policies 6:1 – Facilities Planning & 6:10 – Legislative Authorization of Private or Grant Funded Facilities Revisions (First & Final Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[SDCL § 5-14-3](#)

**BACKGROUND / DISCUSSION**

SDCL 5-14-3 was amended during the 2019 Legislative Session to adjust the threshold for capital improvements requiring a building committee from \$1.5M to \$5M. The proposed changes to BOR Policy 6:1 (Facilities Planning) and BOR Policy 6:10 (Legislative Authorization of Private or Grant Funded Facilities) are cleanup amendments to align the dollar threshold for capital projects with that reflected in SDCL 5-14-3.

**IMPACT AND RECOMMENDATIONS**

The proposed changes will bring the dollar threshold for capital projects reflected in BOR Policy 6:1 and BOR Policy 6:10 in line with the threshold in SDCL 5-14-3, which was increased from \$1.5M to \$5M during the 2019 Legislative Session.

**ATTACHMENTS**

Attachment I – BOR Policy 6:1 – Facilities Planning

Attachment II – BOR Policy 6:10 – Legislative Authorization of Private or Grant Funded Facilities

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-I:**

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 BOR Policy 6:1 – Facilities Planning, as shown in Attachment I and BOR Policy 6:10 – Legislative Authorization of Private or Grant Funded Facilities, as shown in Attachment II.

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Facilities Planning

**NUMBER:** 6:1

---

### **A. PURPOSE**

To require appropriate planning in regards to capital projects, infrastructure, and maintenance and repair.

### **B. DEFINITIONS**

1. **Capital Projects:** Any repair, rebuilding, renovation, alteration or construction project that has a cost of \$~~1~~5M or more. (SDCL 5-14-3).

### **C. POLICY**

#### **1. Physical Plant and Facilities Long Range Planning**

- 1.1. Long range planning shall include, but not be limited to, capital improvements, major renovations, maintenance and repair of buildings and infrastructure, and campus beautification (landscape and trees).
- 1.2. The universities will be asked to prepare a 10-year capital plan each year as part of the annual budget request. The plan will include the justification for any proposed capital projects, the year planned and the fund sources that will be requested to fund the facility. The source of the maintenance and repair for any facility must be identified and included in the planning document.
- 1.3. The universities will be asked to prepare a 10-year maintenance and repair plan each year as part of the annual budget request that will identify all maintenance projects needed over that timeframe. The purpose is to identify the need and not simply a plan that matches available dollars.
- 1.4. Master Planning should be done to support capital investments in academic, athletic, and auxiliary facilities. The plans should include history of enrollments and details about enrollment projections; impact on maintenance and repair and funding sources for any new space; space utilization history and projections; local market comparisons if appropriate; detailed justification of need for the space tied to academic mission and program offerings; related demolition plans; projected costs and funding sources; overall vision and rationale for new spaces.
- 1.5. Long range plans should discuss effects of proposed projects on institutional infrastructure and resources and should address items such as pedestrian and motor



vehicle traffic patterns, emergency access and evacuation routes, delivery areas and routes, utilities and electronic communications networks and other related infrastructure elements.

**FORMS / APPENDICES:**

None

**SOURCE:**

BOR June 1991; April 1992; April 2019.

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Legislative Authorization of Private or Grant Funded Facilities

**NUMBER:** 6:10

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#### **A. PURPOSE**

To require that funding is in place before requesting legislation for capital projects.

#### **B. DEFINITIONS**

1. **Capital Projects:** Any repair, rebuilding, renovation, alteration or construction project that has a cost of \$~~1~~.5M or more. (SDCL 5-14-3)

#### **C. POLICY**

##### **1. Guaranteed Funding**

Before a capital project may proceed to legislative authorization, private or grant dollars committed to the facility must be in-hand, pledged or guaranteed in writing by the university foundation, donor or funding entity.

## **FORMS / APPENDICES**

None

## **SOURCE:**

BOR May 2009; December 2018.

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – J**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**DSU Resolution – Public Sidewalk**

**CONTROLLING STATUTE, RULE, OR POLICY**

SDCL § [5-1-7](#)

SDCL Chs. [11-3](#) and [43-21](#)

SDCL §§ [5-2-10](#) & [5-2-11](#)

**BACKGROUND/DISCUSSION**

Dakota State University (DSU) and the City of Madison desire to provide for the construction of a public sidewalk along portions of Van Eps Avenue and NW 3<sup>rd</sup> Street, on property controlled by DSU. To effectuate the same, the parties desire the State of South Dakota to grant an easement in favor of the City of Madison for such purposes, as reflected in Exhibit I to Attachment I.

**IMPACT AND RECOMMENDATION**

DSU requests the Board of Regents approve and adopt the Resolution set forth in Attachment I requesting the grant of an easement in favor of the City of Madison for the construction of a public sidewalk.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – Resolution Requesting the Grant of an Easement

Attachment I, Exhibit I – Draft Easement to the City of Madison

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**DRAFT MOTION 20211006\_5-J:**

I move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the easement as stated therein, to draft and execute any necessary document(s) resulting therefrom, and to authorize staff to take any action(s) necessary to effectuate the intentions thereof.

## RESOLUTION

**Resolution requesting the grant of an easement through, under, in, on and across portions of property occupied by Dakota State University for the benefit of the City of Madison, and to execute and file any necessary document(s) resulting therefrom.**

The South Dakota Board of Regents (hereinafter referred to as “BOR”), on behalf of Dakota State University, pursuant to the authority vested in BOR under SDCL § 5-2-11 and other applicable law, hereby requests the Commissioner of School and Public Lands to draw up all necessary documents and to forward them to the Governor to request their execution in order to grant to the City of Madison an easement to construct, reconstruct, replace, modify, upgrade, extend, remove, maintain, and operate a public sidewalk through, under in, on and across the following described real estate in the City of Madison, Lake County, South Dakota, and to otherwise execute and file any document(s) necessary and appropriate as a result of the associated public sidewalk, to include without limitation, any necessary temporary construction access and/or easement(s) on adjoining land to access and construct the public sidewalk in the easement area:

A 6 feet wide strip of land for construction and maintenance of a public sidewalk, and any necessary appurtenances over, under and across that strip of land within the property legally described as: The North 75 feet of the East Half (E ½) of Block Fifteen (15) of Kennedy’s Extension of Madison, Lake County, SD, according to the recorded plat thereof, as further shown in Exhibit A to Exhibit I, a copy of which is attached hereto and incorporated herein.

BOR requests that the easement be generally consistent with the draft attached hereto as Exhibit I, without restricting the ability of the parties to further revise the easement to effectuate its intended purpose before executing and filing the same.

Grantor requests that any grant of easement provides that Grantor shall not be liable for any personal injury, property damage, or other liability to Grantee, its agents, employees, invitees, or to any other party caused by or related to Grantee’s use of the premises, irrespective of how such injury or damage may be caused, whether by action of the elements or acts of negligence of Grantee or any other party, and that Grantee further agree to reimburse Grantor for any judgment against it arising from Grantee’s use of the property.

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

SOUTH DAKOTA BOARD OF REGENTS

By\_\_\_\_\_

Jim Thares

Secretary

## EXHIBIT 1

**This document prepared by:  
Office of School and Public Lands  
(605)773-3303  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070**

**STATE OF SOUTH DAKOTA  
PERMANENT EASEMENT**

THIS EASEMENT is made and entered by and between the State of South Dakota acting through its Governor and Commissioner of School and Public Lands on behalf of the South Dakota Board of Regents, 500 East Capitol, Pierre, South Dakota, 57501 [the “State”] and the City of Madison, P.O. Box 17, Murdo, South Dakota, 57559 [“the City”].

WHEREAS, The City is desirous of acquiring a right-of-way easement for the construction, reconstruction, replacement, modification, upgrading, extension, removal, maintenance, and operation of a public sidewalk, and all necessary and appurtenant structures, fixtures and controls across land belonging to the State, and the State is desirous of cooperating with the City for said easement.

NOW THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. For and in consideration of the sum of One dollar (\$1.00), the receipt of which is hereby acknowledged and other valuable consideration set forth in this Easement, the State hereby grants and conveys to the City a right-of-way easement for the following described purposes: the right to construct, reconstruct, replace, modify, upgrade, extend, remove, maintain, and operate a public sidewalk, and all necessary and appurtenant of structures, fixtures and controls, through, under, in, on and across the following legally described real estate within the City of Madison, Lake County, State of South Dakota (the “Easement Area”):

A strip of land 6 feet wide for construction and maintenance of a public sidewalk, and appurtenances over, under and across that strip of land within the property legally described as: The North 75 feet of the East Half (E ½) of Block Fifteen (15) of Kennedy’s Extension of Madison, Lake

County, SD, according to the recorded plat thereof, as further shown in "Exhibit A", a copy of which is attached hereto and incorporated into this agreement, the same as if written at length herein.

2. The City agrees that any construction will not interfere unnecessarily with the State's use of its adjoining property and will not endanger or injure any improvements thereon. The State reserves the right to utilize the Property for all purposes not inconsistent with the easement rights herein conveyed. The State and/or the City may enter upon the above described property for the purposes of effectuating the grant of and reserved rights in this easement.

3. The City further agrees, at no cost to the State, to be responsible for the operation, repair, maintenance, replacement, or removal of the public sidewalk installed by the City and associated with its operation and maintenance.

4. The City further understands and agrees, that to the extent provided by South Dakota law, it shall be liable for all damages caused by the construction, operation, maintenance, enlargement, upgrade, repair, alteration, removal or replacement of the public sidewalk installed by the City and associated with the operation and maintenance of said public sidewalk, and The City agrees to indemnify, defend, and hold the State harmless for the same. Nothing in this agreement shall be read to waive Grantor's sovereign immunity.

5. The City further understands and agrees that the State has and retains the right to lease, sell or otherwise convey the Easement Area, or any part thereof, provided, however, that this Easement shall remain in full force and effect until the expiration of the term hereof notwithstanding such lease, sale or conveyance. In addition, the above-described easement is subject to a reservation of further easements and rights-of way for irrigation ditches and canals, as provided by South Dakota Codified Laws 5-4-2, so long as they do not infringe upon the rights granted hereunder. This Easement is also subject to a reservation of rights relating to deposits of coal, ores, metal and other minerals, asphaltum, oil, gas and like substances provided South Dakota Constitution Art. VIII, §19, South Dakota Codified Laws 5-7-3 to 5-7-6, inclusive and South Dakota Codified Laws 5-2-12, and in any law of the State of South Dakota reserving any rights of any kind in said State or any of its departments, institutions, subdivisions, funds or accounts.

6. In consideration of this Easement, the City will not impose special assessments on the State to pay for connection costs to the City that may be associated with the development of the above described area.

7. The land herein described is to be used for the public sidewalk and no other purpose whatsoever, and that should the above described real property

granted by this Easement cease to be used for said purposes for two consecutive years, this Easement reverts to the State or its successor and assigns.

8. This agreement and attachments shall constitute the entire agreement between the State and the City. This agreement supersedes any other written or oral agreements between the State and The City pertaining to the Easement Area, or any portion thereof. This agreement can be modified only in writing and signed by the State and the City or their respective heirs, representatives, executors, administrators, successors and assigns.

9. This easement shall be binding upon the heirs, executors, administrators, assigns, and successors in interest of the parties hereto.

10. This Easement is governed by and shall be construed in accordance with the laws of the State of South Dakota.

IN WITNESS WHEREOF, the parties have executed this Easement on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

STATE OF SOUTH DAKOTA

BY: \_\_\_\_\_  
Kristi Noem  
Governor

ATTEST:

\_\_\_\_\_  
Ryan Brunner  
Commissioner of School and Public Lands

CITY OF MADISON

BY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_

### **ACKNOWLEDGMENTS**



[illegible]

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me the undersigned Notary Public within aforesaid County and State, personally appeared Kristi Noem, Governor, known to me to be the person described herein who executed the within and forgoing instrument for the purposes therein contained and acknowledged to me that she executed the same.

Notary Seal

Notary Public – State of SD

## Commission Expires

[illegible]

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me the undersigned Notary Public within aforesaid County and State, personally appeared Ryan Brunner, Commissioner of South Dakota School and Public Lands, known to me to be the person described herein who executed the within and forgoing instrument for the purposes therein contained and acknowledged to me that he executed the same.

Notary Seal

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Notary Public – State of SD

Commission Expires

[illegible]

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged him/herself to be the \_\_\_\_\_ of the City of Madison, and that s/he, as \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City of Madison, as \_\_\_\_\_.

Notary Seal

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Notary Public – State of SD

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Commission Expires

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – K**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**South Dakota State University Plat Resolution and Greek Village Lease**

**CONTROLLING STATUTE, RULE, OR POLICY**

SDCL §[5-1-7](#)

SDCL Chs. [11-3](#) and [43-21](#)

**BACKGROUND/DISCUSSION**

The property subject to the requested plat was last platted by SDSU as “Lots 1, 2, 3, 4, and 5, Block 1, State Village Addition in the SW ¼ of the SE ¼ of Section 24, T110N, R50W of the 5<sup>th</sup> P.M., City of Brookings, Brookings County, South Dakota,” filed for record on March 17, 2017 at 8:00 a.m. in Plat Book 35, Page 9. South Dakota State University (SDSU) now wishes to replat Lots 4 and 5 as Lots 4A and 5A to change the boundaries as necessary for project construction allowances; therefore, a re-plat is necessary.

SDSU also requests approval of the Fourth Amendment to the Master Ground Lease between the Board and the South Dakota State College Development Association, included as Attachment II, to accurately reflect the change in legal description due to the replat.

**IMPACT AND RECOMMENDATION**

SDSU requests the Board of Regents adopt the Resolution set forth in Attachment I requesting the plat to vacate Lots 4 and 5, Block 1, State Village Addition and re-plat as Lots 4A and 5A, Block 1, State Village Addition. SDSU further requests approval of the Fourth Amendment to Master Ground Lease, as set forth in Attachment II.

Staff recommends approval.

**ATTACHMENTS**

Attachment I – Resolution Requesting Execution and Filing of the Plat

Attachment I, Exhibit A – Draft Plat

Attachment II – Draft Fourth Amendment to Master Ground Lease

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**DRAFT MOTION 20211006\_5-K:**

I move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and public Lands proceed with the plat as stated therein; and to further approve the Fourth Amendment to Master Ground Lease between the Board and South Dakota State College Development Association, included as Attachment II; and authorize the Board’s Executive Director to execute any additional documents necessary to effectuate the foregoing.

**RESOLUTION****Resolution requesting the execution and filing of the Plat of Lots 4A and 5A, Block 1, State Village Addition to the City of Brookings, Brookings County, South Dakota.**

The South Dakota Board of Regents (hereinafter referred to as “BOR”), on behalf of South Dakota State University, pursuant to the authority vested in BOR under SDCL § 5-2-11, hereby requests the Commissioner of School and Public Lands to draw up all necessary documents and to forward them to the Governor to request their execution in order to execute and file the plat pertaining to the property currently described as:

Lots 4 and 5, Block 1, State Village Addition in the SW ¼ of the SE ¼ of Section 24, T110N, R50W of the 5<sup>th</sup> P.M., City of Brookings, Brookings County, South Dakota; and which is to be re-platted as Lots 4A and 5A, Block 1, State Village Addition in the SW ¼ of the SE ¼ of Section 24, T110N, R50W of the 5<sup>th</sup> P.M. to the City of Brookings, Brookings County, South Dakota.

BOR requests that the final plat be consistent with the draft in Exhibit A, a copy of which is attached hereto and incorporated herein, without restricting the ability of the parties to further revise the plat before executing and filing the same.

Dated this \_\_\_\_ day of October, 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 October, 2021, and I hereby certify that the same is a true, correct, and complete copy thereof and that the same has not been rescinded.

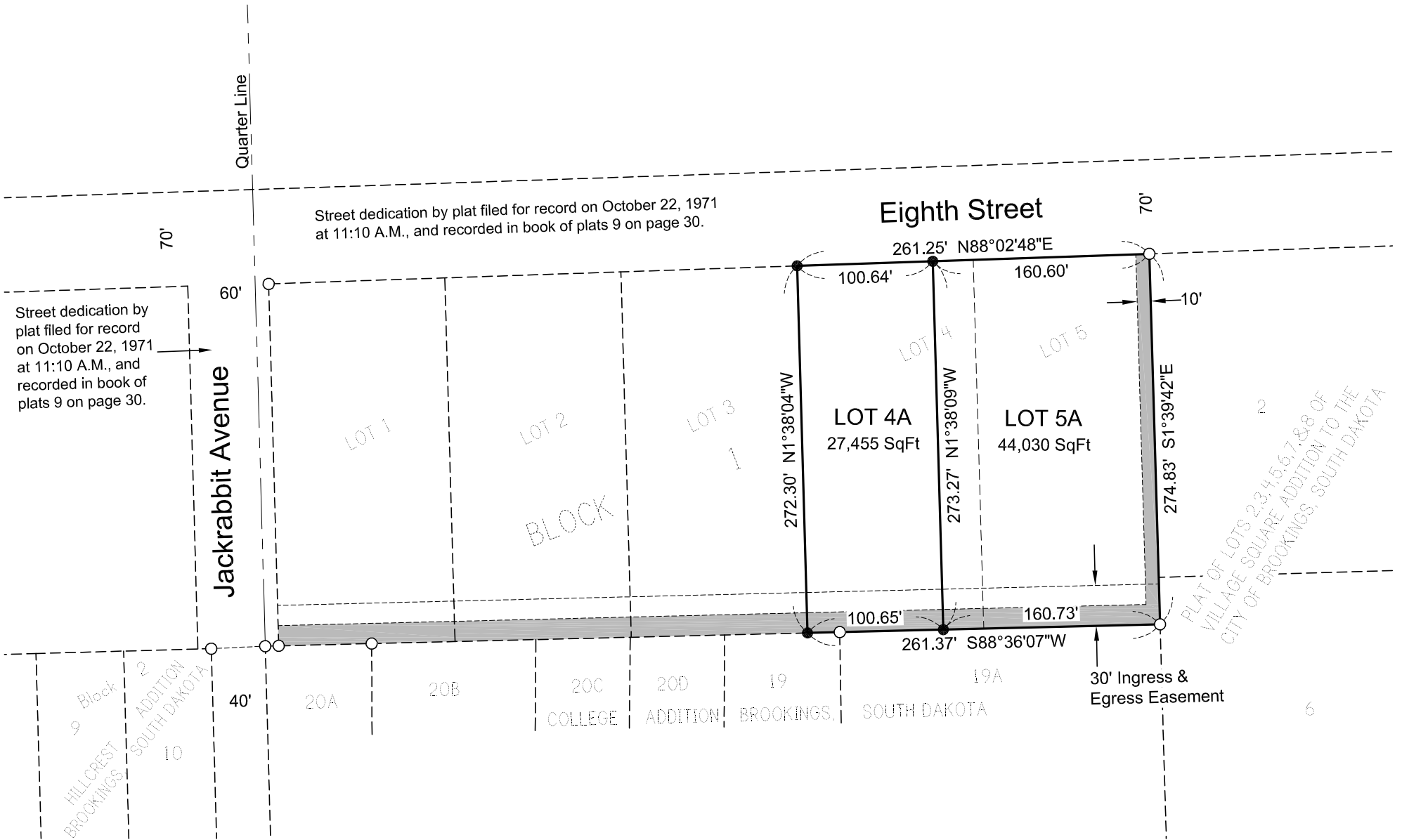
Dated this \_\_\_\_ day of October, 2021.

SOUTH DAKOTA BOARD OF REGENTS

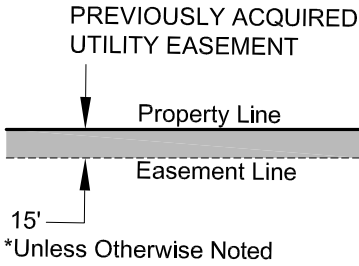
By \_\_\_\_\_  
Jim Thares  
Secretary

LOTS 4A & 5A, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA.

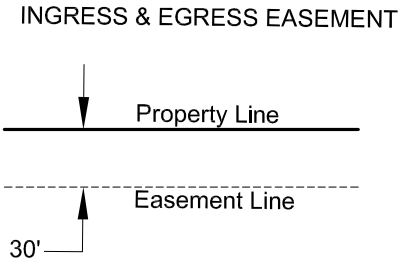
THIS PLAT TO VACATE AND REPLAT LOTS 4 AND 5 OF "PLAT OF LOTS 1, 2, 3, 4 AND 5, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA", FILED FOR RECORD ON MARCH 17TH, 2017 AT 8:00 A.M. IN PLAT BOOK 35, PAGE 9.



July, 2021  
Scale: 1" = 100'  
○ Monument Recovered  
● Monument Set  
(5/8" x 18" Capped Rebar)  
Bearings are Based  
on Assumed Datum



Easement filed for Record on  
August 29th, 1983 at 11:20 A.M.  
in Misc. Book 103, Page 480.



SURVEYOR'S CERTIFICATE

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 30th day of July 2021 and at the request of the owner of the real property hereinafter described, surveyed and replatted a portion of Block 1 of State Village Addition, City of Brookings, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains: "PLAT OF LOTS 4A & 5A, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 30th day of July, 2021.

Prepared By:



Civil Engineers & Land Surveyors  
Brookings, South Dakota  
Ph. 605-696-3200



I, on behalf of the State of South Dakota, owners of a portion of the land shown in the foregoing plat, hereby certify that I did authorize and do join in, and approve the above survey and plat, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. There is hereby granted to the City of Brookings or the holder of any utility franchise, an easement at locations shown in the above plat for the purpose of installing and maintaining any utility line. Any land shown in the above plat and designated as a street, road, alley, park or public ground is hereby dedicated to public use as such forever, but such dedication shall not be construed to be a donation of the fee of such land.

THIS PLAT TO VACATE AND REPLAT LOTS 4 AND 5 OF "PLAT OF LOTS 1, 2, 3, 4 AND 5, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA", FILED FOR RECORD ON MARCH 17TH, 2017 AT 8:00 A.M. IN PLAT BOOK 35, PAGE 9.

The portion so platted shall hereafter be designated as, "PLAT OF LOTS 4A, & 5A, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Owner's Certificate this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Kristi Noem, Governor  
State Of South Dakota

Attest: Ryan Brunner, Commissioner Of  
School And Public Lands

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021 before me, the undersigned Notary Public within and for the State and County aforesaid, personally appeared Kristi Noem, Governor, State of South Dakota, known to be the persons who executed the foregoing Owner's Certificate, and acknowledged to me that she executed the same.

NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021 before me, the undersigned Notary Public within and for the State and County aforesaid, personally appeared Ryan Brunner, Commissioner of School and Public Lands, known to be the persons who executed the foregoing Owner's Certificate, and acknowledged to me that he executed the same.

NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

CITY MANAGER'S CERTIFICATE

WHEREAS, The South Dakota Board of Regents, owners of the hereinafter real property has submitted a proposed plat "PLAT OF LOTS 4A, & 5A, BLOCK 1, STATE VILLAGE ADDITION IN THE THE SW ¼ OF THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>TH</sup> P.M., CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA". and the Brookings City Manager, being the duly authorized administrative official authorized to approve plats, having examined the proposed plat and it appears that all municipal taxes and special assessments if any upon said plat and survey, have been executed according to law. Access to the public streets, subject to all applicable municipal ordinances, is hereby granted except as may be designated "no access" on the attached plat.

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

CITY MANAGER  
CITY OF BROOKINGS, SOUTH DAKOTA  
ATTEST:

CITY CLERK'S CERTIFICATE

I, \_\_\_\_\_, being the duly appointed, qualified and acting City Clerk of the City of Brookings, do hereby that \_\_\_\_\_, City Manager of the City of Brookings, did personally appear and acknowledged to me that he executed the foregoing City Manager's Certificate for the purposes stated within.

CITY CLERK  
CITY OF BROOKINGS, SOUTH DAKOTA

COUNTY FINANCE CERTIFICATE

I, Finance Officer of Brookings County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

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

COUNTY FINANCE OFFICER  
BROOKINGS COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I, Director of Equalization of Brookings County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

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

DIRECTOR OF EQUALIZATION  
BROOKINGS COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA )  
 ) SS  
COUNTY OF BROOKINGS )

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 2021, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Book \_\_\_\_\_, of Plats on page \_\_\_\_\_.

REGISTER OF DEEDS  
BROOKINGS COUNTY, SOUTH DAKOTA



Prepared By:



Civil Engineers & Land Surveyors  
Brookings, South Dakota  
Ph. 605-696-3200

#### FOURTH AMENDMENT TO MASTER GROUND LEASE

On June 25, 2010, the South Dakota Board of Regents and the South Dakota State College Development Association entered into a Master Ground Lease to facilitate development of a residential site for fraternities and sororities at South Dakota State University (“Master Ground Lease”). On August 12, 2010, the parties entered into a First Amendment to the Master Ground Lease in order to clarify provisions relating to the rights and obligations of Sublessees whose tenancy may be affected by circumstances affecting their organizational status and to assure that non-disturbance agreements may survive termination of the Master Ground Lease by mutual agreement. On December 17, 2010, the parties entered into a Second Amendment to the Master Ground Lease in order to clarify provisions relating to the rights and obligations of Sublessees under clauses stating requirements for indemnification, liability insurance and waivers of subrogation. On April 2, 2015, the South Dakota Board of Regents approved a Third Amendment to the Master Ground Lease but that Third Amendment was not executed. On August 14, 2017, the parties entered into a Revised Third Amendment to Master Ground Lease to expand the definition of “Leased Premises” to include the following additional property:

LOTS 3, 4 & 5, BLOCK 1, STATE VILLAGE ADDITION IN THE SW ¼ OF  
THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>th</sup> P.M., CITY OF  
BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA

In order now to amend the Master Ground Lease to revise the definition of “Leased Premises” due to a replat of the additional property, the parties agree to amend the following enumerated sections of the Master Ground Lease to read as follows:

**Section 1.2 Parties to the Lease:** shall remain unchanged except that the real property described hereafter is revised and shall amend the definition of “Leased Premises” as follows:

LOTS 3, 4A & 5A, BLOCK 1, STATE VILLAGE ADDITION IN THE SW ¼ OF  
THE SE ¼ OF SECTION 24, T110N, R50W OF THE 5<sup>th</sup> P.M., CITY OF  
BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA

IN WITNESS HEREOF, the Lessor and Lessee have signed and sealed this lease effective the day and year first above written.

[The remainder of this page was intentionally left blank]

**SOUTH DAKOTA BOARD OF REGENTS**

By: \_\_\_\_\_  
 Its: \_\_\_\_\_

## ACKNOWLEDGEMENT

STATE OF SOUTH DAKOTA )  
 : SS  
 COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify \_\_\_\_\_, of the South Dakota Board of Regents to be the person whose name is subscribed to the within instrument, and personally came before me this day and acknowledged that they are the \_\_\_\_\_ of the South Dakota Board of Regents, and by authority duly given and as the act of deed of said entity. IN WITNESS HEREOF, I have hereunto set my hand and official Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

\_\_\_\_\_  
 Notary Public – State of South Dakota  
 My Commission Expires: \_\_\_\_\_

**SOUTH DAKOTA STATE COLLEGE DEVELOPMENT ASSOCIATION**

By: \_\_\_\_\_  
 Its: \_\_\_\_\_

## ACKNOWLEDGEMENT

STATE OF SOUTH DAKOTA )  
 : SS  
 COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify \_\_\_\_\_, of the South Dakota State College Development Association to be the person whose name is subscribed to the within instrument, and personally came before me this day and acknowledged that they are the \_\_\_\_\_ of the South Dakota State College Development Association, and by authority duly given and as the act of deed of said entity. IN WITNESS HEREOF, I have hereunto set my hand and official Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

\_\_\_\_\_  
 Notary Public – State of South Dakota  
 My Commission Expires: \_\_\_\_\_



**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – L**  
**DATE: October 6-7, 2021**

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**SUBJECT**

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

**CONTROLLING STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

According to BOR 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 October.

**South Dakota State University** requests approval of the following items:

**Miller Wellness Center – Window Re-Caulking, Upstairs Locker Remodel, and Concrete Walk & Pavement Upgrades:** SDSU requests approval to use \$433,900 in local maintenance and repair funds to combine several items into a project to be completed during the summer of 2022. Full design and construction are needed for the window re-caulking, upstairs locker room remodel, and concrete walk and pavement upgrades. SDSU is requesting delegation of this project to Facilities & Services. SDSU Facilities & Services will competitively solicit an outside architect to design the project. The design team will prepare plans and specifications that will be advertised for competitive bids in the spring of 2022 for construction in the summer of 2022.

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

**Lee Medicine and Science – Basement Renovation:** USD requests approval to use \$600,000 in local funds to renovate a few rooms in the basement of the Lee Medicine building. This project will expand the nursing simulation suite and renovate two small class labs into a new lab for Medical Laboratory Sciences.

**IMPACT AND RECOMMENDATIONS**

Staff recommends approval of this project.

**ATTACHMENTS**

None

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**DRAFT MOTION 20211006\_5-L:**

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 – M**  
**DATE: October 6-7, 2021**

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**SUBJECT**

**SDSU Naming Request – First Bank & Trust Arena**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:27](#) – Naming of Institutional Facilities, Programmatic Units or Funded Academic Honors

**BACKGROUND / DISCUSSION**

South Dakota State University (“SDSU”) requests authorization to name the Frost Basketball Arena, located within the Stanley J. Marshall Center along Jackrabbit Avenue, Brookings, SD, as the “First Bank & Trust Arena”.

The naming is in recognition of First Bank & Trust’s contribution to the development and well-being of SDSU, as well as its monetary contributions of \$20 million, which is instrumental in SDSU’s ability to renovate, construct, and operate Phase 2 of the Stanley J. Marshall Center Additions & Renovations. The the proposed name would be become effective upon completion of the project, with an end date of forty years from completion of project.

Board Policy No. 1:27 states the pertinent standards:

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:
    - A. the significance of the gift to the likely realization or success of a facility project or programmatic unit, based on the following guidelines:
      - i. 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.
      - ...
      - v. Before recommending a name in honor of an individual, corporate, or commercial entity, institutions must avoid any
- (Continued)

\*\*\*\*\*

**DRAFT MOTION 20211006\_5-M:**

I move to approve the request from SDSU to rename the Frost Arena within the Stanley J. Marshall Center, as presented in Attachment I.

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.

...

- B. the urgency or need for the project or program, or continuing support for the program,
  - C. the standing of the individual, family, or entity in the community or profession,
  - D. the nature and duration of the relationship of the proposed honoree to the university.
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:
- A. the proposed name will bring additional honor and distinction to the institution,
  - B. the recognition implied by the naming is appropriate for the behavior exhibited by the individual, family, or organization, and
  - C. any philanthropic commitments connected with the naming can be realized.

#### **IMPACT AND RECOMMENDATIONS**

The naming request from SDSU meets the requirements of Board Policy 1:27, and therefore, Board staff recommends approval.

#### **ATTACHMENTS**

Attachment I – Naming Request Form



## South Dakota Board of Regents

### Naming Request Form

*Request for Naming of Campus Facilities,  
Programmatic Units, or Funded Academic Honors*

Please send this completed form to [BORSEC@sdbor.edu](mailto:BORSEC@sdbor.edu).

Date Request Submitted: 9/21/2021

Name of Institution: South Dakota State University

Current Name: Frost Arena

Proposed Name: First Bank & Trust Arena

Effective Date and Duration of Proposed Name: Effective upon completion of project, with end date of 40 years from completion of project

Location on Campus: Stanley J. Marshall Center along Jackrabbit Avenue

Purpose of Facility, Space, or Program to be Named: The facility, part of the Stanley J. Marshall Center, serves as the university's venue for its home basketball games, as well as other athletic and non-athletic events.

If the naming request is the result of a gift, is the institution currently in possession of the gift? : Agreement signed

If the naming request is the result of a gift agreement that provides the donor the right to name the facility, when and how was the Board apprised of such an agreement in advance? (Please submit the gift agreement with this form.)

The signed gift agreement is attached.

Rationale for Proposed Name (Include in the space below, or attach documentation):

The naming is in recognition of First Bank & Trust's contribution to the development and well-being of SDSU, as well as their monetary contributions of \$20 million to the institution, as set forth in a gift agreement between the parties. This has resulted in the ability to renovate, construct, and operate Phase 2 of the Stanley J. Marshall Center Additions & Renovations. The effective date of the proposed name would be effective upon completion of the project, with an end date of forty years from completion of project.

**Authorization for Use of Name**

I, the undersigned, authorize the use of my name for the proposed naming request specified above.

  
 Signature

9/21/21  
 Date

Kevin A. Tetzlaff  
 Printed Name

**Campus Authorization of Naming Request**

I, the undersigned President/Superintendent, have a reasonable assurance that the proposed name will bring additional honor and distinction to the institution, the recognition implied by naming is appropriate for the behavior exhibited by the individual, family, or organization, and any philanthropic commitments connected with the naming can be realized. I certify that this naming request meets the criteria required by Board of Regents Policy 1:27, which key requirements are stated below:

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:
  - a. Serving the university in an academic or administrative capacity with high distinction, or
  - b. By contributing in other exceptional ways to the welfare and reputation of the university, to education, or the community in general.

OR

2. When naming a facility or programmatic unit for a person, family, or organization where there is a gift to the institution, consideration has been given to the following factors:
  - a. The significance of the gift to the likely realization or success of a facility project or programmatic unit, based on the following guidelines:
    - i. 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.
    - ii. 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.
    - iii. 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.
    - iv. 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.
    - v. 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.
      - a. 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.
  - b. the urgency or need for the project or program, or continuing support for the program,
  - c. the standing of the individual, family, or entity in the community or profession,
  - d. the nature and duration of the relationship of the proposed honoree to the university.

  
 President/Superintendent Signature

9-21-21  
 Date

# **SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – N**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**FY22 Operating Budgets**

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

[SDCL 4-7-13](#) – Legislative adoption of financial plan for each year

[BOR Policy 5:19](#) – System Funding

### **BACKGROUND / DISCUSSION**

At the conclusion of the 2021 legislative session, the FY22 General Bill (SB 195) was passed. The Board of Regents received an overall increase of \$7,702,130 to the general fund base, \$3,576,824 of which was appropriated for employee compensation, minimum adjustments, salary decompression, and health insurance plan adjustments. The total base general fund change was an increase of 3.4%. Attachment I summarizes the legislative action on the FY22 budget.

Attachment II provides the FY22 operating budgets for the six universities, NSU K-12 E-Learning, SDSU Extension, SDSU Agricultural Experiment Station, the USD Sanford School of Medicine, USD Law School, the two special schools, the Office of the Executive Director, System Issues (Federal Grants, Utilities – Energy Conservation, System Initiatives, Competitive Research and Innovative Research Grants, HEFF Projects and Lease Payments, Governor’s Research Centers, SD Opportunity Scholarship, etc.), Regents Information Systems, Regents Library Consortium, Enrollment Services Center, and Academic Initiatives. This summary presents each institution’s operating budget and FTE by fund source and National Association of College and University Business Officers (NACUBO) program.

Attachment III provides definitions of the nine National Association of College and University Business Officers (NACUBO) programs.

### **IMPACT AND RECOMMENDATIONS**

None

### **ATTACHMENTS**

Attachment I – FY22 Legislative Action Summary

Attachment II – FY22 Operating Budgets

Attachment III – NACUBO Definitions

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### **INFORMATIONAL ITEM**

South Dakota Board of Regents FY22 Board of Regents Request and Governor's Recommended				
	Base General Fund	FTE	Base General Fund	FTE
<b>FY21 Base General Fund Budget</b>	\$228,232,125	5,160.2	\$228,232,125	5,160.2
<b>Priorities</b>	<b>Requested</b>		<b>Recommended</b>	
<b>General Fund M&amp;R</b>	\$0	0.0	\$3,654,196	0.0
<b>South Dakota Opportunity Scholarship</b>	\$100,000	0.0	\$0	0.0
<b>Base Budget Maintenance</b>				
DSU Respiratory Program Shift to SDSU	(\$70,000)	0.0	(\$70,000)	0.0
SDSU Respiratory Program Shift from DSU	\$70,000	0.0	\$70,000	0.0
Utilities		0.0	(\$129,267)	0.0
Lease Adjustment	(\$6,243)	0.0	(\$6,243)	0.0
<b>Base Budget Maintenance</b>				
<b>FY22 Requested and Recommended</b>	\$93,757	0.0	\$3,518,686	0.0
<b>FY22 Total Base Funding Recommended</b>	\$228,325,882	5,160.2	\$231,750,811	5,160.2
<b>Increase without Salary Policy</b>	0.0%	0.0%	1.5%	0.0%

FY22 One-Time General Fund Requests				
<b>BHSU - West River Health Sciences Center</b>	\$90,000	0.0	\$90,000	0.0
<b>BHSU - Paraprofessional Education Program</b>	\$276,000	0.0	\$0	0.0
<b>SDSMT - Mineral Industries Building</b>	\$19,000,000	0.0	\$0	0.0
<b>SDSU - Precision Ag - Berg Agricultural Hall Remodel</b>	\$2,000,000	0.0	\$0	0.0
<b>SDSU AES - Precision Ranching</b>	\$453,200	0.0	\$453,200	0.0
<b>SDSU Extension - Rural Prosperity and Workforce Development</b>	\$100,000	0.0	\$0	0.0
<b>USD - Upgrade Equipment in Animal Resource Center</b>	\$355,000	0.0	\$355,000	0.0
FY22 Tuition Fund Authority Requests				
<b>Authority Changes</b>	\$165,416	-3.0	\$165,416	-3.0
FY22 Federal and Other Fund Authority Requests				
<b>Authority Changes</b>	\$1,613,250	3.0	\$1,613,250	3.0
FY22 Informational Federal and Other Fund Authority Requests				
<b>Authority Changes</b>	\$815,000	-2.0	\$815,000	-2.0

South Dakota Board of Regents FY22 Board of Regents Request and Legislatively Appropriated				
	Base General Fund	FTE	Base General Fund	FTE
<b>FY21 Base General Fund Budget</b>	\$228,232,125	5,160.2	\$228,232,125	5,160.2
<b>Priorities</b>	<b>Requested</b>		<b>Appropriated</b>	
<b>General Fund M&amp;R</b>	TBD	0.0	\$3,654,196	0.0
<b>South Dakota Opportunity Scholarship</b>	\$100,000	0.0	\$0	0.0
<b>Base Budget Maintenance</b>				
Post-Secondary Scholarship	TBD	0.0	\$9,101	0.0
Bio-processing Researchers	\$0	0.0	\$500,000	0.0
Utilities	\$0	0.0	(\$129,267)	0.0
Property Insurance Captive	\$0	0.0	\$97,519	0.0
Lease Adjustment	(\$6,243)	0.0	(\$6,243)	0.0
<b>FY22 Requested and Appropriated</b>	\$93,757	0.0	\$4,125,306	0.0
<b>FY22 Total Base Funding Appropriated</b>	\$228,325,882	5,158.2	\$232,357,431	5,158.2
<b>Increase without Salary Policy and Pool Allocations</b>	0.0%	0.0%	1.8%	0.0%
<b>Salary Policy Package</b>	TBD	0.0	\$5,642,565	0.0
<b>Health Insurance Increase/(Decrease)</b>	TBD	0.0	(\$2,065,741)	0.0
<b>Property Insurance Captive</b>	\$0	0.0	\$97,519	0.0
<b>FY22 Final Base</b>	\$228,325,882	5,158.2	\$235,934,255	5,158.2
<b>Increase with Salary Policy and Pool Allocations</b>	0.0%	0.0%	3.3%	0.0%

FY22 One-Time General Fund Requests				
<b>BHSU - West River Health Sciences Center</b>	\$90,000	0.0	\$90,000	0.0
<b>BHSU - Paraprofessional Education Program</b>	\$276,000	0.0	\$0	0.0
<b>SDSMT - Mineral Industries Building</b>	\$19,000,000	0.0	\$0	0.0
<b>SDSU - Precision Ag - Berg Agricultural Hall Remodel</b>	\$2,000,000	0.0	\$0	0.0
<b>SDSU AES - Precision Ranching</b>	\$453,200	0.0	\$453,200	0.0
<b>SDSU Extension - Rural Prosperity and Workforce Development</b>	\$100,000	0.0	\$0	0.0
<b>USD - Upgrade Equipment in Animal Resource Center</b>	\$355,000	0.0	\$355,000	0.0
FY22 Tuition Fund Authority Requested and Appropriated				
<b>Authority Changes</b>	\$165,416	-3.0	\$165,416	-3.0
FY22 Federal and Other Fund Authority Requested and Appropriated				
<b>Authority Changes</b>	\$1,613,250	3.0	\$1,613,250	3.0
FY22 Informational Federal and Other Fund Authority Requested and Appropriated				
<b>Authority Changes</b>	\$815,000	-2.0	\$815,000	-2.0



**South Dakota Board of Regents  
FY22 Budget Summary**

	<b>FTE</b>	<b>GENERAL</b>	<b>FEDERAL</b>	<b>OTHER</b>	<b>TOTAL</b>
<b>FY21 Base Budget</b>	<b>5,160.2</b>	<b>228,232,125</b>	<b>84,263,862</b>	<b>505,911,715</b>	<b>818,407,702</b>
<b>FY22 Base Budget Appropriated Adjustments</b>					
Utilities Increase/(Decrease)		(129,267)			(129,267)
Critical Deferred Lease Payment Adjustment		(6,243)			(6,243)
Maintenance & Repair		3,654,196			3,654,196
Post-Secondary Scholarship		9,101			9,101
BHSU Authority Increase/(Decrease) Request	(12.0)		(700,000)	(160,000)	(860,000)
DSU Authority Increase/(Decrease) Request	3.0		775,000	900,000	1,675,000
DSU Respiratory Program Shift to SDSU		(70,000)			(70,000)
NSU Authority Increase/(Decrease) Request	(2.0)			750,000	750,000
SDSMT Bio-processing researchers		250,000			250,000
SDSU Bio-processing researchers		250,000			250,000
SDSU Respiratory Program Shift from DSU		70,000			70,000
USD Authority Increase/(Decrease) Request				20,000	20,000
USD Graduate Nursing Program Expansion				262,266	262,266
USD Health Sciences Librarian & Subscriptions				239,750	239,750
USD Med Authority Increase/(Decrease) Request	9.0				-
USD Training & Service Agreements				506,650	506,650
<b>FY22 Base Budget Without Salary Policy &amp; Pool Allocations</b>	<b>5,158.2</b>	<b>232,259,912</b>	<b>84,338,862</b>	<b>508,430,381</b>	<b>825,029,155</b>
<b>Salary Policy Package</b>		5,642,565	1,055,233	7,606,318	14,304,116
<b>Health Insurance Increase/(Decrease)</b>		(2,065,741)	(225,092)	(2,220,934)	(4,511,767)
<b>Property Insurance Captive Pool</b>		97,519		1,044,675	1,142,194
<b>FY22 Base Budget</b>	<b>5,158.2</b>	<b>235,934,255</b>	<b>85,169,003</b>	<b>514,860,440</b>	<b>835,963,698</b>
<b>FY22 Base Budget Load Changes</b>					
BOR Authority Increase/(Decrease) Request	4.2		4,200,000		4,200,000
BHSU Authority Increase/(Decrease) Request	(15.0)			(1,163,007)	(1,163,007)
USD Authority Increase/(Decrease) Request	(7.0)			(1,495,991)	(1,495,991)
<b>FY22 Final Base Operating Budget</b>	<b>5,140.4</b>	<b>235,934,255</b>	<b>89,369,003</b>	<b>512,201,442</b>	<b>837,504,700</b>
<b>% Change from FY21</b>	<b>-0.4%</b>	<b>3.4%</b>	<b>6.1%</b>	<b>1.2%</b>	<b>2.3%</b>

Black Hills State University  
FY22 Operating Budget

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$176,349	\$0	\$0	\$11,935,001	\$0	\$1,036	\$498,121	\$0	\$12,512	\$12,623,019
Operating Expense	<u>\$350</u>	<u>\$0</u>	<u>\$0</u>	<u>\$390,681</u>	<u>\$0</u>	<u>\$2,184</u>	<u>\$559,623</u>	<u>\$0</u>	<u>\$420,904</u>	<u>\$1,373,742</u>
Subtotal	\$176,699	\$0	\$0	\$12,325,682	\$0	\$3,221	\$1,057,744	\$0	\$433,416	\$13,996,761
FTE	2.2	-	-	133.3	-	-	4.9	-	0.1	140.5
<b>02 Research</b>										
Personal Services	\$61,360	\$0	\$0	\$66,558	\$0	\$1,075,386	\$97,690	\$0	\$0	\$1,300,994
Operating Expense	<u>\$120</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$586,189</u>	<u>\$42,510</u>	<u>\$0</u>	<u>\$0</u>	<u>\$628,820</u>
Subtotal	\$61,480	\$0	\$0	\$66,558	\$0	\$1,661,576	\$140,200	\$0	\$0	\$1,929,814
FTE	0.5	-	-	-	-	9.7	0.7	-	-	10.9
<b>03 Public Service</b>										
Personal Services	\$8,813	\$0	\$0	\$0	\$0	\$227,838	\$694,962	\$0	\$0	\$931,613
Operating Expense	<u>\$30</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,649</u>	<u>\$0</u>	<u>\$384,527</u>	<u>\$480,987</u>	<u>\$0</u>	<u>\$0</u>	<u>\$869,193</u>
Subtotal	\$8,843	\$0	\$0	\$3,649	\$0	\$612,365	\$1,175,949	\$0	\$0	\$1,800,806
FTE	-	-	-	-	-	2.5	6.8	-	-	9.3
<b>04 Academic Support</b>										
Personal Services	\$2,402,649	\$0	\$0	\$139,093	\$0	\$0	\$9,561	\$0	\$0	\$2,551,303
Operating Expense	<u>\$4,380</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,384,618</u>	<u>\$0</u>	<u>\$0</u>	<u>\$71,250</u>	<u>\$0</u>	<u>\$27,483</u>	<u>\$1,487,731</u>
Subtotal	\$2,407,029	\$0	\$0	\$1,523,711	\$0	\$0	\$80,811	\$0	\$27,483	\$4,039,034
FTE	26.0	-	-	1.1	-	-	-	-	-	27.1
<b>05 Student Services</b>										
Personal Services	\$1,994,898	\$0	\$0	\$1,481,936	\$0	\$185,848	\$124,525	\$0	\$325,294	\$4,112,502
Operating Expense	<u>\$3,470</u>	<u>\$0</u>	<u>\$0</u>	<u>\$804,494</u>	<u>\$0</u>	<u>\$74,323</u>	<u>\$152,728</u>	<u>\$0</u>	<u>\$239,206</u>	<u>\$1,274,221</u>
Subtotal	\$1,998,368	\$0	\$0	\$2,286,430	\$0	\$260,170	\$277,253	\$0	\$564,500	\$5,386,722
FTE	28.3	-	-	19.3	-	4.4	1.6	-	4.3	57.9
<b>06 Institutional Support</b>										
Personal Services	\$2,956,606	\$0	\$0	\$922,963	\$0	\$0	\$352,536	\$0	\$0	\$4,232,105
Operating Expense	<u>\$5,660</u>	<u>\$0</u>	<u>\$173,360</u>	<u>\$879,550</u>	<u>\$0</u>	<u>\$0</u>	<u>\$500,212</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,558,782</u>
Subtotal	\$2,962,266	\$0	\$173,360	\$1,802,513	\$0	\$0	\$852,748	\$0	\$0	\$5,790,887
FTE	30.0	-	-	8.8	-	-	5.2	-	-	44.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$2,266,388	\$0	\$0	\$170,924	\$0	\$0	\$80,748	\$0	\$15,350	\$2,533,410
Operating Expense	<u>\$510,754</u>	<u>\$31,161</u>	<u>\$0</u>	<u>\$430,279</u>	<u>\$0</u>	<u>\$0</u>	<u>\$254,500</u>	<u>\$0</u>	<u>\$74,342</u>	<u>\$1,301,036</u>
Subtotal	\$2,777,142	\$31,161	\$0	\$601,203	\$0	\$0	\$335,248	\$0	\$89,692	\$3,834,446
FTE	44.9	-	-	2.3	-	-	1.9	-	0.1	49.1
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$116,572</u>	<u>\$0</u>	<u>\$7,000</u>	<u>\$123,572</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$116,572	\$0	\$7,000	\$123,572
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$219,440	\$0	\$0	\$1,711,895	\$341,954	\$139,876	\$2,413,166
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$44,588</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,462,334</u>	<u>\$2,685,910</u>	<u>\$707,208</u>	<u>\$4,900,040</u>
Subtotal	\$0	\$0	\$0	\$264,028	\$0	\$0	\$3,174,228	\$3,027,864	\$847,084	\$7,313,205
FTE	-	-	-	2.0	-	-	13.2	4.0	2.0	21.1
<b>Total Operating Budget</b>										
Personal Services	\$9,867,063	\$0	\$0	\$14,935,916	\$0	\$1,490,108	\$3,570,039	\$341,954	\$493,032	\$30,698,112
Operating Expense	<u>\$524,764</u>	<u>\$31,161</u>	<u>\$173,360</u>	<u>\$3,937,859</u>	<u>\$0</u>	<u>\$1,047,223</u>	<u>\$3,640,716</u>	<u>\$2,685,910</u>	<u>\$1,476,143</u>	<u>\$13,517,136</u>
Subtotal	\$10,391,827	\$31,161	\$173,360	\$18,873,775	\$0	\$2,537,331	\$7,210,755	\$3,027,864	\$1,969,175	\$44,215,248
FTE	131.9	-	-	166.7	-	16.6	34.3	4.0	6.5	360.0

**Dakota State University  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$1,023,532	\$0	\$0	\$11,779,846	\$0	\$124,402	\$766,088	\$0	\$1,631,719	\$15,325,587
Operating Expense	<u>\$39,357</u>	<u>\$0</u>	<u>\$0</u>	<u>\$383,699</u>	<u>\$0</u>	<u>\$73,984</u>	<u>\$72,659</u>	<u>\$0</u>	<u>\$1,008,130</u>	<u>\$1,577,829</u>
Subtotal	\$1,062,889	\$0	\$0	\$12,163,545	\$0	\$198,386	\$838,747	\$0	\$2,639,849	\$16,903,416
FTE	3.3	-	-	95.7	-	2.0	8.6	-	15.4	124.9
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$22,792	\$0	\$1,163,995	\$1,767,601	\$0	\$0	\$2,954,388
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$50</u>	<u>\$0</u>	<u>\$1,228,489</u>	<u>\$1,459,151</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,687,690</u>
Subtotal	\$0	\$0	\$0	\$22,842	\$0	\$2,392,484	\$3,226,752	\$0	\$0	\$5,642,078
FTE	-	-	-	-	-	9.0	2.8	-	-	11.8
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$154,472	\$1,121,362	\$0	\$0	\$1,275,834
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$57,665</u>	<u>\$4,660,193</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,717,858</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$212,137	\$5,781,555	\$0	\$0	\$5,993,692
FTE	-	-	-	-	-	1.7	8.0	-	-	9.6
<b>04 Academic Support</b>										
Personal Services	\$1,753,568	\$0	\$0	\$691,429	\$0	\$10,904	\$0	\$0	\$60,517	\$2,516,418
Operating Expense	<u>\$3,081</u>	<u>\$0</u>	<u>\$173,360</u>	<u>\$467,118</u>	<u>\$0</u>	<u>\$1,714</u>	<u>\$32,050</u>	<u>\$0</u>	<u>\$470,000</u>	<u>\$1,147,323</u>
Subtotal	\$1,756,649	\$0	\$173,360	\$1,158,547	\$0	\$12,618	\$32,050	\$0	\$530,517	\$3,663,741
FTE	17.3	-	-	7.4	-	-	-	-	0.7	25.4
<b>05 Student Services</b>										
Personal Services	\$2,970,310	\$0	\$0	\$716,161	\$0	\$54,744	\$934,564	\$0	\$45,850	\$4,721,629
Operating Expense	<u>\$110,589</u>	<u>\$0</u>	<u>\$0</u>	<u>\$930,520</u>	<u>\$0</u>	<u>\$1,614</u>	<u>\$1,122,825</u>	<u>\$0</u>	<u>\$363,406</u>	<u>\$2,528,954</u>
Subtotal	\$3,080,899	\$0	\$0	\$1,646,681	\$0	\$56,358	\$2,057,389	\$0	\$409,256	\$7,250,583
FTE	46.9	-	-	8.9	-	0.8	1.8	-	0.1	58.5
<b>06 Institutional Support</b>										
Personal Services	\$2,813,004	\$0	\$0	\$1,744,198	\$0	\$0	\$912,578	\$0	\$53,692	\$5,523,472
Operating Expense	<u>\$65,840</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,131,629</u>	<u>\$0</u>	<u>\$488,401</u>	<u>\$570,372</u>	<u>\$0</u>	<u>\$96</u>	<u>\$2,256,338</u>
Subtotal	\$2,878,844	\$0	\$0	\$2,875,827	\$0	\$488,401	\$1,482,950	\$0	\$53,788	\$7,779,810
FTE	26.3	-	-	19.8	-	-	4.9	-	1.0	52.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$1,516,465	\$0	\$0	\$86,302	\$0	\$0	\$0	\$0	\$26,606	\$1,629,373
Operating Expense	<u>\$420,130</u>	<u>\$22,362</u>	<u>\$0</u>	<u>\$185,551</u>	<u>\$0</u>	<u>\$0</u>	<u>\$27,189</u>	<u>\$0</u>	<u>\$69,500</u>	<u>\$724,732</u>
Subtotal	\$1,936,595	\$22,362	\$0	\$271,853	\$0	\$0	\$27,189	\$0	\$96,106	\$2,354,105
FTE	27.5	-	-	1.0	-	-	-	-	0.5	29.0
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$245,900	\$0	\$0	\$0	\$245,900
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$259,364</u>	<u>\$44,921</u>	<u>\$0</u>	<u>\$0</u>	<u>\$304,285</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$505,264	\$44,921	\$0	\$0	\$550,185
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$229,757	\$624,384	\$189,560	\$1,043,701
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$720,920</u>	<u>\$4,574,000</u>	<u>\$40,716</u>	<u>\$5,335,636</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$950,677	\$5,198,384	\$230,276	\$6,379,337
FTE	-	-	-	-	-	-	3.5	12.4	2.7	18.6
<b>Total Operating Budget</b>										
Personal Services	\$10,076,879	\$0	\$0	\$15,040,728	\$0	\$1,754,417	\$5,731,950	\$624,384	\$2,007,944	\$35,236,302
Operating Expense	<u>\$638,997</u>	<u>\$22,362</u>	<u>\$173,360</u>	<u>\$3,098,567</u>	<u>\$0</u>	<u>\$2,111,231</u>	<u>\$8,710,280</u>	<u>\$4,574,000</u>	<u>\$1,951,848</u>	<u>\$21,280,645</u>
Subtotal	\$10,715,876	\$22,362	\$173,360	\$18,139,295	\$0	\$3,865,648	\$14,442,230	\$5,198,384	\$3,959,792	\$56,516,947
FTE	121.3	-	-	132.7	-	13.4	29.6	12.4	20.4	329.8

**Northern State University**  
**FY22 Operating Budget**  
(not including K-12 E-Learning)

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$2,234,311	\$0	\$0	\$8,883,615	\$0	\$116,040	\$1,011,229	\$0	\$331,164	\$12,576,359
Operating Expense	<u>\$9,292</u>	<u>\$0</u>	<u>\$133,593</u>	<u>\$2,728,355</u>	<u>\$0</u>	<u>\$5,000</u>	<u>\$2,856,566</u>	<u>\$0</u>	<u>\$334,081</u>	<u>\$6,066,887</u>
Subtotal	\$2,243,603	\$0	\$133,593	\$11,611,970	\$0	\$121,040	\$3,867,795	\$0	\$665,245	\$18,643,246
FTE	24.2	-	-	94.0	-	-	16.8	-	4.3	139.3
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$144,478	\$366	\$0	\$0	\$144,844
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$215,429</u>	<u>\$48,333</u>	<u>\$0</u>	<u>\$0</u>	<u>\$263,762</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$359,907	\$48,699	\$0	\$0	\$408,606
FTE	-	-	-	-	-	0.8	-	-	-	0.8
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$224,443	\$0	\$300,022	\$0	\$0	\$0	\$524,465
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,540</u>	<u>\$0</u>	<u>\$507,177</u>	<u>\$71,273</u>	<u>\$0</u>	<u>\$0</u>	<u>\$581,990</u>
Subtotal	\$0	\$0	\$0	\$227,983	\$0	\$807,199	\$71,273	\$0	\$0	\$1,106,455
FTE	-	-	-	2.5	-	3.3	-	-	-	5.8
<b>04 Academic Support</b>										
Personal Services	\$2,164,682	\$0	\$0	\$168,134	\$0	\$69,750	\$2,130	\$0	\$0	\$2,404,696
Operating Expense	<u>\$156,364</u>	<u>\$0</u>	<u>\$139,800</u>	<u>\$573,653</u>	<u>\$0</u>	<u>\$0</u>	<u>\$91,060</u>	<u>\$0</u>	<u>\$14,000</u>	<u>\$974,877</u>
Subtotal	\$2,321,046	\$0	\$139,800	\$741,787	\$0	\$69,750	\$93,190	\$0	\$14,000	\$3,379,573
FTE	24.7	-	-	2.3	-	-	-	-	-	26.9
<b>05 Student Services</b>										
Personal Services	\$3,902,512	\$0	\$0	\$185,659	\$0	\$421,461	\$262,299	\$0	\$46,665	\$4,818,596
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$406,319</u>	<u>\$0</u>	<u>\$173,482</u>	<u>\$699,108</u>	<u>\$0</u>	<u>\$656,095</u>	<u>\$1,935,004</u>
Subtotal	\$3,902,512	\$0	\$0	\$591,978	\$0	\$594,943	\$961,407	\$0	\$702,760	\$6,753,600
FTE	53.1	-	-	2.0	-	4.4	3.2	-	-	62.6
<b>06 Institutional Support</b>										
Personal Services	\$2,293,273	\$0	\$0	\$306,148	\$0	\$113,120	\$1,026,236	\$0	\$0	\$3,738,777
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$571,278</u>	<u>\$0</u>	<u>\$0</u>	<u>\$280,800</u>	<u>\$0</u>	<u>\$0</u>	<u>\$852,078</u>
Subtotal	\$2,293,273	\$0	\$0	\$877,426	\$0	\$113,120	\$1,307,036	\$0	\$0	\$4,590,855
FTE	22.5	-	-	2.7	-	-	10.5	-	-	35.7
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$1,646,207	\$0	\$0	\$0	\$0	\$5,400	\$110,552	\$0	\$0	\$1,762,159
Operating Expense	<u>\$548,511</u>	<u>\$36,293</u>	<u>\$0</u>	<u>\$720,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$78,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,382,804</u>
Subtotal	\$2,194,718	\$36,293	\$0	\$720,000	\$0	\$5,400	\$188,552	\$0	\$0	\$3,144,963
FTE	33.4	-	-	-	-	-	2.0	-	-	35.4
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$48,208	\$120,721	\$804,172	\$90,178	\$1,063,279
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$560,000</u>	<u>\$2,655,500</u>	<u>\$157,822</u>	<u>\$3,373,322</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$48,208	\$680,721	\$3,459,672	\$248,000	\$4,436,601
FTE	-	-	-	-	-	-	2.5	15.3	1.8	19.6
<b>Total Operating Budget</b>										
Personal Services	\$12,240,985	\$0	\$0	\$9,767,999	\$0	\$1,218,479	\$2,533,533	\$804,172	\$468,007	\$27,033,175
Operating Expense	<u>\$714,167</u>	<u>\$36,293</u>	<u>\$273,393</u>	<u>\$5,003,145</u>	<u>\$0</u>	<u>\$901,088</u>	<u>\$4,685,140</u>	<u>\$2,655,500</u>	<u>\$1,161,998</u>	<u>\$15,430,724</u>
Subtotal	\$12,955,152	\$36,293	\$273,393	\$14,771,144	\$0	\$2,119,567	\$7,218,673	\$3,459,672	\$1,630,005	\$42,463,899
FTE	157.8	-	-	103.4	-	8.5	35.0	15.3	6.1	326.1

Northern State University - K-12 E-Learning  
FY22 Operating Budget

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$2,232,390	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,232,390
Operating Expense	<u>\$64,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$64,000</u>
Subtotal	\$2,296,390	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,296,390
FTE	27.4	-	-	-	-	-	-	-	-	27.4
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$605,946	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$605,946
Operating Expense	<u>\$191,408</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$191,408</u>
Subtotal	\$797,354	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$797,354
FTE	7.5	-	-	-	-	-	-	-	-	7.5
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$2,838,336	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,838,336
Operating Expense	<u>\$255,408</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$255,408</u>
Subtotal	\$3,093,744	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,093,744
FTE	34.9	-	-	-	-	-	-	-	-	34.9

**Northern State University**  
**FY22 Operating Budget**  
(Including K-12 E-Learning)

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$4,466,701	\$0	\$0	\$8,883,615	\$0	\$116,040	\$1,011,229	\$0	\$331,164	\$14,808,749
Operating Expense	<u>\$73,292</u>	<u>\$0</u>	<u>\$133,593</u>	<u>\$2,728,355</u>	<u>\$0</u>	<u>\$5,000</u>	<u>\$2,856,566</u>	<u>\$0</u>	<u>\$334,081</u>	<u>\$6,130,887</u>
Subtotal	\$4,539,993	\$0	\$133,593	\$11,611,970	\$0	\$121,040	\$3,867,795	\$0	\$665,245	\$20,939,636
FTE	51.6	-	-	94.0	-	-	16.8	-	4.3	166.7
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$144,478	\$366	\$0	\$0	\$144,844
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$215,429</u>	<u>\$48,333</u>	<u>\$0</u>	<u>\$0</u>	<u>\$263,762</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$359,907	\$48,699	\$0	\$0	\$408,606
FTE	-	-	-	-	-	0.8	-	-	-	0.8
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$224,443	\$0	\$300,022	\$0	\$0	\$0	\$524,465
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,540</u>	<u>\$0</u>	<u>\$507,177</u>	<u>\$71,273</u>	<u>\$0</u>	<u>\$0</u>	<u>\$581,990</u>
Subtotal	\$0	\$0	\$0	\$227,983	\$0	\$807,199	\$71,273	\$0	\$0	\$1,106,455
FTE	-	-	-	2.5	-	3.3	-	-	-	5.8
<b>04 Academic Support</b>										
Personal Services	\$2,770,628	\$0	\$0	\$168,134	\$0	\$69,750	\$2,130	\$0	\$0	\$3,010,642
Operating Expense	<u>\$347,772</u>	<u>\$0</u>	<u>\$139,800</u>	<u>\$573,653</u>	<u>\$0</u>	<u>\$0</u>	<u>\$91,060</u>	<u>\$0</u>	<u>\$14,000</u>	<u>\$1,166,285</u>
Subtotal	\$3,118,400	\$0	\$139,800	\$741,787	\$0	\$69,750	\$93,190	\$0	\$14,000	\$4,176,927
FTE	32.2	-	-	2.3	-	-	-	-	-	34.4
<b>05 Student Services</b>										
Personal Services	\$3,902,512	\$0	\$0	\$185,659	\$0	\$421,461	\$262,299	\$0	\$46,665	\$4,818,596
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$406,319</u>	<u>\$0</u>	<u>\$173,482</u>	<u>\$699,108</u>	<u>\$0</u>	<u>\$656,095</u>	<u>\$1,935,004</u>
Subtotal	\$3,902,512	\$0	\$0	\$591,978	\$0	\$594,943	\$961,407	\$0	\$702,760	\$6,753,600
FTE	53.1	-	-	2.0	-	4.4	3.2	-	-	62.6
<b>06 Institutional Support</b>										
Personal Services	\$2,293,273	\$0	\$0	\$306,148	\$0	\$113,120	\$1,026,236	\$0	\$0	\$3,738,777
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$571,278</u>	<u>\$0</u>	<u>\$0</u>	<u>\$280,800</u>	<u>\$0</u>	<u>\$0</u>	<u>\$852,078</u>
Subtotal	\$2,293,273	\$0	\$0	\$877,426	\$0	\$113,120	\$1,307,036	\$0	\$0	\$4,590,855
FTE	22.5	-	-	2.7	-	-	10.5	-	-	35.7
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$1,646,207	\$0	\$0	\$0	\$0	\$5,400	\$110,552	\$0	\$0	\$1,762,159
Operating Expense	<u>\$548,511</u>	<u>\$36,293</u>	<u>\$0</u>	<u>\$720,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$78,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,382,804</u>
Subtotal	\$2,194,718	\$36,293	\$0	\$720,000	\$0	\$5,400	\$188,552	\$0	\$0	\$3,144,963
FTE	33.4	-	-	-	-	-	2.0	-	-	35.4
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$48,208	\$120,721	\$804,172	\$90,178	\$1,063,279
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$560,000</u>	<u>\$2,655,500</u>	<u>\$157,822</u>	<u>\$3,373,322</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$48,208	\$680,721	\$3,459,672	\$248,000	\$4,436,601
FTE	-	-	-	-	-	-	2.5	15.3	1.8	19.6
<b>Total Operating Budget</b>										
Personal Services	\$15,079,321	\$0	\$0	\$9,767,999	\$0	\$1,218,479	\$2,533,533	\$804,172	\$468,007	\$29,871,511
Operating Expense	<u>\$969,575</u>	<u>\$36,293</u>	<u>\$273,393</u>	<u>\$5,003,145</u>	<u>\$0</u>	<u>\$901,088</u>	<u>\$4,685,140</u>	<u>\$2,655,500</u>	<u>\$1,161,998</u>	<u>\$15,686,132</u>
Subtotal	\$16,048,896	\$36,293	\$273,393	\$14,771,144	\$0	\$2,119,567	\$7,218,673	\$3,459,672	\$1,630,005	\$45,557,643
FTE	192.7	-	-	103.4	-	8.5	35.0	15.3	6.1	361.0

**South Dakota School of Mines and Technology  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$5,118,348	\$0	\$0	\$14,604,628	\$0	\$0	\$117,320	\$0	\$2,150,433	\$21,990,730
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$513,425</u>	<u>\$0</u>	<u>\$0</u>	<u>\$671,400</u>	<u>\$0</u>	<u>\$1,107,375</u>	<u>\$2,292,200</u>
Subtotal	\$5,118,348	\$0	\$0	\$15,118,053	\$0	\$0	\$788,720	\$0	\$3,257,808	\$24,282,929
FTE	45.5	-	-	118.8	-	-	0.5	-	16.8	181.6
<b>02 Research</b>										
Personal Services	\$136,332	\$0	\$0	\$0	\$0	\$6,616,408	\$1,584,157	\$0	\$0	\$8,336,897
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$20,000</u>	<u>\$0</u>	<u>\$3,923,637</u>	<u>\$1,990,816</u>	<u>\$0</u>	<u>\$0</u>	<u>\$5,934,453</u>
Subtotal	\$136,332	\$0	\$0	\$20,000	\$0	\$10,540,045	\$3,574,973	\$0	\$0	\$14,271,350
FTE	1.0	-	-	-	-	27.4	10.7	-	-	39.1
<b>03 Public Service</b>										
Personal Services	\$104,038	\$0	\$0	\$0	\$0	\$201,112	\$203,689	\$0	\$0	\$508,839
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$157,735</u>	<u>\$267,852</u>	<u>\$0</u>	<u>\$0</u>	<u>\$425,587</u>
Subtotal	\$104,038	\$0	\$0	\$0	\$0	\$358,847	\$471,541	\$0	\$0	\$934,426
FTE	1.0	-	-	-	-	1.0	2.4	-	-	4.4
<b>04 Academic Support</b>										
Personal Services	\$2,018,607	\$0	\$0	\$616,897	\$0	\$0	\$33,444	\$0	\$579,577	\$3,248,524
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$176,022</u>	<u>\$796,926</u>	<u>\$0</u>	<u>\$0</u>	<u>\$169,720</u>	<u>\$0</u>	<u>\$1,154,840</u>	<u>\$2,297,508</u>
Subtotal	\$2,018,607	\$0	\$176,022	\$1,413,822	\$0	\$0	\$203,164	\$0	\$1,734,417	\$5,546,032
FTE	24.0	-	-	5.7	-	-	0.3	-	4.5	34.5
<b>05 Student Services</b>										
Personal Services	\$3,798,416	\$0	\$0	\$626,381	\$0	\$0	\$25,920	\$0	\$447,647	\$4,898,364
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$525,310</u>	<u>\$0</u>	<u>\$0</u>	<u>\$837,788</u>	<u>\$0</u>	<u>\$729,991</u>	<u>\$2,093,088</u>
Subtotal	\$3,798,416	\$0	\$0	\$1,151,691	\$0	\$0	\$863,708	\$0	\$1,177,638	\$6,991,452
FTE	52.3	-	-	6.8	-	-	0.7	-	5.9	65.6
<b>06 Institutional Support</b>										
Personal Services	\$3,880,084	\$0	\$0	\$168,264	\$0	\$0	\$2,324,855	\$0	\$32,707	\$6,405,910
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,275,148</u>	<u>\$0</u>	<u>\$0</u>	<u>\$938,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,213,648</u>
Subtotal	\$3,880,084	\$0	\$0	\$1,443,412	\$0	\$0	\$3,263,355	\$0	\$32,707	\$8,619,558
FTE	41.9	-	-	1.5	-	-	11.9	-	1.5	56.7
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$2,605,905	\$0	\$0	\$352,904	\$0	\$0	\$0	\$0	\$0	\$2,958,809
Operating Expense	<u>\$862,646</u>	<u>\$34,093</u>	<u>\$0</u>	<u>\$202,230</u>	<u>\$0</u>	<u>\$0</u>	<u>\$126,300</u>	<u>\$0</u>	<u>\$70,000</u>	<u>\$1,295,269</u>
Subtotal	\$3,468,551	\$34,093	\$0	\$555,134	\$0	\$0	\$126,300	\$0	\$70,000	\$4,254,078
FTE	49.7	-	-	4.6	-	-	-	-	-	54.3
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,120,140</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,120,140</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$1,120,140	\$0	\$0	\$0	\$1,120,140
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$314,618	\$546,594	\$240,354	\$1,101,566
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,612,674</u>	<u>\$5,486,169</u>	<u>\$292,761</u>	<u>\$7,391,604</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$1,927,292	\$6,032,763	\$533,115	\$8,493,171
FTE	-	-	-	-	-	-	4.4	5.1	2.8	12.3
<b>Total Operating Budget</b>										
Personal Services	\$17,661,730	\$0	\$0	\$16,369,073	\$0	\$6,817,520	\$4,604,004	\$546,594	\$3,450,718	\$49,449,640
Operating Expense	<u>\$862,646</u>	<u>\$34,093</u>	<u>\$176,022</u>	<u>\$3,333,039</u>	<u>\$0</u>	<u>\$5,201,512</u>	<u>\$6,615,048</u>	<u>\$5,486,169</u>	<u>\$3,354,967</u>	<u>\$25,063,496</u>
Subtotal	\$18,524,376	\$34,093	\$176,022	\$19,702,112	\$0	\$12,019,032	\$11,219,053	\$6,032,763	\$6,805,685	\$74,513,136
FTE	215.4	-	-	137.3	-	28.4	30.8	5.1	31.4	448.4

**South Dakota State University  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$15,110,617	\$0	\$0	\$41,432,820	\$0	\$626,526	\$2,299,491	\$0	\$12,411,770	\$71,881,225
Operating Expense	<u>\$358,365</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,845,183</u>	<u>\$0</u>	<u>\$5,252,675</u>	<u>\$6,724,017</u>	<u>\$0</u>	<u>\$4,522,164</u>	<u>\$19,702,404</u>
Subtotal	\$15,468,982	\$0	\$0	\$44,278,003	\$0	\$5,879,201	\$9,023,508	\$0	\$16,933,934	\$91,583,628
FTE	160.4	-	-	336.6	-	0.3	19.3	-	120.8	637.4
<b>02 Research</b>										
Personal Services	\$891,131	\$0	\$0	\$0	\$0	\$5,401,816	\$3,026,297	\$0	\$0	\$9,319,244
Operating Expense	<u>\$23,570</u>	<u>\$0</u>	<u>\$0</u>	<u>\$28,974</u>	<u>\$0</u>	<u>\$3,213,441</u>	<u>\$1,043,301</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,309,286</u>
Subtotal	\$914,701	\$0	\$0	\$28,974	\$0	\$8,615,257	\$4,069,598	\$0	\$0	\$13,628,530
FTE	7.8	-	-	-	-	18.1	26.1	-	-	52.0
<b>03 Public Service</b>										
Personal Services	\$1,929,221	\$0	\$0	\$0	\$0	\$1,726,543	\$2,622,106	\$0	\$0	\$6,277,870
Operating Expense	<u>\$219,048</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,995,813</u>	<u>\$3,133,462</u>	<u>\$0</u>	<u>\$36,412</u>	<u>\$5,384,735</u>
Subtotal	\$2,148,269	\$0	\$0	\$0	\$0	\$3,722,355	\$5,755,568	\$0	\$36,412	\$11,662,605
FTE	19.9	-	-	-	-	17.5	40.2	-	-	77.5
<b>04 Academic Support</b>										
Personal Services	\$5,907,140	\$0	\$0	\$7,195,726	\$0	\$43,855	\$701,299	\$0	\$838,726	\$14,686,746
Operating Expense	<u>\$5,524</u>	<u>\$0</u>	<u>\$0</u>	<u>\$6,248,287</u>	<u>\$0</u>	<u>\$40,495</u>	<u>\$2,091,029</u>	<u>\$0</u>	<u>\$1,136,450</u>	<u>\$9,521,785</u>
Subtotal	\$5,912,664	\$0	\$0	\$13,444,013	\$0	\$84,350	\$2,792,328	\$0	\$1,975,176	\$24,208,531
FTE	82.9	-	-	58.6	-	-	8.1	-	9.2	158.7
<b>05 Student Services</b>										
Personal Services	\$8,033,060	\$0	\$334,809	\$3,445,068	\$0	\$320,476	\$2,350,967	\$0	\$1,044,079	\$15,528,460
Operating Expense	<u>\$8,224</u>	<u>\$0</u>	<u>\$513,642</u>	<u>\$2,976,633</u>	<u>\$0</u>	<u>\$365,703</u>	<u>\$4,816,621</u>	<u>\$0</u>	<u>\$2,604,456</u>	<u>\$11,285,279</u>
Subtotal	\$8,041,284	\$0	\$848,451	\$6,421,701	\$0	\$686,179	\$7,167,588	\$0	\$3,648,535	\$26,813,738
FTE	122.5	-	4.5	38.4	-	5.0	15.3	-	12.4	198.1
<b>06 Institutional Support</b>										
Personal Services	\$5,849,679	\$0	\$0	\$4,548,339	\$0	\$0	\$5,742,539	\$0	\$146,313	\$16,286,870
Operating Expense	<u>\$1,038,282</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,188,888</u>	<u>\$0</u>	<u>\$0</u>	<u>\$15,846</u>	<u>\$0</u>	<u>\$2,069,093</u>	<u>\$7,312,109</u>
Subtotal	\$6,887,961	\$0	\$0	\$8,737,227	\$0	\$0	\$5,758,385	\$0	\$2,215,406	\$23,598,979
FTE	104.3	-	-	28.5	-	-	48.2	-	2.5	183.5
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$8,671,787	\$0	\$0	\$198,546	\$0	\$0	\$4,243,329	\$0	\$0	\$13,113,663
Operating Expense	<u>\$4,040,985</u>	<u>\$131,975</u>	<u>\$0</u>	<u>\$1,557,713</u>	<u>\$0</u>	<u>\$216,491</u>	<u>\$10,838,534</u>	<u>\$0</u>	<u>\$0</u>	<u>\$16,785,698</u>
Subtotal	\$12,712,772	\$131,975	\$0	\$1,756,259	\$0	\$216,491	\$15,081,863	\$0	\$0	\$29,899,360
FTE	157.2	-	-	1.0	-	-	62.9	-	-	221.2
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$503,130	\$0	\$0	\$0	\$503,130
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$350,000</u>	<u>\$0</u>	<u>\$1,727,965</u>	<u>\$2,564,303</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,642,268</u>
Subtotal	\$0	\$0	\$0	\$350,000	\$0	\$2,231,094	\$2,564,303	\$0	\$0	\$5,145,397
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$753,022	\$3,436,336	\$1,184,890	\$5,374,249
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,789,258</u>	<u>\$420,553</u>	<u>\$14,298,734</u>	<u>\$797,103</u>	<u>\$17,305,648</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$1,789,258	\$1,173,575	\$17,735,070	\$1,981,993	\$22,679,897
FTE	-	-	-	-	-	-	8.7	60.5	20.1	89.3
<b>Total Operating Budget</b>										
Personal Services	\$46,392,635	\$0	\$334,809	\$56,820,500	\$0	\$8,622,345	\$21,739,050	\$3,436,336	\$15,625,779	\$152,971,454
Operating Expense	<u>\$5,693,998</u>	<u>\$131,975</u>	<u>\$513,642</u>	<u>\$18,195,678</u>	<u>\$0</u>	<u>\$14,601,840</u>	<u>\$31,647,666</u>	<u>\$14,298,734</u>	<u>\$11,165,678</u>	<u>\$96,249,211</u>
Subtotal	\$52,086,633	\$131,975	\$848,451	\$75,016,178	\$0	\$23,224,185	\$53,386,716	\$17,735,070	\$26,791,457	\$249,220,665
FTE	655.0	-	4.5	463.0	-	41.0	228.7	60.5	165.0	1,617.7



**SDSU Extension  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$8,856,044	\$0	\$0	\$0	\$2,073,053	\$1,448,961	\$1,195,752	\$0	\$0	\$13,573,810
Operating Expense	<u>\$305,148</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,294,264</u>	<u>\$1,000,460</u>	<u>\$1,326,931</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,926,803</u>
Subtotal	\$9,161,192	\$0	\$0	\$0	\$4,367,317	\$2,449,421	\$2,522,683	\$0	\$0	\$18,500,613
FTE	114.0	-	-	-	38.5	9.8	18.1	-	-	180.4
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$8,856,044	\$0	\$0	\$0	\$2,073,053	\$1,448,961	\$1,195,752	\$0	\$0	\$13,573,810
Operating Expense	<u>\$305,148</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,294,264</u>	<u>\$1,000,460</u>	<u>\$1,326,931</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,926,803</u>
Subtotal	\$9,161,192	\$0	\$0	\$0	\$4,367,317	\$2,449,421	\$2,522,683	\$0	\$0	\$18,500,613
FTE	114.0	-	-	-	38.5	9.8	18.1	-	-	180.4

**SDSU Agriculture Experiment Station  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$12,729,181	\$0	\$0	\$0	\$1,776,333	\$3,699,079	\$5,803,878	\$0	\$0	\$24,008,471
Operating Expense	<u>\$628,265</u>	<u>\$0</u>	<u>\$400,000</u>	<u>\$0</u>	<u>\$2,118,876</u>	<u>\$3,751,035</u>	<u>\$9,487,845</u>	<u>\$0</u>	<u>\$0</u>	<u>\$16,386,021</u>
Subtotal	\$13,357,446	\$0	\$400,000	\$0	\$3,895,209	\$7,450,114	\$15,291,723	\$0	\$0	\$40,394,492
FTE	136.0	-	-	-	15.2	29.0	56.1	-	-	236.3
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$12,729,181	\$0	\$0	\$0	\$1,776,333	\$3,699,079	\$5,803,878	\$0	\$0	\$24,008,471
Operating Expense	<u>\$628,265</u>	<u>\$0</u>	<u>\$400,000</u>	<u>\$0</u>	<u>\$2,118,876</u>	<u>\$3,751,035</u>	<u>\$9,487,845</u>	<u>\$0</u>	<u>\$0</u>	<u>\$16,386,021</u>
Subtotal	\$13,357,446	\$0	\$400,000	\$0	\$3,895,209	\$7,450,114	\$15,291,723	\$0	\$0	\$40,394,492
FTE	136.0	-	-	-	15.2	29.0	56.1	-	-	236.3

**University of South Dakota  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$6,350,841	\$0	\$0	\$27,160,424	\$0	\$52,724	\$1,331,947	\$0	\$1,645,004	\$36,540,940
Operating Expense	<u>\$194,966</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,542,208</u>	<u>\$0</u>	<u>\$40,175</u>	<u>\$1,390,525</u>	<u>\$0</u>	<u>\$1,154,933</u>	<u>\$5,322,807</u>
Subtotal	\$6,545,806	\$0	\$0	\$29,702,632	\$0	\$92,899	\$2,722,472	\$0	\$2,799,937	\$41,863,746
FTE	56.9	-	-	254.8	-	0.2	8.8	-	13.8	334.4
<b>02 Research</b>										
Personal Services	\$10,500	\$0	\$0	\$228,390	\$0	\$1,446,142	\$1,357,377	\$0	\$5,015	\$3,047,425
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$212,516</u>	<u>\$0</u>	<u>\$2,107,507</u>	<u>\$856,019</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,176,041</u>
Subtotal	\$10,500	\$0	\$0	\$440,906	\$0	\$3,553,649	\$2,213,396	\$0	\$5,015	\$6,223,465
FTE	-	-	-	2.8	-	7.6	9.7	-	-	20.1
<b>03 Public Service</b>										
Personal Services	\$215,200	\$0	\$0	\$26,086	\$0	\$5,245,319	\$1,560,485	\$0	\$0	\$7,047,090
Operating Expense	<u>\$592</u>	<u>\$0</u>	<u>\$0</u>	<u>\$26,037</u>	<u>\$0</u>	<u>\$1,233,416</u>	<u>\$1,847,789</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,107,834</u>
Subtotal	\$215,792	\$0	\$0	\$52,123	\$0	\$6,478,735	\$3,408,274	\$0	\$0	\$10,154,924
FTE	2.8	-	-	0.2	-	66.2	13.5	-	-	82.7
<b>04 Academic Support</b>										
Personal Services	\$7,813,690	\$0	\$0	\$4,354,057	\$0	\$0	\$2,063,034	\$0	\$142,000	\$14,372,781
Operating Expense	<u>\$467,835</u>	<u>\$0</u>	<u>\$236,041</u>	<u>\$3,716,366</u>	<u>\$0</u>	<u>\$40,411</u>	<u>\$1,360,927</u>	<u>\$0</u>	<u>\$205,435</u>	<u>\$6,027,015</u>
Subtotal	\$8,281,526	\$0	\$236,041	\$8,070,423	\$0	\$40,411	\$3,423,961	\$0	\$347,435	\$20,399,796
FTE	87.3	-	-	49.0	-	-	25.1	-	1.4	162.7
<b>05 Student Services</b>										
Personal Services	\$7,886,561	\$0	\$0	\$1,270,031	\$0	\$61,799	\$538,778	\$0	\$2,381,365	\$12,138,535
Operating Expense	<u>\$93,265</u>	<u>\$0</u>	<u>\$0</u>	<u>\$892,174</u>	<u>\$0</u>	<u>\$58,852</u>	<u>\$4,258,717</u>	<u>\$0</u>	<u>\$2,876,111</u>	<u>\$8,179,119</u>
Subtotal	\$7,979,826	\$0	\$0	\$2,162,205	\$0	\$120,651	\$4,797,496	\$0	\$5,257,476	\$20,317,654
FTE	111.7	-	-	17.7	-	0.8	4.1	-	23.4	157.7
<b>06 Institutional Support</b>										
Personal Services	\$8,234,928	\$0	\$0	\$2,308,728	\$0	\$0	\$2,981,310	\$0	\$519,395	\$14,044,361
Operating Expense	<u>\$267,496</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,113,703</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,551,415</u>	<u>\$0</u>	<u>\$309,174</u>	<u>\$6,241,788</u>
Subtotal	\$8,502,424	\$0	\$0	\$5,422,431	\$0	\$0	\$5,532,725	\$0	\$828,569	\$20,286,149
FTE	82.7	-	-	21.3	-	-	23.3	-	8.0	135.3
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$4,498,322	\$0	\$0	\$487,639	\$0	\$0	\$2,956,466	\$0	\$508,139	\$8,450,566
Operating Expense	<u>\$2,488,484</u>	<u>\$87,983</u>	<u>\$0</u>	<u>\$185,365</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,527,169</u>	<u>\$0</u>	<u>\$198,326</u>	<u>\$4,487,327</u>
Subtotal	\$6,986,806	\$87,983	\$0	\$673,004	\$0	\$0	\$4,483,635	\$0	\$706,465	\$12,937,893
FTE	80.4	-	-	8.7	-	-	50.1	-	7.9	147.0
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$648,376	\$0	\$0	\$0	\$648,376
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$158,287</u>	<u>\$0</u>	<u>\$0</u>	<u>\$158,287</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$648,376	\$158,287	\$0	\$0	\$806,664
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$823,004	\$1,167,934	\$379,708	\$2,370,646
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$853,592</u>	<u>\$9,581,814</u>	<u>\$509,209</u>	<u>\$10,944,616</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$1,676,597	\$10,749,748	\$888,917	\$13,315,262
FTE	-	-	-	-	-	-	11.7	18.5	4.8	35.0
<b>Total Operating Budget</b>										
Personal Services	\$35,010,043	\$0	\$0	\$35,835,355	\$0	\$7,454,360	\$13,612,403	\$1,167,934	\$5,580,625	\$98,660,720
Operating Expense	<u>\$3,512,638</u>	<u>\$87,983</u>	<u>\$236,041</u>	<u>\$10,688,369</u>	<u>\$0</u>	<u>\$3,480,360</u>	<u>\$14,804,440</u>	<u>\$9,581,814</u>	<u>\$5,253,188</u>	<u>\$47,644,833</u>
Subtotal	\$38,522,681	\$87,983	\$236,041	\$46,523,724	\$0	\$10,934,720	\$28,416,843	\$10,749,748	\$10,833,813	\$146,305,553
FTE	421.7	-	-	354.4	-	74.8	146.2	18.5	59.2	1,074.9

**USD Law School  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$924,064	\$0	\$0	\$1,710,674	\$0	\$0	\$99,874	\$0	\$0	\$2,734,613
Operating Expense	<u>\$57,784</u>	<u>\$0</u>	<u>\$0</u>	<u>\$317,842</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$375,626</u>
Subtotal	\$981,848	\$0	\$0	\$2,028,516	\$0	\$0	\$99,874	\$0	\$0	\$3,110,239
FTE	8.6	-	-	11.1	-	-	0.3	-	-	20.0
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$20,286	\$0	\$75,185	\$0	\$0	\$0	\$95,471
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,483</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,483</u>
Subtotal	\$0	\$0	\$0	\$20,286	\$0	\$77,668	\$0	\$0	\$0	\$97,954
FTE	-	-	-	0.2	-	0.8	-	-	-	1.0
<b>04 Academic Support</b>										
Personal Services	\$784,259	\$0	\$0	\$522,084	\$0	\$0	\$14,401	\$0	\$122,412	\$1,443,155
Operating Expense	<u>\$148,479</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$124,629</u>	<u>\$0</u>	<u>\$569,600</u>	<u>\$842,708</u>
Subtotal	\$932,738	\$0	\$0	\$522,084	\$0	\$0	\$139,030	\$0	\$692,012	\$2,285,863
FTE	9.1	-	-	1.9	-	-	-	-	1.3	12.3
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$18,539</u>	<u>\$0</u>	<u>\$0</u>	<u>\$19,400</u>	<u>\$0</u>	<u>\$0</u>	<u>\$37,939</u>
Subtotal	\$0	\$0	\$0	\$18,539	\$0	\$0	\$19,400	\$0	\$0	\$37,939
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$1,708,323	\$0	\$0	\$2,253,044	\$0	\$75,185	\$114,275	\$0	\$122,412	\$4,273,239
Operating Expense	<u>\$206,263</u>	<u>\$0</u>	<u>\$0</u>	<u>\$336,381</u>	<u>\$0</u>	<u>\$2,483</u>	<u>\$144,029</u>	<u>\$0</u>	<u>\$569,600</u>	<u>\$1,258,756</u>
Subtotal	\$1,914,586	\$0	\$0	\$2,589,425	\$0	\$77,668	\$258,304	\$0	\$692,012	\$5,531,995
FTE	17.7	-	-	13.2	-	0.8	0.3	-	1.3	33.3

**USD Sanford School of Medicine  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$15,354,298	\$0	\$0	\$7,789,990	\$0	\$0	\$2,903,684	\$0	\$2,127,244	\$28,175,216
Operating Expense	<u>\$3,631,588</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,555,202</u>	<u>\$0</u>	<u>\$121,220</u>	<u>\$642,204</u>	<u>\$0</u>	<u>\$1,338,760</u>	<u>\$9,288,973</u>
Subtotal	\$18,985,886	\$0	\$0	\$11,345,192	\$0	\$121,220	\$3,545,888	\$0	\$3,466,004	\$37,464,189
FTE	129.9	-	-	58.8	-	-	25.5	-	18.2	232.4
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$40,120	\$0	\$2,672,696	\$424,981	\$0	\$0	\$3,137,797
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$35,900</u>	<u>\$0</u>	<u>\$3,304,270</u>	<u>\$570,126</u>	<u>\$0</u>	<u>\$0</u>	<u>\$3,910,296</u>
Subtotal	\$0	\$0	\$0	\$76,020	\$0	\$5,976,966	\$995,107	\$0	\$0	\$7,048,094
FTE	-	-	-	-	-	19.7	5.0	-	-	24.8
<b>03 Public Service</b>										
Personal Services	\$234,622	\$0	\$0	\$0	\$0	\$3,607,993	\$771,036	\$0	\$0	\$4,613,651
Operating Expense	<u>\$24,050</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,661,769</u>	<u>\$681,041</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,366,860</u>
Subtotal	\$258,672	\$0	\$0	\$0	\$0	\$5,269,762	\$1,452,077	\$0	\$0	\$6,980,511
FTE	2.0	-	-	-	-	32.9	9.5	-	-	44.5
<b>04 Academic Support</b>										
Personal Services	\$4,280,752	\$0	\$0	\$0	\$0	\$0	\$968,917	\$0	\$0	\$5,249,669
Operating Expense	<u>\$5,150</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,061,143</u>	<u>\$0</u>	<u>\$202,012</u>	<u>\$1,625,476</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,893,780</u>
Subtotal	\$4,285,902	\$0	\$0	\$1,061,143	\$0	\$202,012	\$2,594,393	\$0	\$0	\$8,143,450
FTE	33.8	-	-	-	-	-	7.7	-	-	41.5
<b>05 Student Services</b>										
Personal Services	\$954,806	\$0	\$0	\$195,745	\$0	\$0	\$0	\$0	\$0	\$1,150,551
Operating Expense	<u>\$1,471</u>	<u>\$0</u>	<u>\$0</u>	<u>\$97,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$103,471</u>
Subtotal	\$956,276	\$0	\$0	\$293,245	\$0	\$0	\$4,500	\$0	\$0	\$1,254,021
FTE	9.7	-	-	2.0	-	-	-	-	-	11.7
<b>06 Institutional Support</b>										
Personal Services	\$430,436	\$0	\$0	\$0	\$0	\$0	\$314,530	\$0	\$0	\$744,965
Operating Expense	<u>\$2,326</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,224</u>	<u>\$0</u>	<u>\$0</u>	<u>\$371,222</u>	<u>\$0</u>	<u>\$0</u>	<u>\$381,773</u>
Subtotal	\$432,762	\$0	\$0	\$8,224	\$0	\$0	\$685,752	\$0	\$0	\$1,126,738
FTE	4.2	-	-	-	-	-	1.5	-	-	5.7
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$21,254,913	\$0	\$0	\$8,025,855	\$0	\$6,280,689	\$5,383,149	\$0	\$2,127,244	\$43,071,850
Operating Expense	<u>\$3,664,585</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,757,969</u>	<u>\$0</u>	<u>\$5,289,271</u>	<u>\$3,894,568</u>	<u>\$0</u>	<u>\$1,338,760</u>	<u>\$18,945,153</u>
Subtotal	\$24,919,498	\$0	\$0	\$12,783,824	\$0	\$11,569,960	\$9,277,717	\$0	\$3,466,004	\$62,017,003
FTE	179.5	-	-	60.8	-	52.7	49.4	-	18.2	360.5

**South Dakota School for the Deaf  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$1,195,739	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,195,739
Operating Expense	<u>\$213,522</u>	<u>\$0</u>	<u>\$14,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$21,755</u>	<u>\$0</u>	<u>\$0</u>	<u>\$249,777</u>
Subtotal	\$1,409,261	\$0	\$14,500	\$0	\$0	\$0	\$21,755	\$0	\$0	\$1,445,516
FTE	17.0	-	-	-	-	-	-	-	-	17.0
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$560,228	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$560,228
Operating Expense	<u>\$132,875</u>	<u>\$0</u>	<u>\$30,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$163,375</u>
Subtotal	\$693,103	\$0	\$30,500	\$0	\$0	\$0	\$0	\$0	\$0	\$723,603
FTE	6.0	-	-	-	-	-	-	-	-	6.0
<b>06 Institutional Support</b>										
Personal Services	\$283,151	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$283,151
Operating Expense	<u>\$216,000</u>	<u>\$0</u>	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$18,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$244,000</u>
Subtotal	\$499,151	\$0	\$10,000	\$0	\$0	\$0	\$18,000	\$0	\$0	\$527,151
FTE	3.0	-	-	-	-	-	-	-	-	3.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$519,622</u>	<u>\$0</u>	<u>\$222,382</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$151,074</u>	<u>\$0</u>	<u>\$0</u>	<u>\$893,078</u>
Subtotal	\$519,622	\$0	\$222,382	\$0	\$0	\$0	\$151,074	\$0	\$0	\$893,078
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$2,039,118	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,039,118
Operating Expense	<u>\$1,082,019</u>	<u>\$0</u>	<u>\$277,382</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$190,829</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,550,230</u>
Subtotal	\$3,121,137	\$0	\$277,382	\$0	\$0	\$0	\$190,829	\$0	\$0	\$3,589,348
FTE	26.0	-	-	-	-	-	-	-	-	26.0

**SD School for the Blind and Visually Impaired  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$1,792,921	\$0	\$0	\$0	\$0	\$56,093	\$208,419	\$0	\$0	\$2,057,433
Operating Expense	<u>\$172,861</u>	<u>\$0</u>	<u>\$12,540</u>	<u>\$0</u>	<u>\$0</u>	<u>\$27,835</u>	<u>\$32,978</u>	<u>\$0</u>	<u>\$0</u>	<u>\$246,214</u>
Subtotal	\$1,965,782	\$0	\$12,540	\$0	\$0	\$83,928	\$241,397	\$0	\$0	\$2,303,647
FTE	24.0	-	-	-	-	0.8	1.8	-	-	26.5
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$32,547	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$32,547
Operating Expense	<u>\$3,500</u>	<u>\$0</u>	<u>\$1,500</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$5,000</u>
Subtotal	\$36,047	\$0	\$1,500	\$0	\$0	\$0	\$0	\$0	\$0	\$37,547
FTE	1.0	-	-	-	-	-	-	-	-	1.0
<b>05 Student Services</b>										
Personal Services	\$512,293	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$512,293
Operating Expense	<u>\$55,500</u>	<u>\$0</u>	<u>\$9,339</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,692</u>	<u>\$0</u>	<u>\$0</u>	<u>\$73,531</u>
Subtotal	\$567,793	\$0	\$9,339	\$0	\$0	\$0	\$8,692	\$0	\$0	\$585,824
FTE	9.4	-	-	-	-	-	-	-	-	9.4
<b>06 Institutional Support</b>										
Personal Services	\$355,637	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$355,637
Operating Expense	<u>\$134,000</u>	<u>\$0</u>	<u>\$38,011</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$7,269</u>	<u>\$0</u>	<u>\$0</u>	<u>\$179,280</u>
Subtotal	\$489,637	\$0	\$38,011	\$0	\$0	\$0	\$7,269	\$0	\$0	\$534,917
FTE	3.0	-	-	-	-	-	-	-	-	3.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$114,140	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$114,140
Operating Expense	<u>\$199,453</u>	<u>\$0</u>	<u>\$33,322</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$18,191</u>	<u>\$0</u>	<u>\$0</u>	<u>\$250,966</u>
Subtotal	\$313,593	\$0	\$33,322	\$0	\$0	\$0	\$18,191	\$0	\$0	\$365,106
FTE	4.3	-	-	-	-	-	-	-	-	4.3
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$2,807,538	\$0	\$0	\$0	\$0	\$56,093	\$208,419	\$0	\$0	\$3,072,050
Operating Expense	<u>\$565,314</u>	<u>\$0</u>	<u>\$94,712</u>	<u>\$0</u>	<u>\$0</u>	<u>\$27,835</u>	<u>\$67,130</u>	<u>\$0</u>	<u>\$0</u>	<u>\$754,991</u>
Subtotal	\$3,372,852	\$0	\$94,712	\$0	\$0	\$83,928	\$275,549	\$0	\$0	\$3,827,041
FTE	41.6	-	-	-	-	0.8	1.8	-	-	44.1

Office of the Executive Director  
FY22 Operating Budget

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$3,403,169	\$0	\$0	\$0	\$0	\$0	\$34,611	\$0	\$0	\$3,437,780
Operating Expense	<u>\$1,135,379</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$475,505</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,610,884</u>
Subtotal	\$4,538,548	\$0	\$0	\$0	\$0	\$0	\$510,116	\$0	\$0	\$5,048,664
FTE	27.4	-	-	-	-	-	0.6	-	-	28.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$3,403,169	\$0	\$0	\$0	\$0	\$0	\$34,611	\$0	\$0	\$3,437,780
Operating Expense	<u>\$1,135,379</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$475,505</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,610,884</u>
Subtotal	\$4,538,548	\$0	\$0	\$0	\$0	\$0	\$510,116	\$0	\$0	\$5,048,664
FTE	27.4	-	-	-	-	-	0.6	-	-	28.0



**Regents Information Systems  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$1,134,117	\$0	\$0	\$0	\$0	\$0	\$1,606,009	\$0	\$0	\$2,740,126
Operating Expense	<u>\$2,785,381</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$5,762,289</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,547,670</u>
Subtotal	\$3,919,498	\$0	\$0	\$0	\$0	\$0	\$7,368,298	\$0	\$0	\$11,287,796
FTE	11.5	-	-	-	-	-	13.5	-	-	25.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$1,134,117	\$0	\$0	\$0	\$0	\$0	\$1,606,009	\$0	\$0	\$2,740,126
Operating Expense	<u>\$2,785,381</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$5,762,289</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,547,670</u>
Subtotal	\$3,919,498	\$0	\$0	\$0	\$0	\$0	\$7,368,298	\$0	\$0	\$11,287,796
FTE	11.5	-	-	-	-	-	13.5	-	-	25.0

**Regents Library Consortium  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$81,435	\$0	\$0	\$81,435
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$801,310	\$0	\$0	\$801,310
FTE	-	-	-	-	-	-	1.0	-	-	1.0
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$81,435	\$0	\$0	\$81,435
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$801,310	\$0	\$0	\$801,310
FTE	-	-	-	-	-	-	1.0	-	-	1.0

**System Issues  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$300,000	\$45,275	\$0	\$0	\$345,275
Operating Expense	<u>\$1,945,316</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,474,903</u>	<u>\$5,926,725</u>	<u>\$0</u>	<u>\$0</u>	<u>\$12,346,944</u>
Subtotal	\$1,945,316	\$0	\$0	\$0	\$0	\$4,774,903	\$5,972,000	\$0	\$0	\$12,692,219
FTE	-	-	-	-	-	4.2	0.3	-	-	4.5
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$15,720,857</u>	<u>\$29,703,117</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,759,479</u>	<u>\$0</u>	<u>\$0</u>	<u>\$47,183,453</u>
Subtotal	\$15,720,857	\$29,703,117	\$0	\$0	\$0	\$0	\$1,759,479	\$0	\$0	\$47,183,453
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$7,124,116</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,296,948</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,421,064</u>
Subtotal	\$7,124,116	\$0	\$0	\$0	\$0	\$0	\$1,296,948	\$0	\$0	\$8,421,064
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$300,000	\$45,275	\$0	\$0	\$345,275
Operating Expense	<u>\$24,790,289</u>	<u>\$29,703,117</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,474,903</u>	<u>\$8,983,152</u>	<u>\$0</u>	<u>\$0</u>	<u>\$67,951,461</u>
Subtotal	\$24,790,289	\$29,703,117	\$0	\$0	\$0	\$4,774,903	\$9,028,427	\$0	\$0	\$68,296,736
FTE	-	-	-	-	-	4.2	0.3	-	-	4.5

**Enrollment Services Center  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$477,869	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$477,869
Operating Expense	<u>\$71,051</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$71,051</u>
Subtotal	\$548,920	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$548,920
FTE	7.0	-	-	-	-	-	-	-	-	7.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$477,869	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$477,869
Operating Expense	<u>\$71,051</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$71,051</u>
Subtotal	\$548,920	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$548,920
FTE	7.0	-	-	-	-	-	-	-	-	7.0

**Academic Initiatives  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$207,990	\$0	\$0	\$207,990
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,123,600</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,123,600</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$1,331,590	\$0	\$0	\$1,331,590
FTE	-	-	-	-	-	-	1.0	-	-	1.0
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$207,990	\$0	\$0	\$207,990
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,123,600</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,123,600</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$1,331,590	\$0	\$0	\$1,331,590
FTE	-	-	-	-	-	-	1.0	-	-	1.0

**Board of Regents Office Total  
FY22 Operating Budget**

Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>02 Research</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>03 Public Service</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>04 Academic Support</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$81,435	\$0	\$0	\$81,435
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>	<u>\$0</u>	<u>\$0</u>	<u>\$719,875</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$801,310	\$0	\$0	\$801,310
FTE	-	-	-	-	-	-	1.0	-	-	1.0
<b>05 Student Services</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>06 Institutional Support</b>										
Personal Services	\$5,015,155	\$0	\$0	\$0	\$0	\$300,000	\$1,893,885	\$0	\$0	\$7,209,040
Operating Expense	<u>\$5,937,127</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,474,903</u>	<u>\$13,288,119</u>	<u>\$0</u>	<u>\$0</u>	<u>\$23,700,149</u>
Subtotal	\$10,952,282	\$0	\$0	\$0	\$0	\$4,774,903	\$15,182,004	\$0	\$0	\$30,909,189
FTE	45.9	-	-	-	-	4.2	15.4	-	-	65.5
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$15,720,857</u>	<u>\$29,703,117</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,759,479</u>	<u>\$0</u>	<u>\$0</u>	<u>\$47,183,453</u>
Subtotal	\$15,720,857	\$29,703,117	\$0	\$0	\$0	\$0	\$1,759,479	\$0	\$0	\$47,183,453
FTE	-	-	-	-	-	-	-	-	-	-
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$7,124,116</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$1,296,948</u>	<u>\$0</u>	<u>\$0</u>	<u>\$8,421,064</u>
Subtotal	\$7,124,116	\$0	\$0	\$0	\$0	\$0	\$1,296,948	\$0	\$0	\$8,421,064
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FTE	-	-	-	-	-	-	-	-	-	-
<b>Total Operating Budget</b>										
Personal Services	\$5,015,155	\$0	\$0	\$0	\$0	\$300,000	\$1,975,320	\$0	\$0	\$7,290,475
Operating Expense	<u>\$28,782,100</u>	<u>\$29,703,117</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$4,474,903</u>	<u>\$17,064,421</u>	<u>\$0</u>	<u>\$0</u>	<u>\$80,024,541</u>
Subtotal	\$33,797,255	\$29,703,117	\$0	\$0	\$0	\$4,774,903	\$19,039,741	\$0	\$0	\$87,315,016
FTE	45.9	-	-	-	-	4.2	16.4	-	-	66.5

Board of Regents System Total FY22 Operating Budget										
Program	General Funds	HEFF	School & Public Lands	Tuition	Federal Appropriated	Federal Restricted	Other	Room & Board	Student Fees	All Funds
<b>01 Instruction</b>										
Personal Services	\$51,513,409	\$0	\$0	\$125,296,999	\$0	\$976,821	\$9,236,175	\$0	\$20,309,846	\$207,333,250
Operating Expense	<u>\$4,742,084</u>	<u>\$0</u>	<u>\$160,633</u>	<u>\$13,276,595</u>	<u>\$0</u>	<u>\$5,523,073</u>	<u>\$12,971,726</u>	<u>\$0</u>	<u>\$9,886,347</u>	<u>\$46,560,458</u>
Subtotal	\$56,255,494	\$0	\$160,633	\$138,573,593	\$0	\$6,499,894	\$22,207,901	\$0	\$30,196,193	\$253,893,708
FTE	499.3	-	-	1,103.1	-	3.3	86.4	-	189.2	1,881.4
<b>02 Research</b>										
Personal Services	\$13,828,504	\$0	\$0	\$357,860	\$1,776,333	\$22,220,000	\$14,062,348	\$0	\$5,015	\$52,250,060
Operating Expense	<u>\$651,955</u>	<u>\$0</u>	<u>\$400,000</u>	<u>\$297,440</u>	<u>\$2,118,876</u>	<u>\$18,329,997</u>	<u>\$15,498,101</u>	<u>\$0</u>	<u>\$0</u>	<u>\$37,296,368</u>
Subtotal	\$14,480,459	\$0	\$400,000	\$655,299	\$3,895,209	\$40,549,998	\$29,560,448	\$0	\$5,015	\$89,546,428
FTE	145.3	-	-	2.8	15.2	121.3	111.1	-	-	395.7
<b>03 Public Service</b>										
Personal Services	\$11,347,938	\$0	\$0	\$270,815	\$2,073,053	\$12,987,444	\$8,169,393	\$0	\$0	\$34,848,643
Operating Expense	<u>\$548,868</u>	<u>\$0</u>	<u>\$0</u>	<u>\$33,226</u>	<u>\$2,294,264</u>	<u>\$7,001,045</u>	<u>\$12,469,528</u>	<u>\$0</u>	<u>\$36,412</u>	<u>\$22,383,343</u>
Subtotal	\$11,896,806	\$0	\$0	\$304,041	\$4,367,317	\$19,988,489	\$20,638,921	\$0	\$36,412	\$57,231,986
FTE	139.7	-	-	2.8	38.5	135.8	98.4	-	-	415.2
<b>04 Academic Support</b>										
Personal Services	\$27,763,840	\$0	\$0	\$13,687,419	\$0	\$124,509	\$3,874,222	\$0	\$1,743,232	\$47,193,221
Operating Expense	<u>\$985,722</u>	<u>\$0</u>	<u>\$726,723</u>	<u>\$14,248,110</u>	<u>\$0</u>	<u>\$284,632</u>	<u>\$6,286,015</u>	<u>\$0</u>	<u>\$3,577,808</u>	<u>\$26,109,010</u>
Subtotal	\$28,749,561	\$0	\$726,723	\$27,935,530	\$0	\$409,141	\$10,160,237	\$0	\$5,321,040	\$73,302,231
FTE	313.4	-	-	125.8	-	-	42.2	-	17.2	498.6
<b>05 Student Services</b>										
Personal Services	\$30,613,084	\$0	\$334,809	\$7,920,981	\$0	\$1,044,328	\$4,237,055	\$0	\$4,290,900	\$48,441,157
Operating Expense	<u>\$405,394</u>	<u>\$0</u>	<u>\$553,481</u>	<u>\$6,651,489</u>	<u>\$0</u>	<u>\$673,973</u>	<u>\$11,920,379</u>	<u>\$0</u>	<u>\$7,469,265</u>	<u>\$27,673,980</u>
Subtotal	\$31,018,478	\$0	\$888,290	\$14,572,470	\$0	\$1,718,301	\$16,157,433	\$0	\$11,760,165	\$76,115,137
FTE	439.8	-	4.5	95.1	-	15.4	26.7	-	46.0	627.5
<b>06 Institutional Support</b>										
Personal Services	\$32,111,953	\$0	\$0	\$9,998,640	\$0	\$413,120	\$15,548,469	\$0	\$752,107	\$58,824,289
Operating Expense	<u>\$7,666,732</u>	<u>\$0</u>	<u>\$221,371</u>	<u>\$11,168,421</u>	<u>\$0</u>	<u>\$4,963,304</u>	<u>\$18,541,754</u>	<u>\$0</u>	<u>\$2,378,363</u>	<u>\$44,939,944</u>
Subtotal	\$39,778,684	\$0	\$221,371	\$21,167,060	\$0	\$5,376,424	\$34,090,223	\$0	\$3,130,470	\$103,764,233
FTE	363.8	-	-	82.4	-	4.2	120.9	-	13.0	584.4
<b>07 Operation &amp; Maintenance of Plant</b>										
Personal Services	\$21,319,215	\$0	\$0	\$1,296,316	\$0	\$5,400	\$7,391,095	\$0	\$550,094	\$30,562,120
Operating Expense	<u>\$25,311,442</u>	<u>\$30,046,984</u>	<u>\$255,704</u>	<u>\$3,281,138</u>	<u>\$0</u>	<u>\$216,491</u>	<u>\$14,780,436</u>	<u>\$0</u>	<u>\$412,168</u>	<u>\$74,304,363</u>
Subtotal	\$46,630,657	\$30,046,984	\$255,704	\$4,577,454	\$0	\$221,891	\$22,171,531	\$0	\$962,262	\$104,866,483
FTE	397.3	-	-	17.5	-	-	116.9	-	8.5	540.2
<b>08 Scholarship &amp; Fellowship</b>										
Personal Services	\$0	\$0	\$0	\$0	\$0	\$1,397,406	\$0	\$0	\$0	\$1,397,406
Operating Expense	<u>\$7,124,116</u>	<u>\$0</u>	<u>\$0</u>	<u>\$350,000</u>	<u>\$0</u>	<u>\$3,107,469</u>	<u>\$4,181,031</u>	<u>\$0</u>	<u>\$7,000</u>	<u>\$14,769,616</u>
Subtotal	\$7,124,116	\$0	\$0	\$350,000	\$0	\$4,504,875	\$4,181,031	\$0	\$7,000	\$16,167,022
FTE	-	-	-	-	-	-	-	-	-	-
<b>09 Auxiliary Enterprise</b>										
Personal Services	\$0	\$0	\$0	\$219,440	\$0	\$48,208	\$3,953,017	\$6,921,375	\$2,224,567	\$13,366,607
Operating Expense	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$44,588</u>	<u>\$0</u>	<u>\$1,789,258</u>	<u>\$5,630,073</u>	<u>\$39,282,127</u>	<u>\$2,504,819</u>	<u>\$49,250,865</u>
Subtotal	\$0	\$0	\$0	\$264,028	\$0	\$1,837,466	\$9,583,090	\$46,203,502	\$4,729,386	\$62,617,472
FTE	-	-	-	2.0	-	-	44.0	115.8	34.2	195.9
<b>Total Operating Budget</b>										
Personal Services	\$188,497,943	\$0	\$334,809	\$159,048,470	\$3,849,386	\$39,217,236	\$66,471,772	\$6,921,375	\$29,875,761	\$494,216,752
Operating Expense	<u>\$47,436,312</u>	<u>\$30,046,984</u>	<u>\$2,317,912</u>	<u>\$49,351,007</u>	<u>\$4,413,140</u>	<u>\$41,889,241</u>	<u>\$102,279,043</u>	<u>\$39,282,127</u>	<u>\$26,272,182</u>	<u>\$343,287,948</u>
Subtotal	\$235,934,255	\$30,046,984	\$2,652,721	\$208,399,477	\$8,262,526	\$81,106,477	\$168,750,815	\$46,203,502	\$56,147,943	\$837,504,700
FTE	2,298.7	-	4.5	1,431.5	53.7	280.0	646.6	115.8	308.1	5,138.9

# National Association of College and University Business Officers (NACUBO)

## *Activities by Program*

Program 01 - Instruction	General academic instruction for each college (nursing, fine arts, engineering, etc.)
Program 02 – Research	EPSCoR Water Resources Institute Biostress Research
Program 03 – Public Services	Animal Disease Research & Diagnostic Lab Extension
Program 04 – Academic Support	Libraries Museums Academic Computing Support Academic Administration
Program 05 – Student Services	Student Services Administration Admissions Counseling Center Records & Registration Financial Aid Student Health Services Placement
Program 06 – Institutional Support	Administration & Finance (Budget, Research, Accounting) Human Resources University Relations Academic Affairs Legal Counsel
Program 07 – O&M of Plant	Physical Plant Administration Custodial Services/Building Maintenance Landscapes & Grounds Utilities
Program 08 – Scholarships/Fellowships	Perkins Loan Pell Grant Workstudy
Program 09 – Auxiliary Enterprises	Residence Halls Bookstores Food Services Student Union



# **SOUTH DAKOTA BOARD OF REGENTS**

## **Informational Items** **Consent**

**AGENDA ITEM: 5 – O**  
**DATE: October 6-7, 2021**

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### **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 BOR Policy, the Executive Director is granted authority to act on and/or authorize approval of various requests on behalf of the Board of Regents. 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 include 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

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**INFORMATIONAL ITEM**

## INTERIM ACTIONS

<b><u>Maintenance and Repair Projects</u></b> (\$50,000 - \$250,000)
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### **South Dakota State University**

**Animal Science Complex – Elevator Repair:** SDSU requests approval to use \$41,000 in residual General Funds and \$19,000 in residual HEFF funds to repair the elevator in the Animal Science Complex. The current hydraulic cylinder within the current elevator needs to be removed and replaced with a new hydraulic cylinder. This work includes draining the hydraulic oil from the current system; removing the complete hydraulic cylinder assembly; installing an enclosed casing to help provide adequate cathodic protection from future electrolysis and provide an environmentally safe system; furnishing and installing a new hydraulic cylinder; and filling the new cylinder with new hydraulic oil. A full load safety test will be performed to ensure the proper operation of the elevator system. SDSU requests this project be delegated to the university. The project will be completed using standing contractors and Facilities and Services shops and professional staff.

**The Barn – Kiln Room Renovations:** SDSU requests approval to renovate room 107 in the Barn with \$150,000 of local funds. This project is requested to accommodate two existing gas kilns for the School of Design. Work would include gas service to the building, demolition, new interior finishes, gas lines to the equipment, electrical modifications, HVAC exhaust, and specialty equipment installation. SDSU intends to design this project and requests delegation of the project to the university.

**Hangar – Renovations:** SDSU requests approval to use \$99,000 in local funds to renovate the SDSU Aircraft Hangar located at the Brookings Municipal Airport. The renovations will include remodeling the current office space, coating the hangar floor with epoxy, upgrading the current HVAC system to include the heating and the cooling of the office area, removing and replacing the exterior wall covering and gutters, installing steel on the interior walls, and replacing all exterior windows. SDSU requests delegation of this project to the university; the work will be accomplished with a combination of internal resources and contracted services.

**Jackrabbit Softball Stadium – Softball Field Press Box:** SDSU requests approval to use \$150,000 in local revenue funds to construct a press box at the top of the existing bleacher system at the SDSU Softball Field. Concrete foundation will be poured by the SDSU standing contractor and wiring will be done by SDSU personnel. All other work, including structural design will be done by the bleacher system vendor. SDSU requests that this project be delegated to SDSU; Facilities and Services has the project contracting and management services needed to complete this project. SDSU can accomplish the project more economically than if additional outside design and/or management services were included.

**Miller Wellness Center – Volleyball Standard Replacement:** SDSU requests approval to use local M&R funds in the amount of \$63,900 to replace a damaged volleyball standard in the Miller Wellness Center. The scope of this project will include the removal of old equipment and the purchase and installation of new equipment. The work on this project will occur during 2021 winter break.

**Poultry Unit Office and Lab – Boiler Replacement:** SDSU requests approval to use \$180,000 in local funds to replace the boiler in the Poultry Unit office and lab building due to the existing boiler having been flagged by the state boiler inspector for deficiencies which will require replacement. This project will fully design and construct the replacement for the hot water boiler system. SDSU's standing IDIG Design Contract and SDSU's standing mechanical and temperature control contractors will respectively design and construct this project. SDSU requests this project be delegated to the university.

**Student Union – Phase 3 Renovations:** SDSU requests approval to use \$250,000 in local M&R funds to plan for the development of the third phase of renovations to portions of the University Student Union. The general scope of the project will be to upgrade finishes, make improvements, remodel and upgrade one meeting room and the Volstorff Ballroom, including the common areas by the ballroom, and design the ballroom flooring improvements. The project would be designed by the same architectural consultant who provided services for Phase 1 and 2 and was selected by the building committee prior to Phase 1. This project will be publicly bid and constructed by the lowest responsible bidder. A work request for full construction of the phase 3 improvements will be submitted at a future date.

**Student Union – Replace Water Softener:** SDSU requests approval to use \$70,000 of local M&R funds to replace the water softeners at the University Student Union. The existing units need repair components that are no longer available. This work will be performed by SDSU's standing mechanical contractor. SDSU requests that this project be delegated to the institution.

### **University of South Dakota**

**Campus – Parking Lot Resurface and Restriping:** USD requests approval to use \$50,000 of their parking lot fees to hire a design firm to provide bid documents through contract administration for the asphalt resurfacing of Parking Lots #14 and #15, south of the Fine Arts building. This project would also include USD's annual parking lot striping.

**Olson Hall – BAS Upgrades:** USD requests approval to use \$250,000 of local auxiliary funds to replace all thermostats and controls in the Olson Hall Residence rooms. This will allow controls to communicate and remotely control all of the fan coil units and the heat recovery units. USD plans to contract with Johnson Control Incorporated via a Source well contract recognized by the State of South Dakota as USD's building automation systems are proprietary to JCI. USD requests this project be delegated to the institution.

**Sanford School of Medicine – Health Sciences Surgical Simulation Suite Renovation:** USD requests approval to use \$250,000 of local funds for the full design, cost estimate,

and contract administration for the renovation of basement space at the Sanford School of Medicine and Health Science in Sioux Falls. The project would renovate the basement space into an operating simulation lab that can be utilized by all Medical and Health Science programs. This room will also be necessary to meet accreditation standards by the Council of Accreditation for Nurse Anesthesia programs.

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**Capital Asset Purchase**  
(greater than \$250,000)

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**South Dakota State University – Agricultural Experiment Station**

**GreenFeed Pasture System:** SDSU requests to purchase two units of C-Lock Inc.'s GreenFeed Pasture System at a cost of \$263,800. The Agricultural Experiment Station was awarded one-time legislative funds via 21.S.B.64 to purchase precision range livestock equipment, which will cover the cost of this purchase. This equipment will measure gas fluxes of methane, carbon dioxide, oxygen, and hydrogen from individual range animals and will aggregate emissions data from individual animals and also determine herd averages. The equipment can be used specifically for grazing livestock on range conditions and is being ordered for the Cottonwood Field Station.

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**Course Modifications**

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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)

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**Substantive Program Modifications**

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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)

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**Reduced Tuition Externally Sponsored Courses**

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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)

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**Contracts Requiring Action by the Executive Director**

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All academic agreements approved by the System Associate Vice President for Academic Affairs can be found on the Miscellaneous Academic Agreements and Contracts webpage at the following link:

<https://www.sdbor.edu/administrative-offices/academics/aac/Academic-Agreements-Contracts/Pages/Miscellaneous.aspx>

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – P**  
**DATE: October 6-7, 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)

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**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 – October 2021 Capital Projects List

## South Dakota Board of Regents Capital Improvement Projects - September 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	May-21 Facility Stmt	Planning	2025	
Lyle Hare Stadium Renovation					Jun-16 Facility Stmt	Planning	2024	Bastian
<b>Dakota State University</b>								
Event Center					Dec-16 Facility Stmt	Planning		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
<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
<b>South Dakota State University</b>								
Animal Disease Research & Diagnostic Lab (ADRDL) - Addition & Renovations		HB1080-2016 SB172-2017	Livestock Disease Emergency 2018 State Bonded LDE/Animal Ready Fund Local ADRDL Fees	\$1,575,000 \$50,039,637 \$2,600,000 \$6,000,000 <u>\$1,105,000</u> \$61,319,637	Oct-16 Design Plan	Final Inspection	2020	Rave
Berg Ag Hall Renovate 1st & 2nd floors - Phase 2			Donations HEFF M&R	\$1,100,000 <u>\$7,274,514</u> \$8,374,514 (Revised)	May-21 Design Plan	Design	2023	Roberts
Dairy Unit - Dairy Research and Training Facilities		HB 1153- 2021	Private General Funds	\$7,500,000 <u>\$7,500,000</u> \$15,000,000	Apr-20 Facility Stmt	Design	2023	Stork



## South Dakota Board of Regents Capital Improvement Projects - September 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.
Lincoln Hall - Renovation			Private HEFF M&R 2021 HEFF Bonds	\$4,250,000 \$2,993,765 <u>\$10,000,000</u> \$17,243,765	Dec-20 Program Plan	Design	2023	Bastian
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 I		HB1264-2018	Local General Funds Private 2019 State Bonds	\$7,500,000 \$2,000,000 \$16,600,000 <u>\$20,000,000</u> \$46,100,000	Dec-18 Design Plan	Final Inspection	2021	Venhuizen
Rodeo Grounds Practice Facility			Private	TBD	Apr-20 Facility Stmt	Planning	TBD	Stork
Sanford Jackrabbit Athletic Center Wrestling Addition		SB 28-2021	Private	\$4,400,000	May-21 Design Plan	Bid	2022	Roberts
The Barn Renovation (replaces the Visual Arts Project in the 2012 Capital Project)	FY12 10 Yr Plan	HB1051-2012	2027 HEFF Bonds Private	\$7,500,000 \$3,315,000 \$10,815,000	Jun-2020 Facility Stmt	Planning	TBD	Bastian
Utility Repairs & Upgrades - Water, Sanitary Sewer, Storm Sewer	FY12 10 Yr Plan	HB1051-2012	2027 HEFF Bonds HEFF M&R	\$5,000,000 <u>\$5,043,000</u> \$10,043,000	Mar-16 Program Plan	Phased Project Design & Construction	2029	Roberts

### University of South Dakota

Dakota Dome Renovation		HB1060-2018	Private Local HEFF M&R	\$14,500,000 \$8,719,888 <u>\$5,400,398</u> \$28,620,286	Oct-18 Design Plan	Final Inspection	2020	Stork
National Music Museum		HB1065-2018	Private HEFF M&R	\$9,095,000 <u>\$1,500,000</u> \$10,595,000	Dec-18 Design Plan	Final Inspection	2020	Stork
Health Science Building		SB40-2020	HEFF M&R Private/Local One-Time State Funds	\$12,500,000 \$4,500,000 <u>\$5,000,000</u> \$22,000,000	Oct-20 Design Plan	Construction	2022	Stork

### 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
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## South Dakota Board of Regents Capital Improvement Projects - September 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	\$10,000,000 \$6,000,000 \$5,700,000 \$21,700,000	Jun-19 Facility Stmt	Planning	TBD	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 – Q**  
**DATE: October 6-7, 2021**

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**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 August 26, 2021, the building committee for the SDSU Sanford Jackrabbit Athletic Complex Wrestling Practice Addition, represented by Regent Roberts, approved the project bid by Clark Drew Construction, including alternates one and two, for a total construction cost of \$4,306,268.

**IMPACT AND RECOMMENDATIONS**

None

**ATTACHMENTS**

None

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**INFORMATIONAL ITEM**

**SOUTH DAKOTA BOARD OF REGENTS**

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

**AGENDA ITEM: 5 – R**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**FY2021 Public Service Activity (PSA) Report**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:22](#) – Self-Support Public Service Activities

**BACKGROUND/DISCUSSION**

The National Association of College and University Business Officers define Public Service Activity as all expenditures for activities established to primarily provide non-instructional services beneficial to individuals and groups external to the institution. This includes community, cooperative extension, and public broadcasting services.

BOR Policy 1:22 states:

1. The universities and special schools shall obtain approval to establish a public service activity that is intended to support its operations through revenue generated by sales of products or services. ...

**IMPACT AND RECOMMENDATIONS**

Each year the Board receives a report from the universities to determine whether institutions have complied with BOR Policy 1:22. The internal auditor's review of this report includes verification that the amounts reported agree with the accounting system, a trend analysis to identify and investigate any material fluctuations, verification that transfers in were only transferred from other public service activities and that activities were not subsidized by general funds or student fees, and to determine if the public service activity was self-supporting. In addition, the Presidents were notified of activities that had a three-year trend of negative earnings but still had a positive cash balance so that the activity could be reviewed prior to becoming non-compliant with board policy.

For FY21, all institutions were in compliance with BOR Policy 1:22. Three Presidents were notified of activities that had a negative operation trends for the last three years to prevent non-compliance in future years. These negative operation trends are highlighted in yellow in Attachment I.

**ATTACHMENTS**

Attachment 1 – Public Service Activity Report

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**INFORMATIONAL ITEM**

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
<b><u>Black Hills State University</u></b>							
<b>Athletic Camps</b>							
Revenue	385,146.69	412,438.48	345,606.79	99,545.14	337,713.39	238,168.25	239.3%
Expenditures	<u>326,306.15</u>	<u>289,268.98</u>	<u>361,066.86</u>	<u>195,835.39</u>	<u>(217,652.68)</u>	(413,488.07)	-211.1%
Change in Assets before Transfers	58,840.54	123,169.50	(15,460.07)	(96,290.25)	555,366.07	651,656.32	-676.8%
Transfers In/(Out)	(48,357.00)	(84,595.86)	(81,826.59)	(14,596.64)	(103,445.00)	(88,848.36)	608.7%
Prior Balance Adjustment	52.42						
Ending Cash Balances	<u>226,747.42</u>	<u>265,321.06</u>	<u>168,034.40</u>	<u>57,147.51</u>	<u>509,068.58</u>	451,921.07	790.8%

**Summer Institute of the Arts:**

The Summer Institute of the Arts or the Black Hills Art and Folk Festival is an effort for BHSU to expand their role as a regional arts center.

Revenue			555.00	751.00			
Expenditures		<u>165.33</u>	<u>7,343.98</u>	<u>630.00</u>			
Change in Assets before Transfers		(165.33)	(6,788.98)	121.00			
Transfers In/(Out)							
Ending Cash Balances	8,140.08	7,974.75	1,185.77	1,306.77	1,306.77		

**Stock Market Game:**

The Stock Market Game has individuals and teams participate by "investing" in a mock stock market.

Revenue	4,130.00	3,680.00	3,600.00	8,130.00	314.00	(7,816.00)	-96.1%
Expenditures	<u>4,249.91</u>	<u>5,644.23</u>	<u>2,601.75</u>	<u>2,930.21</u>	<u>3,358.84</u>	428.63	14.6%
Change in Assets before Transfers	(119.91)	(1,964.23)	998.25	5,199.79	(3,044.84)	(8,244.63)	-158.6%
Transfers In/(Out)							
Ending Cash Balances	2,054.92	90.69	1,088.94	6,288.73	3,243.89	(3,044.84)	-48.4%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
<b>Center for the Advancement of Math and Science Education (CAMSE):</b>							
CAMSE provides innovative curriculum to school districts to advance math and science education in the K-12 school systems.							
Revenue	283,521.91	100,917.68	135,127.22	43,958.88	21,920.12	(22,038.76)	-50.1%
Expenditures	<u>209,116.03</u>	<u>131,797.56</u>	<u>281,680.48</u>	<u>155,989.99</u>	<u>106,800.52</u>	(49,189.47)	-31.5%
Change in Assets before Transfers Adjustment Transfers In/(Out)	74,405.88	(30,879.88)	(146,553.26)	(112,031.11)	(84,880.40)	27,150.71	-24.2%
Ending Cash Balances	800,162.96	769,283.08	622,729.82	510,698.71	425,818.31	(84,880.40)	-16.6%
<b>Consortium for Advanced Technological Education (CATE) Internet Electronics Program</b>							
The CATE program is a joint program with Western Dakota Tech to provide advanced electronics education to rural locations using the internet.							
Revenue							
Expenditures							
Change in Assets before Transfers							
Transfers In/(Out)			(15,690.10)				
Ending Cash Balances	15,690.10	15,690.10	-				
<b>Extension Office:</b>							
The Extension Office coordinates community wants with people's talents to offer non-credit adult community education classes. These classes short in duration and offer the basics in that enhance the personal knowledge of those taking the courses.							
Revenue	1,747.25	886.00	2,417.00	1,207.68	3,081.81	1,874.13	155.2%
Expenditures	<u>43.25</u>		<u>-</u>	<u>400.00</u>	<u>-</u>	(400.00)	-100.0%
Change in Assets before Transfers	1,704.00	886.00	2,417.00	807.68	3,081.81	2,274.13	281.6%
Transfers In/(Out)	<u>(4,001.40)</u>						
Ending Cash Balances	1,513.82	2,399.82	4,816.82	5,624.50	8,706.31	3,081.81	54.8%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
<b>Center for Business, Enterprise and Tourism - CBET:</b>							
Online Customer Service Training program is a joint program with the SD Department of Tourism that provides the first people who come into contact with travelers to the state, SD employees and employers, with a training that promotes awareness and ideas to make the best possible first impression.							
Revenue	8,688.72	9,355.03	7,999.08	16,406.87	11,862.78	(4,544.09)	-27.7%
Expenditures	<u>406.57</u>	<u>199.81</u>	<u>-</u>	<u>1,260.00</u>	<u>1,089.21</u>	(170.79)	-13.6%
Change in Assets before Transfers	8,282.15	9,155.22	7,999.08	15,146.87	10,773.57	(4,373.30)	-28.9%
Transfers In/(Out)	<u>(561.35)</u>		<u>(371.72)</u>	<u>(6.00)</u>			
Ending Cash Balances	62,332.79	71,488.01	79,115.37	94,256.24	105,029.81	10,773.57	11.4%
<b>Summer Academic Camps:</b>							
Summer academic camps are designed to educate and inspire middle and high school students.							
Revenue	2,181.00	6,244.00	13,710.00	7,710.00	14,465.00	6,755.00	87.6%
Expenditures	<u>6,378.39</u>	<u>4,272.83</u>	<u>14,923.76</u>	<u>4,958.20</u>	<u>6,117.36</u>	1,159.16	23.4%
Change in Assets before Transfers	(4,197.39)	1,971.17	(1,213.76)	2,751.80	8,347.64	5,595.84	203.4%
Ending Cash Balances	2,809.36	4,780.53	3,566.77	6,318.57	14,666.21	8,347.64	132.1%
<b>Outdoor Education Programs:</b>							
The Outdoor Education program offers courses in outdoor leadership, wilderness training, and wilderness medicine courses. Participants have the opportunity to achieve (re)certification in wilderness first response and medical certification.							
Revenue	19,192.50	19,561.63	27,362.36	23,672.35	18,477.54	(5,194.81)	-21.9%
Expenditures	<u>24,324.17</u>	<u>19,285.97</u>	<u>31,617.28</u>	<u>22,641.78</u>	<u>15,733.06</u>	(6,908.72)	-30.5%
Change in Assets before Transfers	(5,131.67)	275.66	(4,254.92)	1,030.57	2,744.48	1,713.91	166.3%
Transfers	<u>(297.80)</u>	<u>101.58</u>					
Ending Cash Balances	4,671.69	5,048.93	240 794.01	1,824.58	4,569.06	2,744.48	150.4%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
<b><u>Dakota State University</u></b>							
<b>Athletic Camps:</b>							
Revenue	59,939.67	76,011.00	33,580.10	44,350.23	85,653.36	41,303.13	93.1%
Expenditures	<u>35,040.15</u>	<u>85,688.45</u>	<u>27,515.84</u>	<u>48,152.83</u>	<u>40,552.67</u>	(7,600.16)	-15.8%
Change in Assets before Transfers	24,899.52	(9,677.45)	6,064.26	(3,802.60)	45,100.69	48,903.29	-1286.0%
Ending Cash Balances	47,261.70	37,584.25	43,648.51	39,845.91	84,946.60	45,100.69	113.2%
<b><u>Northern State University</u></b>							
<b>Athletic Camps</b>							
Revenue	123,156.07	149,122.74	138,864.62	59,367.61	202,308.90	142,941.29	240.8%
Expenditures	<u>107,216.17</u>	<u>69,411.01</u>	<u>97,211.40</u>	<u>84,608.22</u>	<u>35,542.78</u>	(49,065.44)	-58.0%
Change in Assets before Transfers	15,939.90	79,711.73	41,653.22	(25,240.61)	166,766.12	192,006.73	-760.7%
Transfers In/(Out)	(19,061.23)	(45,294.12)	(34,247.76)	(27,808.55)		27,808.55	-100.0%
Adjustment			7,434.62		(5,384.50)		
Ending Cash Balances	<u>30,313.79</u>	<u>64,731.40</u>	<u>79,571.48</u>	<u>26,522.32</u>	<u>187,903.94</u>	161,381.62	608.5%
<b>Vocal Jazz Camp:</b>							
Students have the chance to play in various jazz groups; take lessons and learn about improvisation; participate in nightly jam sessions.							
Revenue	4,350.00	3,685.00	6,926.69	3,765.00	11,978.20	8,213.20	218.1%
Expenditures	<u>5,070.42</u>	<u>5,531.74</u>	<u>6,382.26</u>	<u>6,783.43</u>	<u>115.86</u>	(6,667.57)	-98.3%
Change in Assets before Transfers	(720.42)	(1,846.74)	241 544.43	(3,018.43)	11,862.34	14,880.77	-493.0%



<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
Transfers In/(Out)				(975.00)	(600.00)	375.00	-38.5%
Add program		1,599.07	2,041.86				
Ending Cash Balances	5,532.24	5,284.57	7,870.86	3,877.43	15,139.77	11,262.34	290.5%

**Conferences: Leadership and International Business:**

Revenue	300.00	12,873.00	4,450.00	11,214.08	6,687.80	(4,526.28)	-40.4%
Expenditures	<u>9,264.04</u>	<u>7,924.80</u>	<u>3,548.79</u>	<u>9,914.32</u>	<u>3,234.82</u>	(6,679.50)	-67.4%
Change in Assets before Transfers	(8,964.04)	4,948.20	901.21	1,299.76	3,452.98	2,153.22	165.7%
Adjustment					(243.43)		
Transfers In/(Out)	<u>-</u>	<u>4,046.50</u>				-	
Ending Cash Balances	(4,311.27)	4,683.43	5,584.64	6,884.40	10,093.95	3,209.55	46.6%

**South Dakota School of Mines & Technology**

**Engineering and Mining Experiment Station (EMES):**

EMES is to provide analytical and technical services for students and faculty at SDSM&T as well as for off-campus clients in the public/private sectors.

Revenues	36,020.69	61,152.29	63,040.34	32,819.53	25,872.41	(6,947.12)	-21.2%
Expenditures	<u>(1,212.21)</u>	<u>71,395.52</u>	<u>56,273.55</u>	<u>30,439.78</u>	<u>(18,948.44)</u>	(49,388.22)	-162.2%
Change in Assets before Transfers	37,232.90	(10,243.23)	6,766.79	2,379.75	44,820.85	42,441.10	1783.4%
Transfers In/(Out)							
Adjust Prior Balance	<u>1,280.87</u>	<u>498.38</u>			<u>4,361.06</u>	4,361.06	
Ending Cash Balances	115,761.61	106,016.76	112,783.55	115,163.30	164,345.21	49,181.91	42.7%

**Department Sales & Services (Geology Map):**

Departmental services and product sales to private corporation or general public.

Revenue	222.81	10,097.40	57.81	4,562.96	1,074.22	(3,488.74)	-76.5%
Expenditures	<u>-</u>	<u>-</u>	<u>88.34</u>	<u>456.00</u>	<u>8,048.29</u>	7,592.29	1665.0%

<b>UNIVERSITY/PROGRAM</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>DIFFERENCE</b>	<b>% CHANGE</b>
Change in Assets before Transfers	222.81	10,097.40	(30.53)	4,106.96	(6,974.07)	(11,081.03)	-269.8%
Adjust Prior Balance		3,545.27					
Ending Cash Balances	5,042.83	18,685.50	18,654.97	22,761.93	15,787.86	(6,974.07)	-30.6%

#### **Workshops/Conferences ( ESRI-ALC, Science Fair and Concrete Conference & Athletic):**

Workshops and conferences held by campus departments for high school students and professionals.

Revenue	31,579.46	447,535.27	42,205.04	365,929.47	510,789.62	144,860.15	39.6%
Expenditures	<u>28,969.13</u>	<u>178,080.82</u>	<u>111,032.54</u>	<u>248,107.50</u>	<u>205,641.17</u>	(42,466.33)	-17.1%
Change in Assets before Transfers	2,610.33	269,454.45	(68,827.50)	117,821.97	305,148.45	187,326.48	159.0%
Transfers In/(Out)			(37,500.00)	(34,500.00)	(22,500.00)	12,000.00	-34.8%
Adjust Prior Balance	(78.00)	(2,660.37)					
Ending Cash Balances	<u>106,007.26</u>	<u>372,801.34</u>	<u>266,473.84</u>	<u>349,795.81</u>	<u>632,444.26</u>	<u>282,648.45</u>	<u>80.8%</u>

#### **Fire Prediction Management**

Weather prediction services for the Forest Service fire protection efforts and on-site assistance during fires.

General Fund Appropriations						-	
Institutional Budget		7,670.51	2,965.02	2,060.61		(2,060.61)	-100.0%
Revenue	<u>24,440.34</u>	<u>27,952.62</u>		<u>5,258.65</u>	<u>22,776.56</u>	<u>17,517.91</u>	<u>333.1%</u>
Total Revenue	24,440.34	35,623.13	2,965.02	7,319.26	22,776.56	15,457.30	211.2%
Expenditures	<u>18,787.41</u>	<u>28,441.57</u>	<u>2,965.02</u>	<u>6,496.84</u>	<u>25,288.01</u>	<u>18,791.17</u>	<u>289.2%</u>
Change in Assets before Transfers	5,652.93	7,181.56	-	822.42	(2,511.45)	(3,333.87)	-405.4%
Ending Cash Balances	25,422.83	32,604.39	32,604.39	33,426.81	30,915.36	(2,511.45)	-7.5%

#### **Composite & Polymer Engineering Lab (CAPE)**

Conducts standardized testing of polymers and composites .

Revenue	78,560.33	19,832.65	528,056.58	353,037.50	96,184.72	(256,852.78)	-72.8%
Expenditures	<u>51,751.75</u>	<u>22,869.48</u>	<u>355,037.38</u>	<u>441,901.83</u>	<u>109,930.84</u>	<u>(331,970.99)</u>	<u>-75.1%</u>

<b><u>UNIVERSITY/PROGRAM</u></b>	<b><u>FY17</u></b>	<b><u>FY18</u></b>	<b><u>FY19</u></b>	<b><u>FY20</u></b>	<b><u>FY21</u></b>	<b><u>DIFFERENCE</u></b>	<b><u>% CHANGE</u></b>
Change in Assets before Transfers	26,808.58	(3,036.83)	173,019.20	(88,864.33)	(13,746.12)	75,118.21	-84.5%
Transfers In/(Out)							
Prior Period Adjustment					661.62	661.62	
Ending Cash Balances	47,450.54	44,413.71	217,432.91	128,568.58	115,484.08	(13,084.50)	-10.2%

### **Arbegas Materials Processing (AMP)**

Uses materials deposition and joining technologies coupled with advanced manufacturing process controls and automation to aid research and industry in bols

Revenue	290,327.29	414,985.63	279,717.48	88,335.81	39,192.78	(49,143.03)	-55.6%
Expenditures	<u>292,149.72</u>	<u>496,300.83</u>	<u>236,039.30</u>	<u>81,310.99</u>	<u>74,840.53</u>	(6,470.46)	-8.0%
Change in Assets before Transfers	(1,822.43)	(81,315.20)	43,678.18	7,024.82	(35,647.75)	(42,672.57)	-607.5%
Transfers In (Out)							
Ending Cash Balances	73,436.39	(7,878.81)	35,799.37	42,824.19	7,176.44	(35,647.75)	-83.2%

### **Water Testing Lab**

Revenue				9,289.13	4,915.12	(4,374.01)	-47.1%
Expenditures				<u>8,764.39</u>	<u>4,676.50</u>	(4,087.89)	-46.6%
Change in Assets before Transfers				524.74	238.62	(286.12)	-54.5%
Ending Cash Balance			(763.36)	(238.62)	(0.00)	238.62	-100.0%

### **South Dakota State University**

#### **Music Camps and Conferences**

Revenue	49,454.74	42,004.75	44,055.73	70,917.20	11,415.00	(59,502.20)	-83.9%
Expenditures	<u>41,117.93</u>	<u>52,425.51</u>	<u>42,061.62</u>	<u>83,235.74</u>	<u>(134.00)</u>	(83,369.74)	-100.2%
Change in Assets before Transfers	8,336.81	(10,420.76)	1,994.11	(12,318.54)	11,549.00	23,867.54	-193.8%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
Ending Cash Balances	32,854.43	22,433.67	24,427.78	12,109.24	23,658.24	11,549.00	95.4%

#### **Human Development, Consumer and Family Sciences:**

This activity provides non-credit public training courses on infant and toddler care.

Revenue	13,456.75	11,666.90	23,770.98	11,906.38	12,229.00	322.62	2.7%
Expenditures	<u>10,652.11</u>	<u>21,825.97</u>	<u>28,335.51</u>	<u>9,882.46</u>	<u>9,328.00</u>	(554.46)	-5.6%
Change in Assets before Transfers	2,804.64	(10,159.07)	(4,564.53)	2,023.92	2,901.00	877.08	43.3%
Transfers In/(Out)							
Adjustments							
Ending Cash Balances	38,872.30	28,713.23	24,148.70	26,172.62	29,073.62	2,901.00	11.1%

#### **Nutrition Food Science and Hospitality - Food Analysis (NFSH-FD)**

NFSH-FD conducts product analysis, research and service products.

Revenue						-	
Expenditures							
Change in Assets before Transfers							
Transfers	(5,964.86)						
Ending Cash Balances	-						

#### **Performing Arts Center:**

The Performing Arts Center offers theatrical and musical performances to the general public.

Revenue	17,985.60	10,386.28	12,048.70	24,155.79	42,462.00	18,306.21	75.8%
Expenditures	<u>(6,131.34)</u>	<u>15,324.57</u>	<u>14,047.01</u>	<u>33,069.85</u>	<u>32,694.00</u>	(375.85)	-1.1%

<b><u>UNIVERSITY/PROGRAM</u></b>	<b><u>FY17</u></b>	<b><u>FY18</u></b>	<b><u>FY19</u></b>	<b><u>FY20</u></b>	<b><u>FY21</u></b>	<b><u>DIFFERENCE</u></b>	<b><u>% CHANGE</u></b>
Change in Assets before Transfers	24,116.94	(4,938.29)	(1,998.31)	(8,914.06)	9,768.00	18,682.06	-209.6%
Transfer In (out)				(51,000.00)		51,000.00	-100.0%
Ending Cash Balances	90,371.23	85,432.94	83,434.63	23,520.57	33,288.57	9,768.00	41.5%

#### **Pharmacy Days:**

The College of Pharmacy hosts a Career Fair and invites Pharmacy companies to participate.

Revenue	4,650.00	6,082.70	5,218.45	2,645.00	2,597.00	(48.00)	-1.8%
Expenditures	<u>5,374.85</u>	<u>5,102.53</u>	<u>5,417.86</u>	<u>4,952.18</u>	<u>9.00</u>	(4,943.18)	-99.8%
Change in Assets before Transfers	(724.85)	980.17	(199.41)	(2,307.18)	2,588.00	4,895.18	-212.2%
Transfers In/(Out)							
Adjustments							
Ending Cash Balances	19,651.93	20,632.10	20,432.69	18,125.51	20,713.51	2,588.00	14.3%

#### **Engineering Expo/Phonathon:**

The SDSU students manage the expo and fair with booths rented by engineering companies. The phonathon involves contacting alumni for funding in the Engineering Department.

Revenue	63,957.67	80,622.00	96,135.71	101,689.12	34,285.00	(67,404.12)	-66.3%
Expenditures	<u>80,883.33</u>	<u>67,303.91</u>	<u>99,133.98</u>	<u>83,542.57</u>	<u>27,817.00</u>	(55,725.57)	-66.7%
Change in Assets before Transfers	(16,925.66)	13,318.09	(2,998.27)	18,146.55	6,468.00	(11,678.55)	-64.4%
Transfers In/(Out)	10,089.00	(10,089.00)	(462.21)	(736.50)	(1,897.00)	(1,160.50)	157.6%
Adjustments							
Ending Cash Balances	<u>617.95</u>	<u>3,847.04</u>	<u>386.56</u>	<u>17,796.61</u>	<u>22,367.61</u>	4,571.00	25.7%

#### **Engineer Shops and Service:**

This activity provides repair and maintenance of SDSU Engineering equipment/tools and repair requests by other SDSU departments.

Revenue	22,873.27	1,682.81	3,712.07		79.00	79.00	
Expenditures	<u>6,754.14</u>	<u>34,994.27</u>	<u>10,288.45</u>	<u>560.02</u>	<u>1,612.00</u>	1,051.98	187.8%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
Change in Assets before Transfers	16,119.13	(33,311.46)	(6,576.38)	(560.02)	(1,533.00)	(972.98)	173.7%
Transfers In/(Out)	1,121.43						
Ending Cash Balances	43,876.97	10,565.51	3,989.13	3,429.11	1,896.11	(1,533.00)	-44.7%
<b>Conference Instruction Outreach:</b>							
This activity provides various non-credit outreach conferences.							
Revenue	62,277.11	50,467.25	53,981.90	1,333.34	2,000.00	666.66	50.0%
Expenditures	85,484.97	47,323.39	55,247.68	9,395.21	307.00	(9,088.21)	-96.7%
Change in Assets before Transfers	(23,207.86)	3,143.86	(1,265.78)	(8,061.87)	1,693.00	9,754.87	-121.0%
Transfers In/(Out)				(250.00)			
Adjustment							
Ending Cash Balances	70,027.96	73,171.82	71,906.04	63,594.17	65,287.17	1,693.00	2.7%
<b>Civil and Environmental Engineering Seminars/Conferences:</b>							
This activity provides various certification and seminars for the engineers in the state.							
Revenue	17,525.00	11,925.00	22,800.00	21,475.00	-	(21,475.00)	-100.0%
Expenditures	3,492.25	13,688.53	13,531.61	11,189.39	10,205.00	(984.39)	-8.8%
Change in Assets before Transfers	14,032.75	(1,763.53)	9,268.39	10,285.61	(10,205.00)	(20,490.61)	-199.2%
Transfers In/(Out)							
Adjustment							
Ending Cash Balances	30,393.41	28,629.88	37,898.27	48,183.88	37,978.88	(10,205.00)	-21.2%
<b>Plant Field Guide:</b>							
This activity involves the publishing and sale of books about the Grasslands and the Black Hills written by Johnson & Larson.							
Revenue	-				-	-	
Expenditures	1,356.85	9.90		24.96	9.00	(15.96)	-63.9%

<b>UNIVERSITY/PROGRAM</b>	<b><u>FY17</u></b>	<b><u>FY18</u></b>	<b><u>FY19</u></b>	<b><u>FY20</u></b>	<b><u>FY21</u></b>	<b><u>DIFFERENCE</u></b>	<b><u>% CHANGE</u></b>
Change in Assets before Transfers	(1,356.85)	(9.90)		(24.96)	(9.00)	15.96	-63.9%
Transfers In/(Out)							
Ending Cash Balances	2,871.37	2,861.47	2,861.47	2,836.51	2,827.51	(9.00)	-0.3%
<b>Horse Club Livery:</b>							
The activity provides training to adults regarding horse nutrition, management and riding.							
Revenue	8,460.00	8,160.00	7,044.00	6,420.00	-	(6,420.00)	-100.0%
Expenditures	<u>19,077.99</u>	<u>5,217.29</u>	<u>-</u>	<u>-</u>	<u>1,416.00</u>	1,416.00	
Change in Assets before Transfers	(10,617.99)	2,942.71	7,044.00	6,420.00	(1,416.00)	(7,836.00)	-122.1%
Transfers In/(Out)							
Ending Cash Balances	(4,041.75)	(1,099.04)	5,944.96	12,364.96	10,948.96	(1,416.00)	-11.5%
<b>Summer Sports Camps</b>							
Revenue	769,193.05	649,356.63	722,237.31	224,393.21	251,319.00	26,925.79	12.0%
Expenditures	<u>704,353.00</u>	<u>746,981.23</u>	<u>671,850.42</u>	<u>656,848.09</u>	<u>3,803.00</u>	(653,045.09)	-99.4%
Change in Assets before Transfers	64,840.05	(97,624.60)	50,386.89	(432,454.88)	247,516.00	679,970.88	-157.2%
Transfers In/(Out)	(2,986.12)	1,281.20	(4,158.64)	(2,599.00)		2,599.00	-100.0%
Adjustment (Add Camp)	1,344.56						
Add Science Camp Beg. Cash							
ADD ACE Camp Beg. Cash							
Ending Cash Balances	<u>518,767.13</u>	<u>422,423.73</u>	<u>468,651.98</u>	<u>33,598.10</u>	<u>281,114.10</u>	247,516.00	736.7%
<b>Continuing Education Unit Program:</b>							
Continuing Education which can include any area of teaching within the university that is offering a continuing education course.							
Revenue	7,146.94	925.00	885.00	1,020.00	1,050.00	30.00	2.9%
Expenditures	<u>5,121.94</u>	<u>(45.00)</u>	<u>-</u>	<u>1,332.29</u>	<u>(81.00)</u>	(1,413.29)	-106.1%

<b>UNIVERSITY/PROGRAM</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>DIFFERENCE</b>	<b>% CHANGE</b>
Change in Assets before Transfers	2,025.00	970.00	885.00	(312.29)	1,131.00	1,443.29	-462.2%
Ending Cash Balances	8,852.32	9,822.32	10,707.32	10,395.03	11,526.03	1,131.00	10.9%

#### **Animal Disease Research:**

The state vet lab provides animal testing for the livestock of SD. The proceeds of the tax fund the vet school slots and the operating cost of the vet lab at SDS

General Fund Appropriation	1,849,169.44	1,824,125.85	2,070,931.74	2,180,008.27	2,112,206.00	(67,802.27)	-3.1%
Endo/Ecto Parasiticide Tax	250,000.00	250,000.00	-		-	-	0.0%
Pet Food Remedy Fee					779,100.00	779,100.00	
Other Revenue	<u>4,941,677.64</u>	<u>4,713,564.06</u>	<u>4,626,871.98</u>	<u>5,119,710.09</u>	<u>5,384,906.00</u>	265,195.91	5.2%
Total Revenue	7,040,847.08	6,787,689.91	6,697,803.72	7,299,718.36	8,276,212.00	976,493.64	13.4%
Expenditures	<u>4,574,980.33</u>	<u>6,463,641.45</u>	<u>6,094,468.39</u>	<u>6,355,382.14</u>	<u>6,814,991.00</u>	459,608.86	7.2%
Change in Assets before Transfers	2,465,866.75	324,048.46	603,335.33	944,336.22	1,461,221.00	516,884.78	54.7%
Transfers In/(Out)	(4,296,899.78)	(75,140.97)	(245,810.25)	(139,706.09)	(779,100.00)	(639,393.91)	457.7%
Previous Year Adjustment							
Ending Cash Balances	<u>1,295,614.84</u>	<u>1,544,522.33</u>	<u>1,902,047.41</u>	<u>2,706,677.54</u>	<u>3,388,798.54</u>	682,121.00	25.2%

#### **Engineering Extension Conference:**

Engineering Extension holds many conferences throughout the state for business and industry.

Revenue	18,879.67	4,859.44	189.23		51.00	51.00	
Expenditures	<u>(65,713.87)</u>	<u>5,913.18</u>	<u>195.92</u>		<u>1,858.00</u>	1,858.00	
Change in Assets before Transfers	84,593.54	(1,053.74)	(6.69)		(1,807.00)	(1,807.00)	
Transfers In/(Out)	(407.68)	(111.65)	(431.22)	(44.35)	(77.00)	(32.65)	73.6%
Adjustments							
Ending Cash Balances	<u>114,590.08</u>	<u>113,424.69</u>	<u>112,986.78</u>	<u>112,942.43</u>	<u>111,058.43</u>	(1,884.00)	-1.7%

#### **Family and Consumer Sciences - Out of School Revolving:**

FCS offers a kindergarten program.

Revenue	11,415.50	13,533.37	13,148.64	13,722.69	6,708.00	(7,014.69)	-51.1%
Expenditures	<u>12,013.63</u>	<u>11,568.15</u>	<u>12,109.95</u>	<u>10,713.91</u>	<u>7,371.00</u>	(3,342.91)	-31.2%



<b>UNIVERSITY/PROGRAM</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>DIFFERENCE</b>	<b>% CHANGE</b>
Change in Assets before Transfers	(598.13)	1,965.22	1,038.69	3,008.78	(663.00)	(3,671.78)	-122.0%
Ending Cash Balances	856.79	2,822.01	3,860.70	6,869.48	6,206.48	(663.00)	-9.7%

**CEE Structures Lab:**

Testing service to public from the Lohr Structures Lab.

Revenue	268.12	1,065.19	2,150.54	0.13	-	(0.13)	-100.0%
Expenditures	<u>5,899.44</u>	<u>795.88</u>	<u>2,234.85</u>	<u>43.73</u>	<u>-</u>	(43.73)	-100.0%
Change in Assets before Transfers	(5,631.32)	269.31	(84.31)	(43.60)	-	43.60	-100.0%
Transfers In/(Out)							
Adjustments							
Ending Cash Balances	1,170.82	1,440.13	1,355.82	1,312.22	1,312.22	-	0.0%

**County Road Conference - LTAP:**

Annual conference for County Highway Department Officials to learn new methods or road maintenance.

Revenue	46,150.00	55,875.00	54,525.00	52,750.00	250.00	(52,500.00)	-99.5%
Expenditures	<u>25,477.21</u>	<u>32,278.53</u>	<u>49,314.14</u>	<u>50,484.86</u>	<u>1,462.00</u>	(49,022.86)	-97.1%
Change in Assets before Transfers	20,672.79	23,596.47	5,210.86	2,265.14	(1,212.00)	(3,477.14)	-153.5%
Transfers In/(Out)		<u>(374.91)</u>					
Ending Cash Balances	72,108.61	95,330.17	100,541.03	102,806.17	101,594.17	(1,212.00)	-1.2%

**Counseling and Human Resource Development (CHRD):**

Offers conferences to the public in the area of CHRD.

Revenue		9,725.00	6,548.00	6,378.00	993.00	(5,385.00)	-84.4%
Expenditures		<u>4,169.95</u>	<u>5,759.08</u>	<u>1,268.50</u>	<u>-</u>	(1,268.50)	-100.0%
Change in Assets before Transfers		5,555.05	788.92	5,109.50	993.00	(4,116.50)	-80.6%

<b><u>UNIVERSITY/PROGRAM</u></b>	<b><u>FY17</u></b>	<b><u>FY18</u></b>	<b><u>FY19</u></b>	<b><u>FY20</u></b>	<b><u>FY21</u></b>	<b><u>DIFFERENCE</u></b>	<b><u>% CHANGE</u></b>
Transfers In/(Out) Adjustment							
Ending Cash Balances	68.75	5,623.80	6,412.72	11,522.22	12,515.22	993.00	8.6%

#### **Eastern SD Water Conference**

The conference brings together researchers from Federal, State University, local government and private organizations to provide a forum to discuss topics dealing with water and water quality in SD.

Revenue	5,529.00	4,585.00	5,585.00	5,535.00	-	(5,535.00)	-100.0%
Expenditures	<u>5,730.03</u>	<u>4,374.62</u>	<u>5,163.06</u>	<u>5,562.61</u>	<u>1,058.00</u>	(4,504.61)	-81.0%
Change in Assets before Transfers	(201.03)	210.38	421.94	(27.61)	(1,058.00)	(1,030.39)	3731.9%
Transfers In (Out)	(5,951.14)						
Ending Cash Balances	6,109.74	6,320.12	6,742.06	6,714.45	5,656.45	(1,058.00)	-15.8%

#### **I-29 Dairy Conference**

The conference provides information on dairy nutrition, dairy cow comfort/housing and dairy facilities to producers along the I-19 corridor.

Revenue	4,308.16	5,009.20	2,216.50	20,737.45	-	(20,737.45)	-100.0%
Expenditures	<u>3,315.44</u>	<u>5,820.04</u>	<u>17,163.67</u>	<u>20,860.64</u>	<u>24,120.00</u>	3,259.36	15.6%
Change in Assets before Transfers	992.72	(810.84)	(14,947.17)	(123.19)	(24,120.00)	(23,996.81)	19479.5%
Transfers In/(Out)			40,139.91				
Ending Cash Balances	5,977.74	5,166.90	30,359.64	30,236.45	6,116.45	(24,120.00)	-79.8%

#### **Wellness Program:**

The Wellness Program provides physical fitness programs and awareness to the public.

Revenue	620,208.94	545,309.48	570,994.05	425,672.60	164,106.00	(261,566.60)	-61.4%
Expenditures	<u>483,381.30</u>	<u>323,993.36</u>	<u>415,763.26</u>	<u>485,143.61</u>	<u>94,065.00</u>	(391,078.61)	-80.6%
Change in Assets before Transfers	136,827.64	221,316.12	155,230.79	(59,471.01)	70,041.00	129,512.01	-217.8%
Transfers In/(Out)	(64,623.53)	(743.02)	(565.84)	(1,353.46)	(612.00)	741.46	-54.8%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
Adjustment							
Ending Cash Balances	131,268.98	351,842.08	506,507.03	445,682.56	515,111.56	69,429.00	15.6%
<b>Music - String Project:</b>							
The String project is when parents pay a fee for string lessons for their children. This fund helps pay for items the students would need during the year.							
Revenue	3,327.50	5,040.00	4,690.00	7,577.02	1,400.00	(6,177.02)	-81.5%
Expenditures	<u>5,030.35</u>	<u>2,367.18</u>	<u>5,304.39</u>	<u>7,091.27</u>	<u>1,380.00</u>	(5,711.27)	-80.5%
Change in Assets before Transfers	(1,702.85)	2,672.82	(614.39)	485.75	20.00	(465.75)	-95.9%
Ending Cash Balances	(965.73)	1,707.09	1,092.70	1,578.45	1,598.45	20.00	1.3%
<b>Extension Master Gardener:</b>							
Revenue		14,318.69	675.00	25,654.40	19,388.00	(6,266.40)	-24.4%
Expenditures	<u>15,654.17</u>	<u>17,465.30</u>	<u>30,673.68</u>	<u>2,417.77</u>	<u>4,955.00</u>	2,537.23	104.9%
Change in Assets before Transfers	(15,654.17)	(3,146.61)	(29,998.68)	23,236.63	14,433.00	(8,803.63)	-37.9%
Transfer In (Out)			<u>27,015.73</u>				
Ending Cash Balances	9,658.28	6,511.67	3,528.72	26,765.35	41,198.35	14,433.00	53.9%
<b>Environmental Training:</b>							
Revenue	5,550.00	4,375.00	1,500.00	2,547.11	4,371.00	1,823.89	71.6%
Expenditures	<u>3,152.47</u>	<u>3,011.35</u>	<u>5,507.21</u>	<u>4,530.97</u>	<u>(5,283.00)</u>	(9,813.97)	-216.6%
Change in Assets before Transfers	2,397.53	1,363.65	(4,007.21)	(1,983.86)	9,654.00	11,637.86	-586.6%
Transfer In (Out)			<u>7,430.20</u>	<u>1,024.21</u>		(1,024.21)	-100.0%
Ending Cash Balances	3,872.69	5,236.34	8,659.33	7,699.68	17,353.68	9,654.00	125.4%
<b>NRM Natural Resource Camp:</b>							
Revenue	4,605.00	3,625.00	2,175.00	675.00	-	(675.00)	-100.0%
Expenditures	<u>4,245.45</u>	<u>3,939.10</u>	<u>1,691.99</u>	<u>1,399.40</u>	<u>(1,000.00)</u>	(2,399.40)	-171.5%

<b><u>UNIVERSITY/PROGRAM</u></b>	<b><u>FY17</u></b>	<b><u>FY18</u></b>	<b><u>FY19</u></b>	<b><u>FY20</u></b>	<b><u>FY21</u></b>	<b><u>DIFFERENCE</u></b>	<b><u>% CHANGE</u></b>
Change in Assets before Transfers	359.55	(314.10)	483.01	(724.40)	1,000.00	1,724.40	-238.0%
Transfer In (Out)			-				
Ending Cash Balances	1,732.55	1,418.45	1,901.46	1,177.06	2,177.06	1,000.00	85.0%

**ABE Precision Ag Conference:**

Revenue	9,076.57	13,914.05					
Expenditures	<u>4,770.68</u>	<u>9,299.28</u>					
Change in Assets before Transfers	4,305.89	4,614.77					
Transfer In (Out)	7,358.79						
Ending Cash Balances	<u>11,664.68</u>	<u>16,279.45</u>	<u>16,279.45</u>	<u>16,279.45</u>	<u>16,279.45</u>		

**McCrary Gardens:**

Revenue	320,687.55	292,414.61	128,524.14	180,558.05	80,366.00	(100,192.05)	-55.5%
Expenditures	<u>393,961.08</u>	<u>297,733.50</u>	<u>169,830.45</u>	<u>116,973.72</u>	<u>72,541.00</u>	<u>(44,432.72)</u>	<u>-38.0%</u>
Change in Assets before Transfers	(73,273.53)	(5,318.89)	(41,306.31)	63,584.33	7,825.00	(55,759.33)	-87.7%
Transfer In (Out)				350,071.70		(350,071.70)	-100.0%
Ending Cash Balances	<u>(360,435.18)</u>	<u>(365,754.07)</u>	<u>(407,060.38)</u>	<u>6,595.65</u>	<u>14,420.65</u>	<u>7,825.00</u>	<u>118.6%</u>

**University of South Dakota**

**Athletic Association Clinics**

The activities classified in this category include various athletic sports clinics for K-12 students.

Revenue	254,698.36	295,036.17	286,366.05	155,742.60	97,198.24	(58,544.36)	-37.6%
Expenditures	<u>261,625.34</u>	<u>265,412.80</u>	<u>293,887.50</u>	<u>260,978.76</u>	<u>30,223.69</u>	<u>(230,755.07)</u>	<u>-88.4%</u>
Change in Assets before Transfers	(6,926.98)	29,623.37	(7,521.45)	(105,236.16)	66,974.55	172,210.71	-163.6%
Transfers In/(Out)							
Ending Cash Balances	110,083.24	139,706.61	132,185.16	26,949.00	93,923.55	66,974.55	248.5%

<u>UNIVERSITY/PROGRAM</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>DIFFERENCE</u>	<u>% CHANGE</u>
<b>Other Camps (Summer Camp and Music Camp)</b>							
The activities are for summer music, educational and governs camps.							
Revenue	265,282.41	162,008.86	113,983.15	52,244.46	56,420.19	4,175.73	8.0%
Expenditures	<u>220,643.59</u>	<u>220,287.89</u>	<u>157,108.79</u>	<u>118,021.26</u>	<u>(3,193.59)</u>	(121,214.85)	-102.7%
Change in Assets before Transfers	44,638.82	(58,279.03)	(43,125.64)	(65,776.80)	59,613.78	125,390.58	-190.6%
Transfers In/(Out)					<u>23,484.23</u>	23,484.23	
Ending Cash Balances	247,968.24	189,689.21	146,563.57	80,786.77	163,884.78	83,098.01	102.9%
<b>Education Outreach:</b>							
The activities classified in this category include Quad State Marching Band, Law School Profession Workshop, Jazz Festival and the TTL Education.							
Revenue	105,801.24	91,985.97	35,319.33	17,440.00	13,017.80	(4,422.20)	-25.4%
Expenditures	<u>109,137.30</u>	<u>89,268.22</u>	<u>32,150.78</u>	<u>2,147.14</u>	<u>(28,858.83)</u>	(31,005.97)	-1444.1%
Change in Assets before Transfers	(3,336.06)	2,717.75	3,168.55	15,292.86	41,876.63	26,583.77	173.8%
Transfers In/(Out)	(15,000.00)	714.83		(32,389.21)	(23,484.23)	8,904.98	-27.5%
Adjustment for missed programs				-4129.09		-	
Ending Cash Balances	<u>102,340.24</u>	<u>105,772.82</u>	<u>108,941.37</u>	<u>87,715.93</u>	<u>106,108.33</u>	18,392.40	21.0%
<b>Small Business Administration (SBA):</b>							
SBA provides services for outside agencies on a fee for service basis. Some services provided by SBA include statistical data research, such as census, revenue, gaming, etc...							
Revenue	1,018,767.24	889,507.57	987,558.87	861,035.94	792,917.37	(68,118.57)	-7.9%
Expenditures	<u>946,291.29</u>	<u>906,970.09</u>	<u>773,306.00</u>	<u>736,424.42</u>	<u>902,133.26</u>	165,708.84	22.5%
Change in Assets before Transfers	72,475.95	(17,462.52)	214,252.87	124,611.52	(109,215.89)	(233,827.41)	-187.6%
Transfers In/(Out)							
Add missed programs beg. Cash							
Add MTS Service							
Adjust BB					<u>(19.40)</u>		

<b>UNIVERSITY/PROGRAM</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>FY21</b>	<b>DIFFERENCE</b>	<b>% CHANGE</b>
Ending Cash Balances	215,119.20	197,656.68	411,909.55	536,501.67	427,285.78	(109,215.89)	-20.4%

#### **Centers for Disabilities:**

Centers for Disabilities provides services for individuals and families with individuals with disabilities to make their lives as normal as possible.

Revenue	162,655.09	232,743.74	230,547.83	220,176.12	230,780.85	10,604.73	4.8%
Expenditures	<u>185,050.31</u>	<u>233,212.07</u>	<u>216,494.14</u>	<u>167,312.18</u>	<u>168,259.10</u>	946.92	0.6%
Change in Assets before Transfers	(22,395.22)	(468.33)	14,053.69	52,863.94	62,521.75	9,657.81	18.3%
Adjustments			(2,050.90)				
Transfers In/(Out)	30,000.00	42,000.00			(37,175.00)	(37,175.00)	
Add Nutrition Services							
Ending Cash Balances	<u>581,261.60</u>	<u>622,793.27</u>	<u>634,796.06</u>	<u>687,660.00</u>	<u>713,006.75</u>	25,346.75	3.7%

Note: Transfer in of \$42,000 was indirect revenues from grants and contracts awarded and transferred in from the Centers for Disabilities.

#### **Building Bridges Conference:**

The conference is provided by Student Life for the exchange students as a good will gesture.

Revenue	1,250.00	500.00	1,500.00	-	-		
Expenditures	<u>2,727.39</u>	<u>227.45</u>	<u>5.11</u>	<u>140.25</u>	<u>-</u>	(140.25)	-100.0%
Change in Assets before Transfers	(1,477.39)	272.55	1,494.89	(140.25)	-	140.25	-100.0%
Adjustments			10.00				
Ending Cash Balances	2,138.41	2,410.96	<u>3,915.85</u>	3,775.60	3,775.60		0.0%

#### **Center for the Prevention of Child Maltreatment:**

Revenue			51,071.46	70,536.59	149,776.80	79,240.21	112.3%
Expenditures			<u>49,444.84</u>	<u>81,702.10</u>	<u>138,637.56</u>	56,935.46	69.7%
Change in Assets before Transfers			1,626.62	(11,165.51)	11,139.24	22,304.75	-199.8%
Ending Cash Balances		700.00	2,326.62	(8,838.89)	2,300.35	11,139.24	-126.0%

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 6 – A**  
**DATE: October 6-7, 2021**

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**SUBJECT**

**Special Schools Update**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 1:10:7](#) – South Dakota School for the Deaf Mission Statement

[BOR Policy 1:10:8](#) – South Dakota School for the Blind and Visually Impaired Mission Statement

**BACKGROUND / DISCUSSION**

N/A

**IMPACT AND RECOMMENDATIONS**

The intention of this item is to provide a state of the special schools update for members of the Board of Regents as the work of these institutions is a critical aspect of the Regental system.

**ATTACHMENTS**

Attachment I – SD School for the Deaf PowerPoint Presentation

Attachment II – SD School for the Blind and Visually Impaired PowerPoint Presentation

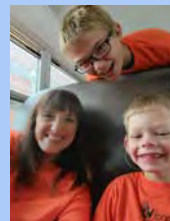
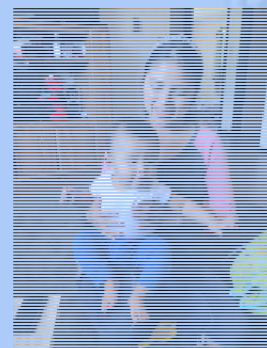
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**INFORMATIONAL ITEM**

# SOUTH DAKOTA SCHOOL FOR THE DEAF



## Partners in Educational Success





## SDSD History

A quote from Rev. Thomas B. Berry's dairy:

*"I moved to open a school for deaf children in my house Nov. 2. The school didn't open Nov. 2 because there were no pupils but on the 8<sup>th</sup> I heard of a mute boy. I went out to look him up and found him. His name was William Harley. On Nov. 9<sup>th</sup>, 1880 then I really began the school.....The rest is history."*



- SDSD has a rich and strong history established on November 9, 1880
- 1962 demonstrated peak student enrollment at 133
- 1970 enrollment began to dwindle because of mainstream programs
- SDSD has served children who are deaf or hard of hearing for over 140 years
- Currently serving 558 students who are attending their local school districts with support services through the SDSD Outreach Program.
- SDSD started the Outreach Program in 1972
- Residential program closed in 2000
- SDSD shifted to an all-Outreach Program in 2009
- SDSD moved to a new location November of 2019



Thomas Berry

<https://grainoncescattered.org/category/deaf-ministry/#jp-carousel-452>

## SDSD Programs

- **Audiology Program** – three audiologists and three audiology techs
  - Clinic & Mobile Lab #s –
    - 2018-2019 - 19,058 2019-2020- 15,237 2020-2021 – 11,727
- **Outreach Program** – 12 consultants, one service coordinator
  - Outreach Program #s-
    - 2012-2013 #s – 400 2020 -2021 – 558
    - Summer Enrichment Program #s - 40
      - Hands In Motion
      - Just Communicate
- **Student Evaluation Program #s - 20**





## Early Hearing Detection & Intervention

# 1-3-6

**Screening**

No later than 1 month of age

**Diagnostic testing with an audiologist**

No later than 3 months of age

**Early Intervention**

No later than 6 months of age


<https://www.cdc.gov/ncbddd/hearingloss/freematerials.html>



### South Dakota – how rural is it?



2018 SD Population 882,235



560 Served

Hearing loss is more common than any other condition screened for at birth. As many as 3 to 4 out of every 1,000 babies in the United States are born with some level of hearing loss. Based on that estimate, 33 to 44 babies are born with hearing loss in South Dakota each year. <https://doh.sd.gov/family/newborn/Screening/hearing/>

## How We Serve South Dakota



- Collaborative Consultation in homes and schools
- Professional Development opportunities to educate families, school staff, and other professionals.
- Hearing screenings in schools, preschools and daycares with Mobile Lab
- No cost Audiology examination in Sioux Falls and Rapid City
- Transition Specialists
- Family & Educator Sign Language Classes
- Summer Enrichment Programs
- Statewide family educational and social activities
- Share information with a variety of University classes about working with deaf/hard-of-hearing students.



## We Serve Families & Schools



\*SDSD is “Child First” we serve Children - birth through age 21 with a varied hearing status and their families, supporting them to reach their full potential.

- It is critical that hearing loss be identified as soon as possible and early intervention is started. **1-3-6**
- Referrals come from a variety of agencies across the state
- SDSD offers early intervention, audiology services, and student evaluations for children who are deaf or hard of hearing and their families at no cost.
- Two SDSD Clinic locations- Rapid City and Sioux Falls
- We look forward to having our typical, in-person activities as it is very important for our students and families to meet other families.





## H.A.T.S. - Helping All To Succeed!

- The year is starting fast with our Outreach and Audiology programs jumping in and reaching out to families and schools to get teacher in-services and hearing screenings set up.
- SDSD provides a valuable and life changing service to SD family and schools. The earlier SDSD staff are aware of a child with a varied hearing status the sooner we can get those family members working for a common goal of building language and communication.
- SDSD hearing screenings are part of the “child find” procedure for school districts across South Dakota and serve a very important role to locate individuals who are deaf or hard-of-hearing (DHH). If a child who is DHH “goes unidentified and/or they do not receive early intervention, special education for this child...costs schools an additional \$420,000. This has a lifetime cost of approximately 1 million per individual” (Johnson et al, 1993). SDSD provides hearing screenings and evaluations for children birth to 21 at no cost.

## Specialized & Experienced Personnel



- Pediatric Audiologists are focused on children and certified
- Consultants are certified Teachers of the Deaf or Speech Language Pathologists
- On-going training in a variety of hearing devices and communication opportunities
- Strong professional development in a variety of areas
- Maintain strong collaborations with a variety of agencies
- Participation in statewide conferences
- Out of state conferences are needed to gain information

## SDSD Moving Forward.....



Expanding our reach  
in audiology  
screenings and  
evaluations

Continuing to support  
families and  
educators across the  
state

Continuing to build  
transition resources  
for children

Continuing to use  
current research-  
based practices and  
updated equipment

Continuing to provide  
strong professional  
development for staff

Continuing  
relationships with our  
SDSD Foundation  
and Advisory Council

Continuing  
relationships with our  
state and national  
stakeholders

Continuing strong  
relationships with SD  
Department of  
Education and the  
Board of Regents

Investigating the  
possibility of a name  
change while keeping  
the same logo

Building capacity to  
meet student needs  
statewide

Continuing to update  
SDSD's online  
presence and  
resources

## Bill of Rights for Deaf and Hard of Hearing Children



- Deaf children are born with the same ability to acquire language as any other children and deserve the same chance to acquire language.
- Deaf children have the right and the capacity to be educated, to graduate high school, to obtain further education, and to pursue a career.
- To achieve this essential goal, all families of deaf children have the right to appropriate early intervention services as well as quality family educational services. These families have the right to accurate and comprehensive information, including access to state resources to help their deaf children reach their full potential.

<https://www.nad.org/resources/education/bill-of-rights-for-deaf-and-hard-of-hearing-children/>



SDSD

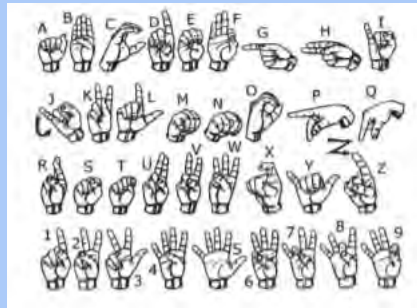
4101 W,  
38TH STREET  
STE. 101  
SIOUX FALLS



SDSD

WEST RIVER  
CLINIC  
2138 JACKSON  
BLVD  
RAPID CITY

# Questions?



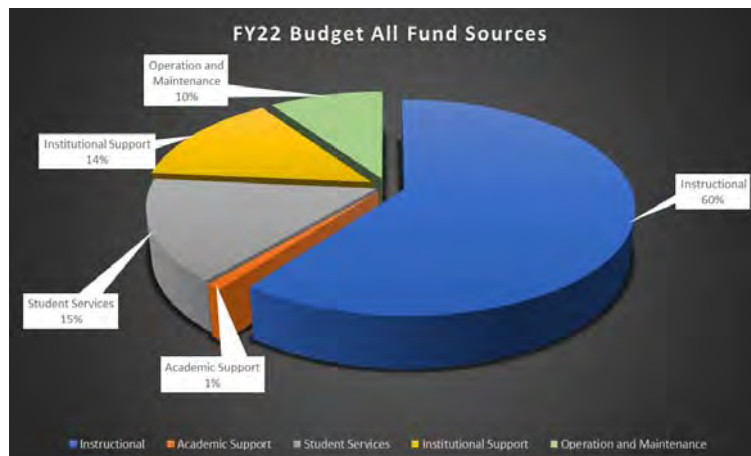




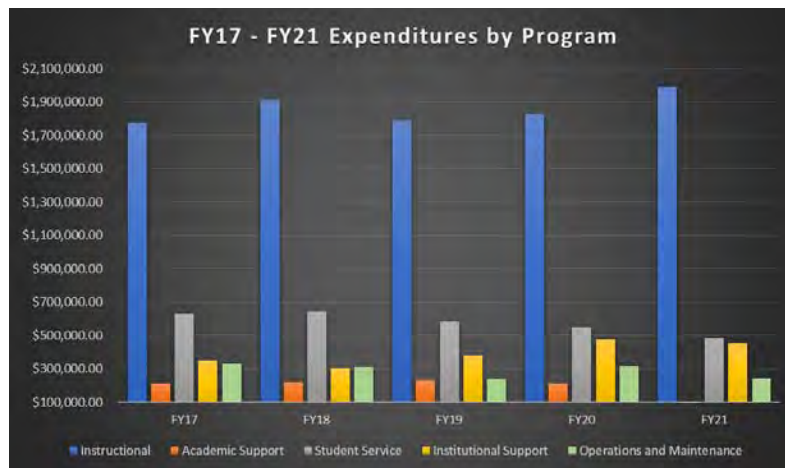
### South Dakota School for the Blind and Visually Impaired

#### Improvements to the SDSBVI learning environment:

- 10 Large Screen Televisions
- Teacher Laptops
- Student Laptops
- Student iPads
- Dual Credit Classes Offered
- Sensory Garden Musical Instruments
- New Intercom and Classroom Sound Field System
- Therapeutic Equipment for the PT/OT Room
- GoodMaps Orientation and Mobility System (currently being installed)
- School policy handbook revision and consolidation
- Inaugural social dinner night
- Inaugural school lawn campout
- Planning sessions with Northern State University to increase crossover

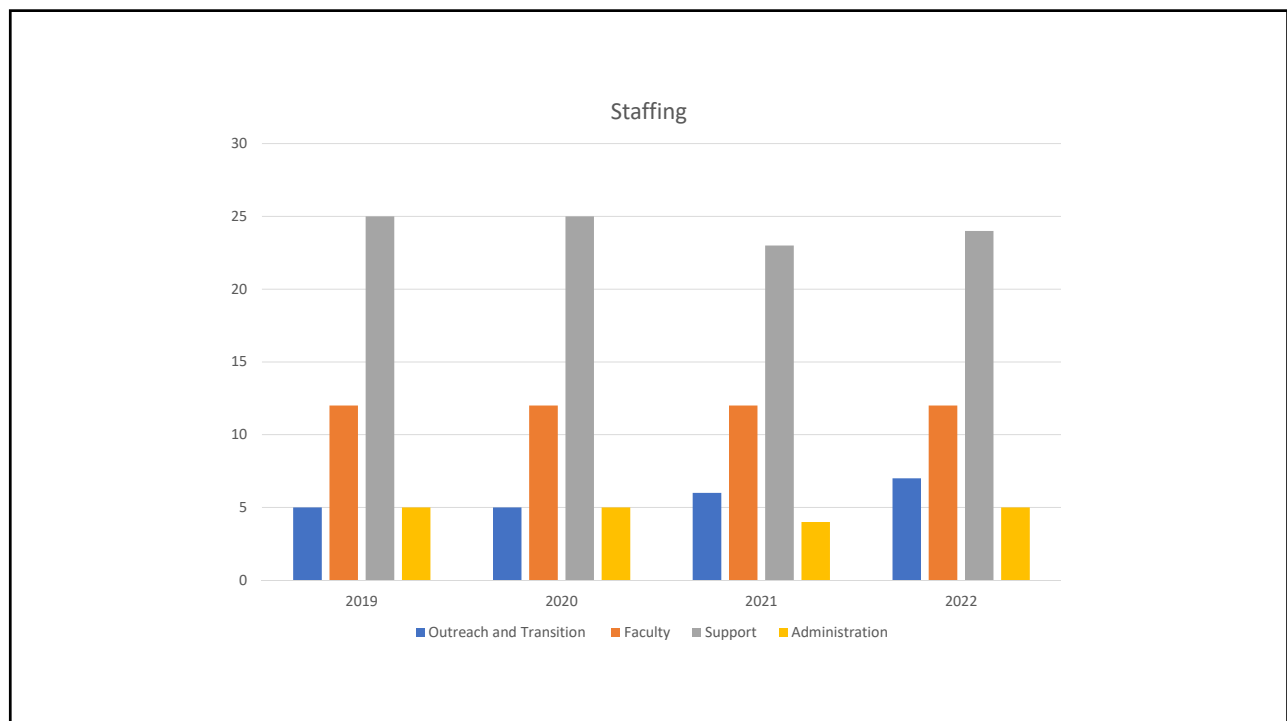
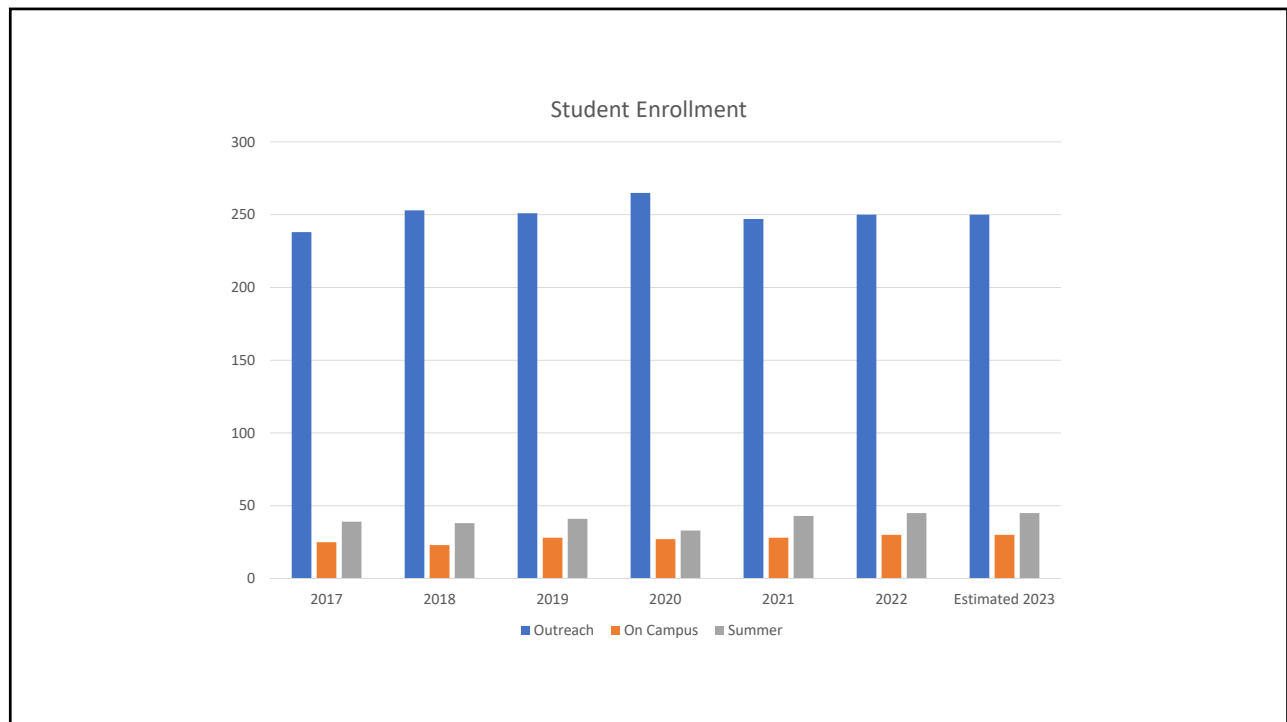


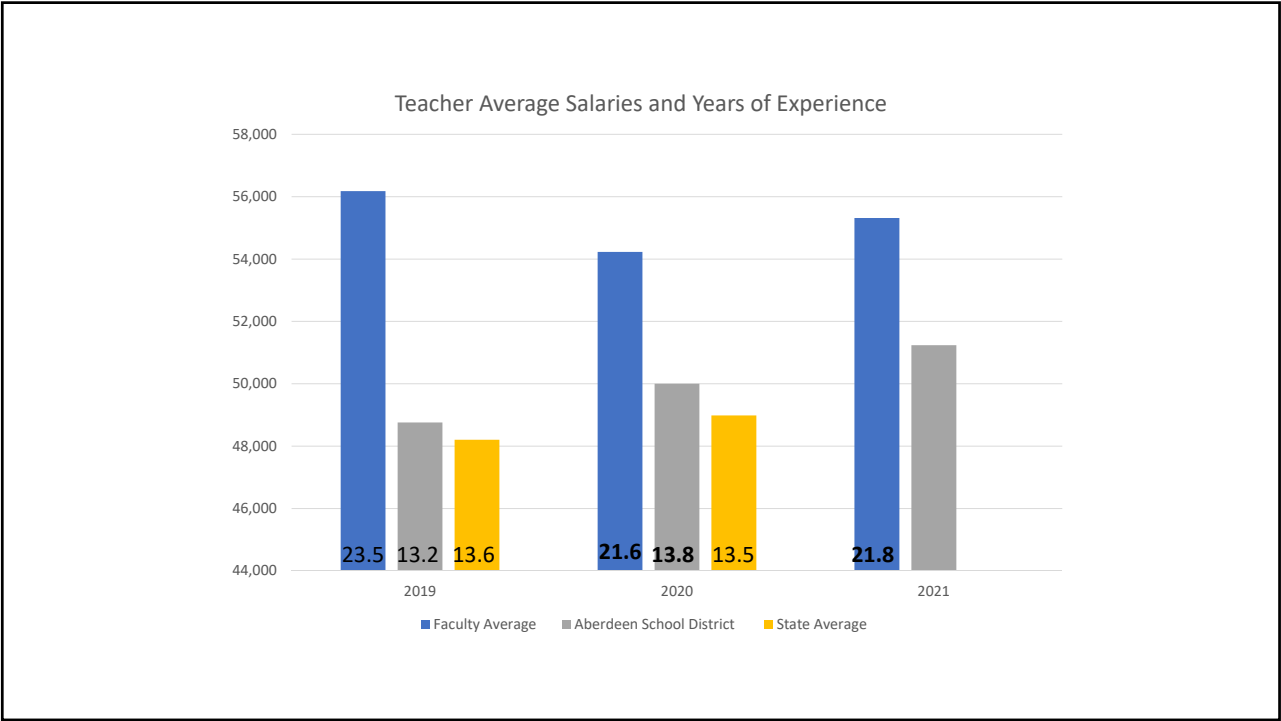
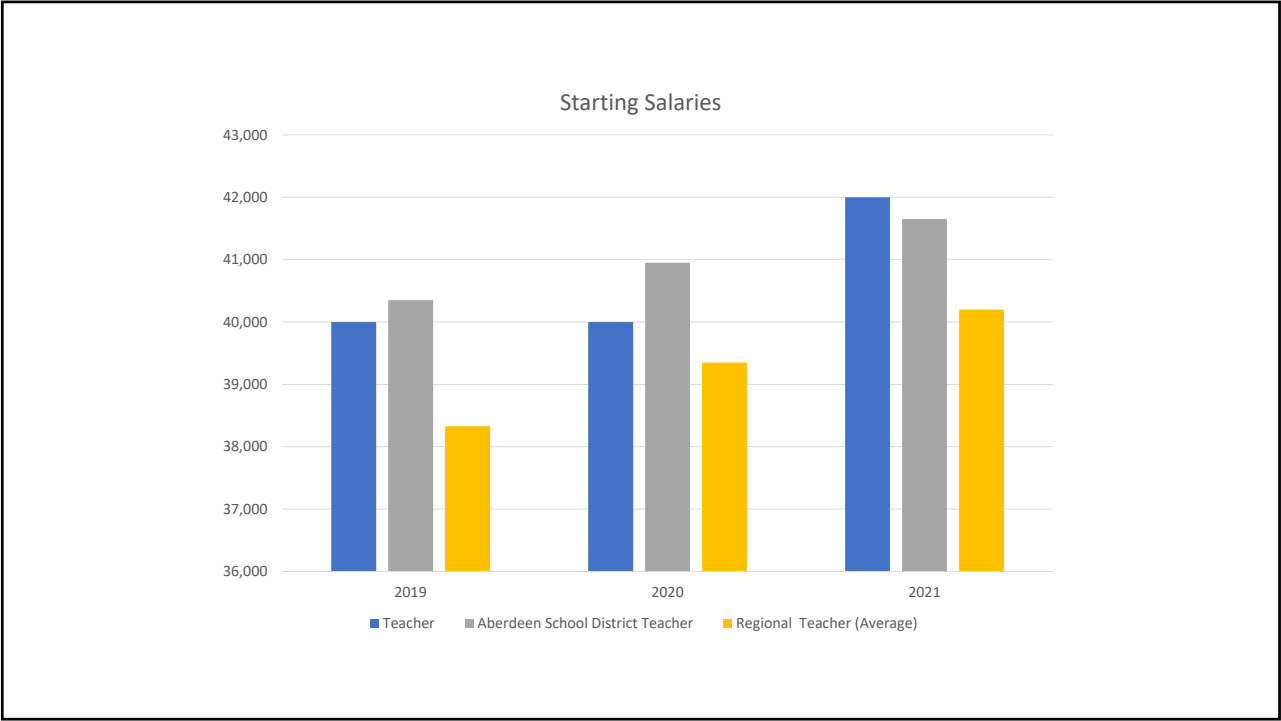




#### Historical Budget Summary

Budget Year	Budget	Expenditures
FY 17	\$ 3,655,928	\$ 3,295,33
FY 18	\$ 3,735,975	\$ 3,396,509
FY 19	\$ 3,644,255	\$ 3,226,280
FY 20	\$ 3,750,457	\$ 3,379,843
FY 21	\$ 3,730,071	\$ 3,209,961 Projected





### Instructional Assistants Pay Range (Per Hour)

FY 19	SDSBVI	\$15.75 - \$18.28
	Aberdeen	\$10.13 - \$17.16
	Regional	\$11.24 - \$15.50
FY 20	SDSBVI	\$16.14 - \$18.69
	Aberdeen	\$10.23 - \$17.16
	Regional	\$11.36 - \$16.00
FY 21	SDSBVI	\$16.49 - \$19.03
	Aberdeen	\$10.95 - \$17.93
	Regional	\$11.56 - \$16.36

### Future Considerations and Planning

- Staffing
- Student Population
- Coordination with NSU
- Transition Programming
- Short Term Training for Outreach Students and K-12 Teachers



**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 6 – B**  
**DATE: October 6-7, 2021**

\*\*\*\*\*

**SUBJECT**

**SDSBVI Comprehensive Plan for Special Education**

**CONTROLLING STATUTE, RULE, OR POLICY**

[ARSD § 24:05:21:01](#) – Local Education Comprehensive Plans – Contents

**BACKGROUND / DISCUSSION**

Each local school district and accredited school is required to annually submit a Comprehensive Plan for Special Education to the South Dakota Department of Education that details how the school will implement federal and state laws and special education regulations.

The Comprehensive Plan addresses the following major areas:

- I. Free and Appropriate Public Education (FAPE)
- II. Full educational opportunity goal (FEOG)
- III. Child Find; Child Identification
- IV. Individualized Education Program (IEP)
- V. Least Restrictive Environment (LRE)
- VI. Procedural Safeguards
- VII. Evaluation
- VIII. Confidentiality
- IX. Transition from Part C to Part 34
- X. Private School Placements
- XI. Compliance with SEA General Supervision Requirements and Implementation of Procedural Safeguards; State Complaint Procedures
- XII. FAPE Methods of Ensuring Services
- XIII. Hearings Related to LEA Eligibility
- XIV. Personnel Qualifications
- XV. Performance Goals and Indicators
- XVI. Participation in Assessments
- XVII. Supplementation of State, local, and other Federal Funds
- XVIII. Public Information
- XIX. State Advisory Panel
- XX. Other Required Provisions

(Continued)

\*\*\*\*\*

**DRAFT MOTION 20211006\_6-B:**

I move to approve the South Dakota School for the Blind and Visually Impaired's Comprehensive Plan for Special Education as presented.

Where the responsibility of South Dakota School for the Blind and Visually Impaired (SDSBVI) differs from that of local education agencies, the exceptions are noted in SDSBVI's Comprehensive Plan found in Attachment I. Much of the information in the Comprehensive Plan is documented in the SDSBVI school policy handbooks.

#### **IMPACT AND RECOMMENDATION**

Each year the Board of Regents is asked to approve the Comprehensive Plan developed by SDSBVI staff. Local school boards across the state are required to approve similar plans, and since the SDBOR serves in this capacity for SDSBVI, formal Board approval is required prior to submission.

Board staff recommend approval.

#### **ATTACHMENTS**

Attachment I – SDSBVI Comprehensive Plan & Signature Page

## South Dakota Comprehensive Plan/Program Narrative

### Sec. 300.201 Consistency with State policies.

The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures, established under Secs. 300.101 through 300.163, and 300.165 through 300.174. (Authority: 20 U.S.C. 1413(a)(1))

### South Dakota Administrative Rule 24:05:21:01. Local education agency comprehensive plans- Contents.

Each local education agency must have a current comprehensive plan approved by the school board on file with the district superintendent or designee. Documentation supporting the implementation of the local school district's comprehensive plan shall be maintained by the district for review by Special Education Programs staff during onsite monitoring visits. Districts shall update comprehensive plans consistent with 24:05:21:01.02 and recertify their content annually.

The South Dakota School for the Blind and Visually Impaired has formally adopted the following policies and procedures as the district's comprehensive plan for special education. These policies and procedures were approved by the school board on December 9, 2020. As indicated by the signature below, the authorizing official acknowledges SDSBVI will meet all requirements of the Individuals with Disabilities Education Act and Article 24:05 through the implementation of these policies and procedures and furthermore, provides assurances that it meets each of the conditions in 34 CFR 300.201 through 300.213.

CERTIFICATION- I certify that I have read and reviewed the above assurance and will comply with all provisions of applicable federal and state laws.

---

Signature of Authorized Official

Date

Regent John W. Bastian, President, South Dakota Board of Regents

---

Typed Name and Title

10910 Country Club Rd Belle Fourche, SD 57717

605-892-5083

---

Address/State/Zip

Telephone Number

\*This page must be signed by the school district official listed above and returned to:

Department of Education  
Special Education Programs  
800 Governor's Drive  
Pierre, SD 57501

If your coop is turning in one comprehensive plan narrative for all member districts, every district must still submit this page.

## South Dakota LEA Comprehensive Plan: Program Narrative

### SECTION I: Free and Appropriate Public Education (FAPE) 34 C.F.R. §§ 300.101-300.108, 300.110; ARSD 24:05:13:02

The district/cooperative and all member schools/districts will make available to all children with disabilities residing in the district(s) between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in 300.530(d); 24:05:26 and 24:05:26.01, ARSD. Specific reference in the narrative to include:

- FAPE beginning at age 3; 300.101(b); ARSD 24:05:13:02
- Children advancing from grade to grade; 300.101(c); ARSD 24:05:13:02
- Limitations- age exceptions to FAPE; 300.102; ARSD 24:05:22:04.01
- FAPE- methods and payments; 300.103; ARSD 24:05:19:08
- Residential placement; 300.104; ARSD 24:05:19:08
- Assistive technology; 300.105; ARSD 24:05:27:20, ARSD 24:05:27:18, ARSD 24:05:27:19
- Extended school year services; 300.106; ARSD 24:05:25:26
- Nonacademic services; 300.107; ARSD 24:05:28:06
- Physical education; 300.108; ARSD 24:05:28:08
- Program options; 300.110; ARSD 24:05:28:04

#### District Narrative:

The South Dakota Board of Regents (BOR), the South Dakota School for the Blind and Visually Impaired (SDSBVI), and the South Dakota Department of Education Special Education Programs (SD DOE SEP) are committed to the assurance of appropriate educational services for children with disabilities as identified by the Individuals with Disabilities Education Improvement Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, South Dakota Codified Law (SDCL) chapter 13-37 (Special Assistance and Related Services), and the Administrative Rules of South Dakota (ARSD) Article 24:05 (Special Education). The SDSBVI will provide alternative placement educational programming to assist school districts to make free appropriate public education available to children whose visual impairments preclude satisfactory educational achievement in regular classes with the use of supplementary aids and services; outreach services directly and through consultation with school districts across South Dakota; lending library and related materials access for students and their families and school districts across the state; in-service training; coordinated services for students served in dual enrollment in the special school and LEA; evaluation; related technical assistance; extended school year, and transition. The DOE will ensure through compliance monitoring and the provision of ongoing technical assistance that SDSBVI is provided with the assistance to accomplish their mission of education to students with visual impairments.

All educational programs, evaluations, room and board and other services provided by SDSBVI are provided at no cost to parents or local school districts. Districts remain responsible for travel as determined during the IEP process and for any additional services (i.e. OT, PT, psychological counseling or outside therapy) that are not conducted by SDSBVI personnel, but are included on the IEP.

- FAPE beginning at age 3; 300.101(b); ARSD 24:05:13:02

The South Dakota School for the Blind and Visually Impaired will make a FAPE available to all students who are admitted to the SDSBVI. This includes any student with a disability who has been suspended or expelled.

- Children advancing from grade to grade; 300.101(c); ARSD 24:05:13:02

All eligible students with disabilities, regardless of whether they are advancing from grade to grade, will have FAPE available to them on an individualized basis as determined by the student's IEP team on an annual basis. Exceptions to FAPE for students aged 3-21 includes those students who have graduated from high school with the regular high school diploma.

- Limitations- age exceptions to FAPE; 300.102; ARSD 24:05:22:04.01

NA



- **FAPE- methods and payments; 300.103; ARSD 24:05:19:08**

Pursuant to SDCL § 13-37-1.3, the school district has a non-delegable duty to provide a free appropriate public education for each resident child. Although the preferred placement for all children is in the school that they would ordinarily attend if they were not disabled, for some children, the least restrictive environment may involve an alternative placement in a special school. Placement in a special school does not transfer the school district's responsibility for FAPE to the special school providing an alternative placement. Rather, it necessitates a close cooperation between the school district and the special school to assure that the school district can provide necessary educational or related services that are ordinarily unavailable through the special school.

The parties agree that the Individualized Educational Plan team provides the proper setting to assign responsibility for providing educational and related services that the IEP team has determined to be necessary to provide FAPE to a child. To facilitate necessary discussions, the SDSBVI will assume responsibility for scheduling IEP team meetings, for providing parental notices, for assigning necessary special school staff or contractors to participate in the IEP process, for distributing information to parents and IEP team members, for creating records of IEP team proceedings and for otherwise providing support to the school district insofar as concerns operations of the IEP team meetings convened at the SDSBVI.

The school district will retain responsibility for providing a free appropriate public education to each child it has placed at the special school. The school district will co-chair IEP teams convened at the SDSBVI, and the school district will provide related services identified by the IEP team as necessary for a child's free appropriate public education but not otherwise available at the SDSBVI. This could include such locally contracted services such as mental health counseling, occupational or physical therapy, speech language therapy, etc. for which the LEA will assume fiscal responsibility.

The SDSBVI superintendent/designee will be responsible to ensure that the proper procedures are followed in the development, review, and revision of each IEP.

- (1) All educational programs, evaluations, room and board and other services provided by SDSBVI are provided at no cost to parents or local school districts. Districts remain responsible for travel as determined during the IEP process and for any additional services (i.e. OT, PT, SLP, psychological counseling or outside therapy, and outside evaluations) that are not conducted by SDSBVI personnel, but are included on the IEP.
- (2) SDSBVI meets the standards established by the state board in this article and the implementing regulations for Part B of the Individuals with Disabilities Education Act.
- (3) SDSBVI provides services for students from birth to age 21 and works together with Birth-Three and local school districts.
- (4) All educational programs and services are in conformity with the IEP.

- **Residential placement; 300.104; ARSD 24:05:19:08**

Consistent with the IEP requirements in this article regarding the provision of services in a timely manner, the SDSBVI will ensure that there is no inappropriate delay in implementing a child's IEP, including any case in which the payment source for providing or paying for special education and related services to the child is being determined.

All educational programs, evaluations, room and board and other services provided by SDSBVI are provided at no cost to parents or local school districts. Districts remain responsible for travel as determined during the IEP process and for any additional services (i.e. OT, PT, psychological counseling or outside therapy) that are not conducted by SDSBVI personnel, but are included on the IEP.

- **Assistive technology; 300.105; ARSD 24:05:27:18 ARSD 24:05:27:19**

Each individual child's need for assistive technology is assessed and discussed by the IEP team. The assistive technology determined by the team to be appropriate for the student will be provided by the SDSBVI and if purchased will remain the property of SDSBVI. Training in the use of the devices will be provided to the student and SDSBVI staff and to parents upon request.

- Extended school year services; 300.106; ARSD 24:05:25:26

The SDSBVI provides an extended school year that focuses on the expanded core curriculum for students who are blind or visually impaired. Recommendation for the extended school year program comes through the IEP process. An IEP is developed and implemented that addresses the need for extended school year services. The IEP team shall determine the length of the school day and duration of extended school year services based on the individual child's needs. However, students who are not on an IEP may still be eligible for services during the summer if they meet the requirement of having a visual impairment.

- Nonacademic services; 300.107; ARSD 24:05:28:06

For any student enrolled at the SDSBVI, the IEP team determines the extent and type of nonacademic and extracurricular services that will be provided in settings off campus. The SDSBVI will ensure that each child with a disability has the supplementary aids and services determined by the child's IEP team to be appropriate and necessary for the child to participate in nonacademic settings.

- Physical education; 300.108; ARSD 24:05:28:08

Physical education services are made available to every child enrolled at the SDSBVI.

Students who are served at the SDSBVI require some adaptation of the physical education program because of their reduced vision. Some eye conditions preclude certain physical activities which would cause jarring. Some competitive games, such as goalball and other events such as cross-country and downhill skiing for blind skiers are available for SDSBVI students. The goal of physical education for blind, visually impaired, and deaf blind children is the same as it is for other children to develop healthy bodies and promote lifelong activity.

The physical education program at the SDSBVI provides students with opportunities to achieve their maximum potential for physical development. Students are involved in physical exercise, games, dance, and select competitive activities. When individually appropriate, students can take part in competitive or intramural sports through the public or parochial school systems.

- Program options; 300.110; ARSD 24:05:28:04

The SDSBVI will ensure that students have available to them a variety of educational programs and services which are available to non-handicapped children including art, music, industrial arts, consumer and homemaking education, and vocational education. Responsibility for any costs associated with participation in the various programs will be determined through the IEP process. The local school district has fiscal responsibility for tuition, fees and/or transportation required for participation in programming within the Aberdeen community. The LEA must give prior consent to any such arrangement; SDSBVI cannot obligate the district without their approval. The student or family may pay participation in some activities; other activities may be sponsored by the SDSBVI.

**SECTION II: Full educational opportunity goal (FEOG) 34 C.F.R. § 300.109; ARSD 24:05:22:04, ARSD 24:05:22:04.01**

The district/cooperative and all member schools/districts will have in effect policies and procedures, demonstrating that the district/cooperative has established a goal of providing full educational opportunity to all children with disabilities, aged birth through 21, and include a timetable for accomplishing that goal.

District Narrative:

The South Dakota School for the Blind and Visually Impaired, consistent with the timetable established by the State of South Dakota and Part B of the Individuals with Disabilities Education Act (IDEA), has a goal of providing full educational opportunity to all children with visual impairments, aged birth through twenty-one. The district will review data annually to guide decisions with regard to adjustments in its programs to ensure appropriate services to all students with disabilities.

It is the goal of the South Dakota School for the Blind and Visually Impaired to provide a full educational opportunity to all children with vision loss (SDCL 13-61 specifies the students to be served), age birth through twenty-one, consistent with the timetable established in the South Dakota Eligibility Document or Part B of the Individuals with Disabilities Act.

The school's procedures for determining the additional number and kind of facilities, personnel and services needed in order to meet its full program services goal are as follows:

1. The South Dakota School for the Blind and Visually Impaired will review current statistical information from the district's special education program reflecting: a) number of referrals being submitted; and b) number resulting in the identification of additional students requiring special education services.
2. The South Dakota School for the Blind and Visually Impaired will review the current census information projecting the number of new special education students to be served based on previous population percentages experienced by the district.
3. The South Dakota School for the Blind and Visually Impaired will review the annual enrollment statistics reflecting the current number of special students being served, their primary disability condition, kinds of related services required, amount of time in special and regular education, and any other information to assist in program development.
4. The South Dakota School for the Blind and Visually Impaired will review students referred and receiving services from SDSBVI to determine sufficiency of resources to meet identified need.

**SECTION III: Child Find 34 C.F.R. § 300.111; Child Identification ARSD 24:05:22**

The district/cooperative and all member schools/districts must have in effect policies and procedures for ensuring that all children with disabilities who reside within the boundaries of the district/cooperative member districts, including those who are homeless children or are wards of the state, and children with disabilities who attend private schools, regardless of the severity of their disabilities, who are in need of special education and related services are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. Specific reference in the narrative to include:

- Use of the term developmental delay; ARSD 24:05:24.01:09
- Children who may be suspected of having a disability, and in need of special education, even though they are advancing from grade to grade, 300.111(c)(1); ARSD 24:05:22:01
- Children who are highly mobile, including migrant children, 300.111(c)(2); ARSD 24:05:22:01

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired, has in effect policies and procedures to ensure that all children with visual impairments who reside within the boundaries of the state of South Dakota and who may be in need of special education and related services are located, identified, and evaluated according to all relevant regulations. This includes those students who may be homeless or wards of the state, as well as children with visual impairments who may attend private schools or be homeschooled. Child find includes our ongoing efforts to identify pre-school and school age students with vision loss through our referral and evaluation procedures

The primary responsibility for identification of students who are visually impaired rests with the local public schools. The SDSBVI bears an obligation to inform the local school districts and general public of the programs and services available. In addition, the SDSBVI has a responsibility to enhance public awareness of blindness and the abilities of persons who are blind.

The Superintendent is responsible for the coordination, implementation and documentation of public information activities. The Superintendent is the primary contact person for local school districts and parents and is the one who maintains the register of students requesting and receiving services.

The public information campaign is an ongoing process and is broad in an attempt to reach all potential consumer groups statewide. The following have been used as a part of the SDSBVI public awareness campaign.

- a) Development of brochures which have been distributed to local school districts, cooperatives, optometrists, ophthalmologists, and public health entities.
- b) Preparation of a booth to display at educational conferences, health fairs and other related group events.
- c) Development of an on campus tour for educational and civic groups including Northern State University and Presentation College students and public school children.
- d) Presentations on topics related to vision loss and the education of visually impaired children to educational and health professionals, public school students, civic organizations and teacher preparation programs.
- e) Utilization of radio, television, and newspaper press releases and inclusion of articles in publications which reach parents and professionals.
- f) Distribution of the school publications, to parents, local schools, libraries, legislators and others.
- g) Participation by SDSBVI administration, faculty and staff in local and statewide educational conferences, meetings and taskforce groups, i.e. school administrators, special education, early childhood, speech/language pathologists, school counselors, librarians and interagency groups.
- h) Participation in conferences of blind consumer groups in the state.

- i) Collaboration with the South Dakota Birth to Three Programs, South Dakota State Library, Vocational Rehabilitation, and Local Public Schools.
- j) Creation and maintenance of website, Facebook account, and Pinterest account.
- k) Collaboration with local and state civic and organizations such as the Chamber of Commerce and Lions.

The SDSBVI maintains a record of public information activities. The SDSBVI staff work to maintain a masterlist of students receiving services from the SDSBVI; this list is updated quarterly. The Superintendent is responsible for the maintenance of daily attendance records and reporting the child count to the Special Education Programs.

The Superintendent is responsible for maintaining the American Printing House for the Blind registration of eligible students receiving services through the SDSBVI, and serves as Ex Officio Trustee.

Child Identification is included as an area of mutual effort in the BOR/BOE Cooperative Plan.

The SDSBVI maintains a Master Database of all students B-21 who have been referred to the school because of vision loss.

1. **Collecting:** The information on all students who have been referred to the outreach program is collected and maintained by the Outreach Vision Consultants and remains a part of the student file. For new on campus students, the information is collected by the Liaison for Services; the information for enrolled students is updated annually by the Principal following the IEP meeting.
2. **Maintaining:** Outreach files and masterlist are maintained by the Outreach Vision Consultants. The files for on campus students are maintained by the Principal/designee.
3. **Reporting:** All students receiving services on campus have been determined to meet eligibility requirements. Only the students served on campus are included in the federal child count report.

All students served by the SDSBVI have been referred by the Local School District. Student files, including information on placement, are maintained for each student served on campus and are available for review by the DOE. All master files for students served through outreach are maintained in the LEA.

- Use of the term developmental delay; ARSD 24:05:24.01:09

NA

- Children who may be suspected of having a disability, and in need of special education, even though they are advancing from grade to grade, 300.111(c)(1); ARSD 24:05:22:01

NA

- Children who are highly mobile, including migrant children, 300.111(c)(2).

NA

**SECTION IV: Individualized Education Program (IEP) 34 C.F.R. 300.112; ARSD 24:05:27**

The district/cooperative and all member schools/districts will ensure that an individualized education plan (IEP), or an individual family service plan (IFSP) that meets the requirements of section 636(d) of the Act, is developed, reviewed, and revised for each child with a disability in accordance with 34 C.F.R. §§ 300.320 – 300.324, except as provided in 300.300(b)(3)(ii). Specific reference must include:

- Content of the IEP; 300.320(a)(1-7); ARSD 24:05:27:01.03
- Transition services; 300.320(b); ARSD 24:05:27:13.02
- Transfer of rights at the age of majority; 300.320(c); ARSD 24:05:27:01.03
- The IEP team; 300.321; ARSD 24:05:27:01.01
- Parent participation in the IEP; 300.322; ARSD 24:05:25:16
- When the IEP must be in effect; 300.323; ARSD 24:05:25:22
- Development of the IEP; 300.324; ARSD 24:05:27:01.02
- Routine checking of hearing aids and external components of surgically implanted medical devices, 300.113; ARSD 24:05:27:05

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures that each identified student with a vision loss has a current IEP in place that meets the requirements of Section 636(d) of the IDEA, and that has been developed in accordance with the requirements at 34 CFR sections 300.320 through 324. All identified students served at SDSBVI will have a current IEP in place at the beginning of the school year, and for eligible preschool students, by their third birthday. Each eligible student's IEP will be reviewed periodically, but not less than annually, to review progress and determine whether annual goals are being met.

- Content of the IEP; 300.320(a)(1-7); ARSD 24:05:27:01.03

The SDSBVI superintendent/designee will be responsible to ensure that the proper procedures are followed in the development, review, and revision of each IEP.

The joint IEP team will ensure that all appropriate special education issues are addressed and documented on the IEP. The district's Comprehensive Plan along with the IEP Technical Assistance Guide, available from Special Education Programs, will be used as references in the development, review, and revision of each IEP.

The SDSBVI has adopted a format for the IEP which is very similar to the state IEP form. All sections of the IEP must be completed during the meeting. Upon adjournment, the parents, LEA and SDSBVI all receive copies of the new IEP. The following information must be included:

1. A statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students).

For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities.

Eye condition and implications of vision loss on the child's education and recommended educational modifications.

2. A statement of measurable annual goals, including academic and functional goals, designed to:

(a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and

(b) Meet each of the student's other educational needs that result from the student's disability.

For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives.

3. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
  - (a) To advance appropriately toward attaining the annual goals;
  - (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
  - (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section.
4. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section.
5. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments consistent with § 24:05:14:14. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:
  - (a) The student cannot participate in the regular assessment; and
  - (b) The particular alternate assessment selected is appropriate for the student.
6. The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications.
7. A description of how the student's progress toward the annual goals described in this section will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided.
8. Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:
  - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; and
  - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.
9. Beginning not later than one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with § 24:05:30:16.01.
10. Lists of individuals participating in the development of the IEP and identification of persons responsible for its implementation.
11. Determination of need for Extended School Year (ESY) and specific services to be provided.
12. Determination of person responsible for checking hearing aids and external components of surgically implanted medical devices and condition of prescribed eyewear.
  - **Transition services; 300.320(b); ARSD 24:05:27:13.02**

Beginning not later than one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with § 24:05:30:16.01.

- Transfer of rights at the age of majority; 300.320(c); ARSD 24:05:27:01.03

Beginning not later than one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority consistent with § 24:05:30:16.01.

- The IEP team; 300.321; ARSD 24:05:27:01.01

The following individuals serve as members of the IEP team:

1. Student (required age 16 and older/as appropriate under age 16)  
Student participation in the development of the IEP is strongly encouraged whenever appropriate. For students age 16 and older, participation in the IEP/ITP (Individual Transition Plan) is expected. It is important that students be fully prepared prior to the meeting. It is the responsibility of the Case Teacher to assist with this preparation. The Student Services Director may serve as a resource in working with the student.
2. Parents/Guardians
3. LEA Representative (co-chair)
4. Principal/Superintendent (co-chair)
5. Case Teacher/Special Education Teacher
6. Case Manager (if student is in residential program)
7. Evaluator(s)
8. Others who may be involved:
  - A. Student Services Director
  - B. Transition Specialist (age 16 and up)
  - C. Faculty and Staff with instructional responsibilities
  - D. Speech Pathologist
  - E. Occupational Therapist
  - F. Physical Therapist
  - G. Registered Nurse
  - H. Outreach Vision Consultant
  - I. Outside Consultants
  - J. Others as requested by parents or LEA

A member of the IEP team is not required to attend an IEP team meeting, in whole or in part, if the parent of a student with a disability and the school district agree in writing that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting. A member of the IEP team may be excused from attending, in whole or in part, an IEP team meeting that involves a modification to or discussion of the member's area of the curriculum or related services, if:

- (1) The parent and school district consent in writing to the excusal; and
- (2) The member submits, in writing to the parent and the IEP team, input into the development of the IEP before the meeting.



- Parent participation in the IEP; 300.322; ARSD 24:05:25:16

All decisions of the IEP team will be made jointly by the parents, school district and SDSBVI personnel through the IEP process and specified on the child's IEP. The IEP will be in effect before special education and related services are provided to a child and will be implemented as soon as possible following an IEP meeting.

Parents will have an opportunity to evaluate the continuum of educational options for their child.

The SDSBVI will ensure that the parent receives a copy of the completed IEP and that the IEP is made available to all service providers.

- When the IEP must be in effect; 300.323; ARSD 24:05:25:22

The Individual Education Plan is developed annually for each student. The IEP details the strengths and needs of the child, the goals established for the year, any special adaptations to be made, related services to be provided, and other details of the child's special education program.

- Development of the IEP; 300.324; ARSD 24:05:27:01.02

IEPs will be written annually (within 365 days of the previous plan) by the IEP team. For students enrolled on campus, Case Teachers and Case Managers play an important role in the development and implementation of the IEP for each student assigned to them.

The exact dates for the IEPs will fluctuate each year. A current IEP must be on file at the beginning of the school year. IEPs must not extend beyond 365 days in duration. Each student must have a comprehensive evaluation completed every three years or more frequently when requested by a parent or teachers. Comprehensive evaluations must be completed within twenty-five (25) school days (upon receipt of consent for evaluation) and an IEP developed within thirty (30) calendar days from the end of the 25 school days evaluation timeline.

#### PROCESS:

1. Scheduling of IEPs will be done by the Educational Secretary who will contact parents and LEA to set up a mutually agreeable date and time, determine who will be present, and decide whether the meeting will be held person-to-person or by teleconference. A Contact Report will be maintained as an official record of legal notification. All arrangements made by telephone will be followed with a Meeting Notice to parents, LEA, SDSBVI staff, and others as identified. As the meeting arrangements are finalized, SDSBVI staff will be notified and also receive a copy of the Meeting Notice.
2. In preparation for the IEP meeting, Special Education Director will do the following with input from the case teacher:
  - a. Review the child's progress since the last IEP meeting and current strengths and needs.
  - b. Review all evaluation data.
  - c. Discuss placement options and generate ideas for a program which would address the child's individual needs.
  - d. Discuss potential for related service needs and options for implementation.
  - e. Identify components which should be considered for the Individual Education Plan (IEP) and Individual Transition Plan (ITP) [for students 16 and older], including the specific goals of participation in other programs.
  - f. Determine which SDSBVI staff should attend the IEP meeting.
  - g. It is the responsibility of each teacher, case manager, and therapist to share relevant information with the Case Teacher.
3. Information brought to the IEP meeting should be in rough draft form for discussion by the team.
4. IEP meetings will be co-chaired by the SDSBVI- Special Education Director, Superintendent or designee and the school district representative who are jointly responsible for completion of the IEP document and are authorized to commit to expenditures.

5. There is a single format for all IEPs. The IEP must reflect the skill areas impacted by the disability (as opposed to assigned classes). Therefore, the goals which are identified by the team will be implemented across domains. It is significant that the IEP reflect those special adaptations which address the student's vision loss and compensatory skills.
6. The IEP meeting may take place in person, by teleconference or by zoom, but all provision of prior notice, participation, and content must be met.
7. All areas on the IEP form must be completed or marked as not applicable/not required.
8. Copies of the completed IEP will be provided to the parent and LEA with one copy retained for the student's cumulative file at the SDSBVI. Additional copies of the IEP will be made upon the request of parent or LEA for other individuals or agencies who will be working with the child. Copies will be provided to the service providers who work with the student.

#### CHANGES IN THE IEP

Any changes in the IEP, including changes in short-term objectives or related services, must be made by the IEP team. The Sped Director or appropriate staff must notify the parents and LEA of the proposed changes and initiate an IEP meeting. An Addendum must be written and attached to the original IEP. This process may take place in person or by teleconference or via zoom, but all provision of prior notice must be met.

#### TRANSFER

If an eligible student transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide a free appropriate public education (FAPE) to the child (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency either:

- Adopts the child's IEP from the previous public agency; or
- Develops, adopts, and implements a new IEP that meets the applicable requirements.
- Routine checking of hearing aids and external components of surgically implanted medical devices, 300.113; ARSD 24:05:27:05

Determination of person responsible for checking hearing aids and external components of surgically implanted medical devices and condition of prescribed eyewear is included in each SDSBVI IEP.

**SECTION V: Least Restrictive Environment (LRE), 34 C.F.R. §§ 300.114 – 300.120; ARSD 24:05:28**

The district/cooperative and all member schools/districts will ensure that, to the maximum extent appropriate, children with disabilities, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Specific reference must include:

- A continuum of alternative placements; 300-115; ARSD 24:05:28:02
- Placements; 300.116; ARSD 24:05:28:03
- Non-academic settings, 300.117; ARSD 24:05:28:06
- Children in public or private institutions; 300.118; ARSD 24:05:28:07
- Teachers and administrators are provided with technical assistance and training; 300.119; ARSD 24:05:28:11
- Monitors placements, 300.120; ARSD 24:05:28:12

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures the availability of a continuum of alternative placements to provide each student with a disability the opportunity for education in the Least Restrictive Environment. Any removal of a student with a disability from the regular education environment may occur only when the nature and severity of the child's needs dictate that education in regular classes, with the use of supplementary aids and services cannot be achieved satisfactorily.

- A continuum of alternative placements; 300-115; ARSD 24:05:28:02

Students who have a visual impairment which impacts their education are eligible for services from the SDSBVI. These educational programs and services may be offered in a variety of ways to ensure that the child receives an appropriate education in the least restrictive environment. In all cases the programming and services to be provided are specified in the IEP.

Special education programs and services necessary to meet individual needs will be coordinated with the regular education program whenever appropriate. Removal from a regular classroom will occur only when the nature and severity of the child's needs is such that education in regular classes with the use of supplementary aids cannot be satisfactorily achieved. Provisions will be made for appropriate classroom settings or alternative settings necessary to implement the IEP. Out of district placement will be utilized only when necessary to implement the IEP and will be as close to home as possible.

Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services the child needs.

Parents will have an opportunity to evaluate the continuum of educational options for their child.

The following factors in determining placements will be used by the SDSBVI.

- a) Each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;
- b) Provisions are made for appropriate classroom or alternative settings necessary to implement a child's individual education program;
- c) Discussion of the ways the child's visual impairment impacts their educational achievement;
- d) Except where a child's individual education plan requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled. Other placement shall be as close as possible to the child's home;
- e) Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and
- f) A child with a disability is not removed from education in age appropriate regular classrooms solely because of needed modifications in the general curriculum.

- **Placements; 300.116; ARSD 24:05:28:03**

The SDSBVI provides an array of educational programs and services on the campus in Aberdeen and in local school districts across the state of South Dakota. Thus the SDSBVI endorses and assists local school districts to provide a continuum of placements for students who are blind, visually impaired, or deaf blind. Alternative placements could include regular education programs with modification, resource rooms, self-contained programs, day school programs, residential school programs, and home and hospital programs. The SDSBVI can implement these alternatives in the following ways:

- a) **EVALUATION SERVICES:** The SDSBVI provides comprehensive educational evaluations and interpretation of results for parents and public school teachers and recommendations for appropriate educational programming and placement. Vocational testing is also available.
- b) **CONSULTATION SERVICES:** The SDSBVI provides consultative services for local school districts, cooperatives and parents to assist them in developing child identification procedures and appropriate educational programs. Consultation services range from early intervention to transition.
- c) **DAY SCHOOL PROGRAMS:** The SDSBVI provides direct educational programs and services to visually impaired students, including those who are multihandicapped and deaf blind. For some students this may be a full day program at the SDSBVI or a combined program with public or private preschools, public or parochial schools at the elementary or high school level, Aspire, etc.
- d) **RESIDENTIAL SCHOOL PROGRAM:** The SDSBVI provides residential services for those students who are better served in such an environment and who need the continuity of an extended and intensive program. Residential services are available to students who live too far away to make daily travel feasible.
- e) **HOME AND HOSPITAL PROGRAMS:** The SDSBVI will provide limited direct service and/or consultation in home or hospital environments when it best meets the needs of the student. Home or hospital programs through the SDSBVI are temporary in nature and of limited duration.
- f) **OTHER SETTINGS:** The SDSBVI will provide consultation and/or training for students with visual impairments in vocational programs, work settings, and other locations upon request.

- **Non-academic settings, 300.117; ARSD 24:05:28:06**

Nonacademic and extracurricular activities will be provided for students at the SDSBVI to afford them equal opportunities for participation. Students may take part in extracurricular and/or nonacademic courses offered in the Aberdeen public or parochial schools, preschools, A-TEC, NSU, or other community programs. These activities may include counseling, athletics, transportation, health services, recreational activities, special interest groups or clubs, referrals to agencies (such as Service to the Blind and Visually Impaired and Opportunities in Independent Living) who provide services to persons with handicaps and opportunities for obtaining on the job training and outside employment.

In providing for or arranging for provision of academic, nonacademic and extracurricular services, each child will have opportunities to participate to the maximum extent possible and appropriate with non-handicapped peers. It will be the responsibility of SDSBVI personnel to work with others in the integrated setting (teachers, students, and others) to provide consultation and support as may be necessary.

- Children in public or private institutions; 300.118; ARSD 24:05:28:07

Teaching our students to live and work successfully in the community is a part of our role and mission. Although students benefit from classroom instruction and role playing within the school environment, they also need opportunities to practice skills they have acquired in every day settings.

Blind and visually impaired children need to work harder to become familiar with "how things work," having limited opportunities to observe and imitate others or raise questions about the events taking place around them. In addition, some students experience difficulty in transferring experiences and skills from one situation to another.

Making the community a part of the learning experience has been a part of the SDSBVI curriculum for a long time through public school classes, mobility lessons, recreational opportunities as well as classroom activities.

To ensure that students are getting the necessary opportunities to interact within the community, options including academic, nonacademic, recreational, and vocational will be discussed during the IEP meetings and included on the student's IEP.

Each student who receives educational services has an annual review of his/her program by his/her placement committee. During that review consideration is given to reintegration into the local school district or provision of some program components within the Aberdeen public or private schools. "Guidelines for Decision Making" have been developed to assist SDSBVI personnel in this process. While the SDSBVI educational team will make recommendations, such decisions rest with the IEP team.

When it is determined that a student will benefit from another program, SDSBVI faculty and staff will work with the local school district to develop an appropriate plan for reintegration or transfer. The SDSBVI personnel will be available to meet with teachers and other service providers, travel to the local school district, provide in services for students or staff, assist with getting needed books and materials, and otherwise assist with the process.

A student remains eligible for SDSBVI programs and services until they receive a signed high school diploma or becomes 21 years of age during the fiscal year shall have free school privileges during the school year.

A student who returns to his/her local school district or other setting may receive educational diagnostic or consultative services as needed. In the event a student needs an on campus program at a later date, the normal placement process will apply.

- Teachers and administrators are provided with technical assistance and training; 300.119; ARSD 24:05:28:11

Ongoing technical assistance and training are available to SDSBVI administrators and teachers through the DOE.

- Monitors placements, 300.120; ARSD 24:05:28:12

The DOE monitors SDSBVI placement decisions at the local district and at SDSBVI through Special Education compliance monitoring and reporting.

**SECTION VI: Procedural Safeguards, 34 C.F.R. § 300.121; ARSD 24:05:30**

The district/cooperative and all member schools/districts will ensure that all children with disabilities and their parents are afforded procedural safeguards required by 34 C.F.R. §§300.500 through 300.536, and consistent with South Dakota Administrative Rule. Specific reference must include:

- Opportunity to examine records; parent participation in meetings; 300.501(a)(b)(c); ARSD 24:05:30:02
- Independent educational evaluations; 300.502; ARSD 24:05:30:03
- Prior written notice; content of notice; 300.503; ARSD 24:05:30:04
- Procedural safeguards notice; 300.504; ARSD 24:05:30:06.01, ARSD 24:05:30:06.02
- Use of electronic mail; 300.505; ARSD 24:05:30:06.03
- Availability of mediation; 300.506; ARSD 24:05:30:09
- Filing of due process complaints; 300.507; 300.508; 300.509; ARSD 24:05:30:07.01
- Resolution process; 300.510; ARSD 24:05:30:08.09-.12
- Impartial due process hearing; 300.511; ARSD 24:05:30:09.04
- Hearing rights; 300.512; ARSD 24:05:30:12
- Hearing decisions; 300.513; 300.514; 300.515; 300.516; 300.517; ARSD 24:05:30:11
- Status of child during due process proceedings; 300.518; 24:05:30:14 ARSD.
- Surrogate parents; children who are wards of the state; homeless youth; 300.519; ARSD 24:05:30:15
- Transfer of rights at age of majority; 300.520; ARSD 24:05:30:16.01
- Discipline procedures and manifestation determination; 300.530; ARSD 24:05:26:09.03
- Determination of setting; 300.531; ARSD 24:05:26:09.2
- Right of appeal of the determination of setting; 300.532; ARSD 24:05:26:09.05
- Placement during appeals; 300.533; ARSD 24:05:26:09.06
- Protections for children not determined eligible for special education and related services; 300.534; ARSD 24:05:26:14
- Referral to action by law enforcement and judicial authorities; 300.535; ARSD 24:05:26:15
- Change of placement due to disciplinary removals; 300.536; ARSD 24:05:26:02.01

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures that all children with disabilities and their parents are afforded the required procedural safeguards of 34 CFR 300.500 through 300.536 as outlined in the *South Dakota Parental Rights and Procedural Safeguards* document.

The district will provide a copy of the procedural safeguards document to the parents of an eligible child with a disability at least one time each year, in addition to the following:

- Upon initial referral or parent request for an evaluation;
- Upon request by the parent;
- In accordance with discipline procedures outline in the procedural safeguards document;
- Upon receipt of the first state complaint or first due process complaint in a given school year.

The LEA is responsible to post a copy of the procedural safeguards document on its website in both English and Spanish to afford access to the public.

- Opportunity to examine records; parent participation in meetings; 300.501(a)(b)(c); ARSD 24:05:30:02

Parents, legal guardians, or eligible students have the right to inspect and review any educational records collected and maintained by the SDSBVI. Access by parents is not recorded on the Records Access Monitor. The school shall comply with a written request without unnecessary delay and within forty-five (45) calendar days after a request is received. Parents, legal guardians or eligible students requesting records for use at an Individualized Educational Planning Committee meeting, a hearing, or a hearing appeal shall be given immediate access to the requested records.

All decisions of the IEP team will be made jointly by the parents, school district and SDSBVI personnel through the IEP process and specified on the child's IEP. The IEP will be in effect before special education and related services are provided to a child and will be implemented as soon as possible following an IEP meeting.

Parents will have an opportunity to evaluate the continuum of educational options for their child.

The SDSBVI will ensure that the parent receives a copy of the completed IEP and that the IEP is made available to all service providers.

- Independent educational evaluations; 300.502; ARSD 24:05:30:03

For students enrolled at the SDSBVI, requests for an independent educational evaluation (conducted by persons other than SDSBVI staff) will be referred back to the LEA.

Upon request of a LEA or parent, the SDSBVI will conduct an independent educational evaluation for a visually impaired child who is a South Dakota resident. Such evaluation, conducted by the SDSBVI personnel, will be provided at no charge to either the LEA or parent. Both parents and LEA representatives will be invited to take part in the post evaluation staffing. Copies of the evaluation report will be sent to both the parent and LEA.

Pursuant to SDCL § 13-37-1.3, the local school district has a non-delegable duty to provide a free appropriate public education for each resident child. Although the preferred placement for all children is in the school that they would ordinarily attend if they were not disabled, for some children, the least restrictive environment may involve an alternative placement in a special school. Placement in a special school does not transfer the school district's responsibility for FAPE to the special school providing an alternative placement. Rather, it necessitates a close cooperation between the school district and the special school to assure that the school district can provide necessary educational or related services that are ordinarily unavailable through the special school. This relationship is spelled out in the cooperative agreement between the Board of Regents and Board of Education.

The parties agree that the Individualized Educational Plan team provides the proper setting to assign responsibility for providing educational and related services that the IEP team has determined to be necessary to provide FAPE to a child. To that end, the parties agree that the local school district will have primary responsibility for the IEP. The special school will provide administrative support throughout the IEP process and will assign personnel who have the knowledge of special education and of the special school resources to assist the school district counterpart in guiding IEP team meetings convened at the special school. The parties agree further that where the IEP team identifies as necessary an educational or related service that the special school does not provide, the school district will be responsible for financing provision of such services.

- Prior written notice; content of notice; 300.503; ARSD 24:05:30:04

The SDSBVI will not make a change in a student's program without notifying the parents and local school district in writing at least five (5) days prior to initiating or refusing to initiate or changing the identification, evaluation or educational placement of a child or the provision of a free appropriate public education to the child.

Parental consent must be obtained in writing prior to a first time evaluation and before the initial placement of a child in a program providing special education or special education and related services. For subsequent evaluations which take place at the SDSBVI, parents will receive a prior consent form from the SDSBVI.

The notice to parents must include the following:

1. Describe the action that your school district proposes or refuses to take;
2. Explain why your school district is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record, or report your school district used in deciding to propose or refuse the action;
4. Include a statement that you have protections under the procedural safeguards provisions in Part B of the IDEA;
5. Tell you how you can obtain a description of the procedural safeguards if the action that your school district is proposing or refusing is not an initial referral for evaluation;
6. Include sources for you to contact for help in understanding Part B of the IDEA;
7. Describe any other options that your child's individualized education program (IEP) Team considered and the reasons why those options were rejected; and
8. Provide a description of other factors relevant to why your school district proposed or refused the action.

- **Procedural safeguards notice; 300.504; ARSD 24:05:30:06.01; ARSD 24:05:30:06.02**

The notice must be:

1. Written in language understandable to the general public; and
2. Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.

If your native language or other mode of communication is not a written language, your school district must take steps to ensure that:

1. The notice is translated for you orally or by other means in your native language or other mode of communication;
2. You understand the content of the notice; and
3. There is written evidence that 1 and 2 have been met.

You may elect to receive notices required in this document regarding prior written notice, procedural safeguards notice, and notices related to a due process complaint by an electronic mail communication if the district makes that option available. The district will document your request to receive these notices by electronic mail.)

#### RELEASE FORMS

In order to protect students, parents, and the SDSBVI, several release forms must be completed and signed by parents each school year. When students return to school, parents are required to fill out and sign all release forms before they depart. Included in these papers is a form to obtain parental consent to release information about their child through the media. In addition to giving approval for the release of identifying information, parents also may note any limitations they wish to be followed.

Consent means that the parent has been fully informed of all information relative to the activity for which consent is sought, in his or her native language or other mode of communication; the parents understand and agree in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists any records which will be released and to whom; and the granting of consent by parents is voluntary and may be revoked in writing at any time.

- **Use of electronic mail; 300.505; ARSD 24:05:30:06.03**

SDSBVI will provide notices to parents by electronic mail if they elect to do so.



- Availability of mediation; 300.506; ARSD 24:05:30:09

#### GRIEVANCE PROCEDURE

The school recognizes the need for students and/or parents to have appropriate ways to resolve conflict and disagreement with rules and/or procedures of the school, actions by any individual staff member of the school, or any discriminating policies, procedures or actions by the school or any of its employees. The following course of action should be used by the students and/or parents to try to change any policy or action taken by the school or one of its employees or any discrimination encountered by any student and/or his/her parent(s).

1. The student and/or parents should make all attempts to resolve any conflict or disagreement in an informal manner. The student and/or parents can talk to his/her teacher or case manager to try to change a policy or action.
2. If the student and/or parents are not satisfied, the grievance can be taken, informally to the Principal, Dorm Supervisor, or Student Services Director.
3. Dissatisfaction with the Step 2 decision can result in a formal written complaint to the Principal. The student and/or his/her parents shall receive a written response within ten (10) working days of the receipt of the appeal.
4. If a resolution is not achieved, the student and/or his/her parents shall formally file a grievance with the Superintendent. The Superintendent shall respond in writing within ten (10) working days.
5. If the student and/or his/her parents are not satisfied with the Step 4 decision, a formal written complaint can be made to the Executive Director of the South Dakota Board of Regents. The Executive Director of the Board will respond in writing as quickly as possible. Action of the Board will be final for administrative procedure.

- Filing of due process complaints; 300.507; 300.508; 300.509; ARSD 24:05:30:07.01

The BOR, the SDSD, the SDSBVI, and the DOE agree that the DOE has the responsibility under IDEA to monitor the special schools in order to ensure compliance with IDEA. As such, the DOE has the responsibility to oversee corrective actions as a result of compliance monitoring.

The BOR, the SDSD, the SDSBVI and the DOE agree that state and federal special education laws require that parents have access to due process procedures to resolve concerns about IEP plans or with the implementation of those plans. The parties agree that cooperation between the special schools and school districts will be essential to assure parents' recourse to effective decision-makers who have the financial resources to provide services found to be necessary.

To this end, the parties agree that each placement agreement should specify that the special school and the school district will encourage parents to address concerns about IEP plans or with the implementation of those plans to the special school superintendent for informal resolution. Such procedures shall not preclude the parents from filing due process complaints about such matters, as permitted under regulation, but such due process complaints should be directed to the school districts since they have primary responsibility to provide a free appropriate public education.

Each placement agreement should specify that the special school and the school district will encourage parents to address concerns about IEP plans or with the implementation of those plans to the special school superintendent for informal resolution. Such procedures shall not preclude the parents from requesting mediation or initiating due process complaints as permitted under rule.

In the event that a parent initiates a due process complaint, the special school shall cooperate fully with the school district in meetings with parents convened to attempt to resolve the concern, in mediation sessions, if any, and in preparing for and participating in any formal hearings.

- Resolution process; 300.510; ARSD 24:05:30:08.09-.12

#### GRIEVANCE PROCEDURE

The school recognizes the need for students and/or parents to have appropriate ways to resolve conflict and disagreement with rules and/or procedures of the school, actions by any individual staff member of the school, or any discriminating policies, procedures or actions by the school or any of its employees. The following course of action should be used by the students and/or parents to try to change any policy of or action taken by the school or one of its employees or any discrimination encountered by any student and/or his/her parent(s).

1. The student and/or parents should make all attempts to resolve any conflict or disagreement in an informal manner. The student and/or parents can talk to his/her teacher or case manager to try to change a policy or action.
2. If the student and/or parents are not satisfied, the grievance can be taken, informally to the Principal, Dorm Supervisor, or Student Services Director.
3. Dissatisfaction with the Step 2 decision can result in a formal written complaint to the Principal. The student and/or his/her parents shall receive a written response within ten (10) working days of the receipt of the appeal.
4. If a resolution is not achieved, the student and/or his/her parents shall formally file a grievance with the Superintendent. The Superintendent shall respond in writing within ten (10) working days.
5. If the student and/or his/her parents are not satisfied with the Step 4 decision, a formal written complaint can be made to the Executive Director of the South Dakota Board of Regents. The Executive Director of the Board will respond in writing as quickly as possible. Action of the Board will be final for administrative procedure.

- Impartial due process hearing; 300.511; ARSD 24:05:30:09.04

SDSBVI will ensure that procedures are established and implemented to allow parties to disputes involving any matter under this article, including matters arising before the filing of a due process complaint, to resolve disputes through a mediation process. Procedures for mediation are as follows:

- (1) SDSBVI shall ensure that mediation is viewed as voluntary and freely agreed to by both parties and is in no way used to deny or delay an aggrieved party's right to a hearing on a parent's due process complaint, or to deny any other rights afforded under this article; and
- (2) The mediation conference is an intervening, informal process conducted in a nonadversarial atmosphere that is scheduled in a timely manner and held in a location that is convenient to the parties in the dispute.

The state shall bear the cost of the mediation process, including the costs of meetings described in § 24:05:30:09.02.

- Hearing rights; 300.512; ARSD 24:05:30:12

Any party to a hearing, under this chapter or chapters 24:05:26 and 24:05:26.01, has the right to:

- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training concerning the problems of children with disabilities, except that neither party has the right to be represented by a nonattorney at a hearing;
- (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- (3) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
- (4) Obtain a written or, at the option of the parents, electronic verbatim record of the hearing; and
- (5) Obtain written or, at the option of the parents, electronic findings of fact and decisions. The public agency shall transmit those findings and decisions, after deleting any personally identifiable information, to the state advisory counsel and shall make those findings and decisions available to the public.

- Hearing decisions; 300.513; 300.514; 300.515; 300.516; 300.517; ARSD 24:05:30:11

Any party aggrieved by the decision of the hearing officer under this chapter or chapters 24:05:26 and 24:05:26.01 may bring a civil action with respect to a due process complaint notice requesting a due process hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1415(i)(2). A civil action may be filed in either state or federal court without regard to the amount in controversy. The party bringing the action has 90 days from the date of a hearing officer's decision to file a civil action. In any action brought under this section, the court:

- (1) Shall review the records of the administrative proceedings;
- (2) Shall hear additional evidence at the request of a party; and
- (3) Basing its decision on the preponderance of the evidence, shall grant the relief that the court determines to be appropriate.

Nothing in Part B of the Individuals with Disabilities Education Act restricts or limits the rights, procedures, and remedies available under the Constitution, the Americans with Disabilities Act of 1990 as amended to July 1, 2013, Title V of the Rehabilitation Act of 1973 as amended to July 1, 2013, or other federal laws protecting the rights of children with disabilities. However, before the filing of a civil action under these laws, seeking relief that is also available under section 615 of IDEA, the procedures under this chapter for filing a due process complaint must be exhausted to the same extent as would be required had the action been brought under section 615 of IDEA.

- Status of child during due process proceedings; 300.518; ARSD 24:05:30:14

As with interagency disputes, during the pendency of this dispute resolution process, the parties will ensure that services required to provide FAPE will continue. Disputed service(s) currently being provided will continue until the outcome of the dispute resolution process. The implementation of disputed service(s) not previously provided will be pursuant to a decision reached through the following resolution process.

- Surrogate parents; children who are wards of the state; homeless youth; 300.519; ARSD 24:05:30:15

The SDSBVI has established and implemented procedural safeguards, including the right to an independent educational evaluation, prior notice, and parental consent. Because students receive services from the SDSBVI through an IFSP or IEP process, responsibility for the appointment of a surrogate parent remains with the LEA.

- Transfer of rights at age of majority; 300.520; ARSD 24:05:30:16.01

All rights, including those related to student records, automatically are extended to the student at age 18, unless legal guardianship has been established. If the parents or legal guardians of an adult student deem this student mentally or emotionally incompetent to be responsible for the proper handling and disposition of his/her school record, these parents or guardians and not the school, must assume sole responsibility for having this incompetence legally established by the courts.

- Discipline procedures and manifestation determination; 300.530; ARSD 24:05:26:09.03

NA

- Determination of setting; 300.531; ARSD 24:05:26:09.2

NA

- Right of appeal of the determination of setting; 300.532; ARSD 24:05:26:09.05

NA

- Placement during appeals; 300.533; ARSD 24:05:26:09.06

NA

- Protections for children not determined eligible for special education and related services; 300.534; ARSD 24:05:26:14

NA

- Referral to action by law enforcement and judicial authorities; 300.535; ARSD 24:05:26:15

Nothing in Part B of the Individuals with Disabilities Education Act prohibits a school district or other public agency from reporting a crime committed by a student with a disability to appropriate authorities or to prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with a disability.

A school district or other public agency reporting a crime committed by a student with a disability shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime. A school district reporting a crime under this chapter may transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act, as amended to January 8, 2009.

- Change of placement due to disciplinary removals; 300.536; ARSD 24:05:26:02.01

If a short-term suspension from a class, classes, or school is anticipated because of a pupil's violation of a policy, the procedure in § 24:07:02:01 applies.

Policy Statement – The suspension of students from the SDSBVI includes the general due process procedures used for all students. No student will be suspended from school for more than ten (10) days for a violation of a rule, regulation, or policy without a proper hearing as defined in Article 24:07. In all cases when suspension is contemplated, the parents and LEA will be notified.

It is the policy of the SDSBVI that no student will be expelled. If it appears necessary to discontinue services on the SDSBVI campus, the local school district will be notified so that a placement committee can be convened to evaluate the student's needs and determine the best way to provide for a free appropriate public education.

SDSBVI Procedures – If a short-term suspension from a class, classes, or school is anticipated because of a student's violation of a rule, regulation, or policy, the Principal or Superintendent shall give oral or written notice to the student as soon as possible following the alleged violation, stating the basis for the suspension. The student will be given an opportunity to answer the charges. In all cases of short-term suspension, the parents will be contacted by telephone, in person, or through written notice. In no cases will a student be suspended from school without prior notification of parents and provisions made for travel home or to an alternate site. The student may not be suspended for more than ten (10) days.

In cases where the safety or wellbeing of the student or others is jeopardized, the SDSBVI may elect to contact civil authorities, medical or mental health professionals for immediate intervention.

**SECTION VII: Evaluation 34 C.F.R. §300.122; ARSD 24:05:25**

The district/cooperative and all member schools/districts will ensure that all children with disabilities are evaluated in accordance with 34 C.F.R. §§300.300 through 300.311. Specific references must include:

- Parental consent (for initial evaluation, services, and re-evaluations; 300.300; ARSD 24:05:25:02.01, ARSD 24:05:25:06.01
- Initial evaluations; 300.301; ARSD 24:05:25:03
- Screening for instructional purposes; 300.302; ARSD 24:05:25:03.03
- Re-evaluations; 300.303; ARSD 24:05:25:06
- Evaluation procedures; 300.304; 300.305; ARSD 24:05:25:04
- Determining eligibility; 300.306; ARSD 24:05:25:04.03
- Specific learning disabilities; 300.307 through 300.311; ARSD 24:05:25:07, ARSD 24:05:25:08, ARSD 24:05:25:11, ARSD 24:05:25:12

District Narrative:

The SDSBVI serves children who have been determined eligible by their LEA prior to being accepted for placement.

The LEA is responsible that all children with disabilities are evaluated in accordance with the following regulatory provisions:

- Parental consent (for initial evaluation, services, and re-evaluations; 300.300; ARSD 24:05:25:02.01, ARSD 24:05:25:06.01 ARSD.

SDSBVI requires parental consent for re-evaluations. We will review areas of concern and determine areas to be assessed. Parents of enrolled students are contacted by phone by the Student Services Director in advance of the evaluation to secure their input into the evaluation process.

- Initial evaluations; (Preplacement evaluations, ARSD 24:05:25:03)

NA

- Screening for instructional purposes; 300.302; ARSD 24:05:25:03.03

NA

- Re-evaluations; 300.303; ARSD 24:05:25:06

The Superintendent, Special Education Director, Student Services Director, and Outreach Vision Consultants will monitor the schedule for comprehensive evaluations that must be completed every three years or more frequently if requested by parent/guardian or teacher. This team will establish schedules and ensure proper notification to parents. They review areas of concern and determine areas to be assessed. Parents of enrolled students are contacted by phone by the Student Services Director in advance of the evaluation to secure their input into the evaluation process. Comprehensive evaluations must be completed within twenty-five (25) school days from receipt of consent for evaluation and an IEP developed within thirty (30) calendar days from the end of the 25 school days evaluation timeline. The Student Services Director ensures that parents receive written prior notice.

- Evaluation procedures; 300.304; 300.305; ARSD 24:05:25:04

NA

- Determining eligibility; 300.306; ARSD 24:05:25:04.03

NA

- Specific learning disabilities; 300.307 through 300.311; ARSD 24:05:25:07, ARSD 24:05:25:08, ARSD 24:05:25:11, ARSD 24:05:25:12

NA

**SECTION VIII: Confidentiality 34 C.F.R. 300.123; ARSD 24:05:29, ARSD 24:05:21:05**

The district/cooperative and all member schools/districts will ensure compliance with all regulations regarding the confidentiality of records and information, as noted in 34 C.F.R. §§300.610 through 300.626. Specific references must include:

- Notice requirements to parents; 300.612; ARSD 24:05:29:18
- Access rights; 300.613; ARSD 24:05:29:04
- Record of access; 300.614; ARSD 24:05:29:05
- Records on more than one child; 300.615; ARSD 24:05:29:06
- List of types and locations of information; 300.616; ARSD 24:05:29:07
- Fees for copies of records; 300.617; ARSD 24:05:29:08
- Amendments to records at parent's request; 300.618; ARSD 24:05:29:09
- Opportunity for a hearing; 300.619; ARSD 24:05:29:10
- Result of hearing and hearing procedures; 300.620-621; ARSD 24:05:29:12
- Parental consent for the release of records; 300.622; ARSD 24:05:29:13
- Safeguarding of records; 300.623; ARSD 24:05:29:14
- Destruction of information; 300.624; ARSD 24:05:29:15
- Children's rights; transfer at the age of majority; 300.625; ARSD 24:05:29:16
- Enforcement; policies and procedures; 300.626; ARSD 24:05:29:17
- Transfer of records for migratory children with disabilities; 300.213; ARSD 24:05:21:05

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures the compliance with all regulations regarding the confidentiality of personally identifiable information and all records according to 34 CFR 300.610 through 300.626.

- Notice requirements to parents; 300.612; ARSD 24:05:29:18

The parents of children enrolled at the SDSBVI and eligible students will be notified annually of their rights under this act. These rights are written in the Parent/Student Handbook distributed to all parents/students upon enrollment and again at the beginning of each school year. The SDSBVI will provide a copy of the procedural safeguards document ("South Dakota Parental Rights and Procedural Safeguards") at least one time each year in addition to the following:

- Upon request by the parent
- In accordance with discipline procedures in the procedural safeguards document
- Upon receipt of the first state complaint or first due process complaint in a given school year

The notice will include a statement that the parent/guardian has a right to inspect and review the child's records, request amendment, consent to disclosure, file a complaint, and obtain a copy of the SDSBVI policy. The notice will indicate the location where copies of the SDSBVI policy are located. The SDSBVI will provide this notice by any means that are likely to inform the parents and eligible students of their rights and that will effectively notify parents of students who have a primary or home language other than English.

- Access rights; 300.613; ARSD 24:05:29:04

#### CONFIDENTIALITY POLICY

The Confidentiality Policy of the South Dakota School for the Blind and Visually Impaired guarantees:

1. The complete privacy of school records of every enrolled student or former enrolled student from unwarranted inspection by or communication to any unauthorized individual or agency.
2. Upon request, the right of the parents or legal guardians of every student and the similar right of every eligible student to read or to have read, explained and interpreted to them each and every portion of the record in the primary language of the home.
3. All parents, even those not having custody of their children, have access to each record kept on a child, unless barred by the court.
4. Parents have rights under the Family Education Rights and Privacy Act (FERPA) and also under the Individuals with Disabilities Education Act (IDEA) and will receive annual notification of those rights in the Student/Parent Handbook.
5. Copies of SDSBVI policies on confidentiality and retention and destruction of records are available in the main office during regular business hours.

**EMPLOYEE ACCESS** Current confidentiality regulations limit access to student files to specific personnel, who have a legitimate educational interest in the individual child. Records may be reviewed by authorized individuals between 8:00 am and 4:30 pm, Monday through Friday and at other times and days as circumstances permit. Access by authorized SDSBVI employees is not recorded on the Records Access Monitor. If a student file is to be removed from the office area, a record consisting of the name of student, date, and name of person using file must be entered on the form provided.

**PARENT/STUDENT ACCESS** Parents, legal guardians, or eligible students have the right to inspect and review any educational records collected and maintained by the SDSBVI. Access by parents is not recorded on the Records Access Monitor. The school shall comply with a written request without unnecessary delay and within forty-five (45) calendar days after a request is received. Parents, legal guardians or eligible students requesting records for use at an Individualized Educational Planning Committee meeting, a hearing, or a hearing appeal shall be given immediate access to the requested records.

The SDSBVI presumes that both parents have authority to inspect and review records relating to his/her child unless notified in writing that a parent does not have the authority under applicable state law governing such matters as guardianship, separation, divorce or custody.

- Record of access; 300.614; ARSD 24:05:29:05

Parents have a right to know who has seen their child's educational records, the Records Access Monitor kept with each file must be signed by all individuals who have requested or obtained access to records. The record will show who accessed the file, when, and the purpose. Those who may view the educational file without prior parental consent include representatives of Federal or State Educational Agencies, Testing Organizations (if anonymous), accrediting organizations, parents of a dependent student (even if the student has reached the age of majority), or others to protect the health and safety of the student or others in an emergency.

Professional workers undertaking educational research may be provided access to educational records without written consent when personally identifiable information has been deleted.

- Records on more than one child; 300.615; ARSD 24:05:29:06

**ACCESS RESTRICTIONS:** Parents, legal guardians, and eligible students may at no time inspect the records of other students. If an educational record contains information on more than one child, the parents of those children may inspect only the information relating to their child or be informed of that specific information.

- List of types and locations of information; 300.616; ARSD 24:05:29:07

Student educational records are maintained and filed in the Staff Work Area. Confidentiality is the shared responsibility of every staff member who works with the students at the SDSBVI. Every student's rights to privacy must be protected at all times. Those individuals who have access to the file in the central office are listed on the file cabinet. They are: Administrative Assistant, Business Manager, Special Education Director, Dorm Supervisor, Educational Secretary, Instructors, Low Vision Specialist, Nurses, Principal, Student Services Director, Superintendent, Technology Specialist, and Transition Specialist.

Files kept in the dormitories are available to the Residential Supervisor, Student Services Director, Risk Manager, Superintendent. Files kept in the Student Services Director's Office and in the Infirmary are not available to any other staff other than the Superintendent. Requests for information should be made to the Student Services Director.

When parents, legal guardians, or eligible students, because of a visual impairment, cannot personally read the materials in the student record, a responsible adult may assist the requesting party to review the record in the presence of the administrator or administrator's representative.

The student's records may include:

1. Name, date of birth, sex and racial or ethnic group
2. Name, address and telephone number of parents
3. District of residence
4. Date of referral
5. Type of disability(s)
6. Services being provided
7. Curricular records and reports both academic and social
8. Academic assessment data
9. Health information and reports
10. Social history
11. Individual Educational Planning Committee Reports and Individual Educational Plans
12. Conduct and behavior evaluations
13. Communications

The working notes, professional observations, speculations and anecdotal experiences of teachers, administrators, case managers and student services director are private and the protected domain of the maker's work files and may not be shared with others. Once these working files are shared, they are no longer considered private files.

STUDENT DIRECTORY INFORMATION -- The SDSBVI will maintain a record of student's name, address, telephone number, grades and/or IEP, attendance record, classes attended, grade level completed and year completed.

- Fees for copies of records; 300.617; ARSD 24:05:29:08

The SDSBVI does not charge a copying fee for records provided to parents, legal guardians, or eligible students. A copying fee may be charged for copies provided to a third party. The School will not charge a fee to search for or retrieve information.



- Amendments to records at parent's request; 300.618; ARSD 24:05:29:09

Parents, legal guardians, or adult students retain the right to request that the educational records or portions thereof, be amended. Such requests may be made if the information is felt to be inaccurate, misleading or otherwise violates the privacy or the rights of the students. School officials shall decide within forty five (45) calendar days to amend the records as requested. If the request to amend the records is denied, the requesting party shall be advised of their right to a hearing.

- Opportunity for a hearing; 300.619; ARSD 24:05:29:10

Parents, legal guardians or adult students retain the right to challenge included record materials by a hearing process. The hearing process is as follows:

1. The school shall provide a hearing at the written request of parents, legal guardians, or eligible students to challenge records on grounds of their being inaccurate, misleading or otherwise in violation of the privacy or other right of the students.
2. The hearing shall be held within thirty (30) days after the request has been made.
3. Parents, legal guardians, or eligible students shall be given five (5) days advance notice of the date, place, and time of the hearing.
4. The hearing shall be conducted by a person chosen by the school (it can be a school official) who does not have direct interest in the hearing's outcome.
5. The parents, legal guardians, or eligible students shall be afforded a full and fair opportunity to present evidence related to the issues being challenged.
6. The parents, legal guardians, or eligible students may be assisted or represented by individuals of their own choice, including an attorney, at their own expense.
7. The hearing official shall make a decision based solely upon evidence presented at the hearing and include a summary of the evidence and the reasons for that decision.
8. The institutional decision must be issued within thirty (30) days following the conclusion of the hearing.

- Result of hearing and hearing procedures; 300.620-621; ARSD 24:05:29:12

1. If the hearing's decision is to amend the record as requested, the school shall amend the information accordingly and inform the parents, legal guardians, or eligible students of the change.
2. If the decision of the hearing is to deny the requested amendment, the parents, legal guardians, or eligible students shall be informed of their right to place a statement in the record commenting on the decision or indicating any reason for disagreement with the decision of the school.
3. The statement or explanation of the parent, legal guardians, or eligible student shall be maintained by the school for as long as the record is maintained.
4. If the contested portion of the record is ever disclosed by the school to any party, the statement must also be disclosed.

- **Parental consent for the release of records; 300.622; ARSD 24:05:29:13**

1. The SDSBVI will not release records to any other party or agency without the prior written consent of the parent, guardian, or eligible student. Consent from either parent is sufficient, unless a court order specifies both parents must sign. Parents and adult students have the right to revoke consent in writing at any time.
2. The SDSBVI may disclose information to officials of the local school district collecting or using the information. Information will not be released to participating agencies without parental consent except as follows:
  - a. The SDSBVI may disclose personally identifiable information from the educational records of a student without the written consent of the parent or eligible student if the disclosure is to other school officials, including teachers, within the educational institution or local educational agency who have been determined by the agency or institution to have legitimate educational interests or to the officials of another school or school system in which the student seeks or intends to enroll; subject to the requirements set forth in "b." of this section.
  - b. The SDSBVI shall make reasonable attempt to notify the parent or eligible student except when disclosure is initiated by the parent or eligible student. It is SDSBVI policy to forward educational records upon request to a school in which a student seeks enrollment.

The SDSBVI upon receiving personally identifiable information from another educational agency or institution may make further disclosure of the information on behalf of the agency without prior written consent if the conditions in "a." and "b." of this section are met and if the SDSBVI informs the party to whom disclosure is made of these requirements.

If a parent refuses consent for the release of information to a third party, the party may proceed with the due process hearing procedures.

- c. The SDSBVI may legally submit any designated portion of a student's record when authorized by judicial subpoena issued by the probate or other duly constituted court without consent, but with prior notification given to parents, legal guardians, and eligible students of the data transmitted.
3. When disclosure of records is made to a third party, it is on the condition that the records not be further disclosed without written parental consent.

- **Safeguarding of records; 300.623; ARSD 24:05:29:14**

It is the responsibility of the Superintendent to ensure the confidentiality of records at the SDSBVI and to provide appropriate training or instruction to persons collecting or maintaining personally identifiable data.

The Student Services Director is responsible for copying any documents, securing the appropriate releases, and maintaining a log of any such actions.

- **Destruction of information; 300.624; ARSD 24:05:29:15**

IEPs must be retained by the SDSBVI for five years. Student records which contain personally identifiable information at the parent's request when that information is no longer needed to provide educational services. This can be accomplished by removing personal identifiers from retained records. When records are no longer needed for educational purposes, a school may separate them from active files and retain them in a special file with limited access. IDEA requires that parents be informed when a school proposes to destroy student records. Parents must be informed of their right to request destruction of information whenever their child graduates or leaves school, and with certain exceptions, this information must be destroyed at the parent's request. The district may establish specific times, such as IEP meetings, school registration, or program completion to inform parents that personally identifiable information is no longer required and will be destroyed. A school district, however, may retain a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed even over parental objections. Parents can request that their child's record be amended if they feel the contents are misleading or inaccurate. If the school disagrees, the parent can request a hearing. If the parent does not prevail at the hearing, they can ask that a written statement be included in the record that explains their position. Destruction of records will be in accordance with approved Records Retention and Destruction Schedule.

- Children’s rights; transfer at the age of majority; 300.625; ARSD 24:05:29:16

All rights, including those related to student records, automatically are extended to the student at age 18, unless legal guardianship has been established. If the parents or legal guardians of an adult student deem this student mentally or emotionally incompetent to be responsible for the proper handling and disposition of his/her school record, these parents or guardians and not the school, must assume sole responsibility for having this incompetence legally established by the courts.

- Enforcement; policies and procedures; 300.626; ARSD 24:05:29:17

The SDSBVI has developed and implemented policies and procedures on the confidentiality of information consistent with Part B of the Individuals with Disabilities Education Act (IDEA) and the Family Education Rights and Privacy Act (FERPA).

The Superintendent of the SDSBVI assumes responsibility for ensuring the confidentiality of personally identifiable materials. It is the responsibility of the Superintendent to ensure that all persons collecting or using personally identifiable information receive training or instruction regarding the provisions of this section concerning personally identifiable information.

- Transfer of records for migratory children with disabilities; 300.213; ARSD 24:05:21:05

The SDSBVI will assist the LEA in transferring student records.

**SECTION IX: Transition from Part C to Part 34 C.F.R. § 300.124; ARSD 24:05:27:21**

The district/cooperative and all member schools/districts will ensure that children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under Part B, experience a smooth and effective transition to those preschool programs. By the third birthday of such a child, an individualized education program (IEP) or, if consistent with 34 C.F.R. § 300.323(b), in individualized family service plan (IFSP), has been developed and is being implemented for the child. The local education agency (LEA) will participate in transition planning conferences arranged by the designated lead agency.

**District Narrative:**

[This section does not apply to SDSBVI.](#)

**SECTION X: Private School Placements; 34 C.F.R. §§ 300.129 – 300.148; 24:05:31, ARSD 24:05:32**

The district/cooperative and all member schools/districts will ensure that all responsibilities to children placed in private schools within the jurisdiction of the LEA are met. Consistent with the number and location of children with disabilities within the jurisdiction of the district/cooperative, such students enrolled in private elementary and secondary schools will have provisions made for the participation in programs assisted or carried out under Part B for the purpose of providing special education and related services. Specific references must include:

- Definition of parentally-placed private school children; 300.130; ARSD 24:05:32:01
- Child find for parentally-placed private school children with disabilities; 300.131; ARSD 24:05:32:01.01
- Provision of services for parentally-placed private school children with disabilities; 300.132; ARSD 24:05:32:03.01, ARSD.
- Expenditures for parentally-placed private school children with disabilities; 300.133; ARSD 24:05:32:01:02
- Consultation process with private schools attended by children with disabilities; 300.134; ARSD 24:05:32:01:05
- Written affirmation by private school officials of meaningful consultation; 300.135; ARSD 24:05:32:01.06
- Compliance; rights of private school officials to submit a state complaint; 300.136; ARSD 24:05:32:01.07
- Determination of equitable services for parentally-placed private school students with disabilities; 300.137; ARSD 24:05:32:03.02,
- Provision of equitable services for parentally-placed private school students with disabilities; 300.138; ARSD 24:05:32:03.02
- Location of services and transportation; 300.139; ARSD 24:05:32:03.03
- Due process complaints and state level complaints; 300.140; ARSD 24:05:32:03.04
- Requirements that funds not benefit a private school; 300.141; ARSD 24:05:32:12
- Use of personnel for the provision of services to parentally-placed private school students with disabilities; 300.142; ARSD 24:05:32:13
- Prohibition on separate classes; 300.143; ARSD 24:05:32:11
- Property, equipment, and supplies used to provide special education and related services to parentally-placed private school students with disabilities; 300.144; ARSD 24:05:32:15, ARSD 24:05:32:16
- Children with disabilities in private schools placed or referred by public agencies; 300.145 – 300.147; ARSD 24:05:34:02
- Placement of children with disabilities by their parents in private schools when FAPE is an issue; 300.148; ARSD 24:05:31:01-07

District Narrative:

This section does not apply to SDSBVI.

- Definition of parentally-placed private school children; 300.130; ARSD 24:05:32:01

NA

- Child find for parentally-placed private school children with disabilities; 300.131; ARSD 24:05:32:01.01

NA

- Provision of services for parentally-placed private school children with disabilities; 300.132; ARSD 24:05:32:03.01

NA

- Expenditures for parentally-placed private school children with disabilities; 300.133; ARSD 24:05:32:01:02

NA

- Consultation process with private schools attended by children with disabilities; 300.134; ARSD 24:05:32:01:05

NA

- Written affirmation by private school officials of meaningful consultation; 300.135; ARSD 24:05:32:01.06

NA

- Compliance; rights of private school officials to submit a state complaint; 300.136; ARSD 24:05:32:01.07

NA

- Determination of equitable services for parentally-placed private school students with disabilities; 300.137; ARSD 24:05:32:03.02

NA

- Provision of equitable services for parentally-placed private school students with disabilities; 300.138; ARSD 24:05:32:03.02

NA

- Location of services and transportation; 300.139; ARSD 24:05:32:03.03

NA

- Due process complaints and state level complaints; 300.140; ARSD 24:05:32:03.04

NA

- Requirements that funds not benefit a private school; 300.141; ARSD 24:05:32:12

NA

- Use of personnel for the provision of services to parentally-placed private school students with disabilities; 300.142; ARSD 24:05:32:13

NA

- Prohibition on separate classes; 300.143; ARSD 24:05:32:11

NA

- Property, equipment, and supplies used to provide special education and related services to parentally-placed private school students with disabilities; 300.144; ARSD 24:05:32:15, ARSD 24:05:32:16

NA

- Children with disabilities in private schools placed or referred by public agencies; 300.145 – 300.147; ARSD 24:05:34:02

NA

- Placement of children with disabilities by their parents in private schools when FAPE is an issue; 300.148; ARSD 24:05:31:01-07

NA

**SECTION XI: Compliance with SEA General Supervision Requirements and Implementation of Procedural Safeguards; 34 C.F.R. §§ 300.149 – 300.150; ARSD 24:05:30:01, ARSD 24:05:20:18; State Complaint Procedures; 34 C.F.R. §§ 300.151 – 300.153; ARSD 24:05:15**

The district/cooperative and all member schools/districts will ensure compliance with all SEA procedures under general supervision and that programs meet the standards of the SEA. Specific references must include:

- Responsibility for general supervision and procedural safeguards; 300.149-150; ARSD 24:05:20:18; ARSD 24:05:30:01
- State complaint procedures; 300.151-153; ARSD 24:05:15

District Narrative:

The South Dakota School for the Blind and Visually Impaired will comply with any and all requests for information from the South Dakota Department of Education, Special Programs Office related to its obligation to provide general supervision over LEAs in the state. This includes any and all requests for information or data related to monitoring and compliance with regulations as established by the SEA.

Interagency Agreement 2021 among The Department of Education, Special Education Programs and The South Dakota Board of Regents (on Behalf of Itself and the South Dakota School for the Deaf and South Dakota School for the Blind and Visually Impaired)

- Responsibility for general supervision and procedural safeguards; 300.149-150; ARSD 24:05:30:01

PROCEDURAL SAFEGUARDS AND DUE PROCESS COMPLAINTS:

The parties agree that DOE has the responsibility under IDEA to monitor the special schools in order to ensure compliance with IDEA. As such, the DOE has the responsibility to oversee corrective actions as a result of compliance monitoring.

The parties agree that state and federal special education laws require that parents have access to due process procedures to resolve concerns about IEP plans or with the implementation of those plans. The parties agree that cooperation between the special schools and school districts will be essential to assure parents' recourse to effective decision-makers who have the financial resources to provide services found to be necessary.

Each placement agreement should specify that the applicable special school and the school district will encourage parents to address concerns about IEP plans or the implementation of those plans to the special school superintendent for informal resolution. Such procedures shall not preclude the parents from requesting or initiating due process complaints as permitted under administrative rule (cite). Due process complaints should be directed to the school district as they have the primary responsibility to provide a free appropriate public education.

- State complaint procedures; 300.151-153; ARSD 24:05:15

In the event that a parent initiates a due process complaint, the applicable special school shall cooperate fully with the school district in resolution sessions, or any meetings with parents to attempt to resolve the concern, in mediation sessions, if any, and in preparing for and participating in any formal hearings.

RESOLUTION OF DISPUTES BETWEEN SPECIAL SCHOOLS AND SCHOOL DISTRICTS

From time to time disputes may arise between a special school and a school district concerning the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child. When such disputes cannot be resolved through other procedures, such as those established pursuant to ARSD chapter 24:05:15 (Appeals) or 24:05:30 (Procedural Safeguards), the process described herein will be available to the special schools and to school districts where IEP meetings, additional evaluations, and other procedures have failed to resolve the disputes between them. As with interagency disputes, during the pendency of this dispute resolution process, the parties will ensure that services required to provide FAPE will continue. Disputed service(s) currently being provided will continue until the outcome of the dispute resolution process. The implementation of disputed service(s) not previously provided will be pursuant to a decision reached through the following resolution process.

1. All attempts must be made to resolve disputes at the lowest possible level. Resolution attempts could include but are not limited to: conferencing with the appropriate individuals involved or performing other fact finding activities.
2. Mediation between the special school and the school district will be conducted at a mutually agreed-upon time and location. The cost of the mediator will be covered by the D.O.E. Cost of attending the mediation and representation by legal assistance is the responsibility of the affected institution or school district.
3. When disputes cannot be resolved by mediation, a written explanation of the dispute will be sent to the Director of DOE, the superintendent of the special school, and the superintendent of the school district. These individuals, in consultation with each other, shall review the issues and make a determination as to how the dispute should be resolved. The decision will be shared in writing with each level involved within twenty (20) calendar days of receipt of request for the determination and will include reasons for the decision.
4. If a resolution is not obtained, the matter will be referred to the Secretary of the South Dakota Department of Education and the Executive Director of the BOR. These individuals will jointly make a final determination within thirty (30) calendar days.

INTERAGENCY DISPUTE RESOLUTIONS

When disputes arise between the parties that cannot be resolved through other means, the resolution process described herein will be available. During pendency of the dispute resolution process, the parties will ensure that services, including disputed services, required to provide FAPE will continue.

1. All attempts will be made to resolve disputes at the lowest possible level.
2. When disputes cannot be resolved by the designated department representatives, a written explanation of the dispute will be sent to the Director of DOE and the superintendent of the respective special school. These individuals, in consultation with each other, shall review the issues and make a determination as to how the dispute should be resolved. The decision will be shared in writing with each level involved within in twenty (20) calendar days of receipt of request for the determination and will include reasons for the decision.
3. If a resolution is not obtained through this process, then the matter will be referred to the Secretary of South Dakota Department of Education and the Executive Director of the BOR. These individuals will jointly make a final determination within thirty (30) calendar days.



**SECTION XII: FAPE Methods of Ensuring Services 34 C.F.R. § 300.154; ARSD 24:05:14:01.03, ARSD 24:05:14:01.06**

The district/cooperative and all member schools/districts will ensure that public and/or private benefits available to a student with a disability are used appropriately, and that parents incur no cost in the provision of those services necessary for FAPE. Specific references must include:

- Restrictions and requirements on accessing public benefits (Medicaid); 300.154(d); ARSD 24:05:14:01.03
- Restrictions and requirements on accessing private benefits; 300.154(e); ARSD 24:05:14:01.03
- Use of Part B funds for services when parent consent is unable to be obtained; 300.154(f); ARSD 24:05:14:01.06

District Narrative

The South Dakota School for the Blind and Visually Impaired ensures that public and private benefits available to a student with a disability will be used appropriately to support the provision of FAPE at no cost or harm to the parents.

The SDSBVI is funded by the state of South Dakota to carry out its statutory mission.

- Restrictions and requirements on accessing public benefits (Medicaid); 300.154(d); ARSD 24:05:14:01.03

NA

- Restrictions and requirements on accessing private benefits; 300.154(e); ARSD 24:05:14:01.03

NA

- Use of Part B funds for services when parent consent is unable to be obtained; 300.154(f); ARSD 24:05:14:01.06

NA

**SECTION XIII: Hearings Related to LEA Eligibility 34C.F.R. § 300.155; ARSD 24:05:2023:01**

The district/cooperative and all member schools/districts understand their right to a hearing regarding any final determination of the SEA on eligibility for funding under Part B.

District Narrative:

The South Dakota School for the Blind and Visually Impaired does not receive Part B funds.

**SECTION XIV: Personnel Qualifications 34 C.F.R. § 300.156; ARSD 24:05:16:16 & ARSD 24:05:16:01**

The district/cooperative and all member schools/districts will ensure that personnel necessary to carry out the provision of special education and related services are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities, including related service personnel and paraprofessionals. Each district/cooperative will take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities (24:05:16:05, ARSD).

District Narrative:

The South Dakota School for the Blind and Visually Impaired ensures that only appropriately certified and/or licensed professionals will be employed to provide services to students with disabilities. In addition, the SDSBVI will provide ongoing training to all staff and paraprofessionals to assist all in the provision of services to students with disabilities. Further, the SDSBVI ensures that each special education teacher at the elementary, middle, and high school level is highly-qualified per the standards of the ESEA. The SDSBVI will take steps to recruit, hire, train and retain highly qualified personnel as specified under SD administrative rule.

- Personnel qualifications; ARSD 24:05:16:16

The South Dakota School for the Blind and Visually Impaired only hires appropriately certified and/or licensed professionals to provide services to students both on campus and through our outreach program. This applies to administration, faculty members, nursing personnel, counselor and test administrator, orientation and mobility (COMS®), low vision (CLVT®), and paraprofessionals.

- Paraprofessionals and assistants; ARSD 24:05:16:01

The South Dakota School for the Blind and Visually Impaired only hires appropriately certified paraprofessionals to provide services to students both on campus and through our outreach program.

**SECTION XV: Performance Goals and Indicators 34 C.F.R. § 300.157; ARSD 24:05:14:13**

The district/cooperative and all member schools/districts will ensure the implementation of state established performance goals and indicators for students with disabilities within their jurisdiction. Specific reference must include:

- Student information management system (SIMS)

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired submits information to the Student Information Management System. All testing results are submitted to the LEA that authorized placement.

**SECTION XVI: Participation in Assessments 34 C.F.R. § 300.160; ARSD 24:05:14:14, ARSD 24:05:14:14.01**

The district/cooperative and all member schools/districts will ensure that all children with disabilities are included in all general State and districtwide assessment programs, including those assessments described under section 1111 of the Elementary and Secondary Education Act (ESEA), with appropriate accommodations and alternate assessments where necessary, and as indicated in their respective individual education programs (IEP).

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures that all students with disabilities will be included in state and district assessments, with appropriate accommodations and alternate assessments when necessary. Parents will be informed of their child's participation during the course of the IEP meeting, including any necessary accommodations or any assessment that will be based on alternate or modified achievement standards.

All student test results are submitted to the LEA that authorized placement.

**SECTION XVII: Supplementation of State, local, and other Federal Funds 34 C.F.R. §§ 300.162-163; ARSD 24:05:19:0**

The district/cooperative and all member schools/districts will ensure the appropriate use of funds under Part B, consistent with 34 C.F.R. § 300.202(a)(1)(2)(3), to pay for the excess costs of providing special education and related services to children with disabilities within their jurisdiction and that such funds will be used to supplement state, local, and Federal funds, not supplant those funds.

- Maintenance of effort; 300.163; ARSD 24:05:19:08.03

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired is funded through general appropriations within the South Dakota Board of Regents' Budget. The SDSBVI does not assess any local school districts for educational services provided by SDSBVI personnel nor does it charge for room and board. Parents are not assessed for any SDSBVI services. Out-of-state students are assessed for tuition and room and board at a rate set annually by the South Dakota Board of Regents.

**SECTION XVIII: Public Information 34 C.F.R. § 300.165; ARSD 24:05:20:02**

The district/cooperative and all member schools/districts will ensure that prior to the adoption of any policies necessary to comply with the requirements under Part B, including any amendments to policies and procedures, there will be public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of individuals with disabilities. The district/cooperative will make available to parents of children with disabilities and the general public all documents relating to the district/cooperative eligibility under Part B of the IDEA.

**District Narrative:**

The South Dakota School for the Blind and Visually Impaired ensures that prior to the adoption of any policies or procedures that are needed to comply with Part B regulations, that there will be an opportunity for public input at a hearing with adequate notice of the hearing and the opportunity to provide input.

SDSBVI does not qualify for Part B funding.

**SECTION XIX: State Advisory Panel 34 C.F.R. § 300.167-169; ARSD 24:05:14:18-19**

The district/cooperative and all member schools/districts support the work of the State Advisory Panel to provide policy guidance to the SEA with respect to special education and related services for children with disabilities.

District Narrative:

The South Dakota School for the Blind and Visually Impaired supports the work of the State Special Education Advisory Panel and will refer interested parents to the appropriate state contact if they are interested in serving on the panel.



**SECTION XX: Other Required Provisions 34 C.F.R. § 300.170 through 300.174.**

The district/cooperative and all member schools/districts will ensure the following specific provisions have consistent policies for implementation at the local level. Specific references must include:

- Suspension and expulsion rates; 300.170; ARSD 24:05:14:16
- Annual description of Part B funds; 300.171; ARSD 24:05:21:03
- Access to instructional materials (NIMAC); 300.172; ARSD 24:05:14:17
- Over-identification and disproportionality; 300.173; ARSD 24:05:17:10
- Prohibition on mandatory medication; 300.174; ARSD 24:05:14:21

District Narrative:

The South Dakota School for the Blind and Visually Impaired ensures that the specific provisions of 300.170 through 300.173 and 24:05:21:04, ARSD have been implemented at the district level, consistent with state policy.

SUSPENSION FROM SCHOOL

## 1. Policy Statement

The suspension of students from the SDSBVI includes the general due process procedures used for all students. No student will be suspended from school for more than ten (10) days for a violation of a rule, regulation, or policy without a proper hearing as defined in Article 24:07. In all cases when suspension is contemplated, the parents and LEA will be notified.

It is the policy of the SDSBVI that no student will be expelled. If the student is determined to be a danger to him/herself or to others, the SDSBVI Superintendent will notify the local school district so that a placement committee can be convened to evaluate the student's needs and determine the best way to provide for a free appropriate public education.

## 2. SDSBVI Procedures

If a short-term suspension from a class, classes, or school is anticipated because of a student's violation of a rule, regulation, or policy, the Principal or Superintendent shall give oral or written notice to the student as soon as possible following the alleged violation, stating the basis for the suspension. The student will be given an opportunity to answer the charges. In all cases of short-term suspension, the parents will be contacted by telephone, in person, or through written notice. In no cases will a student be suspended from school without prior notification of parents and provisions made for travel home or to an alternate site. The student may not be suspended for more than ten (10) days.

In cases where the safety or well-being of the student or others is jeopardized, the SDSBVI may elect to contact civil authorities, medical or mental health professionals for immediate intervention.

- Suspension and expulsion rates; 300.170; ARSD 24:05:14:16

NA

- Annual description of Part B funds; 300.171; ARSD 24:05:21:03

NA

- Access to instructional materials (NIMAC); 300.172; ARSD 24:05:14:17

The SDSBVI provides accessible materials to each student as documented in the student's IEP.

- Over-identification and disproportionality; 300.173; ARSD 24:05:17:10

NA

- Prohibition on mandatory medication; 300.174; ARSD 24:05:14:21

SDSBVI personnel may not require parents to obtain a prescription for substances identified under Schedules I, II, III, IV or IV in Section 202(c) of the Controlled Substances Act for a child as a condition of attending school, receiving an evaluation, or receiving services.

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Academic and Student Affairs**

**REVISED**  
**AGENDA ITEM: 6 – C**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**Opportunity for All**

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

[SDCL 20-13-10](#) – Unfair or discriminatory practices

[SDCL 13-49-14](#) – Employment of officers, instructors and employees – Disparate treatment on certain grounds prohibited

[SDCL 13-57-4](#) – Sectarian religion and partisan politics prohibited by university

[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**

At the Board's [August meeting](#), it approved a statement and action plan which directed Board staff and presidents to take certain actions and report back to the Board at its October meeting. Each institution will verbally report its activity, planning and/or progress towards implementing the Board's August directive.

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.

(Continued)

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### **DRAFT MOTION 20211006\_6-C:**

I move to approve the first reading of the proposed revisions to BOR Policies 1:11, 3:9 and 3:18, as presented.

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, 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 3:9

Attachment III – Proposed Revisions to BOR Policy 3:18

## SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Academic Freedom and Responsibility

**NUMBER:** 1:11

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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-instructor~~ 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 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~~is accompanied by an equally demanding concept of responsibility. ~~The f~~Faculty 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:XX~~**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 student 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. 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, but not limited to, the extent to which the proposed guest speaker:

1.3.1. Adds to the diversity of intellectual viewpoints present on campus and encourages robust discussion;

1.3.2. Allows for questions, discussion and interaction with attendees;

1.3.3. Provides for a panel of diverse viewpoints on the topic;

1.3.4. Adds to or otherwise compliments inter-department study, collaboration and dialogue;

1.3.5. Enhances or compliments the research, creative scholarship or

curricular offerings of the institution; or  
1.3.6. 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

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### **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. Registered 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. Registered student

organizations are entirely responsible for the actions, activities and liabilities incurred in the name of the registered student organization and its members acting in their capacity as members of the registered student organization.

## 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.

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**AGENDA ITEM: 6 – D (1)**

**DATE: October 6-7, 2021**

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#### **SUBJECT**

**Senate Bill 55 Task Force Recommended Policy Revisions: BOR Policy 2:23 – New Programs, Program Modifications, Curricular Requests, and Inactivation / Termination (New Policy) (First Reading)**

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

[BOR Policy 1:1](#) – General Authority, Powers and Purpose of the Board

[BOR Policy 1:2](#) – System Mission Statement

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

[AAC Guideline 2.9](#) – New Undergraduate Degree or Major

[BOR Policy 2:1](#) – External Review of Proposed Graduate Programs

#### **BACKGROUND / DISCUSSION**

##### **History:**

Senate Bill 55 Task Force (SB55<sup>1</sup>) was created to review the following:

1. The possible combining of administration at all levels of operation within an institution;
2. The possible combining of operations and functions across multiple institutions;
3. The possible combining of the administration of programs across multiple institutions;
4. A review of the duplication of program offerings;
5. A review of the academic majors with low enrollments and low numbers of graduates;
6. A review of functions outside the core missions of teaching, learning, and research;
7. A review of the operations and functions provided as an efficiency through the central office of the Board of Regents;

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<sup>1</sup> SD Legislature, 2020 Senate Bill 55, <https://sdlegislature.gov/Session/Bill/11827/69874>, Retrieved August 31, 2021.

(Continued)

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#### **DRAFT MOTION 20211006\_6-D(1):**

I move to approve the first reading of the proposed new BOR Policy 2:23, as presented.

8. A review of the viability of the university centers; and
9. Any other possible cost-effective measures the task force determines are worthy of examination.

The task force was separated into three subcommittees: Academic, Administration and Infrastructure. The SB55 Academic Subcommittee was charged with reviewing Program Review, Duplication of Programs, and Course Enrollment. This subcommittee began its work in October of 2020 and finalized its recommendations at the June 2021 SB55 Task Force meeting held in Brookings, South Dakota.

### **SB55 Task Force Recommendations:**

The recommendations from the task force were provided to the Regental system's academic leadership (AAC), student leadership (SAC/Enrollment Management), finance and administration leadership (BAC), Council of Presidents (COPS), and various other stakeholders throughout the Regental system. The Board of Regents reviewed the recommendations at its August Retreat.

Specifically related to New Program Requests, the SB55 Task Force recommended that:

- The Board of Regents use the data provided in the degree and workforce gap analysis to inform decisions on academic program duplication within the system (i.e., academic programs offered at more than one institution).
- The degree and workforce gap analysis should be used by the Board of Regents and state universities to identify high demand occupations and related academic fields that may require expansion or development to meet anticipated workforce needs.
- The Board of Regents should explore additional opportunities for collaboration between institutions in the delivery of online coursework.
- The Board of Regents should review new programs as part of the overall program productivity evaluations (see proposed BOR Policy 2:34).

### **Outcome:**

The Board of Regents academic staff in collaboration with the Academic Affairs Council (AAC) has developed a revised BOR Policy 2:23 (see Attachment I). The draft revisions consider other external Regental policies, academic policies, and various research tools.

The draft policy in Attachment I is designed to move all curriculum planning into one succinct policy. Therefore, the draft policy should be reviewed as a new policy that will *completely replace* the current policy. No strikethrough language is included as the changes are substantial.

The summary of changes to this policy include:

1. **Purpose:** The additions to this section reinforce the idea that the standards, processes, and procedures are established to promote the critical components of programming, including academic quality, student success, strategic impact, internal and external evaluation (demand), etc. (Page 5)

2. Definitions: This section incorporates common definitions from the newly proposed policies: BOR Policy 2:23, BOR Policy 2:34 and BOR Policy 2:35. (Pages 5-7)
3. Policy Statements: The statements represent the objectives and expectations of the policy. (Page 7-8)
4. New Program Request, Timeline and Policy: This section attempts to identify workflow, i.e. who is involved and the timeline associated with their actions.  
  
The major recommended change in this section moves the *Intent to Plan* review and approval to the BOR Executive Director rather than the Board of Regents. If approved, the Full Proposal Application will be submitted to Board of Regents. (Pages 8-9)
5. Academic Certificates, Specialization and Minors: This section remains the same with the addition of who owns it and when (timeline) the process occurs. (Page 9-11)
6. Curriculum Requests/Modifications: This policy section is a carryover of the current 2:23 policy. (Pages 11-12)
7. Program and Curriculum Inactivation/Termination: This outlines the associated AAC Guidelines. (Page 12)

#### **AAC Guidelines and Pilot:**

AAC guidelines will be incorporated to document ‘how’ the policy is to be operationalized. The Academic Affairs Council will continue to work through all pertinent guidelines, and related guidelines may be structured to include topics such as New Academic Program Overview, Timeline, Intent to Plan, Full Proposal Application, and Evaluation.

To assist the system in reviewing the policy and related workflow, Northern State University will participate in a pilot to vet new forms and templates meant to operationalize the processes outlined in policy. Upon completion of the pilot, additional work may be implemented in the AAC guidelines to ensure that adequate direction is provided for how to operationalize the new draft policy in Attachment I.

Dr. Minder presented the templates to Business Affairs Council. The Enrollment Management team will continue to work on templates in the next weeks. The objective, of these templates, is to increase systematized templates while documenting finance projections and enrollment projections.

#### **IMPACT AND RECOMMENDATION**

Academic programming and curricular offerings are essential aspects of that which the Board of Regents governs. This governance is in direct coordination with the university stakeholders (e.g., Faculty, Academic Leadership, etc.). Programming is initiated at the university level and those curricula are tightly coupled to the Higher Learning Commission accreditation; the governing board maintains the governance of BOR policies and procedures for programs and curriculum.

The Board of Regents academic staff supports the recommendations of SB55 and recommends approval of this new draft policy.

The timeline for the activity related to this draft policy, guidelines, forms, communication, and technology platform is as follows:

- Draft BOR Policy 2:23 – First Reading October 2021 BOR Meeting
- Pilot – NSU September/October 2021
- Campus Communication – October/November 2021
- Incorporate Pilot and Campus Findings/AAC Revisions – November 2021
- Draft BOR Policy 2:23 – Tentative Second and Final Reading December 2021 BOR Meeting
- AAC Guideline Revisions – November/December 2022
- Go-Live – Tentative January 2022
- Automation of Workflow/Technology – Tentative March 2022

The timelines associated with the final approval of this draft policy will be dependent upon communications between the October BOR meeting and the December BOR meeting (2021). The objective will be to provide the second reading at the December BOR meeting; however, if additional time is warranted, the second reading may be delivered at the March BOR meeting.

## **ATTACHMENTS**

Attachment I – Draft of New BOR Policy 2:23



## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** New Programs, Program Modifications, Curricular Requests, and Inactivation/Termination

**NUMBER:** 2:23

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#### A. PURPOSE

The purpose of this policy is to establish standards, processes, and procedures by which academic curricula and programs receive approval and modification. This policy is designed to ensure all programming and curriculum are of the highest quality, facilitate student success, increase workforce and strategic alignment, and mitigate duplication.

#### B. DEFINITIONS

1. University: Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and The University of South Dakota.
2. Program and Curriculum Terminology:
  - 2.1. Program: This policy applies to all undergraduate (associate or bachelor) and graduate/professional (master, specialist, doctorate) degrees.
  - 2.2. Academic Certificate: A program comprised of undergraduate, graduate, medical or law credit hours typically centered upon a focused area of study. The coursework required may be embedded within the degree, or it may be independent of a degree.
  - 2.3. Undergraduate Degree: A student's primary area of study at the associate or bachelor's level:
    - 2.3.1. Associate Degree: A program comprised of undergraduate credit hours, typically with a combination of focused area of study (major) courses and general education courses. The program conforms to the commonly accepted minimum program length of 60 credit hours.
    - 2.3.2. Bachelor's Degree: A program comprised of undergraduate credit hours, typically with a combination of focused area of study (major) courses and general education courses. The program conforms to the commonly accepted minimum program length of 120 credit hours.
  - 2.4. Graduate Degree: A student's primary area of study at the master's, specialist's or doctoral level:
    - 2.4.1. Master's degree: A program comprised of advanced study and course work beyond the bachelor's degree, typically in academic fields or professional fields.

**Commented [MJK1]:** This references the recommendation on Program Review and Evaluation – found in BOR Policy 2:34 Proposed Policy

Strategic Impact  
Academic Quality  
Student Success  
Financial Health  
Internal/External

The objective is to ensure those core elements flow through all academic programming policies.

**Commented [MJK2]:** Updating Definitions to ensure they mirror definitions included in both policy and AAC guidelines.

- 2.4.2. Specialist's degree: A program which requires a minimum of 60 credit hours beyond a baccalaureate degree or a minimum of 30 credit hours beyond a master's degree.
- 2.4.3. Doctoral degree: The program is the highest academic qualification and is typically in research fields or professional fields.
- 2.5. Specializations: A designated plan of study within an existing degree program or major, 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. Specializations may attach to only one major. Associate degree programs shall not have specializations. Completion of the academic specialization shall be indicated on the student's academic transcript.
- 2.6. Minors: A designated plan of student enabling a student to make broad but limited inquiry into a discipline or field of study beyond the major. Minors are only awarded in conjunction with completion of a degree program and the awarding of a bachelor's degree. Completion of the minor shall be indicated on the student's academic transcript.
- 2.7. Emphasis: An emphasis is a concentration within a major accomplished by individual student choices within a plan of study. For example, within a major on adult health the student may focus on the older adult. An emphasis is not a separate program. A catalog may describe an emphasis but not detail it as a specific plan of study. Emphasis shall not print on the transcript.
- 2.8. Transcript: A transcript is documentation of a student's permanent academic record.
3. Program Actions:
- 3.1. Intent to Plan: A preliminary request to plan a new undergraduate (associate or bachelor) and graduate/professional (master, specialist, doctorate) degree program.
- 3.2. Full Proposal-Degree: A proposal requesting authorization to implement a new undergraduate (associate or bachelor) and graduate/professional (master, specialist, doctorate) degree program.
- 3.3. Full Proposal-Academic Certificate/Specialization/Minor: A proposal requesting authorization to implement a new academic certificate, specialization, or minor.
- 3.4. Inactive: An inactive program is a program a university has authority to offer, but the program is not admitting new students and has not formally terminated. A presumption exists that inactive status is a temporary status; universities review inactive programs periodically to determine the feasibility of reactivating or terminating the program.
- 3.5. Minor Program Modification: Changes to courses (additions, revisions or deletions) that do not change the nature of the program, distribution of courses in the program, or total credit hours required for the program.
- 3.6. Substantive Program Modification: Changes to total credits (required in discipline, supportive courses, elective courses, or required for the program), program name, existing specialization, CIP code, or other similar changes.

3.7. Teach-Out: A program designated as inactive that is determined for program closure, is placed in Teach-Out. During the Teach-Out stage, a comprehensive plan (in compliance with regional accreditation requirements) will be developed by the university to ensure all students are guided through options to complete or transfer to another program and appropriate options for all human, facility, and fiscal resources are identified.

3.8. Program Closure: A planned termination of a program.

### C. POLICY STATEMENTS

1. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming.
2. Approval of an intent to plan does not overwrite the Full Proposal process and does not guarantee approval of the Full Proposal.
3. The Board of Regents will receive the Full Proposal and act on that proposal.
4. If the Board of Regents approve the Full Proposal and the university is seeking accreditation, this approval allows the university to proceed toward accreditation.
5. Approval of a new program does not indicate that the SDBOR or the university have identified the program as a funding priority.
6. The Board of Regents approves academic programs that are recorded on a transcript, including specializations, certificates, undergraduate minors, undergraduate degrees and majors, graduate degrees, and location of study.
7. The Board of Regents encourages academic departments and colleges to be innovative and to explore creative programming intended to meet the workforce demands and that serve the academic disciplines, students, and the state of South Dakota.
8. The Board of Regents discourages duplication of programs except in cases where regional or state workforce demand provides strong rational for additional offerings. The university requesting the program must provide justification within the full proposal. The Regents may not approve given the duplication of programming.
9. All program requests should consider the academic program request with these critical elements: Strategic Impact, Academic Quality, Student Success, Financial Health and Internal and External Market Evaluation.
10. Academic certificates, specializations and minors are designed to support the system workforce, increase student skills, address student demand for a particular area of study, and facilitate student viability in an area of interest.
11. Accelerated Graduate Programs: Accelerated graduate programs accepting thirteen (13) total credit hours up to a maximum of twenty-five (25) total transfer credit hours require formal approval by the Board of Regents (See Academic Affairs Guideline Form 2.20).
12. A program may only be in an inactive status for a maximum of five years before final action must be taken to re-open or close (Program Closure). The exception will be if a program is identified for program closure due to program productivity per BOR Policy 2:34.

**Commented [MJK3]:** This references SB55 recommendations on Duplication of Programs.

**Commented [MJK4]:** This references the recommendation on Program Review and Evaluation – found in BOR Policy 2:34 Proposed Policy

Strategic Impact  
Academic Quality  
Student Success  
Financial Health  
Internal/External

The objective is to ensure those core elements flow through all academic programming policies.

13. All program actions must comply with the university accrediting body, and program accreditation body (for those with special accreditation).

#### D. NEW PROGRAM REQUEST TIMELINE AND OVERVIEW

##### 1. New Program

- 1.1. Initial Program Exploration: Each university will define the internal process through which new programs are requested. If the internal university process approves the request, then the university shall proceed to the Intent to Plan step.

**Commented [MJK5]:** This policy has changed to outline all academic degree programs (undergraduate or graduate).

##### 1.2. Intent to Plan:

- 1.2.1. Step 1: Intent to Plan: The university will complete the intent to plan form. The BOR Executive Director (or designee) will review the plan and act upon that intent to plan. The intent to plan if approved will move to the next step.

**Commented [MJK6]:** A recommendation to send this exploration directly to the Executive Director and BOR Academic Staff due to the exploration of the program. This allows the university to work through an initial outline as the Full Proposal will have the full details.

- 1.2.2. Step 2: Intent to Plan: The approved intent to plan form shall move to the Academic Affairs Council (AAC). The universities shall provide this intent to plan to the appropriate faculty and academic leadership for feedback. AAC will provide appropriate feedback, strategic consultation and collaboration.

A report will be provided to Committee A and the Full Board.

- 1.2.2.1. Timeline: The university has 24 months following the review by AAC to proceed to submit the Full Proposal. If a Full Proposal is not received by this deadline, it will be inactivated.

- 1.2.2.2. Exemption to Intent to Plan: An Intent to Plan is not required for associate degree programs that meet the following criteria and align with the institutional mission:

**Commented [MJK7]:** This was in the previous policy. No changes.

- 1.2.2.2.1. The program is a two-year equivalent of an existing bachelor's degree program currently approved at the university, or

- 1.2.2.2.2. The program proposal has 80% of the curriculum common with an existing bachelor's degree program currently approved for the university, or

- 1.2.2.2.3. The program is stackable to two or more bachelor's degree programs approved for the university, or

- 1.2.2.2.4. The BOR Executive Director determines the program will have an immediate impact on an emerging critical workforce shortage area in South Dakota as documented by the university.

- 1.2.3. Step 3: BOR academic leadership will provide a report to BOR Committee A regarding all intent to plan requests submitted.

**Commented [MJK8]:** Committee A will be updated during their regular meetings and via a report.

##### 1.3. Full Program Proposal:

- 1.3.1. Step 1: Full Program Proposal: The full proposal application shall go to the BOR academic affairs staff who will review the submission to ensure it is

complete, comprehensive, and within the university mission. The full proposals will include feedback from university academic leadership, faculty, enrollment management and finance and administration.

- 1.3.2. **Step 2:** Full Program Proposal: The full proposal application will move to AAC. AAC will provide appropriate insights, recommendations, and feedback to the university. If a proposed program duplicates another university program, AAC can request that the proposal be held for additional consideration at a future meeting.
- 1.3.3. **Step 3:** Full Program Proposal: If AAC recommended additional review, the university will submit back to AAC an updated version of the application proposal. Upon agreement, the proposal shall move to a final review by the university President.
- 1.3.4. **Step 4:** Full Program Proposal: Required graduate external review process (BOR Policy 2:1) unless waived by the BOR Executive Director (or designee) shall be processed.
- 1.3.5. **Step 5:** Full Program Proposal: At the next appropriate Council of Presidents (COPS) meeting, BOR academic leadership will provide the full proposal application as a part of the Board of Regents Agenda review. If there are concerns, a President may request a discussion.
- 1.3.6. **Step 6:** Full Program Proposal: BOR academic leadership will submit to BOR as an agenda item for consideration during their next meeting. During the BOR meeting, the university may be asked to provide additional information or respond to questions about the proposal.
- 1.3.7. **Step 7:** Full Program Proposal: The BOR will act upon the full proposal application. If denied, there is no further action. If approved, the BOR academic affairs staff will complete the necessary technical processing for the program to launch.

**Commented [MJK9]:** This is a new process implemented to align the enrollment projections and budget projects for new programming. These projections will part of the New Program Review in BOR Policy 2:34.

## 2. **New Academic Certificates, Specializations, and Minors**

The process to request a new academic certificate, specialization, and/or minor shall be governed by Academic Affairs Guidelines.

- 2.1. **Initial Academic Certificate/Specialization/Minor Exploration:** Each university will define the internal process through which new academic certificates, specializations, and minors are requested. If the internal university process approves the request, then the university shall proceed to the Full Proposal step.

### 2.1.1. **Certifications**

A certificate program is a sequence, pattern, or group of academic credit courses that focus upon an area of specialized knowledge or information and develop a specific skill set. A certificate may include either undergraduate and/or graduate/professional courses and include courses offered collaboratively with another Regental university. Completion of a certificate appears on student transcripts. Certificates typically serve one of three purposes: serving as a standalone education credential option for students not seeking additional

**Commented [MJK10]:** No substantive changes were made to this section.

credentials (i.e., bachelor's or master's degree), serving as a value added credential that supplements a student's major field of study, or serving as a stackable credential with credits that apply to a higher level credential (i.e., associate, bachelor's, or master's degree).

Standalone certificates typically address areas of high workforce demand or a specialized body of knowledge. Such certificates require well-defined learning outcomes that provide clear pathways to further education and employment. Proposals for new certificates must identify one or more of these three purposes as justification for authorization of the credential. Certificate programs are typically a subset of the curriculum offered in degree programs and include previously approved courses. Certificate programs by design are limited in the number of credit hours required for completion. Certificate programs consist of nine (9) to twelve (12) credit hours, including prerequisite courses. Proposals to establish new certificates as well as proposals to modify existing certificates must recognize and address this limit. In rare cases, unique circumstances or standards for licensure will allow a certificate to be approved for more than twelve (12) credit hours.

#### **2.1.2. Specializations**

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. A specialization may attach to only one major. Associate degree programs shall not have specializations. While there are no minimum or maximum number of credits exists for a specialization, universities should align credit hours with current university and system policies and guidelines on academic majors and minors.

#### **2.1.3. Minors**

Minors by design are limited in the number of credit hours required for completion. Minors typically consist of eighteen (18) credit hours, including prerequisite courses. Proposals to establish new minors as well as proposals to modify existing minors must recognize and address this limit.

The majority of Regental system academic programs require one hundred and twenty (120) credits to graduate; minors exceeding the eighteen (18) credit hour thresholds significantly hinder students' ability to graduate in one hundred and twenty (120) credit hours. In rare cases, unique circumstances or standards for licensure will state requirements leading to academic minors approved for more than eighteen (18) credit hours.

Per BOR policy 2-29, degree seeking students may complete requirements for a minor at any Regental university that has been approved to grant that minor. This minor will be recorded on the transcript in conjunction with a degree/major at that university or a degree/major at any other Regental university. A minor will only be recorded on the transcript in conjunction with a degree and major.

A minimum of 50% of the minor program must be completed at the institution granting the degree.

## **2.2. Full Proposal:**

- 2.2.1.** Full Program Proposal is submitted to BOR academic affairs staff who will review the submission to ensure it is complete and comprehensive.
- 2.2.2.** Full Program Proposal is submitted to AAC by the university and reviewed. AAC will provide appropriate insights, recommendations, and feedback to the university. AAC can request that the proposal be held for additional consideration at a future meeting.
- 2.2.3.** Full Program Proposal is updated based on feedback from AAC. university President conducts final review of proposal.
- 2.2.4.** Full Program Proposal is submitted to Council of Presidents (COPS) by the university and reviewed.
- 2.2.5.** Full Program Proposal is submitted to BOR as a consent agenda item for their next meeting.
- 2.2.6.** If approved, the BOR academic affairs staff will complete the necessary technical processing for the academic certificate, specialization, or minor to launch.

## **E. NEW CURRICULUM REQUESTS, MODIFICATIONS, AND INACTIVATION TIMELINE AND OVERVIEW**

### **1. New Curriculum Approval**

- 1.1.** The process to offer an existing common course, general education course, an authority to offer, request to create a new unique course, request a new prefix, request permission to seek accreditation, request to create a new cross-listed course, and request to create a new common course shall be governed by Academic Affairs Guidelines.
- 1.2.** Common Course Catalog: It is the expectation of the BOR to maintain the common course catalog, which is designed to facilitate ease of student transfer and collaborative programming across institutions.
- 1.3.** General Education: All changes to general education must comply with BOR Policy 2.7, 2.11, 2.26, and 2.31, and Academic Affairs Guidelines section 8.

### **2. Curriculum Modifications**

- 2.1.** Minor Course Modification: The minor course modification process shall be governed by Academic Affairs Guidelines
- 2.2.** Substantive Course Modification: The substantive course modification process for Common Courses and Unique Courses shall be governed by Academic Affairs Guidelines.

**Commented [MJK11]:** This section documents where to find the AAC Guidelines.

### 3. **Curriculum Inactivation**

- 3.1. The process to inactivate a course shall be governed by Academic Affairs Guidelines.

## F. **PROGRAM MODIFICATION TIMELINE AND OVERVIEW**

### 1. **Minor Modification**

- 1.1. The minor program modification process shall be governed by Academic Affairs Guidelines.

### 2. **Substantive Modification**

- 2.1. The substantive program modifications process shall be governed by Academic Affairs Guidelines.

## G. **PROGRAM MORATORIUM AND SUNSET TIMELINE AND OVERVIEW**

### 1. **Inactivation/Termination**

- 1.1. Program Inactivation: The process to inactivate a program shall be governed by Academic Affairs Guidelines.
- 1.2. Program Termination: The process to terminate a program shall be governed by Academic Affairs Guidelines.
- 1.3. Site Termination: The process to terminate a site shall be governed by Academic Affairs Guidelines.

## FORMS / APPENDICES:

[AAC Form 2.20](#) – Accelerated Graduate Program Request

Definition References:

[Higher Learning Commission Policy Book](#)

[National Center for Education Statistics - Glossary](#)

[U.S. Department of Education – Structure of U.S. Education](#)

## SOURCE:

BOR May 1993; BOR January 2002; BOR December 2003; BOR August 2005; BOR March 2017; BOR December 2018.



## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**AGENDA ITEM: 6 – D (2)**

**DATE: October 6-7, 2021**

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#### **SUBJECT**

**Senate Bill 55 Task Force Recommended Policy Revisions: BOR Policy 2:34 – Academic Program Evaluation (New Policy) (First Reading)**

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

[BOR Policy 1:0](#) – South Dakota Unified System of Higher Education

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

[AAC Guideline 4.1](#) – Program Productivity Review Guidelines

[AAC Guideline 4.2](#) – Institutional Program Review Guidelines

#### **BACKGROUND / DISCUSSION**

##### **History:**

The Senate Bill 55 Task Force (SB55<sup>1</sup>) was created to review the following:

1. The possible combining of administration at all levels of operation within an institution;
2. The possible combining of operations and functions across multiple institutions;
3. The possible combining of the administration of programs across multiple institutions;
4. A review of the duplication of program offerings;
5. A review of the academic majors with low enrollments and low numbers of graduates;
6. A review of functions outside the core missions of teaching, learning, and research;
7. A review of the operations and functions provided as an efficiency through the central office of the Board of Regents;
8. A review of the viability of the university centers; and

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<sup>1</sup> SD Legislature, 2020 Senate Bill 55, <https://sdlegislature.gov/Session/Bill/11827/69874>, Retrieved August 31, 2021.

(Continued)

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#### **DRAFT MOTION 20211006\_6-D(2):**

I move to approve the first reading of the proposed new BOR Policy 2:34, as presented.

9. Any other possible cost-effective measures the task force determines are worthy of examination.

The task force was separated into three subcommittees: Academic, Administration and Infrastructure. The SB55 Academic Subcommittee was charged with reviewing Program Review, Duplication of Programs, and Course Enrollment. This subcommittee began its work in October of 2020 and finalized its recommendations at the June 2021 task force meeting held in Brookings, South Dakota.

### **SB55 Task Force Recommendations:**

The recommendations from the task force were provided to academic leadership (AAC), finance and administration leadership (BAC), Council of Presidents (COPS), and various other stakeholders throughout the Regental system. The Board of Regents reviewed the recommendations at its August Retreat.

The SB55 Academic Subcommittee arrived at its common recommendations after review of several articles, research on best practices, and evaluation of data within the Regental system. One of its recommendations, which was incorporated into the full task force report, focuses on program productivity. The recommendation is outlined below:

The Task Force recommends the Board of Regents revise policies related to “program productivity,” the common name given to the existing system policy addressing academic programs with a low number of graduates. The revised policies should include new metrics analyzing whether failure to meet enrollment or graduation requirements results in the program as retained, terminated, consolidated, or other outcomes. The new metrics and policies should also include information that better reflects the actual cost of offering the program, program alignment with strategic plans and state workforce needs, alignment with the new academic program approval process, consideration of academic quality, and options for input from faculty and students. The Task Force further recommends that the central office work with the Board of Regents to standardize and define the quantitative data provided in support of the new program productivity metrics.

In addition to this task force recommendation, guiding principles were also provided to BOR academic senior staff by the SB55 Academic Subcommittee including:

- Adopt recommendations for best practices (utilizing the EAB research document, “Right-Sizing the Program Portfolio”);
- Implement annual program review;
- Determine secondary set of metrics which may justify continuation of a flagged program if termination/inactivation is not feasible/practical;
- Implement data governance, including data standards, data mining and program reporting, so all campuses have standards for program review;
- Provide faculty and students an opportunity to provide input on programs that are flagged for low productivity;

- Set a specific timeline for follow-up review that requires that a program (a) reaches productivity benchmarks, or (b) is terminated/inactivated; and
- Align new program proposal and approval processes with Program Productivity Policy and Guidelines.

**Outcome:**

The Board of Regents academic staff in cooperation with the Academic Affairs Council (AAC) developed a new BOR Policy 2:34 shown in Attachment I. The revisions were drafted while considering other external Regental policies, academic policies, and various research tools. In addition, Dr. Minder requested additional feedback from staff at USD, DSU and SDSMT to further critique the attached draft policy.

The purpose of this new policy is twofold:

1. To establish a process providing optimal solutions for evidence-based metrics in academic program evaluation and review, and
2. To incorporate a review process encompassing
  - program outlays,
  - enrollment pressures,
  - strategies for interventions, and
  - financial health.

The summary of changes to this policy includes the following:

1. Purpose: The additions to this section reinforce the idea that the standards, processes, and procedures are established to promote the critical components of programming, including academic quality, student success, strategic impact, internal and external evaluation (demand), etc. An important consideration of this policy is that it combines all program review into one policy, practice, and process. (Page 5)
2. Definitions: This section incorporates common definitions from the newly proposed policies: BOR Policy 2:23, BOR Policy 2:34 and BOR Policy 2:35. (Pages 5-6)
3. Policy Statements: The statements represent the objectives and expectations of the policy. (Pages 6-7)
4. Process and Timeline: This section identifies the workflow and timeline associated with that action. (Pages 7-11)
5. New Program Review: This section outlines the review of newly approved programs. (Page 12)
6. Appendix I: Chart of Program Evaluation and Review: This chart provides a high-level review of the different evaluations/reviews that are included in the policy. The campus evaluations/reviews are as follows: Annual, Mid-Cycle, and

Comprehensive. The Board of Regents reviews are as follows: Program Productivity, New Program Review. (Page 13)

Note, in the applicable sections, the attached policy incorporates comments to help the Board recognize the direct connection to the SB55 recommendations. Additionally, to facilitate review of this policy, the accreditation liaison officers developed a visual representation of the policy (see Attachment II).

## **IMPACT AND RECOMMENDATION**

Academic programming and curricular offerings are essential aspects of that which the Board of Regents governs. The newly attached draft BOR Policy is designed to review the viability of programs and identify important considerations for program success. This may mean resource allocation, realigning the program, collaboration within the campus or within the system, termination, etc. This policy creates process for ongoing review and evaluation of programs (annually, three-year cycle and a six-year cycle versus the seven-year review as outlined in current policy).

This new policy will incorporate the Degree and Workforce Gap Analysis, student outcomes, academic quality, financial health, and internal/external demands. The Board of Regents academic staff supports the recommendations of SB55 and recommends approval of this new policy.

The timeline for the activity related to this draft policy, guidelines, forms, communication, and technology platform is as follows:

- Draft BOR Policy 2:34 First Reading – October 2021 BOR Meeting
- Campus Communication – October/November 2021
- AAC Revisions – November 2021
- Draft BOR Policy 2:34 Tentative Second and Final Reading – December 2021 BOR Meeting
- AAC Guideline Revisions – December-March 2022
- Metrics – Data Analytics December – March 2022
- Automation of Workflow/Technology – Tentative March 2022
- Annual Go-Live – May 2022
- Mid-Cycle, Comprehensive Academic Year 2022-2023– May 2023
- Program Productivity – June 2023

The timeline associated with this policy is dependent on communications between the October BOR meeting and the December BOR meeting. The target will be to present the second and final reading of the policy at the December BOR meeting; however, if additional time is warranted, the final may be delivered at the March BOR meeting.

## **ATTACHMENTS**

Attachment I – Draft of New BOR Policy 2:34

Attachment II – Visualization of New BOR Policy 2:34

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Board of Regents Academic Program Evaluation and Review

**NUMBER:** 2:34

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#### A. PURPOSE

This policy establishes a consistent, system-wide, evidence-based evaluation process for all new and established academic programs to ensure their effectiveness. The process is designed to review and reveal academic program strengths and opportunities for improvement through examination of strategic impact, academic quality, student success, and financial health.

#### B. DEFINITIONS

1. **Board of Regents:** Board of Regents has the constitutional responsibility for governing the Unified System of Public Higher Education in South Dakota, which encompasses its supervision, coordination, management, and regulation. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming.
2. **Program:** This policy applies to all undergraduate (associate or bachelor) and graduate/professional (master, specialist, doctorate) degrees.
3. **University:** Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and The University of South Dakota.
4. **Program Actions:**
  - **Watchlist:** A program appearing on the Program Productivity report and allowed to remain active will be placed on an annual report created by BOR and provided to the University.
  - **Moratorium:** Temporary suspension (up to two years) of student admission to or declared major in an academic program that is being re-evaluated pursuant to this policy.
  - **Teach-Out:** A program in Moratorium that is determined for program closure, is placed in Teach-Out. During the Teach-Out stage, a comprehensive plan (in compliance with regional accreditation requirements) will be developed by the University to ensure all students are guided through options to complete or transfer to another program and appropriate options for all human, facility, and fiscal resources are identified.
  - **Program Closure:** A planned termination of a program.
5. **Program Evaluation and Review:**

#### **Commented [MJK1]:** BOR Template

This policy will replace the current policy BOR 2:23 section 4-5

<https://www.sdbor.edu/policy/Documents/2-23.pdf>

Internal website to be used to store all data for this process.

All reports processed that are used will have security configured.

Metrics will be created and documented in the AAC Guidelines.

A SDBOR reporting system will be utilized.

#### **Commented [MJK2]:** This is directly from the recommendations from SB55 to incorporate metrics.

i)adopt EAB recommendations for best practices (see EAB document, "Right-Sizing the Program Portfolio")

iii)determine secondary set of metrics which may justify continuation of a flagged program if termination/inactivation is not feasible/practical

#### **Commented [MJK3]:** SB55 Recommendation implement annual program review using a prescribed initial set of metrics (to be determined), including data from Banner Workload, which will flag low-producing programs/majors

- **Annual Health Analytics/Evaluation:** University examination of program performance based on a set of common metrics: enrollment, student success, instructional activity, faculty, and revenue/expense.
- **Year-Three (3) Mid-Cycle Analytics/Evaluation:** University examination of program performance based on a set of common metrics: enrollment, student success, instructional activity, faculty, and revenue/expense.
- **Year-Six (6) Comprehensive Program Review:** University extensive analytical and reflective peer review process that analyzes program status and effectiveness to identify strengths, opportunities for improvement, and priorities for the future.
- **Program Accreditation Review:** Accreditation review process completed by programs where standards are determined by specialized accrediting bodies related to a profession. The University may use a program accreditation review to satisfy the requirements for the Year-Six (6) Comprehensive Review.
- **Program Productivity Review:** Board of Regents program productivity review analyzing programs that fail to meet the established criteria thresholds.
- **New Program Review:** Board of Regents evidence-based program review conducted annually beginning in year two and will go through year six for new BOR-approved programs (BOR Policy 2:23) to facilitate new program growth, enrollment discussions, and budget projections.
- **Ad hoc Program Review:** University unplanned, expedited review process in response to significant extenuating circumstances as deemed appropriate by the University President.

#### 6. Review Mechanics:

- **External Review:** A review conducted by individuals outside the University. An external review process appropriate for the program will be established by the University and shall include individuals with the appropriate qualifications and expertise for the review, as deemed appropriate by the University and/or program accreditation requirements.
- **Internal Review:** A review conducted by individuals from within the University. An internal review process appropriate for the program will be established by the University.
- **Quantitative:** The assembly of the appropriate quantitative data utilized for the Program Review and Evaluation.
- **Qualitative:** The assembly of the appropriate qualitative data and responses utilized for the Mid-Cycle and Comprehensive Reviews will be completed by the University.

**Commented [MJK4]:** This is a metric-based report only to engage communication through a reporting tool on the progress of the program based on the projections identified.

Data will be shared based on program benchmark projections with actuals annually with the Board of Regents Committee A.

SB55 recommendation  
vii) align new program proposal and approval processes with Program Productivity Policy and Guidelines.

**Commented [MJK5]:** A SDBOR reporting system will be utilized.

### C. POLICY STATEMENTS

1. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming.

2. The Board of Regents governs the process and policy for Program Productivity Review and policy for all other program evaluations and reviews.
3. The University manages the process for the Annual, Year-Three (3) Mid-Cycle and Year-Six (6) Comprehensive evaluation and review. University leadership will utilize the corresponding review process outlined with key elements as provided in Section 4 of AAC Guidelines.
4. University leadership will establish a master evaluation schedule (see AAC Guidelines Section 4).
5. A Regental reporting solution shall manage all the required quantitative data elements.
6. A Regental technology solution shall be the repository for all Annual, Year-Three (3) Mid-Cycle, Program Productivity, and Year-Six (6) Comprehensive Reviews (to include Program Specialized Accreditation Reviews) in accordance with State of South Dakota Bureau of Administration Records Retention and Destruction Schedule.
7. Quantitative elements for evaluation shall include at a minimum: Enrollment, Student Success, Academic and Instructional Activity, Revenue and Expenditure, Course Management, Workforce Analysis, Degree Gap Analysis, etc.
8. Qualitative elements (Year-Six (6) Comprehensive) shall include: University Mission/Alignment, Strategic Impact, Academic Quality, Emerging Industry/Industry Trends, Student Success, Strategic Partnerships and Collaboration, Impact and Value, and Contributions to the Public Good
9. The University shall integrate program review results into its planning and budget processes.
10. The Provost/Chief Academic Officer of the University can recommend a Moratorium, Teach-Out, or Program Closure if the program does not meet established criteria thresholds, using the appropriate University and institutional accrediting body guidelines and processes.
11. Action Plans will include timelines assigned for enhancement, augmentation of a program as well as the outcome if plan is not realized (reduce or closure). Ongoing monitoring, of results and action plans, is performed as needed at the University.
12. A report summary of the program reviews completed are submitted annually to the Board of Regents. The online form can be found in AAC Guideline 4.3.

**Commented [MJK6]:** These elements will be utilized for all the program reviews. End-result, the goal is to streamline from multiple processes and utilize one quantitative report for all program reports. The intense qualitative report will be part of the external review (every six-years).

#### **D. PROCESS AND TIMELINE**

##### **1. Annual Health Analytics/Evaluation**

The evaluation is conducted by the University annually. This Annual Health Analytics/Evaluation includes quantitative data provided to the University. Universities shall utilize the data to review and work toward program success. See AAC Guideline 4.2 for additional information.

##### **2. Year-Three (3) Mid-Cycle Analytics/Evaluation**

The evaluation is conducted by the University on a three-year cycle. See AAC Guideline 4.3 for additional information. This Mid-Cycle Analytics/Evaluation includes quantitative data

provided to the University. Trends of the program shall be reviewed. The University will provide additional summary findings appropriate for the program. This review may prompt additional research into program success and needs to further enhance the program.

Programs that utilize a Program Accreditation Review cycle, the year-three mid-cycle review will be adjusted to fit the specific individual accreditor's timeline.

### **3. Year-Six Comprehensive Program Review/Program Accreditation Review**

- 3.1 These reviews are conducted by the University on a six (6)-year schedule by program (or based on schedule for accreditation requirements).
- 3.2 This Year-Six Comprehensive Program Review includes quantitative data provided to the University. Additionally, the University completes a self-study (utilizing the template from AAC Guideline 4.4) that adds robust qualitative data to the quantitative data. Campuses may include additional campus generated quantitative data. The self-study is reviewed through an Internal Review and/or External Review process. See AAC Guideline 4.4 for additional information.
- 3.3 The Program Accreditation Review will follow the accrediting body requirements regarding the program review and processing timeline. All reviews will be submitted to the Board of Regents as outlined in AAC Guideline 4.4. The campus will be required to review all the Board of Regents quantitative data in coordination with the program accreditation if not incorporated.

### **4. Program Productivity Review**

- 4.1. This review is conducted by the Board of Regents (BOR).
- 4.2. The Program Productivity Review shall be aligned with the Year-Three (3) Mid-Cycle Health Analytics/Evaluation cycle.
- 4.3. The BOR shall use a common set of metrics to flag a program for review at the University.
- 4.4. Degrees conferred shall be the primary metric that flags a program for review. A program that does not meet the minimum criteria threshold of degrees conferred shall then have the Student Headcount Enrollment and Financial Viability criteria metrics reviewed. AAC Guideline 4.5 outlines more information on the program productivity procedure.

#### **4.4 Program Productivity Metrics**

- 4.4.1 Primary Data - Degrees Conferred: Degrees Conferred is the primary data point utilized to flag a program for review. The following are the minimum criteria thresholds:
  - 4.4.1.1 Associate Degree: Five (5) graduates a year or twenty-five (25) during the five (5)-year reporting period.
  - 4.4.1.2 Bachelor's Degree: Seven (7) graduates a year or thirty-five (35) during the five (5)-year reporting period.
  - 4.4.1.3 Master's Degree: Four (4) graduates a year or twenty (20) during the five (5)-year reporting period.



- 4.4.1.4 Professional, Terminal, and Doctoral Degree: One (1) graduate a year or five (5) during the five (5)-year reporting period.
- 4.4.2 Secondary Data – Student Headcount Enrollment: Student Headcount Enrollment over a three (3)-year average is the secondary flag. The following are the minimum criteria thresholds:
- 4.4.2.1 Associate Degree – Three (3)-year average of a minimum of fifteen (15) enrollments
- 4.4.2.2 Bachelor’s Degree – Three (3)-year average of a minimum of twenty-five (25) enrollments
- 4.4.2.3 Master’s Degree – Three (3)-year average of a minimum of fifteen (15) enrollments
- 4.4.2.4 Professional, Terminal, and Doctoral Degree – Three (3)-year average of a minimum of seven (7) enrollments
- 4.4.3 Secondary Data – Financial Viability: A Financial Viability formula exists for each University and is managed by the BOR. The formula utilizes a three (3)-year average for the metrics. The formula is specific to each University in order provide an impartial way to account for the uniqueness of each University, the populations they serve, and their role and mission. Each University has access to the reporting data utilized in their formula for management needs. BOR reserves the right to determine if similar programs will be combined or evaluated individually in this formula. The reporting will include:
- Faculty Average Salaries and Benefits
  - Number of Sections
  - Section Enrollments
  - Student Generated Hours
  - Total Revenue – Tuition and Fees
  - Total Expenditures (Total Compensation, Overhead Expense)
  - Net Income
  - Total Reallocation of Resources from Grants or Other Funding
- 4.5 Exempt Program Request
- AAC Guideline 4.5 provides a mechanism for the University to request that a program be exempted from the low-productivity designation if it meets certain criteria. If a program is designated as an exempt program, the program will be flagged in the Student Information System and be re-evaluated every three (3) years to ensure that it meets the exemption criteria.
- The criteria for exemption are:

- Meets a demonstrated workforce or service need of the state or geographical region served by the institution, including any projected future needs of the state or region – through GAP analysis.
- Demonstrates an increase in student demand through a pattern of increasing enrollment of majors.
- Demonstrates productivity in the receipt of external grants and contracts related to the program,
- Includes collaborative programs approved for exemption, or
- Supports underrepresented student or community groups.

#### 4.6 Flagged Program Reporting

- 4.6.1 Flagged programs will require a program review as defined in AAC Guideline 4.5 and in accordance with this policy.
- 4.6.2 Programs flagged shall require the University to develop a plan and implement an action plan.
- 4.6.3 Programs that are recommended to remain active will be placed on a watchlist until such time that it is re-evaluated.
- 4.6.4 The University shall submit the action plan to the Board of Regents

#### 4.7 Flagged Program Actions

The University will be required to identify an appropriate action for the program. Actions include:

- 4.7.1 Program Closure
- 4.7.2 Moratorium
- 4.7.3 Retain with further review (option limited to once per program); required action plan to meet established thresholds and will be on a watchlist
- 4.7.4 Investment/Realignment/Augmentation Plan; required action plan to meet established thresholds and will be on a watchlist
- 4.7.4.1 Internal program redesign within the department
- 4.7.4.2 Internal program redesign within the University but outside the department
- 4.7.4.3 External program redesign with other BOR University

#### 4.8 University Flagged Program Action

- 4.8.1 Retaining, Realigned or Augmented Programs
- 4.8.1.1 When the University selects to retain or realign/augment a program, an action plan is created by the University including established program performance metrics and timeline for them to be met to ensure program viability.

**Commented [MJK7]:** SB55 Recommendation  
ii)implement annual program review using a prescribed initial set of metrics (to be determined), including data from Banner Workload, which will flag low-producing programs/majors

- 4.8.1.2 The action plan will be submitted to the BOR for review and approval at a BOR meeting.
- 4.8.1.3 If the BOR approves the action plan, the program will be placed on a watchlist.
- 4.8.1.4 In the event the program does not meet the metrics within the timeline established in the action plan, the program will be scheduled for Program Closure.
- 4.8.1.5 BOR Committee A will review all the recommendations and metrics around the recommendations annually during the review period.
- 4.8.2 Moratorium and Closure
  - 4.8.2.1 The University will need to propose a plan in accordance with their accrediting body which may include a Teach-Out.
  - 4.8.2.2 A timeline will be submitted to the BOR.
- 4.9 BOR Flagged Program Analysis
  - 4.9.1 At a BOR meeting, an analysis of the program will be provided to assist in identifying the following: financial health and viability analysis, student success analysis, academic quality analysis, and strategic analysis.
  - 4.9.2 Following that review and analysis, BOR may Sunset a program due to the program productivity analysis.
  - 4.9.3 The circumstances for Program Closure may include but are not limited to: Educational Needs, Strategic Realignment, Resource Allocation, Budgetary Constraints, Decline in Demand, and Academic Quality Concerns.
- 4.10 BOR Flagged Program Closure
  - 4.10.1 The University will, upon notification of Program Closure, notify all stakeholders (students, prospective students, faculty, staff, internal University, accreditors, etc.).
  - 4.10.2 The University shall develop a teach-out plan pursuant to federal regulations and University accreditation guidelines.
  - 4.10.3 The University will provide, at the next BOR Meeting, the Program Termination Form outlined in AAC Guideline 2.12 and/or 2.13. This form documents the formal plan to close the program, including the complete Program Closure timeline.
  - 4.10.4 The University shall adhere to all University accreditation guidelines and or program specialized accreditation guidelines/requirements.
  - 4.10.5 The University shall provide communication and advising on additional resources for completion of the program of study to all affected students.
  - 4.10.6 The University shall complete and implement planning for faculty and staff associated with the program closure following BOR Policy 4:23 and BOR Policy 4:24.

**E. BOR ACADEMIC AFFAIRS OFFICE: NEW PROGRAM REVIEW**

After the BOR approves a new program, the BOR academic affairs staff shall conduct an annual review of data identified in AAC Guideline 4.6, comparing results to the benchmarks identified in the new program proposal.

The BOR academic affairs staff shall review following data:

- Market demand data (gap analysis)
- Alignment of the revenue/expense projections
- Personnel service costs associated with the new program
- Expected growth in enrollments projections
- Migration patterns for student enrollment
- Partnership between finance, enrollment management and academic affairs with respect to their program launch planning.

The BOR academic affairs staff shall provide the new program review results to the Provost/Chief Academic Officer of the University. The University may provide a response to the review and may include relevant and compelling to the review.

On an annual basis, the BOR academic affairs staff shall provide the Board of Regents and Committee A with a summary report combining the BOR academic affairs data review and University's additional information.

The new program shall have six years to meet the criteria thresholds of program productivity. In the event the new program does not meet the thresholds identified, the BOR shall initiate a formal program productivity review process.

**Commented [MJK8]:** SB5 Recommendation align new program proposal and approval processes with Program Productivity Policy and Guidelines.

v) set a specific timeline for follow-up review that requires that a program (a) reaches productivity benchmarks, or (b) is terminated/inactivated.

**Commented [MJK9]:** SB55 Recommendation align new program proposal and approval processes with Program Productivity Policy and Guidelines.

This also provides the Regents a regular update on the status of new programs.

Six-years was identified to bring into alignment with the Program Review cycle.

**FORMS / APPENDICES:**

APPENDIX A – Summary of Program Evaluation and Review

[AAC Form 2.13](#) – Program Termination or Placement on Inactive Status Form

[AAC Form 4.2](#) – Institutional Program Review Report to the Board of Regents Form

[BOR](#) – Records Retention and Destruction Schedule

**SOURCE:**

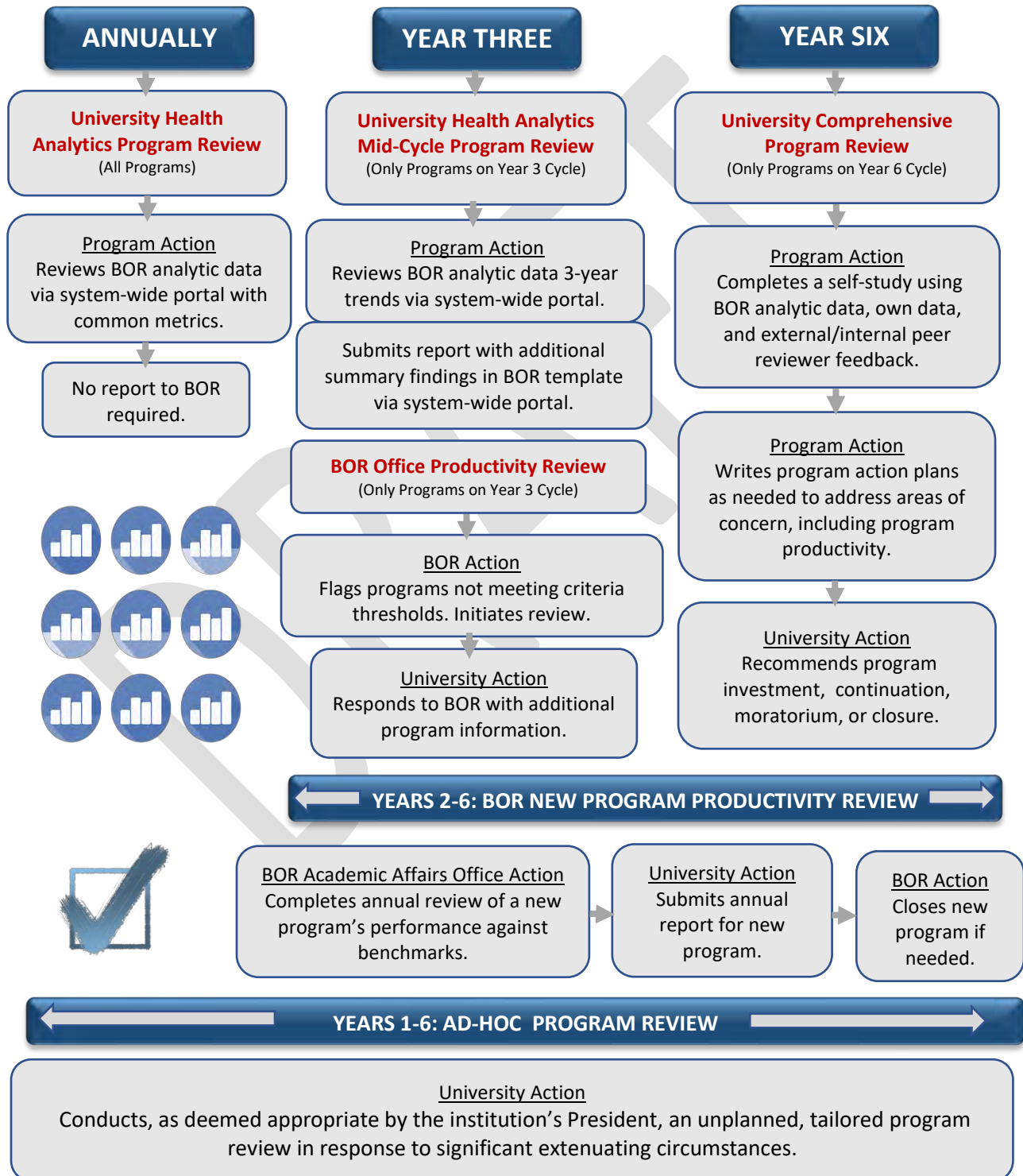
BOR <Month> 2021.

**Appendix A**  
**Summary of Program Evaluation and Review**

Description	Cycle	Quantitative Reporting	Qualitative Reporting	External/Internal Review	Metrics	Campus Qualitative Impact	Review and Reporting
University Annual Health Analytics/Evaluation	Annual	Yes	Nothing	No	Enrollments Academic Success Transfers Retention	Not Applicable	Internal Review on Program Health  No Reporting Required to BOR
University Year-Three Mid-Cycle Analytics/ Evaluation	Every three years or Accreditation Schedule	Yes	Limited	No	Trend Analysis  Enrollments Academic Success Transfers Retention	Evaluation report on metrics from the last three years.	Trend Analysis Review  Internal Review on Program Health  Review may initiate a comprehensive program review.  Report Required to BOR.
University Year-Six Comprehensive Program Review/ Program Accreditation Review	Every Six-Years or Accreditation Schedule	Yes	Comprehensive	Yes	Enrollments Student Success  Program Migration Financial Health Academic/ Instructional	Campus Mission Student Success Academic Quality Financial Health Market Demand Student Demand	Review will identify if program meet targets.  Review may identify if additional resources are warranted?  Report Required to BOR.
BOR Program Productivity Review	Low Productivity, Mid-Cycle Timeline	Yes	Limited	No	Flagged Programs Only.	Evaluation BOR Report.	Review will identify outcome based on recommendations  Report Required to BOR
BOR New Program Review	Years Two through Six	Yes	Nothing	No	Enrollment Projects  Budget Projections	Not Applicable	Review will identify action items for enhancing programs.  Report Required to BOR
Ad hoc Program Review	As Needed	Yes	Limited	No	As Needed	As Needed	As Needed

## South Dakota Board of Regents Comprehensive Review of Academic Programs 6-Year Cycle

The following process shall allow the BOR to examine the extent to which established associate, bachelor, master, and doctoral academic programs are meeting their intended priorities and to determine the viability of new program requests. *Programs with specialized professional accreditation shall follow their program accreditation cycles and submit those reports to the BOR in lieu of the 6-year cycle.*



## **SOUTH DAKOTA BOARD OF REGENTS**

### **Academic and Student Affairs**

**AGENDA ITEM: 6 – D (3)**

**DATE: October 6-7, 2021**

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#### **SUBJECT**

**Senate Bill 55 Task Force Recommended Policy Revisions:  
BOR Policy 2:35 – Course Enrollment Management (New Policy) (First Reading)**

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

[BOR Policy 1:0](#) – South Dakota Unified System of Higher Education

[BOR Policy 5:17](#) – Instructional Funding [Section 4]

[AAC Guideline 5.7](#) – Section Size Administration Guidelines

#### **BACKGROUND / DISCUSSION**

##### **History:**

The Senate Bill 55 Task Force (SB55<sup>1</sup>) was created to review the following:

1. The possible combining of administration at all levels of operation within an institution;
2. The possible combining of operations and functions across multiple institutions;
3. The possible combining of the administration of programs across multiple institutions;
4. A review of the duplication of program offerings;
5. A review of the academic majors with low enrollments and low numbers of graduates;
6. A review of functions outside the core missions of teaching, learning, and research;
7. A review of the operations and functions provided as an efficiency through the central office of the Board of Regents;
8. A review of the viability of the university centers; and
9. Any other possible cost-effective measures the task force determines are worthy of examination.

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<sup>1</sup> SD Legislature, 2020 Senate Bill 55, <https://sdlegislature.gov/Session/Bill/11827/69874>, Retrieved August 31, 2021.

(Continued)

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#### **DRAFT MOTION 20211006\_6-D(3):**

I move to approve the first reading of the proposed new BOR Policy 2:35, as presented.

The task force was separated into three subcommittees: Academic, Administration and Infrastructure. The SB55 Academic Subcommittee was charged with reviewing Program Review, Duplication of Programs, and Course Enrollment. This subcommittee began its work in October of 2020 and finalized its recommendations at the June 2021 Task Force meeting held in Brookings, South Dakota.

### **SB55 Task Force Recommendations:**

The recommendations from the task force were provided to academic leadership (AAC), finance and administration leadership (BAC), Council of Presidents (COPS), and various other stakeholders throughout the Regental system. The Board of Regents reviewed the recommendations at its August Retreat.

The SB55 Academic Subcommittee arrived at its common recommendations after review of several articles, research on best practices, and evaluation of data within the Regental system. One of its recommendations, which was incorporated into the full task force report, focuses low enrolled section/section size. This recommendation is outlined below:

1. Eliminate “instructional method” references from system policies and related instructional method exceptions to minimum course section enrollment policies.
2. Place the responsibility for managing compliance with minimum course section enrollment policies on the institutions and establish incentives for compliance.
3. Establish policies allowing a maximum of eighteen (18) percent of an institution’s course sections to have enrollments below the minimum enrollment requirements.
4. Standardize the process for institutions creating new course sections where individual instruction is a component (i.e., some institutions combine all such students into one course section while others enroll each student in a separate course section). This will result in more accurate tracking of policy compliance.
5. Establish a process to document allowances for a limited number of low enrolled sections when required to ensure students have access to coursework required for degree completion.
6. Establish policies governing low enrolled course sections offered during summer or non-standard academic terms that ensure financial viability for institutions offering the course.

### **Outcome:**

The Board of Regents academic staff in cooperation with the Academic Affairs Council (AAC) developed a new BOR Policy 2:35 shown in Attachment I. The revisions were drafted while considering other Regental policies, academic policies, and various research tools.

The proposed policy (see Attachment I) includes the following sections:



- Purpose: This is a preamble to the policy outlining the new criteria outlined by the SB55 committee. (Page 5)
- Definitions: Definitions have been inserted to further clarify the intent of this policy. (Pages 5-6)
- Policy Statements: The statements represent the objectives and expectations of the policy. (Pages 6-7)
- Course Enrollment Management: This section of the policy aims to clarify overall enrollment policy requirements for Undergraduate (Fall/Spring Term), Graduate (Fall/Spring), and Summer Term. The goal of this policy is to clarify a threshold for which a minimum percentage of enrollments in section size that will be allowed per level (UG/GR, including Law/Medical). (Pages 7-8)
  - Undergraduate section threshold will be 18% (i.e., no more than 18% of the total sections can fall below 10 students enrolled).
  - Lower division graduate threshold will be 25% (i.e., no more than 25% of the total sections can fall below 7 students enrolled).
  - Upper division graduate threshold will be 50% for regional comprehensive and 75% for specialty and research-intensive campuses (i.e., no more than 50/75% of the total sections can fall below 4 students enrolled).
- Course Section Management: This section of the policy aims to clarify overall section management processes. (Pages 8-9)
- Summer Academic Term: This section provides direction on the funding mechanism for the Summer Academic Term. (Page 9)
- Reporting Management: This section provides reporting guidelines. (Pages 9-10)
- Non-Compliance: This section provides the policy guidelines on non-compliance. (Page 10)

## **IMPACT AND RECOMMENDATION**

Academic programming and curricular offerings are essential aspects of that which the Board of Regents governs. The newly attached BOR Policy is designed to respond to enrollment management including low enrolled sections. The need to manage section size includes the need to manage enrollment overall, including section enrollment, course/section rotation, and academic class capacity.

The changes to this policy require changes to existing BOR Policies 2:21 and 5:17, and these will be addressed in meeting agenda items 6-D(4) and 6-D(5). Essentially, though, this policy as shown in Attachment I will replace both policies. The objective to streamline one policy will be to ensure that course enrollment is monitored by understanding section size, scheduling or rotation of sections, academic class capacity, and canceling of sections. All course enrollment methodologies are tightly coupled academic functions. Maximizing the strategies necessary for advising and continual enrollment management will mark success for the campus.

The timeline for the activity related to this draft policy, guidelines, forms, communication, and technology platform is as follows:

- Draft BOR Policy 2:35 First Reading – October 2021 BOR Meeting
- Campus Communication – October/November 2021
- AAC Revisions – November 2021
- Draft BOR Policy 2:35 Tentative Second and Final Reading – December 2021 BOR Meeting
- AAC Guideline Revisions – December 2021
- Metrics – Data Analytics – December 2021
- Pilot Go-Live – Spring and Fall 2022
- Reporting on Pilot Board of Regents – December 2022

The timeline associated with this policy is dependent on communications between the October BOR meeting and the December BOR meeting. The target will be to present the second and final reading of the policy at the December BOR meeting; however, if additional time is warranted to ensure the policy is reflective of best practice, the final may be delivered at the March BOR meeting.

## **ATTACHMENTS**

Attachment I – Draft of New BOR Policy 2:35

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Course Enrollment Management Policy

**NUMBER:** 2:35

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#### A. PURPOSE

The University system plans course scheduling according to projected enrollment and seeks to optimize faculty resources throughout the course offerings. The Course Enrollment Management Policy serves to provide direction with respect to the course schedule. Courses should be scheduled to ensure maximum enrollment and student accessibility. Course enrollment looks to coordinate section size by understanding class capacity, section enrollment and the course rotation scheduling.

This policy applies to all courses and academic units during the academic year (fall/spring and summer). Each university while managing section size should take into consideration careful planning, informed by enrollment histories and course rotations.

Commented [MJK1]: This policy reflects the work on SB55 as it relates to Low Enrolled Sections. This policy encompasses: Course Rotation, Maximum Capacity and Course Enrollments.

SB55 Recommendation:  
This policy looks now at every section within the higher education system. There are no instructional methods for which can be exempted.

SB55  
i)eliminate the instructional type of methodology from guidelines  
ii)remove rules and exceptions, moving the responsibility to manage to the campus;  
iii)document an allowance or methodology for retention of low enrolled sections;

#### B. DEFINITIONS

1. **Census Enrollment:** The number of students enrolled as of the census date within the academic calendar.
2. **Census Enrollment Reporting Date:** The date identified for reporting to the Board of Regents as outlined in [BOR Policy 2:24](#).
3. **Classroom Capacity:** The maximum physical seating capacity a section may need due to academic quality, academic activity and needs of the section.
4. **Collaborative Sections:** Where two or more sections exist and are at more than one campus. Students enroll at their home campus section and the section is combined with another host campus (i.e., DSU Home Campus and SDSU Host Campus collaborating across sections).
5. **Course:** A course has a unique subject and course number which can be a common system course or unique university course (e.g., ENGL 101 [Subject English, Number 101]).
6. **Cross-Listed Sections:** Where two or more course sections exist for student registration; yet, the sections are taught as one by the same instructor.
7. **Home Campus:** A student's primary campus based on their program of study and admissions to the campus.
8. **Host Campus:** A campus that a student could attend secondarily to their home campus for courses not taught by the home campus.

9. **Multi-Section Courses:** Where many sections of a course exist at different times, locations, and instructional methods (i.e., English 101 CRN 82139 Face-to-Face, 82140 Online, and 82141 Hybrid).
10. **Reduced Capacity:** When a classroom has a reduced capacity due to outside variables (e.g., pandemic).
11. **Section:** A specific offering of a course in a term which is assigned into one or more sections. The section has a unique number assigned that denotes the day, time, location, and instructor teaching the course (e.g., ENGL 101 CRN 82139, MWF 9:00-9:50 AM, Building Administration Room 100). This section is available and viewable for registration by students.
12. **Section Enrollment:** The number of students enrolled in a section.
13. **Section Rotation:** The planned schedule outlining when course selections will be offered to students. Not all courses are delivered every term and may be scheduled as needed. Typically, the section rotation ensuring students graduate within the expected timeframe to the degree they are seeking (e.g., four-year, two-year, etc.).
14. **Section Enrollment Grouping:** A group of sections categorized by enrollment size.
15. **Student Credit Hours (SCH):** The number of enrolled students multiplied by the credit hours per section.

#### C. POLICY STATEMENTS

1. Board of Regents Policy 1:0, 1:1 and SDCL § 13-49 through § 13-53 provides the authority to govern academic programming.
2. The Board of Regents governs the policy for Course Enrollment Management.
3. The university manages the process on course enrollment management.
4. This policy applies to all undergraduate, graduate, and professional courses that are assigned workload during the fall and spring semesters.
5. The summer academic term will be managed separately by the university with a financial model to ensure financial health. This model will be provided to the Board of Regents Academic staff.
6. The Board of Regents will manage the reporting tool and data metrics for the universities.
7. Managing course enrollment includes the addition of course sections, cancelation of course sections, course rotation scheduling, and classroom capacity by the university.
8. The Board of Regents will establish section size grouping for which the university must manage section enrollment and report section enrollment.
  - Undergraduate Section Size Grouping include (Course Numbers 0-499): 1, 2-9, 10-19, 20-29, 30-39, 40-49, 50-99, and 99+.
  - Lower Division Graduate Section Size Grouping (Course Numbers 500-699) include: 1, 2-6, 7-12, 13-19, 20-39, and 40+.

- Upper Division Graduate Section Size Grouping (Course Numbers 700+) include: 1, 2-3, 4-7, 8-15, 16-39, and 40+.
9. There will be no section exceptions to the enrollment management policy.
  10. The university will review their section enrollment data and section offerings to remain within the thresholds identified in BOR Policy 2:35 Section D.

#### **D. COURSE SECTION ENROLLMENT**

##### **1. Undergraduate Fall/Spring Academic Term Section Enrollment**

The undergraduate groupings include various section sizes. The policy of the Board of Regents requires that the total percentage of sections for course enrollments of less than 10 (groups 1, 2-9) must remain at or less than 18% of total sections for that university.

###### Section Enrollment Grouping

• Enrollment 1 Student	
• Enrollment 2-9 Students	*Maximum of 18% of all Sections
• Enrollment 10-19 Students	
• Enrollment 20-29 Students	
• Enrollment 30-39 Students	
• Enrollment 40-49 Students	
• Enrollment 50-99 Students	
• Enrollment greater than 99 Students	*Minimum of 82% of all Sections

Commented [MJK2]: A review was conducted over the last five years and on average 20% was found as the constant variable. SB55 committee recommends going to 18% to show efficiency goal.

##### **2. Graduate Fall/Spring Academic Term Section Enrollment**

The graduate groupings include various section sizes based upon lower and upper division course work.

###### **2.1. Lower Division Graduate Courses (500-699):**

The total percentage of sections for course enrollments of less than 7 (1, 2-6) must remain at or less than 25% of total sections for that university.

###### Section Enrollment Grouping

• Enrollment 1 Student	
• Enrollment 2-6 Students	*Maximum of 25% of all Sections
• Enrollment 7-12 Students	
• Enrollment 13-19 Students	
• Enrollment 20-39 Students	
• Enrollment greater than 40 Students	*Minimum of 75% of all Sections

Commented [MJK3]: A review was conducted over the last five years and on average 20% was found as the constant variable.

## 2.2. Upper Division Graduate Courses (700+):

### 2.2.1 Regional Institutions:

The total percentage of sections for course enrollments that are less than four (4) must remain at or less than 50% of total sections for that university.

### 2.2.2 Specialty Institutions:

The total percentage of sections for course enrollments that are less than four (4) must remain at or less than 75% of total sections for that university.

### 2.2.3 Research Institutions:

The total percentage of sections for course enrollments that are less than four (4) must remain at or less than 75% of total sections for that university.

## E. COURSE SECTION MANAGEMENT

To manage this policy, university academic leadership should evaluate the distribution of sections by size with the distribution of students. There may be a need to evaluate section needs and growth or reduction of sections.

Special attention should be focused on sections, student generated hours, trends within the term or over terms, as well as the rotation scheduling. There may be a need to collaborate within the university or within the system to reduce low-enrolled sections or increase access to sections.

See AAC Guideline 5.7 for additional guidance.

### 1. Adding Sections

It may be critical to add additional sections based on enrollment in the program(s). The university should review enrollment trends and the section rotation to determine the need to add sections.

### 2. Canceling Sections

Universities may need to cancel sections in order to adhere to enrollment percentages identified in section BOR Policy 2:35 Section D (Course Section Enrollment). The key to course enrollment management at the university will be to determine which low enrollment courses to retain to ensure students are able to graduate on time.

In addition to cancelation, the university should work with other host campuses to collaborate and collapse low enrolled sections. Care should be taken to ensure students can enroll in alternative sections.

### 3. Section Capacity Management

Universities should evaluate their section and classroom capacity to determine if the sections/rooms are appropriately scheduled for the academic need. The course enrollment management report should be utilized during the term to review and at the end of each academic Fall/Spring. Trends can be reviewed to determine if updating section and enrollment capacity will assist in normalizing section enrollments.

Commented [MJK4]: SB55 Recommendation on System Course Collaboration if we need to cancel a section.

Commented [MJK5]: Will be in the Reporting Tool

#### 4. Section Rotation Scheduling

Universities should evaluate their section rotation to determine if the sections are appropriately scheduled. Typically, courses/sections are scheduled to meet the expected timeframe to complete the program of study. The section rotation reporting should be utilized to determine if updating the section rotation will assist in normalizing section enrollments.

Commented [MJK6]: Will be in the Reporting Tool

#### 5. Section Monitoring

Academic leadership should monitor enrollment trends to determine if any sections are canceled repeatedly. If such sections are identified, academic leadership should work with the academic programs to reduce the frequency with which those courses are offered, to modify or suspend programs where this is chronic low enrollment, and/or to reduce the number of sections offered to match the demand more accurately for the course.

Enrollment patterns in all programs will be periodically reviewed by the Provost's Office as part of ongoing program review procedures. A program that finds it necessary to regularly schedule and offer low enrollment courses may have insufficient demand for the program.

Commented [MJK7]: Will be in the Reporting Tool

### F. SUMMER ACADEMIC TERM

This policy applies to all students taking courses during the summer academic term. Summer shall be separate and distinct from fall and spring because of the funding nature. Therefore, each university will manage their summer term to ensure the section offerings meet the university guidelines. Universities will review their section enrollment data and section offerings to reduce sections that do not meet the thresholds identified by the university. AAC Guideline 5.7 provides additional information on summer term.

### G. REPORTING MANAGEMENT

#### 1. Reporting/Dashboard Solution

An online dashboard will be provided for each university managed by the Board of Regents.

This dashboard will provide a view of live section enrollment across the entire term by section enrollment grouping. The grouping will include all sections, with no exceptions. Cross-listed sections will be incorporated into the group with the combined enrollments.

Universities will be able to evaluate the following:

- Sections by section enrollment grouping
- Enrollments
- Generated student credit hours (SCH)
- Maximum capacity
- Average section size

Commented [MJK8]: A tableau view will be used by the campuses to monitor their sections.

BOR will manage the data and the view will be provided to the academic leadership at the campuses.

Trend data shall be available from prior academic terms and or academic years (fall/spring). Summer will be excluded from reporting in the academic year.

See AAC Guideline 5.7 for additional guidance.

## **2. Annual Reporting**

An annual report shall be provided to the Board of Regents at their June BOR meeting by BOR Academic Staff. This report will provide a summary of the enrollment trends for the academic year (fall/spring) and outline success of meeting the thresholds identified in BOR Policy 2:35 Section D.

## **H. NON-COMPLIANCE**

Universities out of compliance with this policy will not receive approval for future new academic program proposals under BOR Policy 2:23 until compliance is attained. See AAC Guideline for additional guidance on policy (AAC Guideline 5.7).

## **FORMS / APPENDICES:**

None

## **SOURCE:**

BOR <Month> 2021.



**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 6 – D (4)**

**DATE: October 6-7, 2021**

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**SUBJECT**

**Senate Bill 55 Recommended Policy Revisions: Repeal BOR Policy 2:21 – Summer Term (First Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 2:21](#) – Summer Term

**BACKGROUND / DISCUSSION**

Coinciding with the proposed new BOR Policy 2:35 Enrollment Course Management found in BOR Agenda Item 6 – D(3), it is recommended that BOR Policy 2:21 Summer Term be repealed. The objective of moving this policy language to BOR Policy 2:35 is to ensure that all aspects of course enrollment, including summer term, is in one policy location.

**IMPACT AND RECOMMENDATION**

The Board of Regents academic staff supports the recommendation to repeal this policy.

This recommendation has been shared with the Business Affairs Council, the Academic Affairs Council, and the Council of Presidents during their meetings to ensure communication of both the new proposed BOR Policy 2:35 and the recommended repeal of BOR Policy 2:21.

**ATTACHMENTS**

Attachment I – Repeal BOR Policy 2:21

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**DRAFT MOTION 20211006\_6-D(4):**

I move to approve the first reading to repeal BOR Policy 2:21 – Summer Term, as presented.

# **~~SOUTH DAKOTA BOARD OF REGENTS~~**

## **~~Policy Manual~~**

**~~SUBJECT:~~** Summer Term

**~~NUMBER:~~** 2:21

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~~As the third term in the academic year, the summer term serves many students who were enrolled in the spring term or who shall be enrolled in the fall term as well as many students, such as elementary and secondary teachers, who complete entire academic programs exclusively through summer term enrollments. Except as specifically noted, all Board policies apply to the summer term as well as the spring and fall terms. Although tuition and compensation rates become consistent across all three terms as of the summer of 1993 for all campuses except BHSU and the Summer of 1996 for BHSU, tuition and compensation rates may continue to differ between state and self-support courses. This is a transition policy designed to respond to legislative concerns and integrate the Summer Term into the academic year.~~

### **~~1. Faculty Compensation~~**

- ~~—— A. Direct state support instructional compensation for faculty unit members shall be at the system negotiated rate.~~
- ~~—— B. Maximum state support summer term compensation for nine-month contract faculty unit members teaching courses during the summer term shall not exceed the negotiated limit.~~
- ~~—— C. Scheduled sections may be canceled due to low enrollment unless the campus has made a commitment to offer all courses required to complete a program.~~

### **~~2. Tuition and Fees~~**

- ~~—— A. All Board approved general and special fees shall be collected.~~
- ~~—— B. State support tuition shall be charged for courses offered under state funding. This includes courses where faculty members are on more than nine-month state funded contracts or a nine-month state funded contract that includes the summer term.~~

**~~SOURCE:~~** BOR, April 1992; BOR, December 1992

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 6 – D (5)**

**DATE: October 6-7, 2021**

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**SUBJECT**

**Senate Bill 55 Recommended Policy Revisions: BOR Policy 5:17 – Instructional Funding (First Reading)**

**CONTROLLING STATUTE, RULE, OR POLICY**

[BOR Policy 5:17](#) – Instructional Funding

**BACKGROUND / DISCUSSION**

Coinciding with the proposed new BOR Policy 2:35 Enrollment Course Management found in BOR Agenda Item 6 – D(3), it is being recommended that that policy language regarding section size in BOR Policy 5:17 Instructional Funding be relocated to the proposed new BOR Policy 2:35.

The objective of moving this policy language to BOR Policy 2:35 is to ensure that all aspects of course enrollment is located within one policy. The goal is to monitor course enrollment management holistically, including section size, scheduling or rotation of sections, academic class capacity, and overall adding/canceling of sections.

All course enrollment methodologies are tightly coupled with academic functions. Maximizing the strategies necessary for advising and continual enrollment management will mark success for the campus and facilitate both student success and academic quality.

**IMPACT AND RECOMMENDATION**

The Board of Regents academic staff supports the recommendations to remove section size from BOR Policy 5:17 and move all course enrollment management to one policy.

This policy recommendation has been shared with the Business Affairs Council, the Academic Affairs Council, and the Council of Presidents during their meetings to ensure communication of both the new proposed BOR Policy 2:35 and the revisions to BOR Policy 5:17.

**ATTACHMENTS**

Attachment I – Proposed Revisions to BOR Policy 5:17

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**DRAFT MOTION 20211006\_6-D(5):**

I move to approve the first reading of the proposed revisions to BOR Policy 5:17, as presented.

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Instructional Funding

**NUMBER:** 5:17

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### A. PURPOSE

To regulate the instructional funding models within the Regental System.

### B. DEFINITIONS

1. **On-Campus Courses:** Courses delivered at a main campus location or off-campus with state-support (i.e., Nursing).
2. **Off-Campus Courses:** Courses delivered at off-campus delivery sites, via distance, or classified as developmental/remedial.
3. **Correspondence Courses:** A course in which students receive lessons and assignments in the mail or by e-mail and returns the completed assignments in order to receive a grade.
- ~~4. **Independent Study Courses:** A course in which a student completes an individualized plan managed by a supervising faculty member in conjunction with the student's goals.~~
- ~~5.4. **Remedial Courses:** Courses delivered either on- or off-campus to students requiring additional assistance in the areas of English, Reading, or Mathematics in an effort to achieve expected competencies in these core academic skill areas.~~
- ~~6.5. **Study Tours:** An extended trip to a foreign or domestic location for the purpose of earning academic credit.~~
- ~~7.6. **Activity, Music, and Theatre Camps:** A camp which focuses on a particular activity, including, but not limited to, music or theatre.~~
- ~~8.7. **Special Courses:** Courses including audited courses, internet courses, Independent Study Courses, Correspondence courses, or Externally Supported courses.~~
- ~~9.8. **Workshops and Institutes:** A very intense, rigorous academic experience focusing on a specific, narrowly tailored topic of current interested and professional relevance.~~
- ~~10. **Selected Instructional Types:** Instructional types which are subject to the 10/7/4 rule for course enrollment, including: Discussion/Recitation; Seminar; Large Ensemble; Laboratory and Alternate Laboratory; Physical Education Activity; and Lecture Courses.~~
- ~~11. **Unselected Instructional Types:** Instructional types which are exempt from the 10/7/4 rule for course enrollment, including: Studio; Small Group; Small Group Ensemble; Competency based; Self-paced Study; Clinical Laboratory; Clinical Experience; Independent Study; Design/Research; Private Instruction; Restricted PE Activity; Tracking; Internship/Practicum; Thesis; Thesis/Research Sustaining; and Workshop.~~

## C. POLICY

### 1. On-Campus Courses

Except as provided in Section 2 below, courses offered on-campus shall be offered at the current on-campus tuition rate established by Board Policy Number 5:5.

### 2. Off-Campus Courses

2.1. Off-Campus Courses: Courses offered off-campus shall be offered at the current off-campus tuition rate established by Board Policy Number 5:5 unless state funding has been specifically authorized by the Board. Board authorization for off-campus state-funded courses is addressed in Policy Number 5:18.

#### 2.1.1. Correspondence Courses/Independent Study Through Correspondence

2.1.1.1. All correspondence courses are considered off-campus courses for instructional funding purposes. They are off-campus regardless of the location of the student or the student's enrollment in any other courses.

2.2. Remedial Courses: Remedial courses at all institutions shall be offered at the current off-campus tuition rates established by the Board.

2.3. Study Tours: Academic credit to be earned wholly or partially through participation in a foreign or domestic study tour shall be offered at the current off-campus tuition rates established by the Board.

2.4. Activity, Music, and Theatre Camps: Academic credit to be awarded as a result of participation in an activity, music, or drama camp shall be offered at the current off-campus tuition rates established by the Board.

2.5. Special Courses, Workshops, and Institutes: Academic credit to be awarded as a result of participation in special courses, workshops or institutes approved by the Executive Director may be offered at the current off-campus tuition rates as established by the Board of Regents. These special offerings would include only those courses and activities not identified or offered as part of the regular institutional curriculum.

### 3. Exceptions

3.1. The Board may approve exceptions to the instructional funding policy as it deems appropriate. Requests for exceptions shall be presented to the Board at a regularly scheduled meeting in advance of the term for which the exception is sought.

3.2. A list of approved exceptions shall be maintained in the Regents' Office and provided to the Board annually.

### ~~4. Small Section Limitation~~

~~4.1. All on and off campus sections with a "selected" instructional method type may not be offered for each of the degree levels referenced below:~~

~~4.1.1. Undergraduate (100, 200, 300 or 400 level course) and dual-listed undergraduate/graduate section with fewer than ten (10) students;~~

- ~~4.1.2. Entry-level graduate (500 or 600 level courses) section with fewer than seven (7) students; or~~
- ~~4.1.3. Upper level graduate (700 or 800 level courses) sections with fewer than four (4) students may be offered.~~
- ~~4.2. Any exceptions to this policy must be authorized by the institutional President and justified to the Board each semester. Collaborative courses with a selected instructional method code that result from a shared program agreement among Regental or partner institutions shall be excluded. Off-campus courses shall be excluded if the institution has negotiated a reduction in faculty workload or salary.~~
- ~~4.3. Exception limits are determined annually based on Fall and Spring term offerings, and under no circumstances shall the annual exception limit exceed the prescribed limits for each institution type.~~
- ~~4.3.1. Research Intensive Institutions at four (4) percent.~~
- ~~• South Dakota School of Mines & Technology~~
  - ~~• South Dakota State University~~
  - ~~• University of South Dakota~~
- ~~4.3.2. Master's Comprehensive Institutions at five (5) percent.~~
- ~~• Black Hills State University~~
  - ~~• Dakota State University~~
  - ~~• Northern State University~~
- ~~4.4. Selected instructional types include: Discussion/Recitation; Seminar; Large Ensemble; Laboratory and Alternate Laboratory; Physical Education Activity; and Lecture Courses.~~
- ~~4.5. Unselected instructional types include: Studio; Small Group; Small Group Ensemble; Competency-based; Self-paced Study; Clinical Laboratory; Clinical Experience; Independent Study; Design/Research; Private Instruction; Restricted PE Activity; Tracking; Internship/Practicum; Thesis; Thesis/Research Sustaining and Workshop.~~

## FORMS / APPENDICES:

None

## SOURCE:

BOR April 1992; BOR December 1992; BOR December 1993; BOR August 1995; BOR December 1995; BOR March 1996; BOR August 1996; BOR June 1997; BOR October 1997; BOR June 1998; BOR August 2000; BOR December 2010; BOR October 2011; BOR May 2016; BOR December 2016; BOR March 2018; January 2020 (Clerical).

**SOUTH DAKOTA BOARD OF REGENTS**

**Academic and Student Affairs**

**AGENDA ITEM: 6 – E**  
**DATE: October 6-7, 2021**

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**SUBJECT**

**BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, 4:7 – Grievance Faculty, and BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (First 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 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 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 II – Proposed Revisions to BOR Policy 4:14

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**DRAFT MOTION 20211006\_6-E:**

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

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

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

**NUMBER:** 4:4

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### **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 Punitive Discipline;  
or

6.1.1.2. Written warnings or directives to be filed in the personnel file of the employee which do not constitute Punitive 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, 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 [DATE].

## SOUTH DAKOTA BOARD OF REGENTS

### Policy Manual

**SUBJECT:** Grievance--Faculty

**NUMBER:** 4:7

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#### **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 and Disciplinary Procedures

**NUMBER:** 4:14

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### 1. Discipline and Disciplinary 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 ActionDiscipline:

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, 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 [DATE].**

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Academic and Student Affairs**

**AGENDA ITEM: 6 – F**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**New Program – NSU – MS.Ed. in Art Education**

### **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**

Northern State University (NSU) requests permission to offer a Master of Science in Education (MS.Ed.) program in Art Education. The MS.Ed. in Art Education will enhance the content knowledge and pedagogical skills of K-12 art teachers in South Dakota and across the country. The academic field of Art Education combines a deeper understanding of art history, theory, and methods with a broader knowledge of art techniques and processes. The program would primarily be an online degree program, with a practice-oriented summer residency taking place on campus. The program will advance knowledge and skills of professional, working art educators.

The MS.Ed. in Art Education meets both the pedagogical and education needs of current art teachers and provides a much-needed opportunity for professional development and advancement. This program will follow the model of NSU's successful Master of Music

Education program, which blends coursework taken online during the fall and spring semesters with courses taken in residence on campus during two summer sessions. The format enables art educators to retain their current teacher position while earning a master's degree from NSU.

The intent to plan for this program was approved in [March 2021](#).

(Continued)

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### **DRAFT MOTION 20211006\_6-F:**

I move to authorize Northern State University to offer the MS.Ed. in Art Education, as presented.

### **IMPACT AND RECOMMENDATION**

NSU plans to offer the Art Education program on campus and online. NSU does not require new state resources. Ten new courses will be created for the program, which is considered as part of the workload for NSU's professors.

Board office staff recommends approval of the program.

### **ATTACHMENTS**

Attachment I – New Program Request: NSU – MS.Ed. in Art Education

Attachment II – External Program Review Report

Attachment III – Campus Response to External Program Review Report





## SOUTH DAKOTA BOARD OF REGENTS ACADEMIC AFFAIRS FORMS

### New Graduate Degree Program

Use this form to propose a new graduate degree program. 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 Graduate Degree Program Form to the university website for review by other universities after approval by the Executive Director and Chief Academic Officer. The university should consult the "Campus Guide to the New Graduate Program Approval Process" for information on specific aspects of the approval process.

<b>UNIVERSITY:</b>	NSU
<b>PROPOSED GRADUATE PROGRAM:</b>	Art Education
<b>EXISTING OR NEW MAJOR(S):</b>	Art
<b>DEGREE:</b>	MSEd
<b>EXISTING OR NEW DEGREE(S):</b>	Existing
<b>INTENDED DATE OF IMPLEMENTATION:</b>	Fall Choose an item.2022
<b>PROPOSED CIP CODE:</b>	13.1302
<b>SPECIALIZATIONS:</b> <i>Note: If the new proposed program includes specific specializations within it, complete and submit a New Specialization Form for each proposed specialization and attach it to this form. Since specializations appear on transcripts, they require Board approval.</i>	None
<b>IS A SPECIALIZATION REQUIRED (Y/N):</b>	None
<b>DATE OF INTENT TO PLAN APPROVAL:</b>	3/30/2021
<b>UNIVERSITY DEPARTMENT:</b>	ART
<b>BANNER DEPARTMENT CODE:</b>	ART
<b>UNIVERSITY DIVISION:</b>	School of Fine Arts
<b>BANNER DIVISION CODE:</b>	5F

☒ **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.*

*Michael Wenous*

President (or Designee) of the University

4/7/2021

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.**

Northern State University's Master of Science in Education (MS.Ed.) in Art Education degree will enhance the content knowledge and pedagogical skills of practicing K-12 art teachers in South Dakota and across the country. The academic field of Art Education combines a deeper understanding of art history, theory, and methods with a broader knowledge of art techniques and processes.

Northern State University's MS.Ed. in Art Education program is a primarily online degree program with a practice-oriented summer residency that will advance knowledge and skills of professional, working art educators. It is designed for educators who are already teaching art in K-12 schools. The program will enhance knowledge of current trends and challenges in art education, from new learning theories to student accessibility in the art classroom. Through Northern State University's MS.Ed. in Art Education program, art educators may maximize learning effectiveness for their students while advancing in their career path.

**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?**

By statute, the legislature established Northern State University to meet the needs of the state, the region, and the nation by providing undergraduate and graduate programs in education and other areas of need, as determined by the South Dakota Board of Regents.<sup>1</sup> The South Dakota Board of Regents authorized Northern State University to offer undergraduate and graduate programs; promote excellence in teaching and learning; support research, scholarly and creative activities; and, provide service to the state of South Dakota, the region, and the nation.<sup>2</sup>

The goals of graduate programs at Northern State University include: 1) provide a climate in which candidates in graduate programs can expand their knowledge 2) encourage development of critical and independent thinking skills 3) enhance graduate students' abilities to analyze problems objectively 4) promote the investigation and interpretation current research 5) provide a wide range of courses that will prepare graduate students for the demands of their professions, and 6) maintain flexible program guidelines to prepare graduate students for a wide range of employment opportunities. The MS.Ed. in Art Education aligns with NSU's graduate program goals. Graduate students who complete the proposed program will broaden their understanding of research in the field and gain advanced critical thinking and independent problem-solving skills to teach a broad range of students.

The proposed program supports the South Dakota Board of Regents (SDBOR) Strategic Plan. The four goals of the SDBOR Strategic Plan are: 1) Student Success 2) Academic Quality and Performance 3) Research and Economic Development and 4) Affordability and Accountability. Northern's MS.Ed. in Art Education supports Goals 1, 2, and 3. Goal 1 of the SDBOR Strategic Plan specifies growing the number of undergraduate and graduate degrees awarded. The proposed program will be attractive to both recent graduates and experienced teachers seeking to further their education and add an additional teaching certification. Goal 2 of the strategic plan includes

<sup>1</sup> South Dakota Codified Law, 13-59. [https://sdlegislature.gov/Statutes/Codified\\_Laws/2043078](https://sdlegislature.gov/Statutes/Codified_Laws/2043078)

<sup>2</sup> South Dakota Board of Regents, Policy Manual 1:10:6. Northern State University Mission Statement. <https://www.sdbor.edu/policy/documents/1-10-6.pdf>

improving the pass rates on licensure and certification exams, increasing the number of accredited programs, and continuing to approve new graduate programs. Goal 3 focuses on advancing research, and Northern's MS.Ed. in Art Education requires each graduate to complete a thesis capstone project with a faculty advisor, creating opportunities for graduate student and faculty research.

### **3. Describe the workforce demand for graduates of the program, including national demand and demand within South Dakota.**

Northern State University's MS.Ed. in Art Education meets both the pedagogical and educational needs of current art teachers and provides a much-needed opportunity for professional development and advancement for art educators. Northern expects South Dakota and the larger region will retain more art educators, especially those in smaller, rural school districts, who will thrive in the professional network they develop through Northern's program. Graduates of Northern's MSED in Art Education program will advance to a higher level of salary compensation within their school district, which may also improve retention of art educators.

The instructional format for Northern's MS.Ed. in Art Education program follows the model of Northern State University's resoundingly successful Master of Music Education (MME) program, blending coursework taken online during the fall and spring semesters with courses taken in residence on campus during two summer sessions. This format enables art educators to retain their current teaching position while earning a master's degree from Northern State University.

#### **Demand from K-12 Education Community**

Dr. Becky Guffin, Superintendent for the Aberdeen School District, is strongly supportive of Northern State University's MS.Ed. in Art Education. In a letter dated April 3, 2020, she expressed support, stating that "several of our staff members have participated in the summer Arts Education Institute in collaboration with Arts South Dakota hosted by NSU. The feedback from this experience has been very positive and has provided professional development opportunities that are unique to this group of instructors."

Dr. Guffin also recognized the value art educators will gain from graduate level professional development with their colleagues in art education:

"The MS.Ed. in Art Education would allow our fine arts staff members the opportunity to collaborate with educators across the country with similar job assignments that would enhance their classroom experience with students. We recognize the value and importance of involving our staff members in opportunities that support personal and professional growth."

Dr. Boyd Perkins, Coordinator of Fine Arts for the Sioux Falls School District, is equally supportive. In an email dated April 8, 2020, he recognized the need for an online MS.Ed. in Art Education for teachers in the Sioux Falls School District:

"The Sioux Falls School District art teachers do not currently have local options for pursuit of a specialized master's degree in art education while continuing to work in their education careers. While they can enroll in an out of state online program, keeping an online degree local offers great advantages for our teachers and education community in our state, the most important of which is the opportunity to build a community of scholars with local colleagues and professors in the fine arts. Over time, the local investment will compound into a much-

heightened level of knowledge, skills, and community amongst our local and regional art educators. NSU has a well-known reputation of a highly active fine arts school as well as a defined commitment to training K-12 teachers for the state of South Dakota. The master's program in art education at NSU seems to be a winning proposition for the future development of art education in the state of South Dakota and region."

### **Potential Students from Northern's Summer Arts Education Institute**

Northern State University has built-up demand for the MS.Ed. in Art Education. Over the past five years, the Northern State University School of Fine Arts has hosted the annual **Arts Education Institute (AEI) in collaboration with Arts South Dakota and the South Dakota Arts Council**. This summer program offers educators in the arts an affordable and high-quality professional development experience that is relevant and directly applicable to the classroom. It has grown to encompass nearly 85 participating educators from all over the region. During the July 2019 session, the Northern State University Office of Online and Continuing Education conducted a targeted survey that measured the level of interest in a prospective MS.Ed. in Art Education degree.

The demand for Northern to offer a MS.Ed. in Art Education has grown organically, at the request of the growing number of art teachers enrolled in Northern State University's Arts Education Institute (AEI). The one-week summer residential AEI grew from 34 in 2014 to 56 in 2019. Northern has cultivated a demand for the MS.Ed. in Art Education through the positive engagement of Northern faculty and art teachers in the AEI summer residential institutes. In a 2019 survey of students in Northern's Arts Education Institute, 50% of the art educators surveyed expressed an interest in pursuing an MS.Ed. in Art Education, with the preferred method of program delivery being online during the academic year with a short (1 or 2-week summer on campus residency).

### **Modeled after Northern's Successful and Robust MME Program**

Northern State University anticipates that, once fully established, Northern's MS.Ed. in Art Education will attract between 10-12 new graduate students annually, graduating 10 students per year. These conservative estimates are based on eight years of continuous data from Northern State University's Master of Music Education program, which has grown from 12 graduate students in Fall 2012 to 43 graduate students in Fall 2020. Northern's outstanding music faculty created a MME program that has grown through word of mouth because of the quality of courses and the level of engagement from the music faculty. Northern's art faculty have worked closely with the faculty coordinating and teaching the MME to plan a curriculum for the MS.Ed. in Art Education that is equal in quality and engagement. Northern's MME grew out of the University's summer music institute for high school band and choir teachers. Like Northern's MME, the University's MS.Ed. in Art Education will be a low-residency program that is completed almost entirely online during the academic year, when most of the students in the program are teaching.

The first students in Northern's MS.Ed. in Art Education will come from the pool of art teachers already engaged in graduate level art coursework with Northern's exceptional faculty through the University's summer Arts Education Institute. Northern's MS.Ed. in Art Education will grow along the same trajectory as the University's MME, with more students coming from outside of the state than from inside of the state within 5 years of the program's launch. The first students to enroll in Northern State University's MME were graduates of SDBOR institutions. In 2012, 11 of the students in Northern's MME came from South Dakota and 1 from Minnesota. Among this initial group of graduate students, 9 graduated from Board of Regents institutions, and 3 did not. By 2019, 3 new students in the program graduated from Board of Regents institutions, and 16 did not. Those 16

students enrolled from across the country, from California to Virginia and from Texas to the Virgin Islands.

*Northern's MS.Ed. in Art Education will follow the same enrollment trajectory as the University's MME, drawing first from local teachers who are graduates of SDBOR institutions and then expanding nationally as word of mouth about the program and marketing take root.*

### **Support from Northern's Arts Education Facilities and Alumni**

Northern State University received a gift from Molded Fiber Glass to build an outdoor arts pavilion, which functions as an outdoor studio, just outside the Art Department facilities in Spafford and Dacotah Halls. The Molded Fiber Glass Art Pavilion is an outdoor space that graduate students in the MS.Ed. in Art Education will enjoy using during their summer residency. Graduate students will also use art studios in ceramics, print making, sculpture, drawing, painting, and graphic design in Spafford and Dacotah Halls. These spaces hold few in person classes for undergraduates in the summers, and the MS.Ed. in Art Education increases the utilization of existing studio spaces.

Northern State University has outstanding alumni of its undergraduate Art programs, including Ben Victor, who was the youngest artist at age 26 (just 3 years after graduating from Northern State University) to have a sculpture placed in the United States Capitol's National Statuary Hall. With placement of Chief Standing Bear in National Statuary Hall in 2019, Victor became the only living person with three statues in the Hall.<sup>3</sup> Northern State University faculty will invite outstanding alumni like Ben Victor to speak, in person or remotely, to MS.Ed. in Art Education students during the academic year or summer residency, creating connections among Northern alumni who are professional artists and art educators in the graduate program.

### **Labor Statistics Support**

The U.S. Bureau of Labor Statistics does not provide forecasting specifically for art teachers, but demand for art teachers tends to follow the overall demand for teachers nationwide. The South Dakota Department of Education (SD DOE) lists Fine Arts as a teacher shortage area.<sup>4</sup> Teachers with degrees in the Fine Arts, including art, are eligible for TEACH grants because of the shortage of teachers in this field. Like Northern State University's MS.Ed. in special education, the MS.Ed. in art education creates an opportunity for elementary and secondary teachers who are already licensed and working in the field to gain a new area of expertise for a second, renewed career in education. Northern's MS.Ed. in Art Education does not lead to initial certification. However, instead of leaving the teaching field in response to the high burnout rates for teachers, teachers may choose, mid-career, to pivot to teaching art and this degree program will prepare them to do so. Offering new career opportunities to current teachers enables South Dakota to keep more teachers in the field instead of losing them from education all together.

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<sup>3</sup> Ardis, Kelly. Bakersfield Native Breaks the Mold with Third Statue at U.S. Capitol. *Bakersfield Californian* 23 August 2019. [https://www.bakersfield.com/entertainment/bakersfield-native-breaks-the-mold-with-third-statue-at-us-capitol/article\\_db88bdd0-c052-11e9-9a92-d352280efc06.html](https://www.bakersfield.com/entertainment/bakersfield-native-breaks-the-mold-with-third-statue-at-us-capitol/article_db88bdd0-c052-11e9-9a92-d352280efc06.html)

<sup>4</sup> South Dakota Department of Education, Teacher Shortage areas. <https://doe.sd.gov/oatq/shortageareas.aspx> According to the South Dakota Department of Labor and Regulation ([https://dlr.sd.gov/lmic/sdcis\\_social.aspx](https://dlr.sd.gov/lmic/sdcis_social.aspx)), among teachers in South Dakota, 187 elementary teachers; 66 middle school; and 100 secondary teachers exit the field each year. These educators could be retained as teachers by a career shift within teaching – in this case, to a career as an Art educator in the K-12 school system.

In addition to staying in teaching, graduates of master's programs in art education can craft arts careers in healthcare and non-profits where arts have become a larger part of community programming. The coursework of Northern's MS.Ed. in art education will include at least 18 graduate credits in art, preparing graduates to teach art in post-secondary institutions like community colleges. Earning a MS.Ed. in art education also makes teachers more competitive for professional development experiences including artist-in-residence opportunities and grants and leadership training through national arts foundations and agencies.

#### **4. How will the proposed program benefit students?**

Students enrolled in Northern State University's MS.Ed. in Art Education program will develop new teaching skills, gain a deeper understanding of art pedagogy, develop a professional network of art educators from around the region and nation as well as successful professional artists who are alumni of Northern, reignite their passion for teaching, and explore their own identities as educators and creators.

This flexible, primarily online program is intended to fit into the schedule of full-time educators who can immediately apply new concepts to their daily teaching practice. Students in Northern's MS.Ed. in Art Education will be challenged to think more deeply about their own practice and their students' work. Graduate students will also develop a focused competence in the visual arts, along with an intellectual understanding of the history and current research and trends of the field of art education.

Art is an essential feature of any comprehensive K-12 curriculum plan. Teaching art effectively requires educators who can teach techniques informed by their own studio practice. Students enrolled in the MS.Ed. in Art Education program will revitalize their own studio practice and will study art education topics in practice, theory and research to develop effective unit plans for their students. Through graduate studies in art education, students will learn to find, identify, read, analyze, and discuss the latest research in their field, enabling them to stay current throughout their careers and preparing them to apply for grants in their school districts.

#### **5. Program Proposal Rationale:**

##### **A. If a new degree is proposed, what is the rationale**

A new degree is not proposed.

##### **B. What is the rationale for the curriculum?**

The curriculum is designed to meet the standards outlined by National Association of Schools of Art and Design (NASAD). Northern State University undergraduate Art programs are accredited by NASAD, and Northern will pursue NASAD accreditation for the MS.Ed. in Art Education during the 2021-2022 academic year. The curriculum for Northern's MS.Ed. in Art Education program was developed by reviewing curricula of NASAD accredited master's degree programs in art education and was modeled, specifically, after the curriculum at Eastern Illinois University.<sup>5</sup>

Northern State University's MSED in Art Education offers advanced, accessible, and convenient graduate level studies in art education. The curriculum is intended to provide

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<sup>5</sup> Eastern Illinois University, EIU Online Master of Arts in Art Education.  
<https://www.eiu.edu/artmaonline/>

advanced studies in three primary areas specified by NASAD for master's degrees in art education: 1) art education methods, tools and research; 2) art history and theory; and, 3) applied creative practice to meet the individual needs and interests of graduate students.

*Specifically, the curriculum is designed to address the following topics:*

- Art Education research and methods
- Art and the Community
- Digital technologies appropriate to the K-12 art classroom
- Art History and contemporary art
- Individual creative practice

**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?*

Northern State University's MS.Ed. in Art Education curriculum aligns with the NASAD national standards for master's degree programs in art education, which requires 30 credits and "should be constructed to add breadth and depth beyond the undergraduate program in studio, in art and design history and analysis, and in art education."<sup>6</sup> Following NASAD standards, at least 9 credit hours must be in graduate art education and taught by a faculty member with a terminal degree in art education. And the remainder of credits should combine advanced course work in studio, art/design history, and art/design analysis. The capstone art project in Northern's curriculum meets NASAD's requirement for a final project within a specialized area of inquiry. The Art Education Thesis Capstone course will facilitate students to select areas of personal/professional interest, which could include a wide variety of topics from writing curriculum, to exploring issues in student visual learning, to developing a creative project rubric. The capstone course is intentionally open to foster reflection and individual achievement in a specialized area of inquiry.

**D. Summary of the degree program (complete the following tables):**

[Insert title of proposed program]	Credit Hours	Percent
Required courses, all students	30	100%
Required option or specialization, if any	0	0%
Electives	0	0%
Total Required for the Degree Total	30	

**Required Courses**

Prefix	Number	Course Title (add or delete rows as needed)	Credit Hours	New (yes, no)
ARTE	711	Art Education Foundations	3	Y
ARTE	712	Curriculum Design for Art Education	3	Y
ARTE	714	Research Methods for Art Education	3	Y
ARTE	722	Art Education and the Community	3	Y

<sup>6</sup> National Association of Schools of Art and Design. Handbook 2020-2021. <https://nasad.arts-accredit.org/wp-content/uploads/sites/3/2020/11/AD-2020-21-Handbook-11-16-2020.pdf>



ARTE	724	Digital Media for Art Education	3	Y
ARTH	715	Topics in Art History	3	Y
ARTH	716	Contemporary Art, Theory & Criticism	3	Y
ARTE	798	Art Education Thesis Capstone Project	3	Y
ART	788	Graduate Studio Research I	3	Y
ART	789	Graduate Studio Research II	3	Y
Subtotal			30	

**Elective Courses: List courses available as electives in the program. Indicate any proposed new courses added specifically for the program.**

Prefix	Number	Course Title (add or delete rows as needed)	Credit Hours	New (yes, no)
Subtotal			0	

## 6. Student Outcomes and Demonstration of Individual Achievement

### A. What specific knowledge and competencies, including technology competencies, will all students demonstrate before graduation?

Northern State University MS.Ed. in Art Education Program Learning Outcomes

Students will:

1. Develop knowledge of the history of Art Education, current trends and topics.
2. Demonstrate comprehensive knowledge of K-12 curriculum design for art and/or design instruction.
3. Develop competence with application of art research methods.
4. Explain the visual arts' impact upon cultural and community values.
5. Establish active engagement with personal creative practice.
6. Analyze art history, including contemporary trends and theory.
7. Demonstrate understanding and competency with digital technologies for art education.

Individual Student Outcomes (Same as in the text of the proposal)	Program Courses that Address the Outcomes					
	ARTE 711* ARTE 712*	ARTE 714* ARTE 722*	ARTE 724*	ARTH 715* ARTH 716*	ARTE 788* ARTE 789*	ARTE 798*
1. Develop knowledge of the history of Art Education, current trends and topics.	X					
2. Demonstrate comprehensive knowledge of K-12 curriculum design for art and/or design instruction.	X	X				X
3. Develop competence with application of art research methods		X				X



4. Explain the visual arts' impact upon cultural and community values		X				X
5. Establish active engagement with personal creative practice					X	X
6. Analyze art history including contemporary trends and theory.				X		X
7. Demonstrate understanding and competency with digital technologies for art education			X			X

**B. Are national instruments (i.e., examinations) available to measure individual student achievement in this field? If so, list them.**

No, not at the graduate level. The Praxis for Art Education is taken at the end of the baccalaureate degree. Northern State University's MEd in Art Education does not lead to initial certification for teachers.

**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 through the successful completion of a **Capstone project**. This project will encompass and address all seven program learning outcomes for the degree program. Students who do not successfully pass the Capstone project course, ARTE 798, will meet with a committee of art faculty, including their graduate faculty advisor, to review weaknesses in the student's learning outcomes and recommend readings and reviews before the student retakes ARTE 798. Students retaking ARTE 798 are required to meet weekly with their graduate faculty advisor during the course.

**7. What instructional approaches and technologies will instructors use to teach courses in the program?**

Courses will be taught using lecture and applied models. The online format will utilize standard distance learning tools embedded and available in D2L, including Panopto recorded lectures, synchronous Zoom office hours, and asynchronous discussions and assignments. The summer on-campus graduate studios will utilize face to face, synchronous learning in campus studios, using a combination of lectures and project-based activities for learning. Faculty in Northern State University's successful MME program will mentor Northern's MS.Ed. in Art Education faculty to help integrate best practices into the online courses in the art education graduate program. Northern's faculty are compensated largely for their teaching, and expectations for outstanding teaching are high. Preparing new courses, including those in the MS.Ed. in Art Education is part of the workload for Northern's professors.

**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 program has been developed in consultation with NASAD standards. No outside consultant was hired to develop this program. Northern State University will engage with and heed the advice of an external reviewer chosen by the SD Board of Regents.

- 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 (replace “XX” in the table with the appropriate year)? If question 12 includes a request for authorization for off-campus or distance delivery, add lines to the table for off-campus/distance students, credit hours, and graduates.**

Northern State University created a method to calculate graduate program retention and graduation rates in 2021. Northern’s method recognizes most graduate students are part time, most programs are designed to enter any term (fall, spring, summer), and graduate programs can be completed in 2 years. Graduate program retention is measured as the percent of graduate students who enroll in any term within the next year, ignoring the subsequent term. The graduate retention rate for students in Northern’s Master of Music Education (MME) program averages 87% from 2012 to 2020. Northern used the 87% retention rate to calculate continuing students in this table. Two-year graduation rates in the MME hover at 80% in the same time frame, and Northern applied an 80% graduation rate in this table.

	Fiscal Years*			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Estimates	FY23	FY24	FY25	FY26
Students new to the university	10	10	12	15
Students from other university programs	0	0	0	0
Continuing students	0	9	9	11
=Total students in the program (fall)	10	19	21	26
Program credit hours (major courses)**	150	285	315	390
Graduates	0	7	7	10

\*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.**

Northern State University’s art programs are fully accredited by the National Association of Schools of Art and Design (NASAD). Northern’s MEd in Art Education will be approved by SDBOR by fall 2021. The curriculum design and instructional requirements for Northern State University’s MEd in Art Education align with the NASAD Handbook for Accreditation.<sup>7</sup> Northern State University will gain NASAD accreditation for the MS.Ed. in the 2021-2022 academic year and will hire a faculty member with a terminal degree in art education. Northern cannot pursue NASAD

<sup>7</sup> National Association of Schools of Art and Design. Handbook 2020-2021. <https://nasad.arts-accredit.org/wp-content/uploads/sites/3/2020/11/AD-2020-21-Handbook-11-16-2020.pdf>

accreditation until the program is approved by the SDBOR. Students may begin enrolling in the program as early as summer 2022 with the first full time students enrolling in fall 2022.

**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., 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
<b>On campus</b>	Yes	Fall 2021

	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>	Yes		Fall 2021
<b>Does another BOR institution already have authorization to offer the program online?</b>	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>	Yes	Online during academic year; on campus during summer.	Fall 2021

**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.**

See the complete budget in Appendix B. The faculty required to deliver Northern's MS.Ed. in Art Education will be drawn from existing full-time and adjunct faculty personnel as well as one new faculty member in art education. The faculty member primarily responsible for leading the degree program will be identified through a national search process and will possess a terminal degree in art education. Presently, this position represents an existing, but vacant faculty line that the department is dedicating to support and lead Northern's MS.Ed. in Art Education.

Otherwise, no additional or significant investments in equipment, supplies or technology will be required to service this degree program.

- 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.**

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**Dr. Robin Vande Zande**

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**15. Is the university requesting or intending to request permission for a new fee or to attach an existing fee to the program (place an “X” in the appropriate box)? If yes, explain.**

☒ Yes      ☐ No

*Explanation (if applicable):*

Course fees for fine arts courses are set at the same rate as SDSU and USD’s with a 3.1% annual increase to \$27 for fall 2021.

**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 information is optional. Use this space to provide pertinent information not requested above. Limit the number and length of additional attachments. Identify all attachments with capital letters. Letters of support are not necessary and are rarely included with Board materials. The University may include responses to questions from the Board or the Executive Director as appendices to the original proposal where applicable. Delete this item if not used.*

## Northern State University, Master of Science in Education in Art Education

**1. Assumptions***Headcount & hours from proposal*

Fall headcount (see table in proposal)

Program FY cr hrs, On-Campus

Program FY cr hrs, Off-Campus

1st FY23	2nd FY24	3rd FY25	4th FY26
10	19	21	26
30	57	63	78
120	228	252	312

Faculty, Regular FTE

See p. 3

Faculty Salary &amp; Benefits, average

See p. 3

1.00	1.00	1.00	1.00
\$65,440	\$65,440	\$65,440	\$65,440

Faculty, Adjunct - number of courses

See p. 3

Faculty, Adjunct - per course

See p. 3

2	2	2	2
\$6,400	\$6,400	\$6,400	\$6,400

Other FTE (see next page)

See p. 3

Other Salary &amp; Benefits, average

See p. 3

0.00	0.00	0.00	0.00
\$0	\$0	\$0	\$0

**2. Budget***Salary & Benefits*

Faculty, Regular

\$65,440

\$65,440

\$65,440

\$65,440

Faculty, Adjunct (rate x number of courses)

\$12,800

\$12,800

\$12,800

\$12,800

Other FTE

\$0

\$0

\$0

\$0

S&amp;B Subtotal

\$78,240

\$78,240

\$78,240

\$78,240

*Operating Expenses*

Travel

\$0

\$0

\$0

\$0

Contractual Services

\$0

\$0

\$0

\$0

Supplies &amp; materials

\$0

\$0

\$0

\$0

Capital equipment

\$0

\$0

\$0

\$0

OE Subtotal

\$0

\$0

\$0

\$0

**Total****\$78,240****\$78,240****\$78,240****\$78,240****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

\$47,886

\$90,983

\$100,560

\$124,503

On-campus support tuition/hr, HEFF net

GR

\$282.67

\$282.67

\$282.67

\$282.67

On-campus tuition revenue

hrs x amt

\$8,480

\$16,112

\$17,808

\$22,048

Program fee, per cr hr (if any)

\$270.00

\$8,100

\$15,390

\$17,010

\$21,060

Delivery fee, per cr hr (if any)

\$0.00

\$0

\$0

\$0

\$0

University redirections

\$0

\$0

\$0

\$0

Community/Employers

\$0

\$0

\$0

\$0

Grants/Donations/Other

\$0

\$0

\$0

\$0

**Total Resources****\$64,466****\$122,485****\$135,378****\$167,611****Resources Over (Under) Budget****(\$13,774)****\$44,245****\$57,138****\$89,371**

*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		\$49,838	\$0
University's variable benefits rate	(see below)	0.1431	0.1431
Variable benefits		\$7,132	\$0
Health insurance/FTE, FY18		\$8,470	\$0
<i>Average S&amp;B</i>		\$65,440	\$0

Explain faculty used to develop the average salary & fiscal year salaries used. Enter amount above.

The FY21 salaries of 5 people in the art department were averaged. This average includes three assistant professors and two instructors.

Explain adjunct faculty costs used in table:

Two courses per year to be taught by one adjunct faculty with an earned PhD at \$6,400 per course.

Explain other [for example, CSA or exempt] salary & benefits. Enter amount above.

Summarize the operating expenses shown in the table:

N/A

Summarize resources available to support the new program (redirection, donations, grants, etc).

The faculty required to deliver Northern's MS.Ed. in Art Education will be drawn from existing full-time and adjunct faculty personnel as well as one new faculty member in art education. The faculty member primarily responsible for leading the degree program will be identified through a national search process, and will possess a terminal degree in art education. Presently, this position represents an existing, but vacant faculty line that the department is repurposing in support of the MS.Ed. in Art Education.

*State-support: Change cell on page 1 to use the UG or GR net amount.*

<b>Off-Campus Tuition, HEFF &amp; Net</b>	<b>FY19 Rate</b>	<b>HEFF</b>	<b>Net</b>	
Undergraduate	\$340.05	\$39.11	<b>\$300.94</b>	Change cell on page 1
Graduate	\$450.90	\$51.85	<b>\$399.05</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>FY19 Rate</b>	<b>HEFF</b>	<b>Net</b>	
UG Resident - DSU, NSU	\$243.30	\$27.98	<b>\$215.32</b>	Change cell on page 1
UG Resident - SDSU, USD	\$248.35	\$28.56	<b>\$219.79</b>	
UG Resident - BHSU	\$254.20	\$29.23	<b>\$224.97</b>	to point to your net
UG Resident - SDSMT	\$249.70	\$28.72	<b>\$220.98</b>	
GR Resident - DSU, NSU	\$319.40	\$36.73	<b>\$282.67</b>	Change cell on page 1
GR Resident - SDSU, USD	\$326.05	\$37.50	<b>\$288.55</b>	
GR Resident - BHSU	\$328.20	\$37.74	<b>\$290.46</b>	to point to your net
GR Resident - SDSMT	\$324.85	\$37.36	<b>\$287.49</b>	
UG Nonresident - DSU, NSU	\$342.40	\$39.38	<b>\$303.02</b>	Change cell on page 1
UG Nonresident - BHSU	\$355.70	\$40.91	<b>\$314.79</b>	to point to your net
UG Nonresident - SDSU, USD	\$360.50	\$41.46	<b>\$319.04</b>	
UG Nonresident - SDSMT	\$391.10	\$44.98	<b>\$346.12</b>	
x GR Nonresident - DSU, NSU	\$596.30	\$68.57	<b>\$527.73</b>	Change cell on page 1
x GR Nonresident - BHSU	\$612.40	\$70.43	<b>\$541.97</b>	to point to your net
x GR Nonresident - SDSU, USD	\$626.85	\$72.09	<b>\$554.76</b>	
x GR Nonresident - SDSMT	\$652.00	\$74.98	<b>\$577.02</b>	
UG Sioux Falls Associate Degree	\$275.40	\$31.67	<b>\$243.73</b>	Change cell on page 1 to point to your net

#### 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%	



Program Evaluation  
for the  
Proposed M.S.Ed. in Art Education  
Department of Art and Theatre  
School of Fine Arts  
Northern State University

*June 18, 2021*

External Reviewer

Beth Krensky, Ph.D., Professor, Art Teaching Area Head, Associate Chair  
Department of Art & Art History  
University of Utah

The following program review for the M.S.Ed. In Art Education for the Department of Art and Theatre is based on the *Program Proposal* and *Consultant Information* documents, as well as a one-day virtual site visit on June 16, 2021.

### **Program Curriculum:**

#### **Does the proposed program meet or exceed current national standards and expectations for the discipline?**

The National Art Education Association (NAEA) outlines the following standards for Art Teacher Preparation Programs<sup>1</sup>:

##### **Standard I. Art Teacher Preparation Programs Focus on Content of the Visual Arts.**

- Enable candidates to study and engage in the processes of artmaking involving traditional and contemporary studio approaches;
- Enable candidates to concentrate in one or more studio area;
- Engage candidates in inquiry in the history of art, enable them to acquire knowledge of the context in which works of art have been created, and foster respect for all forms of art; and
- Include study of a diverse set of traditional and contemporary artists.

##### **Standard II: Art Teacher Preparation Programs Focus on Theory and Practice in Art Education**

- Include study in the historical developments and prevailing theories of art education;
- Enable candidates to understand the philosophical and social foundations underlying the inclusion of art in general education;
- Include study in the artistic, cognitive, emotional, moral, physical, and social development of children, adolescents and young adults;
- Provide opportunities for candidates to have experiences supervised by visual arts specialists in a variety of classroom settings;
- Engage candidates in the study of theories of curriculum and instruction that make it possible for candidates to reflect on and refine their practice of art education;
- Enable candidates to develop curricula in a variety of instructional formats;
- Enable candidates to understand current teaching methods, materials and resources appropriate for various educational settings, populations, and levels of art education;
- Enable candidates to understand the importance of creating classroom environments in which effective art instruction can take place;

The proposed curriculum meets national art education standards and expectations as outlined by the NAEA; however, the course descriptions are quite vague at this point and need to be more clearly articulated to reflect current and innovative theories of art education (e.g., arts integration, celebrating diversity, Teaching for Artistic Behavior (TAB) and Choice-Based pedagogies, inclusion, Universal Design for Learning, etc.). The department plans to do a national search for an art education faculty member with a terminal degree. This new faculty member will be responsible for designing and implementing the program, as well as developing curriculum for online, asynchronous delivery and the summer 2 week in-person campus component. If curriculum development is needed prior to the arrival of this new faculty member, an external consultant could facilitate faculty-driven curriculum development.

#### **Does the proposed program meet accreditation requirements where applicable?**

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<sup>1</sup> NAEA (2009). *Standards for Art Teacher Preparation*. [www.arteducators.org](http://www.arteducators.org)

The program has been carefully designed to meet or exceed NASAD's accreditation requirements for an M.S.Ed. in art education degree. Please see the attached excerpt (pp. 141-2) from the NASAD Handbook 2020-2021 for more details.

**Will the proposed program provide students with sound preparation for their careers and serve them well as they seek employment?**

This M.S.Ed. in art education degree is a response to South Dakota's demand for workforce development. In particular, this degree will increase e-learning, grow the pool of highly-qualified arts educators, and help address the current teacher shortage across the state and regionally.

The proposal targets school-based educators.<sup>2</sup> It may be helpful to broaden the eligibility requirements to include community-based teaching artists as well as school-based educators. This could increase the impact of the program and the integrity of arts education in out-of-school settings.

**What changes, if any, do you recommend?**

1. Delay the start date from fall 2022 to 2023.
  - a. Developing a new graduate program takes time and expertise. The department plans to hire a new faculty member to direct the M.S.Ed. in art education program. According to the proposal, this faculty member's start date will be fall 2022. Given that time is needed to design the program, recruit students, and plan curriculum, the launch of the program should take place in the spring or fall of 2023. If the launch date will be spring 2023, it is advisable to support some program and curricular development prior to the arrival of the new faculty hire.
2. Employ an external consultant to support the existing faculty to develop curriculum and design the program.
  - a. The Department of Art and Theatre has highly qualified faculty whose cvs reflect excellence in teaching, research and service. Given that the aforementioned faculty already have full loads, I think it would be helpful to employ an expert in the field of art education to support this process prior to the arrival of the new arts education faculty member if the intent is to launch the program prior to fall 2023. A current art education faculty member could also fill this role, if they were compensated for their time.
3. Consider structures of support (e.g., course release, stipend, etc.) to compensate faculty for their extra workload designing the curriculum for this new graduate program.
  - a. The current faculty are extremely generous and willing to help create and teach for this new program. However, my past experience working with faculty to design multiple new academic programs at other institutions has made it clear that equity issues require fair compensation for this additional work, even if the faculty are not requesting it.
4. Consider hiring 2 FTEs
  - a. The proposal asks for one faculty line to oversee and teach the majority of classes for the M.S.Ed. in art education. In addition to that proposed faculty line, hiring an

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<sup>2</sup> In the *Intent to Plan for a New Program* proposal, it states that the M.S.Ed. in arts education "is designed for educators who are already teaching art in K-12 schools (p. 1)."

additional FTE to cover existing departmental teaching needs would support the overall success of the program. This would free up existing faculty to teach in the program. If the new faculty member will be responsible for six of the ten new proposed classes, other faculty members will be needed to teach the additional four courses.

5. Have the summer in-person session last for two weeks. The proposal does not clearly articulate whether the summer session is one or two weeks in length. During our discussion, faculty and departmental leadership suggested that the session would last two weeks. A two week session will allow for more comprehensive theoretical, pedagogical and studio exploration.

### **Faculty:**

#### **Will the current and planned faculty be sufficient to offer a strong program?**

The department has a strong existing art education program and long history of successfully training arts educators. It is uniquely-situated and well-suited to offer this degree. The department has highly-qualified faculty who are equipped to teach in the program, yet already have full loads. The current faculty and the proposed new hire will have the expertise to offer a strong program; however, they may not have the availability. The department should consider hiring an additional FTE to allow the current talented faculty to teach in the new graduate program.

#### **Does the program require additional expertise to implement the program at a high level of quality?**

The program design is strong and is modelled after the very successful online MME graduate program offered at Northern State University. As mentioned previously, the curriculum is still in draft form and needs to be fully developed. This can be done once the new hire arrives, or the department can consider compensating an existing faculty member or employing an external consultant, as mentioned previously.

#### **Will the teaching, research, service expectations, and related resources be competitive when recruiting new faculty to staff the proposed program?**

The teaching load was variable. Given that this position will require teaching graduate courses both online and in person as well as include considerable administrative duties, a 3/3 load seems appropriate. The other expectations and resources appeared to be competitive with other faculty positions in the Department of Art and Theatre.

### **Services:**

#### **Are library resources and other services sufficient to support a high quality program?**

Yes, university and departmental resources are more than sufficient to support a high quality program. The majority of this program will take place through asynchronous, online learning. Northern State University and the department are already well-versed in e-learning and have the appropriate resources to support this modality of teaching. Students will spend two weeks on campus each summer for coursework. The university already has available housing and the department has available studio and classroom space.

### **Other Issues:**

**Are there other issues (e.g., student recruiting, program management, support staff) that should be given attention?**

**Student Recruiting and Funding:**

This M.S.Ed. in art education program provides an added opportunity to address the lack of resources available to rural and tribal communities in the state. I recommend providing funding through GAschips, scholarships and/or fellowships to prospective students from these populations. This will increase diversity in the program, meet the needs of underserved communities, and in the case of GAschips, provide the department with additional help.

**Summary Recommendation:**

**What do you see as the strengths and weaknesses of the proposed program?**

**Strengths:**

1. There is a need for an M.S.Ed. in art education in South Dakota and the surrounding region. This degree will increase e-learning, grow the pool of highly-qualified arts educators, and help address the current teacher shortage. It will also lessen teacher burnout, as it gives generalist and other teachers the opportunity to gain proficiency in art education and shift their content area to art education.
2. As a regional liberal arts institution with an excellent and long history of supporting K-12 education through educational and professional offerings, Northern State University is ideally-suited to offer this degree. It has a strong reputation for excellence in this area as exemplified through the success of the MME and the Arts Education Institute.
3. The university's upper administration was impressive with their knowledge and support of what is happening at the departmental level. This is a rather unique and highly laudable attribute. It is a strong example of a supportive campus environment.
4. The department has highly-qualified, talented faculty who are equipped to teach in the program. Their varied studio, conceptual and teaching expertise are an asset to the proposed degree.
5. The program will attract students. The department already has a strong reputation for providing high quality arts education at the undergraduate level and has a long history of supporting K-12 education in the region. As the only M.S.Ed. in arts education degree in the state and region, the program will draw students from S. Dakota and surrounding states. The summer Arts Education Institute is an excellent source for recruiting.

**Weaknesses:**

1. Although this is a well-designed degree that seems poised to provide an excellent foundation in art education pedagogy, theory and studio practice, I believe the program could use some big ideas to help guide the curriculum and set it apart from other M.S.Ed. in art education programs across the country. In conversations during the site visit, the following ideas were mentioned: innovation, global culture, interdisciplinarity, and different notions of building and engaging community. These compelling ideas, and others, are already happening in the department and across the university. These need to be faculty-generated and should be used as the "guiding stars" or driving force for programmatic design, curriculum development, PR and recruiting.

2. As mentioned previously, the individual courses are still in draft form and need to be fully developed.

**What broader recommendations do you have for the university and the Board of Regents?**

I believe this is a well-conceived program that is needed in the state and that Northern State University is the ideal institution to offer it. I believe it can attract students from across the country if there is a compelling guiding framework that sets it apart from other low-residency graduate art education programs. Northern State University, all the way from the top university leadership to the college, department and faculty levels should be commended. They see beyond the status quo and have envisioned a needed program that will support their state and region. It is important that the department receives the necessary support (e.g., FTEs, faculty compensation, and graduate support) needed to implement and grow the program. I believe it is an excellent proposal for a degree program that deserves support.

**E. Art Education**

1. An initial master's degree program in art education requires at least 30 semester hours or 45 quarter hours. The program should be constructed to add breadth and depth beyond the undergraduate program in studio, in art and design history and analysis, and in art education.
2. A minimum of 9 semester hours of graduate art education courses taught by art education faculty is required. Coursework for the remainder of the program is chosen from among the advanced courses in studio, art/design history, analysis, criticism, philosophy of art, art education, or in related areas and disciplines. At least two-thirds of the total curriculum is in art education and other studies in the visual arts. It is strongly recommended that institutions require at least one advanced course in art/design history, one in studio, and one in art/design analysis.
3. All programs should include one or more advanced seminars concerned with developments in philosophy of education and with contemporary problems in art education. This may include a review of curriculum developments, teaching methodology, innovations, and multidisciplinary concepts. Whether or not there is an advanced survey in contemporary general education, there should be specialized study of contemporary needs and developments in art and art education.
4. Some institutions make distinctions between practice-oriented and research-oriented programs.
  - a. A practice-oriented program emphasizes the extension of specialized studio work for art teachers. Institutions making such a designation should require at least 15 semester hours in studio.
  - b. A research-oriented program emphasizes theoretical studies and research projects in art education. If an institution uses such a designation, at least 15 semester hours should be required in art education and associated research areas.
5. Students are expected to complete a final project indicating achievement within a specialized area of inquiry. This may take the form of an exhibit, a thesis, a portfolio, or another demonstration of competence related to the graduate program.

6. Degrees with such titles as Master of Arts in Teaching or Master of Science in Teaching will be listed as master's degrees by NASAD only when their objectives and structures are consistent with one of

the initial master's degree formats outlined in Standards for Accreditation XVI.A.–D., and E.1.–5. When the purpose of such degrees is the completion of undergraduate requirements for teacher certification, the program will be reviewed by the Commission on Accreditation, but not listed by the Association.





### **Northern State University Response to Consultant Report for the MEd in Art Education**

The administration of Northern State University and faculty of the Northern State University Department of Art are grateful to Dr. Beth Krensky, Associate Professor of Art Education at the University of Utah, for her excellent evaluation of Northern State University's new graduate degree program in Art Education, dated June 18, 2021.

Northern State University is well positioned to launch the MEd in Art Education. Northern has a track record of establishing an outstanding Master of Music Education (MME) degree program, which grew from 12 students enrolled in fall 2012 to 46 by fall 2021:

#### *Northern State University Total Students Enrolled in Master of Music Education (MME)*

Fall	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
MME Students	12	19	9	12	16	20	20	28	43	46

The graduate faculty coordinator for Northern's MME degree program is working with the art faculty to launch Northern State University's MEd in Art Education.

Additionally, Northern's MEd in Art Education meets a graduate (master's degree) program demand gap identified through the SDBOR's "Program Demand Gap Analysis" report. Figure 4 (page 13) of the SDBOR's "Program Demand Gap Analysis" lists the top master's degree level programs at SDBOR universities with a gap, and a master's degree in Art/Art Studies is listed as having a gap of 16. Northern's MEd in Art Education will help fill this program gap identified by SDBOR.

### **Program Curriculum**

Dr. Beth Krensky confirmed Northern's curriculum for the MEd in Art Education meets or exceeds standards outlined by both the National Art Education Association and National Schools of Art and Design. She recommended the course descriptions be more robust and carefully crafted to reflect current trends and theories of art education. Dr. Krensky also offered a recommendation for the launch of the degree, along with options for engaging an external consultant and/or existing faculty to develop the specifics of the course content.

Northern State University administration set aside a faculty line when a member of the Art faculty left and has prioritized allocating that line for an Art Education faculty member with a

terminal degree in Art Education whose primary focus will be teaching courses in the MEd in Art Education. The search for the new faculty member will be initiated in fall 2021 with an expected hire in early 2022 and a contract date starting in August 2022. During the 2021-2022 academic year, current Northern Art faculty will prepare the National Association of Schools of Art and Design (NASAD) Plan Approval accreditation application, and the Dean of Fine Arts will allocate Friends of the Arts funds to offer the new hire a stipend in spring 2022 to review course descriptions and prepare course syllabi, beginning with courses being taught in fall 2022. Northern State University will begin recruiting students to the program for a fall 2022 cohort, drawing first from the hundreds of students who have enrolled in the summer Arts academy held annually on campus.

### **Faculty**

Dr. Krensky commended Northern's current Art faculty for their strong record of training and supporting arts educators, along with their multidimensional talents and professional art practices. Dr. Krensky recommended Northern hire an additional full time faculty member to cover existing departmental teaching needs, specifically an art historian to ensure the continued success of this graduate program.

Northern State University will employ an adjunct professor with a Ph.D. in Philosophy, Aesthetics, and Art Theory who already teaches online courses for the Art Department to teach ARTH 715 (Topics in Art History) and ARTH 716 (Contemporary Art, Theory, and Criticism). The Art Department has an additional adjunct professor who possesses a terminal art degree in painting and is qualified to teach an assortment of studio art courses at both the undergraduate and graduate levels.

Northern State University will closely monitor enrollment in the MEd in Art Education and will reallocate faculty workload to ensure the robustness of the program as it grows. The potential contributions of these two adjunct faculty members, combined with a current team of full-time faculty described by Dr. Krensky as "highly-qualified, talented faculty who are equipped to teach in the program," will ensure a successful and seamless unveiling of the MEd in Art Education program.

### **Required Summer Residency**

Dr. Krensky recommends that the required on-campus summer session for the MEd in Art Education span two weeks, rather than one week.

Northern State University Art Department faculty agree this recommendation is sensible and justified, allowing for a more thorough synthesis of pedagogical and studio investigations. The

Art Department will work closely with Northern State University auxiliary services, including Residence Life and Food Service to provide generous on-campus accommodations for MEd in Art Education students during their summer on-campus residency.

### **Resources**

Dr. Krensky expressed no concerns about university and departmental resources to support the MEd in Art Education. Northern State University resources include an abundance of online library databases, technology and instructional support for e-learning platforms, on-campus housing/studio lab assets for in-person summer residencies, and a proven degree design and recruitment program modeled after Northern State University's remarkably successful Master of Music Education (MME) degree. The MME degree program has grown from 12 students in 2015 to 43 students in 2021.

### **Student Recruitment and Funding**

Dr. Krensky rightly acknowledged the potential impact of Northern State University's MEd in Art Education program on traditionally underserved rural and tribal communities in the state, and recommends that funding mechanisms be developed to support prospective graduate students from these populations.

Northern State University has a documented record of allocating Graduate Assistantships to high-impact programs that have potential for growth and community connection. Creating and supporting graduate assistantships is a component of the university's larger recruitment strategy to increase graduate enrollment across campus – a coordinated effort that has resulted in a 30 percent increase in graduate credit hours from spring 2020 to spring 2021. Northern State University Graduate Studies will consider allocating Graduate Assistants to the MEd in Art Education program once it is established.

The Northern State University Dean of the School of Fine Arts consolidated all fundraising activities in Fine Arts in 2016, began a systematic fundraising campaign in support of the Arts with the Northern State University Foundation, and secured revenue for Fine Arts scholarship support, recruiting and marketing initiatives, guest artists and clinicians, faculty development, and targeted capital projects. These funds have led to a 177 percent increase in art scholarship funding over the past five years and could likely be a source of scholarship money for students enrolled in the MEd in Art Education.

### **Program Distinctiveness**

Dr. Krensky concurs Northern State University's MEd in Art Education is well-positioned to offer a solid foundation in Art Education pedagogy, theory, and studio practice. She

recommended the department add a number of dynamic concepts to the curriculum, which would distinguish it from other similar graduate programs around the country.

In her discussions with the art faculty, Dr. Krensky determined that a number of dynamic initiatives are already being embraced and promoted by the faculty, which would also form the foundation for a stimulating and forward-thinking vision for the MEd in Art Education. These ideas include arts innovating design, creating to build communities, and civic engagement.

The primary goal of the Art Department faculty is to establish an MEd in Art Education that enables graduate students to deepen their knowledge of Art Education and improve education in the state and region. Graduate students will be afforded opportunity to hone their studio art, develop a support network of other art educators, and become better teachers. Graduates of the program will help articulate the importance of art in schools, institutions, and society at large, as well as mobilize capacity for civic engagement through the arts.

## **SOUTH DAKOTA BOARD OF REGENTS**

**AGENDA ITEM: 8**

**DATE: October 6-7, 2021**

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### **SUBJECT**

**Senate Bill 55 Recommendation on Missions**

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

[Senate Bill 55](#)

### **BACKGROUND / DISCUSSION**

To ensure the Senate Bill 55 (SB55) Task Force recommendation on missions is fully articulated, Board staff have engaged the assistance of Complete College America. Complete College America is an entity that aims to promote [strategies](#) to enhance Purpose (student goals), Momentum (completion), Structure (career path) and Support (academic success) for student-centered higher education systems. It has past experience and expertise in working with other Boards on mission strategies and mission review.

Chares Ansel from Complete College America will present information to the Board that will be valuable prior to considering formal adoption of such a recommendation. Topics presented by Complete College America may include:

- Critical Academic Quality, Student Success Initiatives for South Dakota
- Review of the Efficiencies Regarding SD as compared nationally, other systems
- Discussion on other like State initiatives and impact
- Recommendation of SB55 on Missions
  - National Strategies
  - Mission Differentiation
  - Student Success Models
- Project Impact
  - Needs
  - Timeline

### **IMPACT AND RECOMMENDATION**

Informational only

### **ATTACHMENTS**

None

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## **INFORMATIONAL ITEM**

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 9 – A (3)**

**DATE: October 6 - 7, 2021**

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**SUBJECT**

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

**CONTROLLING STATUTE, RULE, OR POLICY**

None

**BACKGROUND / DISCUSSION**

The last eighteen months have demonstrated that employees can be productive and effective in a remote work setting. As a large employer, the Board of Regents needs to be prepared to provide remote work and flexibility in schedules in order to address recruitment and retention needs. The opportunities will continue to grow for individuals who currently live and work in our local communities to be employed by business from other areas of the state or nation, resulting in a broader market in which we compete for employees. It is also imperative that remote work or alternative work arrangements are managed appropriately and do not result in negative impacts on the quality of education and services that BOR employees provide to students, other employees, and the public. These factors have highlighted the need for a BOR policy to address the parameters and guidelines for appropriate use of remote work and alternative work schedules.

Items of particular note in 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

(Continued)

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**DRAFT MOTION 20211006\_9-A(3):**

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

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.
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**

This is a first policy reading. This policy has been reviewed by Business Affairs Council, Student Affairs Council, HR leadership, and Council of Presidents and Superintendents. This policy will be reviewed by the Academic Affairs Council and Technology Affairs Council at upcoming meetings. The second reading of the policy will be reviewed by the Board for final action at the December 2021 meeting.

### **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

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### 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**

**AGENDA ITEM: 9 – B**  
**DATE: October 6-7, 2021**

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#### **SUBJECT**

**BHSU-Rapid City Renovation & Addition for West River Nursing Education Facility  
Program Plan (FPP)**

#### **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**

Black Hills State University (BHSU) and South Dakota State University (SDSU) request approval of a Facility Program Plan to renovate and add on to BHSU–Rapid City (BHSU-RC). This project will consolidate all west river nursing education into a single site, providing efficiencies and improvement in space utilization. It will replace outdated and leased, program-limiting facilities in four different locations in Rapid City with one fully appointed modern educational facility. It will also provide the space necessary to increase the number of nursing graduates needed in Rapid City to address the severe nursing shortage in the region.

The Preliminary Facility Statement was approved at the May 2021 Board of Regents meeting. This Facility Program Plan was prepared jointly by BHSU administrative staff, SDSU facilities and services staff, and the SDSU College of Nursing.

#### **IMPACT AND RECOMMENDATIONS**

All didactic nursing classes for both SDSU and USD have successfully transitioned to BHSU-RC for the Fall 2021 semester. SDSU’s accelerated nursing program, which moved to BHSU-RC in March 2021, has one classroom permanently and exclusively assigned to it. An additional five classrooms have been dedicated to nursing curriculum (three to USD and two to SDSU) from 7:00 a.m. to 3:45 p.m. each day, which allows BHSU to continue to use the classrooms for course offerings in the evenings. This transition has brought over  
(Continued)

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#### **DRAFT MOTION 20211006\_9-B:**

I move to approve the Facility Program Plan for BHSU-Rapid City’s Renovation & Addition for West River Nursing Education with initial cost estimates of \$15,114,644 using a request of \$8 million from the State of South Dakota, HEEF Funds, and private donations.

200 nursing students into the facility this semester and will substantially increase the seat utilization of BHSU-RC.

The outcome of a minor renovation project this summer has allowed for a new SDSU nursing advisor office and four new faculty offices to be dedicated to nursing faculty (two for SDSU and two for USD) beginning this Fall 2021 semester. These offices have allowed nursing faculty to move to BHSU-RC, so they are located where courses are delivered, allowing students to easily connect with faculty while saving faculty the time of having to drive across Rapid City between courses.

### **Initial Cost Estimates**

#### **Construction Costs**

New Construction	\$11,861,084
Remodel Existing Sparce	\$262,560
Construction Manager	\$119,640
Contingency	\$1,196,400
Subtotal Construction Costs	<u>\$13,439,684</u>

#### **Soft Costs**

Design & Professional Fees	\$1,196,400
Project Management & OSE	\$478,560
Fees	
Subtotal Soft Costs	<u>\$1,674,960</u>

Total Project Cost	\$15,114,644
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### **Proposed Funding Sources**

BHSU and SDSU are requesting \$8 million from the State of South Dakota to help meet the nursing work force demands in West River. The universities will seek out an additional \$2 million of private donations to support this state-of-the art facility, which will provide the space necessary to graduate nursing students prepared to enter the work force with current skills and applications. Finally, a bond funded by the Higher Education Facilities Fund (HEFF) will provide the final portion of funding. The HEFF component of \$5.1 million was calculated based on the student credit hour growth from the 120-student nursing cohort and the associated BHSU feeder program. No current HEFF contributions are used for this bonding requirement. Projections also include a phased in approach to meet M&R needs of the addition.

State of South Dakota	\$8,000,000
Higher Education Facilities Funds	\$5,114,644
Private Donations	<u>\$2,000,000</u>
Total Funding Sources	<u>\$15,114,644</u>

### **ATTACHMENTS**

Attachment I – BHSU-RC Renovation & Addition West River Nursing Education FPP

Attachment II – BHSU-RC Renovation & Addition West River Nursing Education Facility  
Renderings

## **BHSU-Rapid City Renovation & Addition for**

### **SDSU West River Nursing Education**

**and**

### **BHSU Pre-Nursing Education**

#### ***Facility Program Plan***

*Submitted September 8, 2021*

#### Introduction

Black Hills State University (BHSU) and South Dakota State University (SDSU) request approval of this Facility Program Plan for a renovation and addition to BHSU–Rapid City (BHSU-RC). This project will consolidate all west river nursing education at a single site, providing efficiencies and improvement in space utilization; will replace outdated and program limiting leased facilities in four different locations in Rapid City with one fully appointed modern educational facility; and will provide the space necessary to increase the number of nursing graduates in Rapid City to address the severe nursing shortage in the region.

The Preliminary Facility Statement (Attachment I) was approved at the May 2021 Board of Regents meeting. This Facility Program Plan was prepared jointly by Black Hills State University administrative staff, South Dakota State University facilities & services staff and the SDSU College of Nursing.

#### Fall 2021

All didactic nursing classes for both SDSU and USD have successfully transitioned to BHSU-RC for the Fall 2021 semester. SDSU's accelerated nursing program, which moved to BHSU-RC in March 2021, has one classroom permanently and exclusively assigned to it. An additional five classrooms have been dedicated to nursing curriculum (three to USD and two to SDSU) from 7:00 a.m. until 3:45 p.m. each day, which allows BHSU to continue to use the classrooms for course offerings in the evenings. This transition has brought over 200 nursing students into the facility this semester and will substantially increase the seat utilization of BHSU-RC.

The outcome of a minor renovation project this summer has allowed for a new SDSU nursing advisor office and four new faculty offices to be dedicated to nursing faculty (two for SDSU and two for USD) beginning this Fall 2021 semester. These offices allowed nursing faculty to move to BHSU-RC, so they are located where courses are delivered, allowing students to easily connect with faculty while saving faculty the time of having to drive across Rapid City between courses.

### Shared Space

The current programs and courses offered at BHSU-RC make it a prime candidate for sharing space between universities and programs. BHSU-RC has 57,715 GSF in the main building. Instructional space including classrooms, computer labs, and science labs comprise 22,453 GSF of the total. A total of 12,145 GSF of instructional space in the current facility, or 54.1% of the total instructional GSF will be either assigned to nursing or used as shared space with both BHSU and SDSU nursing once this project is complete. The shared space is identified on the floor plan in Attachment II with green identifying primarily BHSU use and blue identifying SDSU nursing and shared space.

#### *A. Programmatic Justification for Discrete Spaces*

As previously discussed, this project will work directly to address the severe nursing shortage in West River. According to RegisteredNursing.org, the State of South Dakota is projected to have the third highest shortfall in registered nurses in the nation by 2030 behind only Alaska and South Carolina. To address this shortage, a planned growth in the cohort size begins next fall and gradually builds to an undergraduate BSN cohort size of 120 students. This is the basis for the programming in this proposed renovation and addition.

Currently, SDSU enrolls up to 48 undergraduate nursing students and USD enrolls up to 24 or a total of 72 in West River BSN cohorts each fall and spring over a five-semester program. As USD's program phases out in Rapid City, SDSU will increase its cohort size up to 120 which will be an overall increase of 48 BSN students (120 planned minus 72 current capacity) in Rapid City nursing cohorts each semester. SDSU also plans to increase the size of their accelerated nursing program cohort from the current 16 to 48 students. This will increase the total number of nursing students in all five active cohorts at any given time from the current capacity of 376 to 648 as shown below.

This growth will occur gradually over a period from the Fall 2022 cohort until the full growth and potential is realized with all five semester cohorts at full capacity in the Fall 2029 semester. The first cohort of 120 undergraduate BSN students will enter the program in the Fall of 2026 right after the building addition is complete. An associated growth in BHSU's associate degree will be necessary to meet this demand.

Cohort Capacity	Current Capacity	Proposed Capacity
SDSU BSN Cohort	48	120
SDSU Accelerated Cohort	16	48
USD BSN Cohort	24	0
Total Cohort	88	168

Nursing Students	Current Students	Proposed Students
SDSU BSN Students	240	600
SDSU Accelerated Students	16	48
USD BSN Students	120	0
Total Nursing Students	376	648

Nursing education is currently provided by SDSU and USD from leased facilities at the Monument Health Sciences Building (HSB) on the former St John's Hospital campus (no cost), a leased office space on Mount Rushmore Road (over \$100,000 annually), BHSU-RC (no cost), and contracted space at Western Dakota Vocational Technical College (WDT) specifically for USD's simulation lab needs. SDSU's simulation lab needs are provided at the Monument Health Sciences Building. All skills labs are also provided at the HSB.

None of the facilities referenced above provide state-of-the-art nursing education classrooms, simulation laboratories, skills laboratories, or support facilities. Although WDT's space is the newest, even it does not contain some specialized spaces represented in this program plan such as the medication dispensary and the ability to use standardized patients. WDT's five simulation labs meet the current needs of USD's program with a cohort size of approximately 24 students. The planned SDSU cohort size of 120 students will require 14 simulation labs along with support space. Simulation laboratories are not provided in adequate quantity for the current enrollment in SDSU's current space at the HSB. Overall, the quantity and quality of space available for use effectively puts a lid on enrollment in nursing education programs. The existing facilities are primarily ad hoc facilities that have developed over time as programs have expanded and changed to meet health care education needs.

The existing BHSU-RC is not able to provide the technically demanding spaces required for nursing simulation, nursing skills, debriefing, and clinical laboratories. However, current space can be remodeled to provide adequate classroom space to meet the general education needs of first- and second-year nursing students. Other space can be remodeled to provide some office and support space required for nursing program faculty and administrative staff.

The 2014 space assessment and analysis of both USD and SDSU nursing programs was utilized as foundational material to prepare current space needs for nursing education in this project. The separate space needs of the independent programs would be almost 56,607 GSF of space. By



combining programs, the space needs can be reduced to the current plan of just over 34,000 of new space and renovated space in the current BHSU-RC building.

The following steps are necessary to meet current space needs, provide contemporary laboratory facilities, accommodate future growth, consolidate programs into one site, and utilize existing facilities efficiently.

- All first- and second-year didactic classes have been moved to BHSU-RC effective with the Fall 2021 semester including space for faculty and advisor offices. This is the beginning of improved utilization at BHSU-RC.
- BHSU will renovate four smaller classrooms into two larger classrooms by the Fall 2022 semester to accommodate a cohort size of 72, which is the next incremental growth level for SDSU to ultimately reach the 120-cohort goal.
- Construct a Health Science Center addition to BHSU-RC that will house classrooms, clinical simulation laboratories, hospital simulation laboratories, clinical skills laboratories, laboratory support spaces, faculty offices, and administrative offices that cannot be provided by the existing facility.
- Remodel a portion of BHSU-RC to provide office space needs, conference room spaces, and a portion of the classrooms of adequate size for the first- and second-year nursing student education. The existing BHSU-RC building can be modified with minimal effort to meet a portion of the space needs for nursing education.

Space programming requirements for the project, including both the addition and renovation, were broken down into various spaces by type (e.g., office, classroom, simulation lab, etc.) and aided in the preparation of conceptual floor plans. The space program requirements include the office & office support space, classroom & simulation laboratory space, and simulation laboratory support space.

Office spaces will be needed for the assistant dean, administrative staff, teaching faculty, adjunct faculty, program coordinators, technical support staff, student advisors, and work study personnel. The types of support spaces that serve the faculty and staff include an office work room and two conference rooms.

Classrooms are needed for general education classes for freshman and sophomore level students that are satisfying their core education requirements. The same type of classrooms will also be required for junior and senior level students, but these will be dedicated to nursing curricula. All classrooms will be active style learning environments that support flexible furnishings arrangements, a high level of technology, and student project group learning.

Nursing education is built around the concept of groups of 8 learners that are combined into larger cohorts. The program space requirements, classrooms, and lab spaces are developed for a maximum cohort size of 120 new students each semester. Although the overall cohort size for a new nursing class is planned at 120, the teaching space is planned for a maximum of 72 students in any one section. This dictates the necessary classroom size, number of sections, skills lab size, and number of faculty instructors.

As students matriculate through the program an increasing amount of time and effort is spent in developing, practicing, and understanding the skills necessary to be a health care professional. This is accomplished in laboratories where skills may be learned and put into practice. It is necessary that these laboratories simulate the environment that these students will be placed into upon graduation.

A variety of simulation labs are required for this educational effort. These include simulation of standard hospital rooms, bariatric hospital space, obstetrics hospital/exam space, clinical exam spaces, clinical skills practice lab, occupational laboratories, and telehealth spaces. Standardized patients, technologically sophisticated mannequins, and standard mannequins are all tools that support the education of students. These specialized labs require support spaces that include a control room that allows faculty to view the students practicing their skills. Briefing and debriefing rooms are needed to teach skills to small groups of students and evaluate the students and help them refine their practical skills and applied knowledge.

As noted above, the existing building can be remodeled to provide office and early program space for nursing education. It would also function in its traditional role to provide educational opportunities across a wide variety of disciplines and curriculums including courses necessary for BHSU to deliver the Associate's in Applied Health Sciences. The current MOU between SDSU and BHSU allows for students from BHSU's Applied Health Sciences program who meet specific criteria to seamlessly transfer with guaranteed admission to SDSU's nursing program in Rapid City while finishing their degree. This program is integral to providing a sufficient number of students to enter SDSU's nursing program to meet workforce demand. An addition is required to provide the specialized classroom and laboratory space that is dedicated to nursing education.

Many of the spaces in this project are designed for multipurpose use. The briefing rooms can be used for small group study areas and small group conferences (faculty and students). The active learning classrooms can be used by both SDSU and BHSU-RC for a variety of course offerings.

### *B. Gross Square Footage*

The project will include renovations to the existing BHSU-RC as well as an addition to the existing facility. The estimated areas affected by the project are as follows:

Renovated GSF Before Addition	6,706
Renovated GSF With Addition	3,282
GSF of Health Sciences Addition	34,416
Total GSF in Project	<u>44,404</u>

### *C. Site Analysis*

The proposed addition will be constructed east of the existing facility (See Attachment III – Site Plan and Attachment IV – South Elevation). This addition will be consistent with the master plan of the BHSU-RC site completed in 2014. Future development of the 41-acre property was intended

to occur to the east and northeast of the existing facility. The proposed addition provides additional opportunities for primary entry points and future expansion to the north and east.

The current parking capacity is expected to meet the need of the increased cohort, so no additional parking is planned at this time. The topography and elevations east of the existing building are similar, so the addition can be constructed without significant alterations to the current topography. Fill material will be required so the floor elevations of the existing building and the addition will match. An 8" water main serving the site will probably require replacement or encasement, as it currently lies just east of the existing building. Sanitary sewer service to the addition will be independent of the existing building service, but close to an existing sewer main in Cheyenne Street. A separate transformer and electrical service for the addition may be required. Storm water management and foundation drainage is likely to tie to existing storm sewer mains on the north side of the property and be directed to the existing detention pond.

#### *D. Description of Key Building Features*

The new addition will tie directly to the center corridor of the existing building. The concept plan is designed so the building may be expanded to the east and north in the future, to create one unified facility.

The concept is intended to be similar to the existing facility. The addition will have a concrete foundation, structural steel primary frame, bar joist secondary frame, steel deck with a concrete topping, and light gauge steel studs for exterior and interior framing. The addition will be constructed as a two-story building and the floor levels of the addition's first and second floors will match the existing building. The exterior finishes are intended to be a brick and concrete masonry facing that will match the existing facility. Exterior insulation and synthetic plaster will be used for penthouse walls and selected fascia walls in a similar manner to the existing building.

Corridors should be a minimum of eight feet wide. Doors from simulation labs should be four feet wide. This is necessary to allow passage of hospital beds and clinical exam beds from simulation labs and skills labs. Where possible, it is preferable to enter hospital simulation labs, control rooms, clinical simulation labs, and briefing rooms from a secondary circulation corridor. Adjacency of simulation labs, control rooms, and briefing rooms allows patient, student, and faculty to move through the facility and conduct practice sessions, briefings, and debriefings in an efficient manner.

All simulation spaces and support spaces (e.g., hospital, clinical, control, briefing, counseling, and telehealth) will require a high level of audio-visual connectivity so activities can be recorded, simulated patients controlled, and practice sessions reviewed. Hospital or clinical simulation labs, briefing rooms, and control rooms are grouped to provide direct observation of procedures practiced in the simulation labs from the control room. Briefing rooms are part of these groupings to allow convenient access to simulation rooms in the vicinity.

The existing building will be renovated in specific locations to provide classrooms that will specifically support the SDSU Nursing programs or be shared by SDSU Nursing and BHSU

general classroom education. A few classroom spaces will require renovation to enlarge the capacity to 72 persons to support the cohort size of the SDSU Nursing programs. The existing building will also be renovated to provide some office and conference room spaces for the Nursing College. The anticipated locations and work to be completed are listed as follows and are identified in floor plans provided in Attachment V & VI:

1. Rooms 124/126 – Renovate into 48-person active learning classroom to support the accelerated nursing program.
2. Room 128 – Renovate into Native American student support space for all academic programs, including nursing. This will replace the space on Mount Rushmore Road currently rented by SDSU.
3. Room 125/127 – Renovate into 72-person active learning classroom to support general nursing education. This work will be completed in the summer of 2022 prior to the addition and renovation project.
4. Rooms 217A and 218 – Renovate for additional faculty offices. Room 217A has already been converted into 4 offices. Room 218 will be renovated as part of the project.
5. Rooms 206/208 – Renovate into offices.
6. Rooms 203/205 – Renovate into 72-person active learning classroom to support general nursing education. This work will be completed in the summer of 2022 prior to the addition and renovation project.

In this design 3,282 GSF of the existing building will be renovated with the addition project while 6,706 GSF will be renovated prior to the project beginning so it may be repurposed for nursing education. Additional GSF in the current facility will be repurposed to nursing space or shared space but will not need renovation. It is most economical to renovate the existing space into offices and interactive learning general classrooms. Renovation will allow BHSU-RC to improve space utilization within the existing building.

#### *E. Illustrative Floor Plans*

Floor plans are provided in the following attachment:

- First floor of the addition (classrooms, skills lab, and office)
- Second floor of the addition (simulation labs and support space)
- Third floor of the addition (mechanical space only)

*F. Initial Cost Estimates*

Construction Costs	
New Construction	\$11,861,084
Remodel Existing Sparce	\$262,560
Construction Manager	\$119,640
Contingency	<u>\$1,196,400</u>
Subtotal Construction Costs	\$13,439,684
Soft Costs	
Design & Professional Fees	\$1,196,400
Project Management & OSE Fees	<u>\$478,560</u>
Subtotal Soft Costs	\$1,674,960
Total Project Cost	\$15,114,644

Total Project Costs do not include the costs of fixed furnishings, equipment, movable furnishings, and technology related equipment. These costs are estimated to be \$2,820,000 and will be provided via other funding sources. If used equipment is available, this cost may be reduced.

*G. Proposed Funding Sources*

BHSU and SDSU are requesting \$8 million from the State of South Dakota to help us meet the nursing work force demands in West River. The universities will seek out an additional \$2 million of private donations to support this state-of-the art facility which will provide the space necessary to graduate nursing students prepared to enter the work force with current skills and applications. Finally, a bond funded by the Higher Education Facilities Fund will provide the final portion of funding. The HEFF component of \$5.1 million was calculated based on the student credit hour growth from the 120-student nursing cohort and the associated BHSU feeder program. No current HEFF contributions are used for this bonding requirement. Projections also included a phased in approach to meet M&R needs of the addition.

State of South Dakota	\$8,000,000
Higher Education Facilities Funds	\$5,114,644
Private Donations	<u>\$2,000,000</u>
Total Funding Sources	<u>\$15,114,644</u>

### *H. Impact to M&R*

The funding for maintenance and repair will come from the annual HEFF allocation and should be at least 2% of the estimated replacement value of the facility (\$300,000) but can be phased in over a multi-year period since new construction does not need the same investment initially as older space. This will work in tangent with the growth in the cohort size for SDSU's nursing program and BHSU's associate degree as a feeder program. As the enrollment grows to support the new cohort size of 120, additional HEFF resources will be available to meet the M&R need in future years.

### *I. Budget for Ongoing Operational Costs*

APPA, the professional organization for facilities services operations on university campuses, provides recommended staffing levels based on different levels of maintenance and custodial support. BHSU strives to maintain our facilities at a level 2 of 5 standard, which is the second highest standard from APPA. These standards require the addition of two custodians at a cost of \$45,680 each for salary and benefits and one maintenance worker at a cost of \$67,300 for salary and benefits.

BHSU-RC is a very energy efficient facility with current utilities costing only approximately \$2 per GSF or \$116,000 per year. Using the current rate, an additional \$70,000 will be necessary for utility costs in the addition.

BHSU-RC is a self-supporting facility, including all faculty, staff, and operating funds. This funding model will continue with the addition, so these costs will be funded from tuition revenue generated from courses offered on-site at BHSU-RC. The costs will be distributed between universities offering credit hours at this location.



## CONCEPT FLOOR PLAN

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Client Name

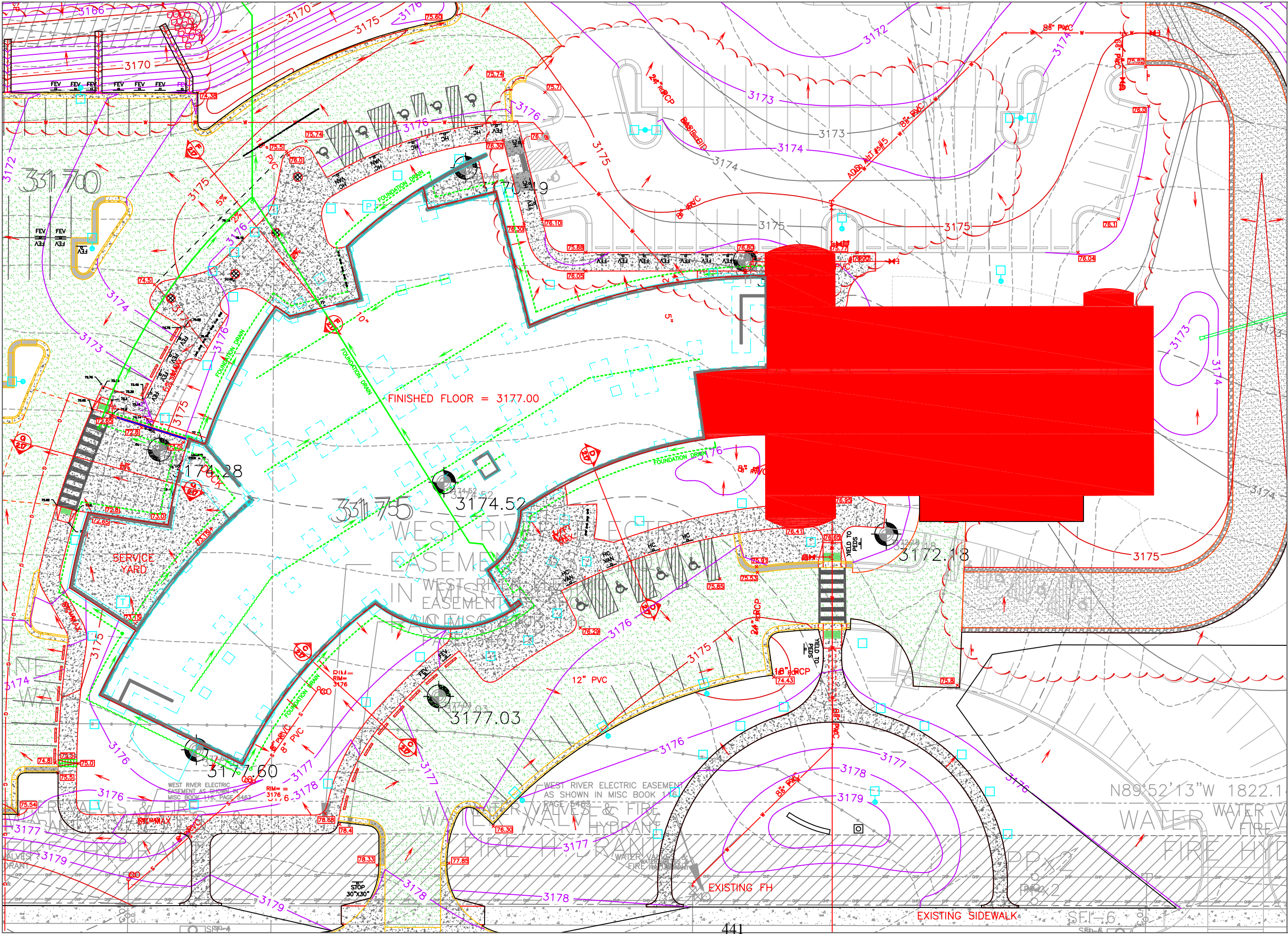
## University Center South Elevation

-108387

08 September, 2021

LB	
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HEALTH  
SCIENCE  
ADDITION

CONCEPT  
FLOOR PLAN

DRAWN BY: DRW  
CHECKED BY: CHK

No.	Description	Date	Revision Sequence Number

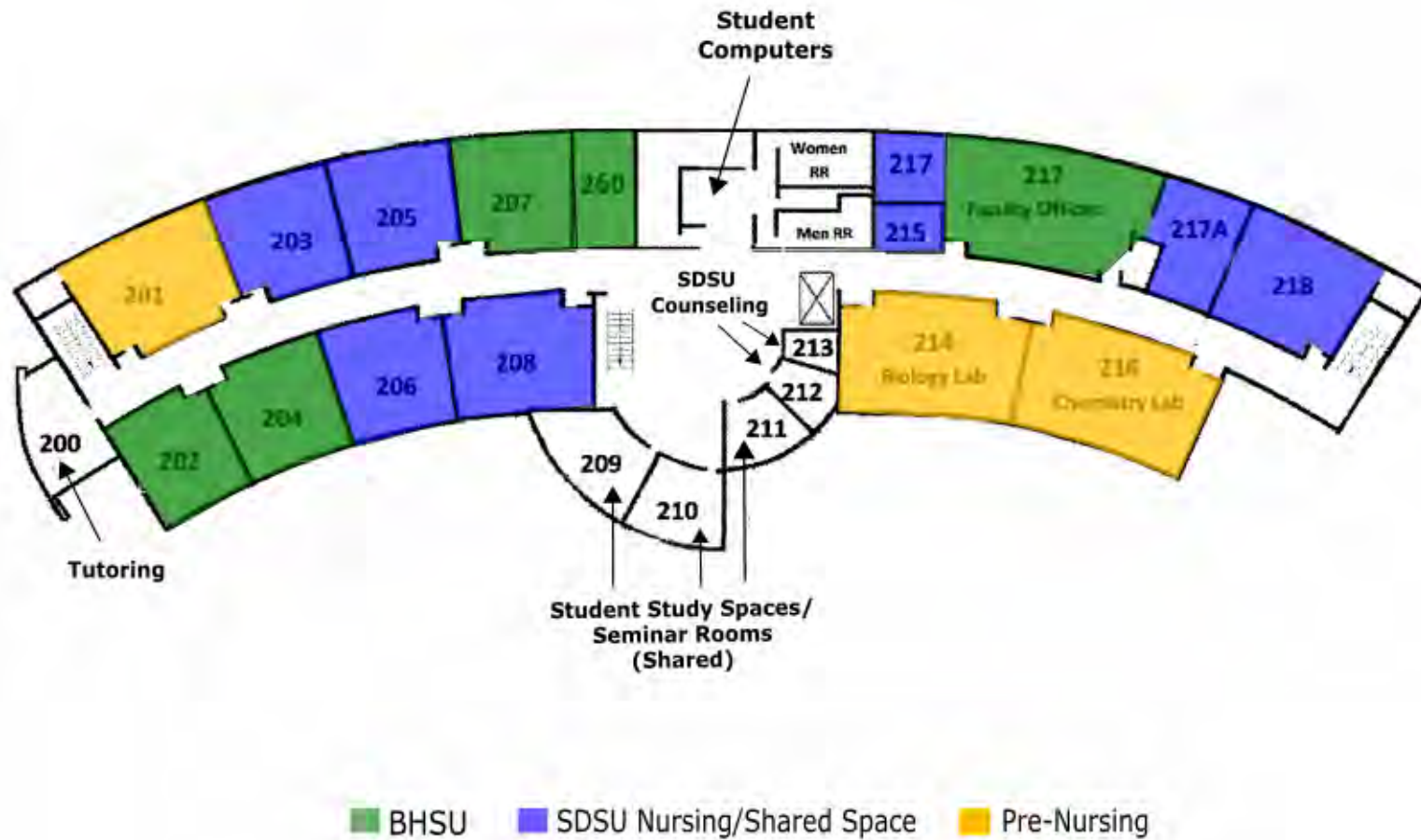
Client Name	
University Center	
Site Plan	
SDSU WO#	21-108387
Date	07 September, 2021
Drawn by	RLB
Scale	

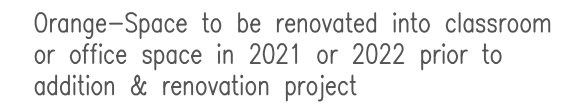


## BHSU - RC Space Utilization



## BHSU - RC Space Utilization Second Floor





Yellow-Space to be renovated into classroom, office, or support space as part of the renovation and addition project

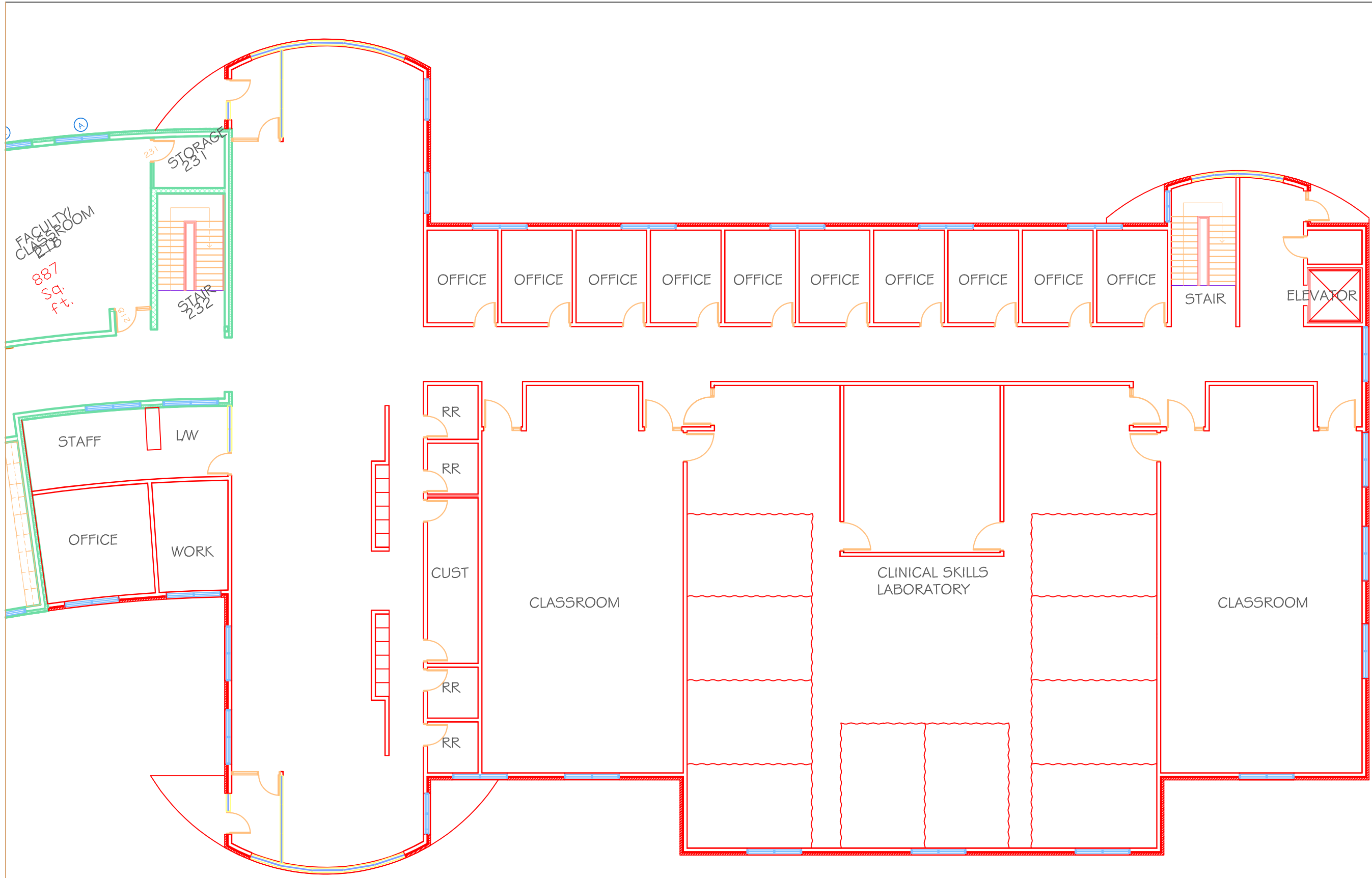
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## University Center 1st Floor Remodel

SDSU WO#	21-108387
Date	03 September, 2021
Drawn by	RLB
Scale	



Client Name
University Center
2nd Floor Remodel
21-108387
07 September, 2021
RLB



## CONCEPT FLOOR PLAN

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University Center  
1st. Floor Addition

LB	
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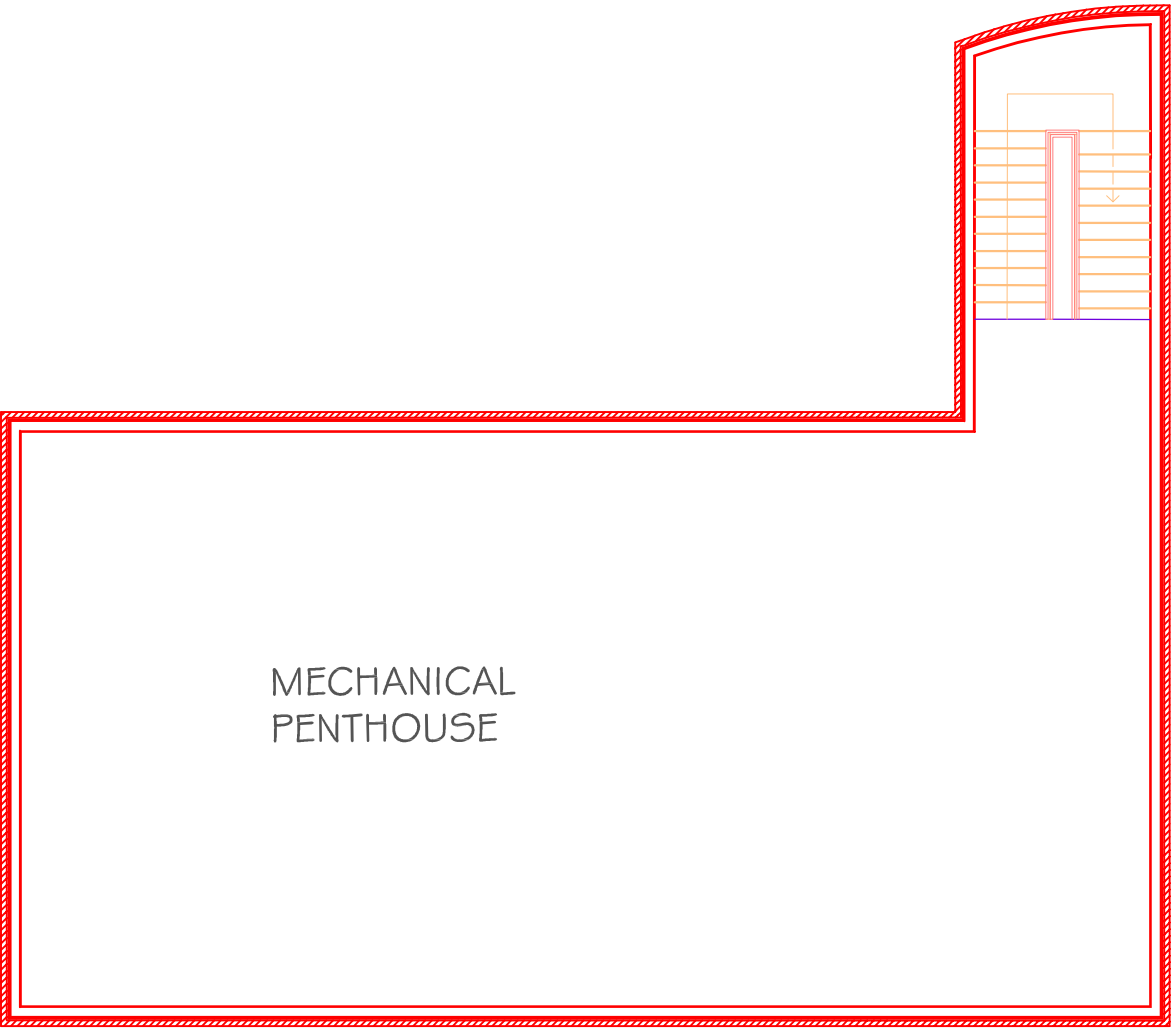
HEALTH  
SCIENCE  
ADDITION

CONCEPT  
FLOOR PLAN

DRW
CHK

No.	Description	Date	Revision Sequence Number

Client Name
University Center 2nd Floor Addition
21-108387
19 August, 2021
RLB



MECHANICAL  
PENTHOUSE

HEALTH  
SCIENCE  
ADDITION

CONCEPT  
FLOOR PLAN

	DRW
	CHK

No.	Description	Date	Revision Sequence Number

Client Name
University Center 3rd Floor Addition
21-108387
19 August, 2021
DRW

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance**

**AGENDA ITEM: 9 – C**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**Dakota State University Athletics Event Center Facility Program Plan (FPP)**

### **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**

Dakota State University (DSU) requests approval of this Facility Program Plan for the construction of a new Athletics Event Center. The Board approved DSU's Preliminary Facility Statement for the new Athletics Event Center in December 2016. In April of 2017, the Building Committee selected the design team of JLG Architects.

### **IMPACT AND RECOMMENDATIONS**

This project would enable DSU to develop plans for an on-campus facility that will provide a new Event Center and adjoining fields for competition, practice, academic space, and support space. This first phase of the DSU Athletics Master Plan, which was developed in 2017, would provide much needed new spaces to accommodate DSU's programs. The current facilities include the DSU Memorial Fieldhouse, which was constructed in 1958, a time when men's athletics programs comprised most sports and athletes on campus. At that time, the total student enrollment was 407, with 70 student-athletes participating in sports. The fall 2021 headcount enrollment is 3,219; of which 1,287 are on-campus students. For the same academic year, DSU has a total of 471 student-athletes participating in 12 sports, including football, volleyball, men's and women's cross country, men's and women's basketball, men's and women's indoor track, men's and women's outdoor track, baseball, and softball. DSU also has a growing Esports program, which would benefit from this new

(Continued)

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### **DRAFT MOTION 20211006\_9-C:**

I move to approve the Facility Program Plan for Dakota State University's Athletics Event Center with initial cost estimates of \$28,047,000 using private donations.



facility. The facilities would also allow for growth in academic programs, such as biomechanics and an Institute on Human Performance and Aging.

Office space for the athletics department also resides in the Fieldhouse but is insufficient. Meeting room space is limited to one classroom and hallways. The athletics weight room is inconveniently located in the basement of Zimmermann Hall, three blocks from the Fieldhouse, due to lack of space within the facility.

This project is the first phase of a larger scale Athletics Masterplan. The goal of the DSU Athletics Masterplan is to create a state-of-the-art sports campus for both men's and women's sports with new and renovated facilities to advance Trojan sports and foster recruitment of topflight athletes, coaches, and staff. The athletics district will include a football stadium with both indoor and outdoor suites, an interactive hall-of-fame, team lockers, and training facilities. A future phase would include a multi-purpose/competition Arena and an indoor sports training complex with a 300-meter track. The masterplan also includes a softball field, baseball field, soccer field, and various training facilities. The planning of this project aims at creating adjacencies in the design to share hospitality, support, and training spaces between the existing Memorial Fieldhouse, indoor and outdoor track, football stadium, and future Arena.

### Initial Cost Estimates

Projected Project Costs	Amount
Land Acquisition	\$172,000
Construction Costs	\$20,648,000
Soft Costs (FFE, Technology, testing, planning and design, etc.)	\$4,130,000
Contingency	\$3,097,000
<b>Total Project Cost</b>	<b>\$28,047,000</b>

### Proposed Funding Sources

The estimated cost of \$28,047,000 would be funded through private donations. On-going operational costs of approximately \$69,500 will be funded through existing operating budget at DSU.

Maintenance & Repair will be funded through an endowment of approximately \$7,350,000 guaranteed by the DSU Foundation.

## ATTACHMENTS

Attachment I – DSU Athletics Event Center FPP

# DSU Athletics Event Center Facility Program Plan



Dakota State University requests approval of this Facility Program Plan for the construction of a new Athletics Event Center. The Board approved DSU's [Preliminary Facility Statement](#) for the new Center in December 2016. In April of 2017, the Building Committee selected the design team of JLG Architects. The estimated cost of the Complex is \$28,047,000. Funding for the project will come from private donations.

## Fund Sources

The DSU Athletics Event Center will be funded entirely from private dollars. The DSU Foundation has launched a campaign to meet the funding required to acquire additional land necessary for the project, construction of the project, and also the ongoing maintenance of the facility. Additional details are provided in the Initial Cost Estimates and Funding Sources section of this Facility Program Plan.

## Programmatic Justification for Discrete Spaces

This project would enable DSU to develop plans for an on-campus facility that will provide a new Event Center and adjoining fields for competition, practice, academic space, and support space. This first phase of the DSU Athletics Master Plan, which was developed in 2017, would provide much needed new spaces to accommodate DSU's programs. The current facilities include the DSU Memorial Fieldhouse, which was constructed in 1958, a time when men's athletics programs comprised the majority of sports and athletes on campus. At that time, the total student enrollment was 407, with 70 student-athletes participating in sports. The fall 2021 headcount enrollment is 3,219; of which 1,287 are on-campus students. For the same academic year DSU has a total of 471 student-athletes participating in 12 sports – football, volleyball, men's and women's cross country, men's and women's basketball, men's and women's indoor track, men's and women's outdoor track, baseball, and softball. DSU also has a growing Esports program, which would benefit from this new facility. The facilities would also allow for growth in academic programs, such as biomechanics and an Institute on Human Performance and Aging.

Office space for the athletics department also resides in the Fieldhouse but is insufficient. Meeting room space is limited to one classroom and hallways. The athletics weight room is inconveniently located in the basement of Zimmermann Hall, three blocks from the Fieldhouse, due to lack of space within the facility.

## Gross Square Footage

The Athletics Event Center building is planned to be part of a sports masterplan and in future phases will share spaces with an Arena (gymnasium that would host basketball, volleyball, and other activities) and an indoor track and field facility that could also accommodate other sports. This 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. total. The football stadium is designed to approximately 40,400 total sq. ft. Bleacher seating is at 2,760 seats along the main concourse within 15,360 sq. ft. of space.

The site includes additional bleacher seating on the north and the east sides of the field at approximately 10,000 sq. ft.; 9,000 sq. ft. of patio space on the south and 3,000 sq. ft. of support.

## Site Analysis

The location for the new Athletics Event Center is directly east of the Community Center and DSU Memorial Fieldhouse. [Appendix A – Site Analysis](#) shows the layout of the entire DSU Athletics Masterplan and Phase I which is proposed in this Facility Program Plan.

As part of this plan, additional land will be required to the north and east of the property currently owned by DSU which is now the DSU Trojan Field. The DSU Foundation has acquired the necessary property to the north and east to make this expansion.

## Description of Key Building Features

This project is the first phase of a larger scale Athletics Masterplan. The goal of the DSU Athletics Masterplan is to create a state-of-the-art sports campus for both men's and women's sports with new and renovated facilities to advance Trojan sports and foster recruitment of topflight athletes, coaches, and staff. The athletics district will include a football stadium with both indoor and outdoor suites, an interactive hall-of-fame, team lockers, and training facilities. A future phase would include a multi-purpose/competition Arena and an indoor sports training complex with a 300-meter track. The masterplan also includes a softball field, baseball field, soccer field, and various training facilities. The planning of this project aims at creating adjacencies in the design to share hospitality, support, and training spaces between the existing Memorial Fieldhouse, indoor and outdoor track, football stadium, and future Arena.

This Athletics Event Center would include team suites and training facilities, adding much needed space for the growing number of student athletics. The current training facility (weight room) for DSU Athletics is located in the lower level of Zimmermann Hall, a residence hall connected to the Trojan Center Student Union. This new training facility would be located within the Events Center.

The experience for events including but not limited to football games would be dramatically enhanced through suites, press boxes, and hospitality space in the new building. Examples of a small and large suite can be found in [Appendix B – DSU Events Center Suites](#). These areas would be multipurpose and serve both game and non-game experiences and events. A Hall of Fame area would create a recognition space that also would be multifunctional and could host various events or activities.

The building also includes spaces for Athletic Training and a Biomechanics Lab that would tie into DSU's exercise science program.

The E-Sports space in the new building would be home of DSU's new and expanding program. This E-Sports programs would have designated space but also be able to utilize multifunctional spaces throughout the building to host various games and events.

Kitchen, concession, and catering space is designed into the building such that it not only is utilized for supporting activities in the Events Center, but also able to support future phases including the Arena and Indoor Practice Facility.

## Illustrative Floor Plans

The DSU Events Center is planned to be a two-story building. The floor plans for each level can be found in [Appendix C – Illustrative Floor Plans](#).

## Initial Cost Estimates and Funding Sources

The initial cost estimates of Phase I, which includes the Events Center building, a new outdoor track, new football field, and the necessary infrastructure including parking, is \$28,047,000. The budget is outlined in the following table:

<b>Projected Project Costs</b>	<b>Amount</b>
Land Acquisition	\$172,000
Construction Costs	\$20,648,000
Soft Costs (FFE, Technology, testing, planning and design, etc.)	\$4,130,000
Contingency	\$3,097,000
<b>Total Project Cost</b>	<b>\$28,047,000</b>

## Maintenance and Repair

The Board of Regents requires a plan to provide funding for maintenance and repair at an amount equivalent to 2% of the replacement value of the building. DSU will meet this requirement by creating an endowment within the DSU Foundation with the proceeds of that endowment dedicated toward M&R of this facility. The estimated amount needed for the M&R endowment is \$7,350,000 and is part of the funding that will be guaranteed by the DSU Foundation.

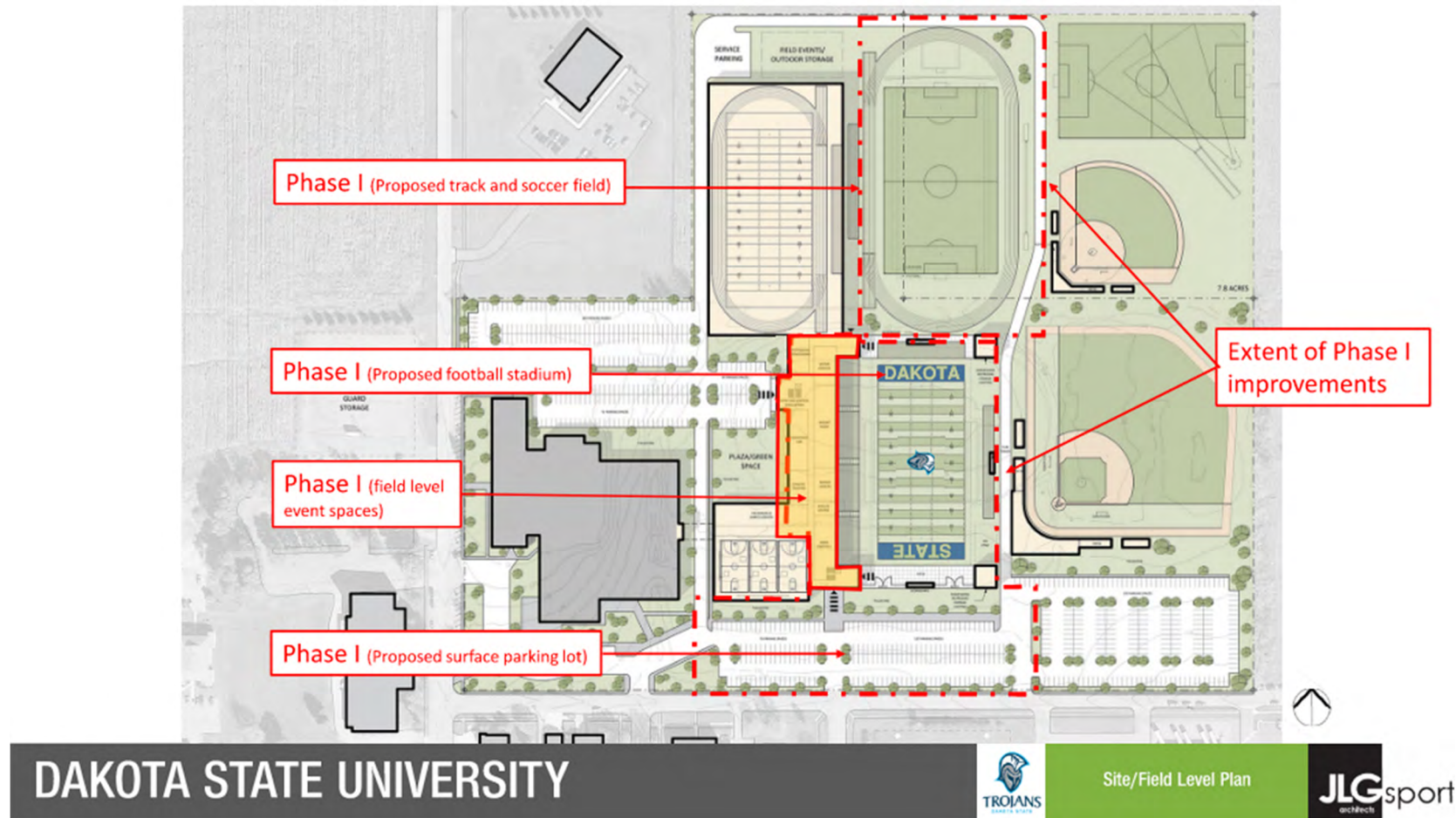
## On-going Operational Costs

The annual operating costs of the facility include but are not limited to janitorial, utilities and other related costs. DSU estimates these costs on an annual basis to be:

<b>Category</b>	<b>Description</b>	<b>Annual Cost</b>
Utilities	Approximately \$1/sq. ft.	\$20,000
Custodial Staffing	Addition of 1.0 FTE to support building	\$45,000
Custodial Supplies	Cleaning and other supplies for the facility	\$4,500
Other Misc. Expenses	Other expenses	TBD
<b>Total</b>		<b>\$69,500</b>

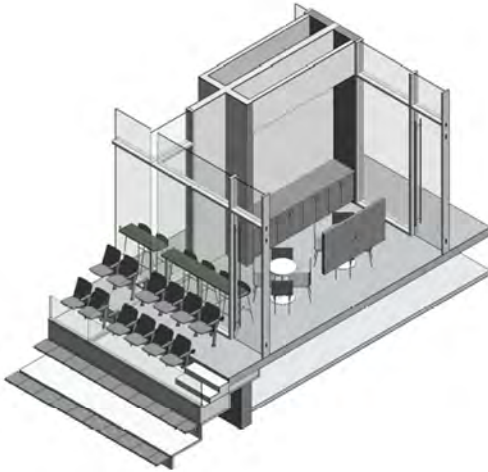
The additional operating costs will come from within DSU's operating budget. Costs of camps, events, and games are not included in this estimate as those are independent of the operation of the facility itself and the facility is not reliant upon those funding sources for on-going operational costs.

Appendix A – Site Analysis





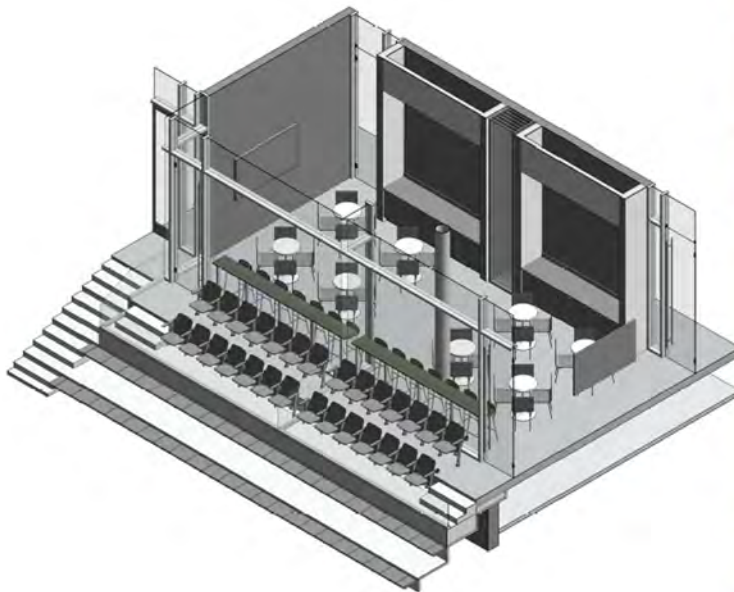
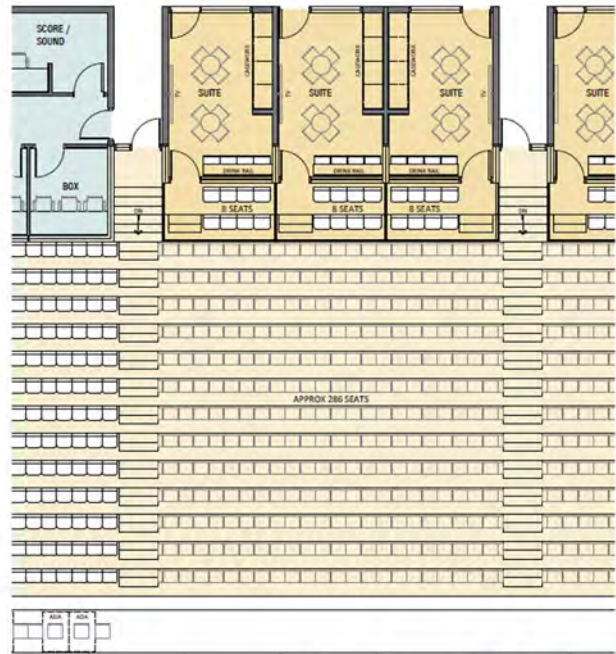
## Appendix B – DSU Events Center Suites



### DSU ATHLETIC EVENTS CENTER

#### ENLARGED SUITE - SMALL

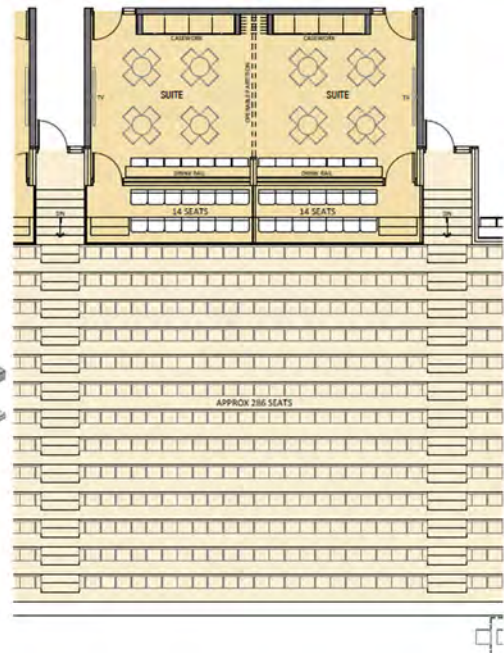
06/10/21 | JLG 17043 | © 2021 JLG ARCHITECTS



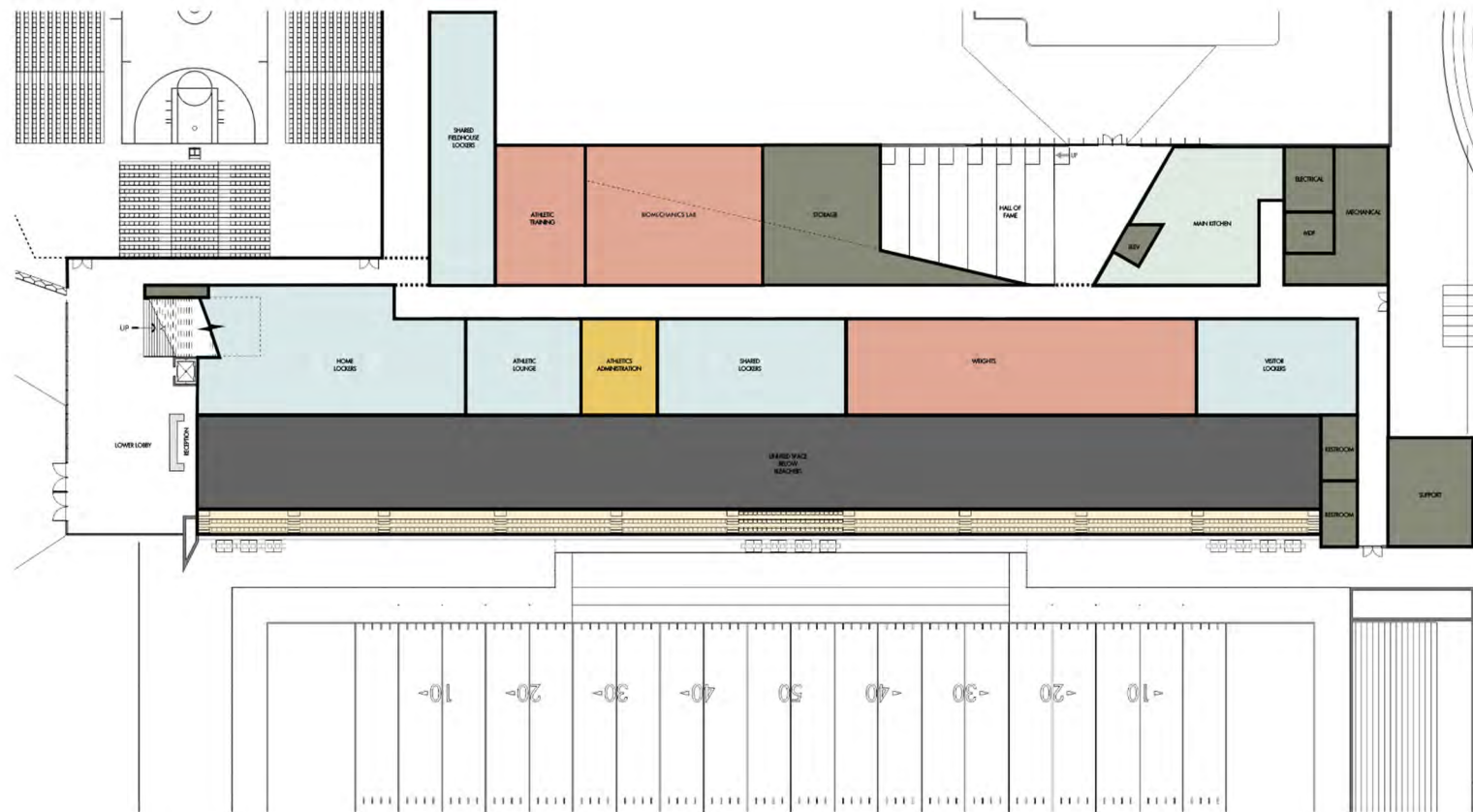
### DSU ATHLETIC EVENTS CENTER

#### ENLARGED SUITE - LARGE

06/10/21 | JLG 17043 | © 2021 JLG ARCHITECTS



Appendix C – Illustrative Floor Plans



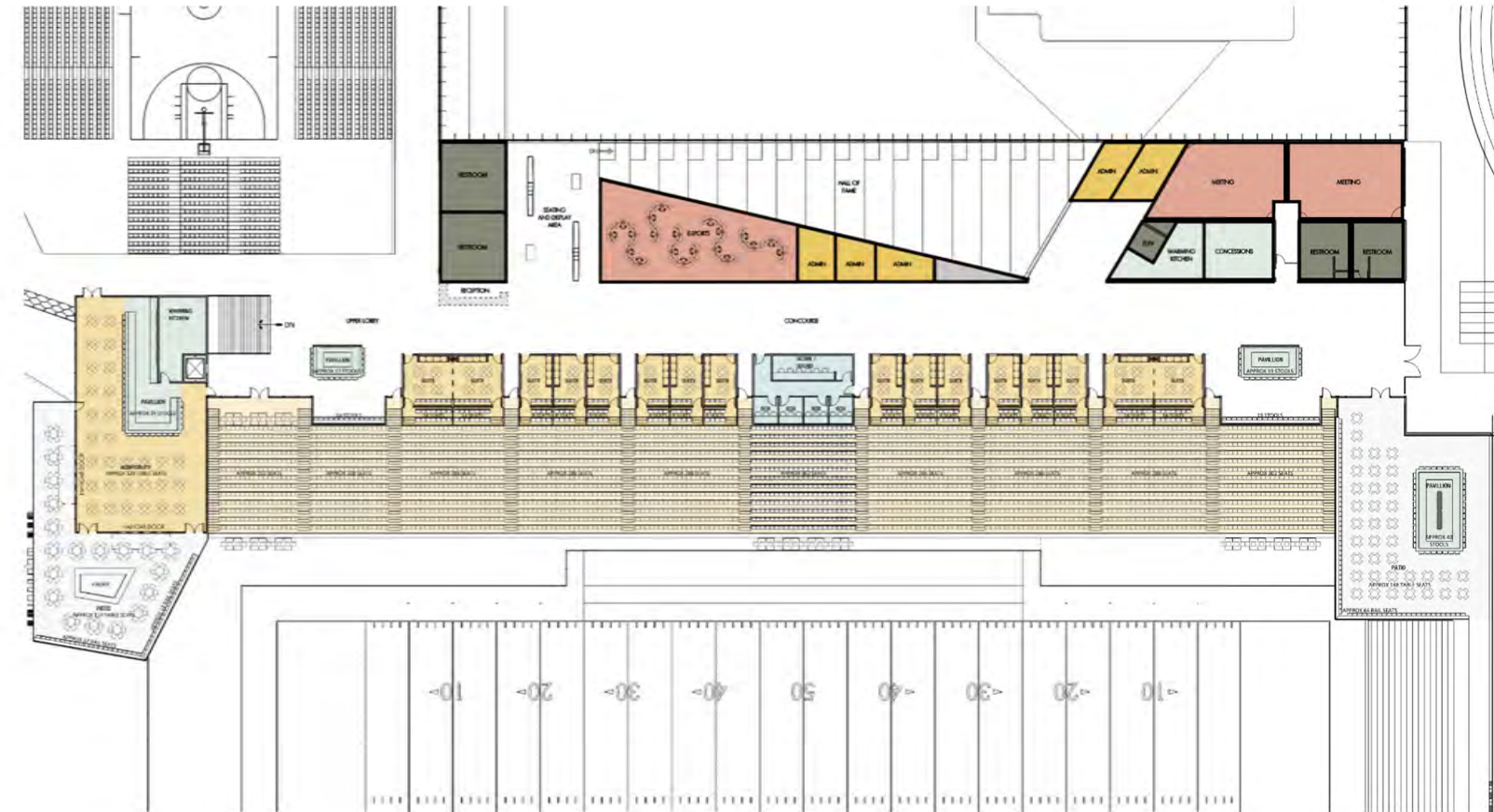
# DSU ATHLETIC EVENTS CENTER

## GROUND LEVEL PLAN

06/10/21 | JLG 17043 | © 2021 JLG ARCHITECTS

LEGEND	
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> LOCKER ROOMS	<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> FOOD SERVICE
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> TRAINING/WELLNESS	<span style="display:inline-block; width:15px; height:15px; background-color:darkgrey; border:1px solid black;"></span> SUPPORT SPACES
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> ADMINISTRATION	





# DSU ATHLETIC EVENTS CENTER

## SUITE LEVEL PLAN

06/10/21 | JLG 17043 | © 2021 JLG ARCHITECTS

- LEGEND**
- BOWL SEATING
  - PREMIUM SEATING
  - ADMINISTRATION
  - PRESS
  - FOOD SERVICE
  - SUPPORT SPACES
  - GAMING/MEETING





## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 9 – D**  
**DATE: October 6-7, 2021**

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#### **SUBJECT**

**NSU Replace Lincoln Hall Combined Preliminary Facility Statement (PFS) and Facility Program Plan (FPP)**

#### **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**

Northern State University (NSU) requests approval of this combined Preliminary Facility Statement and Facility Program Plan to construct a new facility to replace Lincoln Hall. This building will provide modern day classrooms and office space predominantly for the NSU School of Business, Office of Admissions, and the SDSU Accelerated Nursing Program. The estimated cost of the facility is \$29.5 million. This project is included on the FY23 Board of Regents General Fund Budget Request approved during the August Board of Regents meeting. This project proposal includes the demolition of the existing Lincoln Hall, the demolition of Briscoe Hall, and the purchase of two properties currently owned by NSU's auxiliary system to create parking for building occupants.

#### **IMPACT AND RECOMMENDATIONS**

A state-of-the-art facility will enhance the recruitment and education of students in the NSU School of Business and SDSU Accelerated Nursing as well as the workforce readiness of graduates in associated high demand fields. This new facility will improve accessibility to classrooms and offices and be used as a resource center to enhance public/private partnerships to catalyze economic development. It will also foster the growth

(Continued)

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#### **DRAFT MOTION 20211006\_9-D:**

I move to approve the combined Preliminary Facility Statement and Facility Program Plan to replace Lincoln Hall at Northern State University with a cost not to exceed \$29.5 million from State of South Dakota General Funds, to establish a building committee, and to submit this project for legislative approval.

of business, particularly small and medium sized rural regional enterprises and partnerships for the benefit of the citizens of South Dakota.

### **Proposed Funding Source**

NSU requests the use of one-time General Funds for this project. With over \$100 million in private funds raised and invested by NSU in new and renovated facilities in the last five years, NSU requests that this project be fully funded with General Funds.

Given the current cost of construction, the estimated cost to add 50,000 square feet of new space and demolish Briscoe Hall is approximately \$29.5 million.

This project is included on the FY23 Board of Regents General Fund Budget Request approved during the August 2021 Board of Regents meeting.

### **ATTACHMENTS**

Attachment I – NSU Replace Lincoln Hall Combined Preliminary Facility Statement and Facility Program Plan

**Northern State University  
Proposal to Replace Lincoln Hall**

**Combined Preliminary Facility Statement and Facility Program Plan**

Northern State University requests approval of this combined Preliminary Facility Statement and Facility Program Plan to construct a new facility to replace Lincoln Hall. This building will provide modern day classrooms and office space predominantly for Northern's School of Business, Office of Admissions and the SDSU Accelerated Nursing Program. The estimated cost of the facility is \$29.5 million. This project is included on the FY23 Board of Regents General Fund Budget Request approved during the August Board of Regents meeting. This project proposal includes the demolition of the existing Lincoln Hall, the demolition of Briscoe Hall and the purchase of two properties currently owned by Northern's auxiliary system to create parking for building occupants.

a. General Programmatic Need to Be Addressed

The South Dakota Board of Regents' mission includes providing an excellent and accessible university system that enriches the intellectual, economic, and civic life of the state, its residents, and its communities. In pursuit of this mission, the SDBOR identifies major goals including the growth of degree production and the catalysis of economic development. In particular, the SDBOR encourages its institutions to develop programs that align with future state needs, increase public/private partnerships in key industry sectors, and the expansion of companies in the state. A state-of-the-art facility will enhance the recruitment and education of students in the School of Business and SDSU Accelerated Nursing as well as the workforce readiness of graduates in associated high demand fields. This new facility will improve accessibility to classrooms and offices, and be used as a resource center to enhance public/private partnerships to catalyze economic development, and foster the growth of business, particularly small and medium sized rural regional enterprises and partnerships for the benefit of the citizens of South Dakota.

The School of Business currently occupies Lincoln Hall which was built in 1917. Initially constructed as a residential hall, the facility features large pillars throughout that are necessary for structural support. Views in the two classroom spaces are obstructed by four large central support pillars resulting in an extremely poor instructional atmosphere for both students and faculty. Due to the nature of original construction and necessity of support pillars, renovation will not remove these obstacles to opening up spaces for classrooms that will provide students and faculty with environments that are conducive to learning. New construction is necessary to create leading edge learning environments, accessibility, sprinkler systems, and energy efficiencies that are simply not feasible through renovation.

The SDSU Accelerated Nursing Program will be relocated to the new facility. Currently the program occupies one classroom and one lab on the first floor of MeWaldt-Jensen and office space on the second floor. The teaching spaces were renovated when the program first came to Northern's campus in 2013, however, the spaces provide no room for program growth and the lab and simulation space is especially inadequate.

Additional space in the new facility will be allocated to Northern’s Admissions Office, the Office of International Programs and Development and Alumni Staff. Admissions staff are currently housed in the Avera Student Center in space that was originally intended to be used by student organizations when the Center was renovated in 2012. The Office of International Programs currently resides in Lincoln Hall and the Development and Alumni staff are housed in a nearby building that no longer meets their needs.

b. Analysis of Constituents to be Served

The new facility will serve several constituencies. Northern is authorized by the Board of Regents to deliver graduate and undergraduate programs; promote excellence in teaching and learning; support research, scholarly and creative activities; provide service to the state of South Dakota, the region and the nation; and to place a special emphasis on E-Learning in the university curriculum and service. As part of this mission, Northern serves a high percentage of students from regional rural and small communities including a high percentage of first-generation college students. Appropriately designed, accessible instructional space will provide Northern the future to educate and develop community leaders, business leaders and educators for the benefit of rural South Dakota—consistent with Governor Noem’s Revitalizing Rural South Dakota strategic initiative. Classrooms will be used by undergraduate and graduate students in the School of Business as well as undergraduate and graduate students in the Millicent Atkins School of Education. Northern’s Center for Statewide E-learning already serves many rural high school students. After completing high school, many of these students wish to continue their education for the betterment of their families and communities. Appropriately designed, accessible instructional space will provide Northern the capacity needed to educate and graduate business and community leaders and educators for the benefit of rural South Dakota.

The following table provides examples of “best jobs” as indicated by *U.S. News and World Report* and the U.S. Bureau of Labor Statistics, and the South Dakota Department of Labor, including data on job growth and median salaries. Northern’s School of Business graduates earn bachelor’s degrees in the appropriate programs that prepare them to fill these positions.

<b>Job</b>	<b>US Median Salary</b>	<b>SD Median Salary</b>	<b>US Job Growth Rate</b>	<b>SD Job Growth Rate</b>
Accountant	\$71,550	\$64,941	4.3%	9.9%
Business Operations Manager	\$100,7870	\$99,982	5.8%	9.3%
Compliance Officer	\$69,050	\$55,706	4.6%	6.7%
Financial Advisor	\$87,850	\$77,002	4.4%	14.6%
Financial Analyst	\$81,590	\$80,780	5.5%	11.3%
Financial Manager	\$129,890	\$133,920	15.5%	20.9%
Loan Officer	\$63,270	\$67,278	3.2%	13.3%
Management Analyst	\$85,260	\$70,993	10.7%	12.8%

Market Research Analyst	\$63,790	\$56,993	17.7%	20.9%
Operations Research Analyst	\$84,810	\$68,278	24.8%	13.9%

The recently completed Degree and Workforce Gap Analysis (Emsi) reported that Business and Finance programs, particularly at the undergraduate level, are areas of needed program expansion in order to meet workforce demand in occupations where wages are “well above the state’s living wage” (Emsi Executive Summary, p.2). The gap analysis identified these employment areas in the “high demand” sector of their analysis, with the Finance sector designated as a “low supply” sector, indicating that the state universities do not create enough graduates to fill the needs of employers in this particular area. Northern is well positioned with its program offerings, e.g., BS-Accounting, BS-Finance, BS-Banking and Financial Services, BS-Business Administration, and BS-Management to supply graduates to the State’s labor pool. Emsi data also shows a labor gap for master’s degree graduates in banking and financial support services. Again, Northern is well positioned to provide graduates to the South Dakota workforce through our growing MS-Accounting Analytics and MS-Banking and Financial Services programs. Modern and expanded facilities will enhance Northern’s ability to recruit, educate, and graduate students to fill these labor needs in South Dakota.

Additionally, the Emsi report indicated the need for program additions particularly in the areas of insurance, transportation, and sales. Additional data in the report indicates high demand and low supply of students in the area of hospitality. Northern is already well positioned to supply graduates to the state’s labor force in the areas of insurance and sales with our BS and MS programs in Accounting, BS-Finance, BS-Banking and Financial Services, and BS-Marketing programs. In response to an inquiry from the U.S. Navy Community College, the School of Business is investigating the viability of a wide range of programs in Logistics, from AS to MS degrees. The new facility would provide the classroom, office, and support space needed to accommodate the addition of new programs to meet the need of South Dakota’s employment and employer growth.

This new building will also provide space for Northern’s Office of Admissions, allowing them to relocate from the Avera Student Center. This move would return much needed space to student organizations in the Avera Student Center. Northern has over 40 recognized student organizations, but just a few are fortunate enough to have an assigned space. Students who are active in student organizations have the opportunity to develop leadership skills, share ideas with others, gain an understanding of other points of view and have a sense of belonging. Studies have shown that students who are more engaged tend to be more successful in college. Active student organizations play an important role in student engagement which supports student recruitment and retention.

Additionally, the students and faculty of the SDSU Accelerated Nursing program will benefit from the availability of larger leading edge academic spaces. According to a 2017 Health Resources and Services Administration analysis of nursing workforce, South Dakota is projected to be short 1900 registered nurses by 2030 (<https://bhw.hrsa.gov/sites/default/files/bureau-health-workforce/data-research/nchwa-hrsa-nursing-report.pdf>). SDSU seeks to close the gap on this workforce need by expanding existing programming available on Northern’s campus and by creating partner opportunities

with Northern. The current space utilized by SDSU College of Nursing creates challenges even for the existing cohort size and does not allow for expansion of programs or cohort size due to classroom seating implications. The more adaptable space will enhance programming and contribute to recruiting and retaining additional students to the program, which provides much-needed graduates for the benefit of the citizens of South Dakota.

Northern will strive to enhance partnerships with local and regional communities and government entities, as well as, regional businesses to bring meetings and training opportunities to campus. This increased interaction between faculty, students and off-campus partners has the potential to provide additional internship and employment opportunities for students and meet work force development needs through the region and the state.

As just one example, NSU is partnering with the Aberdeen Development Corporation (ADC) to develop a digital economy entrepreneurship incubator. This incubator space will serve the Aberdeen region in developing our digital economy ecosystem, supporting scalable entrepreneurship and tech-sector job creation. The project is in collaboration with the Center on Rural Innovation, which will provide training for the ADC/NSU team to develop a grant proposal for the Build to Scale (B2S) grant program of the U.S. Economic Development Administration within the U.S. Department of Commerce.

c. Additional Services Offered

Looking to the future, Northern State University proposes a new two-story building that also includes flexible spaces to support and promote additional innovation and entrepreneurial business activities particularly for small and medium sized rural enterprises; and to serve as a space to host special events, advisory boards and lectures, taking particular advantage of the highest speed broadband access available at Northern. The School of Business Charter includes the Center of Excellence in International Business and Entrepreneurship (CEIBE). With a renewed focus on the development of entrepreneurship with international application, part of the facility should be designed to accommodate entrepreneurial and small business incubation, including office space for rent for entrepreneurs, a reception area for these businesses, support services (fax, copy and printing services), and 3D printing lab and workshop for design and modeling. These modern spaces will facilitate growth in entrepreneurial and international business education, as well as undergraduate and graduate programs in both Business and Education through the interaction of our students with the entrepreneurship community. The new facility, equipped with business incubation space will be a critical component in this endeavor. This facility will also serve as a hub to cultivate ongoing and improved relationships with regional, national, and international business and industry, including the offering of industry certifications, training and development opportunities, guest speakers, and education and business conferences, seminars and presentations.

Specific Uses of Facility:

- Classroom building for undergraduate and graduate courses, with classrooms of various types, including:
  - An auditorium/tiered classroom;



- A Human Capital/Organizational Behavior classroom/lab with four to five attached, small breakout rooms, and lockable storage;
- A technology classroom/lab able to support
  - Data racking/hardware for MIS education
  - E-sports education
  - FinTech education;
- A virtual reality classroom/lab for simulations, which are becoming more prevalent in business education, and already used in our marketing program;
- A financial trading classroom/lab to enhance the educational experiences of students in this identified, high employment need area in South Dakota;
- A formal, executive board room style room with use as:
  - a formal environment for student presentations to businesses working with our classes
  - a rentable, formal environment for small businesses to use for their own high-level meetings
- Regional academic and entrepreneurship events, such as:
  - Big Idea Competition (annual SBDC competition)
  - Math Counts (3M sponsored event)
  - Trusts and Banking seminars and conferences (co-sponsored with local and regional banks)
  - Hosting the “One Million Cups” weekly entrepreneurship meetings permanently on campus.
- International Business, Entrepreneurship, and Education Conferences and Events
- Regional and State Education conferences and meetings for administrative and teacher development, technology training, and curricular development.

Potential Spaces included in this facility:

- Classrooms
- Student study space
- Seminar/ Conference Rooms
- Faculty Offices
- An Online Content Lab for faculty to use to better prepare course content for online delivery, including:
  - Video recording and editing equipment
  - Dynamic microphones
  - Large monitors
  - Appropriate sound-proofing
- Conference/Lecture Hall Space
- Office space and a reception area for Northern’s Office of Admissions.
- Space for the SDSU Accelerated Nursing Program including:
  - Offices for faculty, the dean and the advisor
  - Classrooms
  - Simulation rooms
  - Student lockers
  - Laundry room

- Conference room
- Student study space

d. Compliance with the NSU Master Plan

The Campus Master Plan completed in 2017 included an addition to Lincoln Hall. After taking a closer look at the facility, it is not feasible to renovate space within the existing facility and also build an addition. The more effective way to provide space that is modern, accessible and conducive to learning, is to demolish Lincoln Hall and build a new facility that is purposely designed to meet the needs of students today and well into the future.

e. Analysis of Needs Assessment Based on The Facilities Utilization Report

In 2019, a campus space analysis was completed by a third party. The report indicated that Lincoln Hall was too small for the School of Business and needed to be upgraded, that the Student Center needed a central space for club suites and should be more student oriented with less space dedicated to administrative functions and that the SDSU Accelerated Nursing program needed additional space.

Lincoln Hall has abysmal instructional spaces, each one obstructed by four central structural support columns that interrupt the visual interaction in the classroom.

Northern's Office of Admissions is occupying space in the Avera Student Center that should be used by student organizations and success initiatives.

The SDSU Nursing lab space is inadequate and the limited classroom size does not allow program growth. Expansion of space for this program will facilitate growth of the nursing program in an effort to help meet the demand for nurses. The program currently occupies two classrooms in MeWaldt-Jensen Hall and the rooms are at capacity with current enrollment levels. Renovations are in progress for the Student Success Center that will be housed in MeWaldt-Jensen. The rooms occupied by the nursing program are needed in order to provide space for all of the services that could be better served in the Student Success Center.

The number of available classrooms on Northern's campus has been reduced over the past two years. Spaces have been repurposed to better meet the needs of various programs. The E-Learning Master teachers have moved from small offices on the first floor of MeWaldt-Jensen into six former classrooms on third floor. The Master Teachers needed larger areas in which to work since their offices also serve as their teaching studios. Two classrooms in the Barnett Center have been repurposed to meet the needs of the athletic department. A sliding divider separated one large room into two classrooms, however, it was disruptive to hold two classes at the same time because of noise spilling over from one side of the room to the next through the divider. The space was not well-suited as classroom space so the rooms have been repurposed and the classes have been reassigned to spaces that are much more conducive to learning. One classroom in the Johnson Fine Arts Center is being repurposed to provide a student art gallery while a classroom in Spafford Hall is being reassigned to students enrolled in print making and other art courses to provide work space. There are currently some small and highly coveted work spaces for art students in the old



Spafford Hall gym. Repurposing a classroom in Spafford Hall will provide students with additional space to use while working on their class projects outside of their normal class period. Each of these changes improves the educational experience for faculty and students.

f. Location

The exact location of this new facility will be determined during the facility design phase. However, the building will be constructed in the space currently occupied by Lincoln Hall or adjacent to the existing building. (*see attached campus map*)

g. Reallocation and demolition of Old Space

The existing Lincoln Hall building as well as Briscoe Hall will both be demolished. Briscoe Hall is an older residence hall in need of substantial upgrades. The demolition of Briscoe Hall will reduce the auxiliary M&R budget requirement. Briscoe Hall is a debt free facility. The occupancy rate was 63% in the fall of 2019 and 37% in the fall of 2020. The hall is not being used during the current academic year.

Northern's Admission's Office will relocate to the new Lincoln Hall returning student space in the Avera Student Center to the students for use by their organizations.

SDSU's Nursing Program will move from Mewaldt-Jensen to Lincoln Hall. Space in Mewaldt-Jensen Building, formerly occupied by the SDSU Nursing Program, will be repurposed into the Student Success Center, a separate project under way on the NSU campus at this time.

Overall, the components of this building projects will enhance space utilization on the NSU campus.

h. Proposed Funding Source

This project is included on the FY23 Board of Regents General Fund Budget Request approved during the August 2021 Board of Regents meeting.

i. Budget for Development of a Facility Program Plan

Consultant Services are not required for the development of the Facility Program Plan. The necessary steps have been completed through the efforts of the Office of the State Engineer, the NSU President, Provost, Dean of the College of Professional Studies, Vice President for Finance and Administration and SDSU Accelerated Nursing Administrators. The cost for services provided by the Office of the State Engineer will be paid for with local funds.

## **Facility Program Plan**

### **Academic Building to Replace Lincoln Hall**

**Northern State University requests approval of this Facility Program Plan. The Preliminary Facility Statement and Facility Program Plan are being submitted together for approval. Northern requests this project be submitted for approval by the 2022 South Dakota**

## Legislature.

### A. PROGRAMMATIC JUSTIFICATION FOR DISCRETE SPACES:

A two-story building will be constructed on the northwest corner of campus where the existing Lincoln Hall building stands. The building will provide modern-day classrooms, offices, conference rooms and student study spaces. The building will include space for the School of Business, the Admissions Office, the Office of International Programs, Development and Alumni and SDSU Accelerated Nursing. Incubator space will also be included to engage community partners.

### B. GROSS SQUARE FOOTAGE

Northern anticipates the need for 48,000 to 50,000 square feet of space. Current space allocations are as follows:

	<u><b>Total sq ft</b></u>
School of Business	
Classrooms	5,600
Offices	4,550
Conference/Work Rooms	1,381
Incubator Space	1,500
Student Study Space	1,020
International Programs Offices	1,850
Admissions	2,417
Development & Alumni	2,000
	<u>20,318</u>
Accelerated Nursing	
Classrooms/labs	7,116
Offices	2,157
Conference/Work Rooms	745
Student Study Space	500
	<u>10,518</u>
Corridors, Restrooms, Mechanical	<u>17,000</u>
<b>Total Estimated Square Feet</b>	<u><b>47,836</b></u>

### C. SITE ANALYSIS

The new building will be constructed in the same location as the current Lincoln Hall. (*building 3 on the attached campus map*) The exact location will be determined during the facility design phase.

The mechanical system serving Lincoln Hall also serves Graham Hall. As the facility design plan is developed, options to relocate and reuse this equipment to continue serving Graham Hall will be determined. It may also be possible to also continue using this equipment to service the new facility.

There are two properties across the street to the north that could be purchased from Northern's auxiliary system. These properties were acquired with the intent to one day build a parking lot that could be used by the residents of Briscoe Hall. With demolition of Briscoe Hall, there is no need for these properties to be part of the auxiliary system. The long-term benefit of this parking space lies with the academic mission of the university and specifically with the occupants of the new facility.

#### D. DESCRIPTION OF KEY BUILDING FEATURES

The current vision is a new two-story building which is easily accessible and thoughtfully designed to complement the existing architectural design found on the campus quad. A welcoming entrance for visitors and prospective students will be included on the first floor. Classrooms will be designed as flexible spaces in order to accommodate a variety of instructional delivery methods. The building will include a multi-use classroom/conference space to facilitate campus-community engagement. Incubator space will be designed to promote collaboration with Northern's faculty and students with shared spaces and access to materials.

The building will include offices for faculty and staff as well as student study areas and meeting rooms. Spaces designed specifically to meet the needs of the SDSU Accelerated Nursing program include sim rooms, a learning lab and space for lockers and laundry.

#### E. ILLUSTRATIVE FLOOR PLANS

See Attached

#### F. INITIAL COST ESTIMATES

<b>Preliminary Cost Estimates:</b>	
Building (50,000 sq ft @ \$450/sq ft)	\$ 22,500,000
Demolition, asbestos abatement, site work	\$ 1,500,000
Architectural Services	\$ 1,700,000
OSE Services	\$ 100,000
GeoTechnical/Survey/Testing/Commissioning	\$ 200,000
Furniture, Fixtures, Computer Network	\$ 1,900,000
Owner Contingency	\$ 1,600,000
<b>Total Projected Costs</b>	<b>\$ 29,500,000</b>

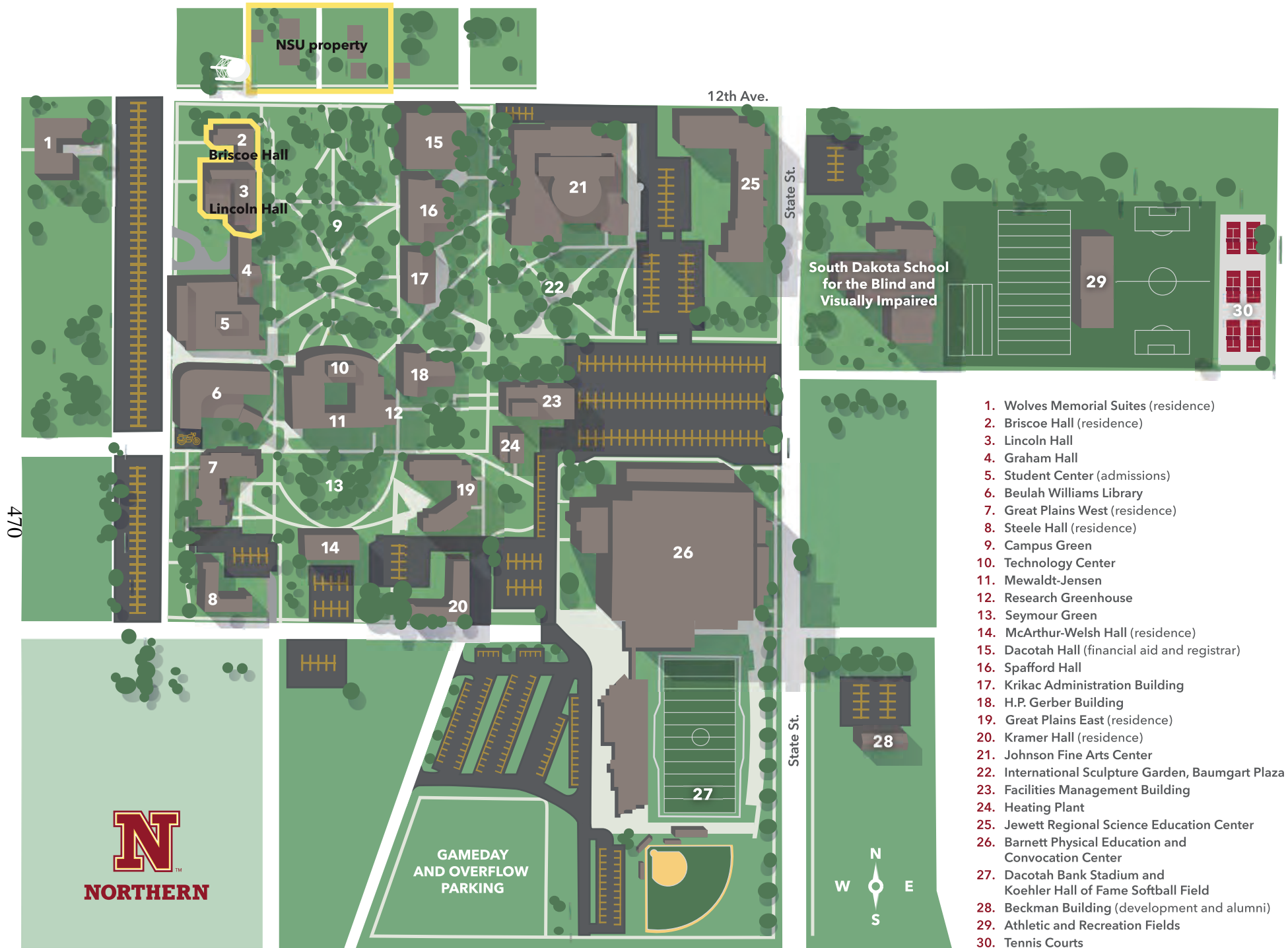
#### G. IMPACT TO M&R

The annual maintenance and repair costs would be funded from HEFF and general fund M&R allocations. The conceptual design includes just under 48,000 square feet. The existing Lincoln Hall facility includes 46,352 gross square feet.

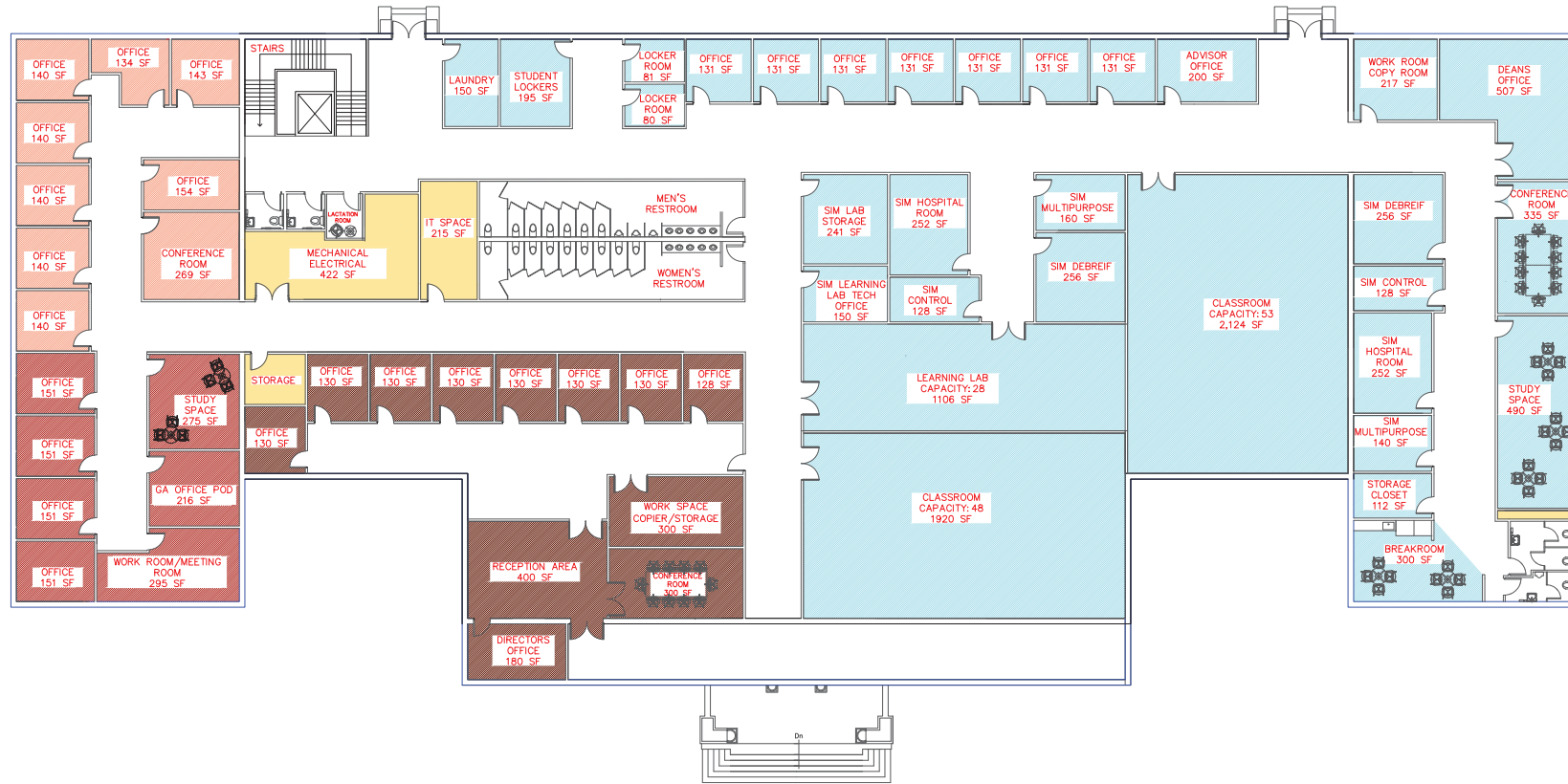
The M&R costs for the auxiliary system will be reduced due to the demolition of Briscoe Hall which includes 16,644 gross square feet.


#### H. BUDGET FOR ONGOING OPERATIONAL COSTS

The new building will be similar in size to the existing Lincoln Hall so custodial staffing and other operating costs will remain relatively constant.



# NORTHERN STATE UNIVERSITY





**BOA**  
BUREAU OF  
ADMINISTRATION

OFFICE OF THE STATE ENGINEER  
JOE FOSS BUILDING  
523 EAST CAPITOL AVENUE  
PIERRE, SOUTH DAKOTA 57501  
605.773.3466 / <http://boa.sd.gov/state-engineer>

DRAWN BY: SMW  
CHECKED BY: NA

PRELIMINARY  
NOT FOR  
CONSTRUCTION

CONCEPTS

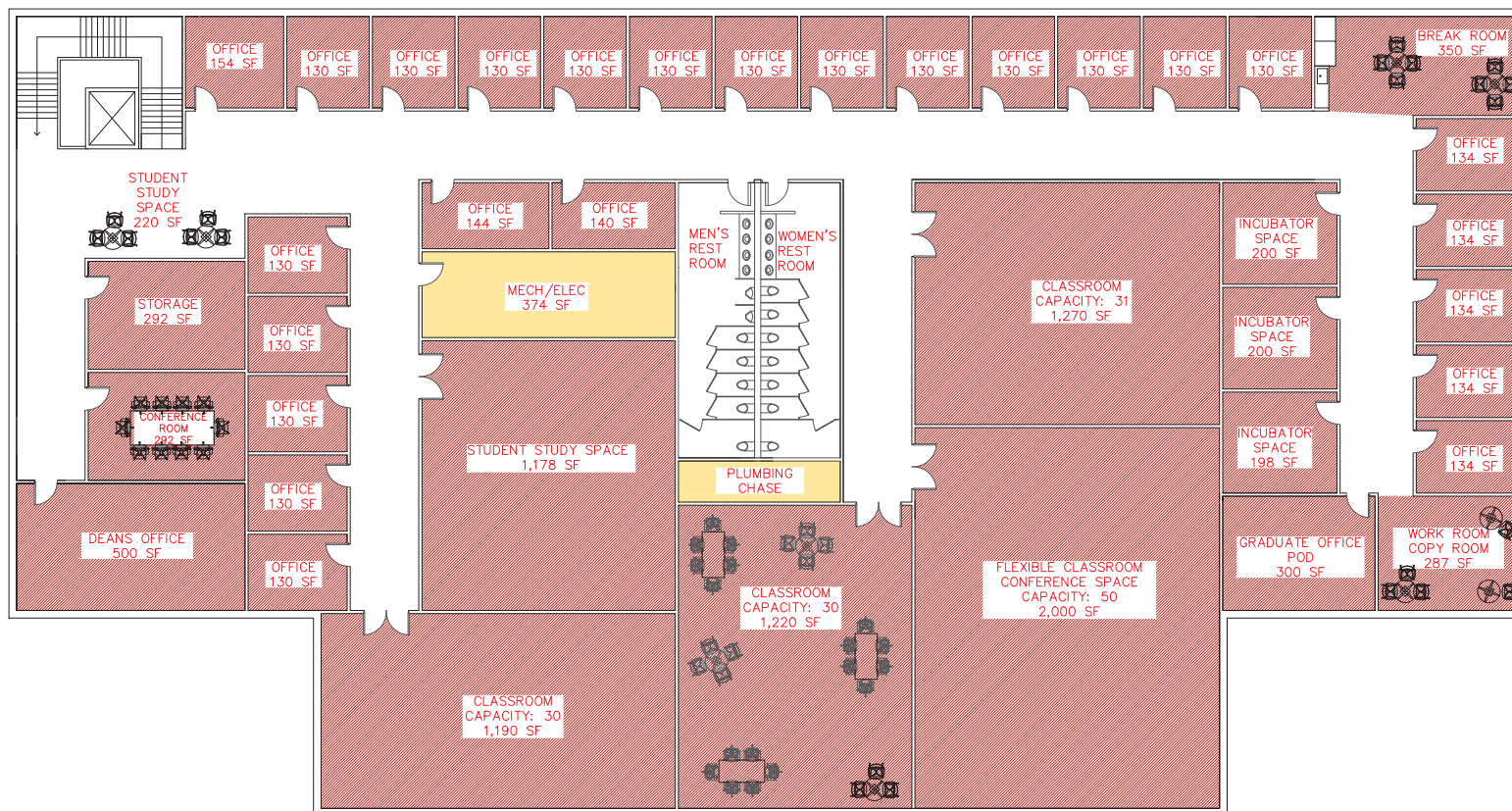
LINCOLN HALL REPLACEMENT EXAMPLE  
NORTHERN STATE UNIVERSITY  
ABERDEEN, SOUTH DAKOTA  
OSE# NA

Page Name






ATTACHMENT II 14

1ST FLOOR  
SHEET NUMBER





### LEGEND

- |   |   |
|---|---|
|  | SCHOOL OF BUSINESS & INTERNATIONAL PROGRAMS |
|  | ADMISSIONS                                  |
|  | DEVELOPMENT                                 |
|  | ACCELERATED NURSING                         |
|  | MECHANICAL / ELECTRICAL / IT                |

## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 9 – E**  
**DATE: October 6-7, 2021**

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#### **SUBJECT**

**SDSU Sanford Jackrabbit Athletic Center Wrestling Addition Facility Design Plan  
FDP (Revised)**

#### **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 Committee – Approval by Board or Commission in Charge of  
Institution

[BOR Policy 6:4](#) – Capital Improvements

#### **BACKGROUND / DISCUSSION**

South Dakota State University (SDSU) requests approval of this revised Facility Design Plan for design and construction of the wrestling practice addition to the Sanford Jackrabbit Athletic Center. This is the second phase of the multiple phase project to provide new practice facilities and to renovate the Stanley J. Marshall Center. The project was approved by the South Dakota Legislature at the 2021 session (SB 28). The Preliminary Facility Statement was approved at the May 2016 Board of Regents meeting. The Revised Facility Program Plan was approved at the December 2020 Board of Regents meeting. The Facility Design Plan was approved by the building committee on May 6, 2021, and the Board of Regents on May 11, 2021. The building committee awarded the project for construction on August 25, 2021.

#### **IMPACT AND RECOMMENDATIONS**

There have been no substantive changes to the design or construction of the facility from the Facility Program Plan or Facility Design Plan.

There have been changes to project costs. The estimated cost of the project was \$4,399,162 at the time the Facility Design Plan was approved. The increase in project costs is \$500,838. The distinct reason for the cost increase is recent inflation of metal materials costs, particularly structural steel. The updated project estimate is \$4,900,000. SDSU has

(Continued)

\*\*\*\*\*

#### **DRAFT MOTION 20211006\_9-E:**

I move to approve South Dakota State University's Revised Facility Design Plan with an increased budget of \$4,900,000 for design and construction of the Sanford Jackrabbit Athletic Center Wrestling Addition using private donations.



provided a commitment letter for \$4,900,000 for the project. The estimate includes a contingency allowance of slightly more than 3% of the construction costs.

### **TOTAL CONSTRUCTION & PROJECT COST ESTIMATES**

The spending authority approved within Senate Bill 28 was \$3,928,916 which matches the project budget from the Facility Program Plan. It included a provision for cost inflation to a limit of 25% over the spending authority. This would establish the maximum authority at \$4,911,145.

The current project cost estimate is \$4,900,000. A breakdown of the project cost estimate is as follows.

#### **Construction Costs**

New Addition Building Construction	\$ 3,909,700
Alternate #1 (link between SJAC & Addition)	\$ 212,300
Alternate #2 (East Roof Patio)	\$ 109,200
Value Engineering Items accepted (deducts)	(\$ 58,600)
Construction contingency	<u>\$ 133,688</u>
Subtotal – Construction Costs	\$ 4,306,268

#### **Non-construction Costs**

Design & Professional Fees	\$ 396,787
Project Management & OSE Costs	\$ 162,945
Furnishings, Equipment, Signage	<u>\$ 34,000</u>
Subtotal – non-construction Costs	\$ 593,732

<b>Total Estimated Project Costs</b>	<b>\$ 4,900,000</b>
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### **ATTACHMENTS**

Attachment I – Facility Design Plan (Revised)

**FACILITY DESIGN PLAN (REVISED)**  
**FOR**  
**SANFORD JACKRABBIT ATHLETIC COMPLEX**  
**KURTENBACH WRESTLING ADDITION**  
PHASE 2 of the STANLEY J MARSHALL CENTER ADDITIONS & RENOVATION  
SOUTH DAKOTA STATE UNIVERSITY  
DATE: September 2, 2021

SDSU requests approval of this revised Facility Design Plan for design and construction of the wrestling practice addition to the Sanford Jackrabbit Athletic Center. This is the second phase of the multiple phase project to provide new practice facilities and to renovate the Stanley J Marshall Center. The project was approved by the South Dakota Legislature at the 2021 session (SB 28). The Preliminary Facility Statement (PFS) was approved at the May 2016 Board of Regents meeting. The Revised Facility Program Plan (FPP) was approved at the December 2020 Board of Regents meeting. The Facility Design Plan (FDP) was approved by the building committee on May 6, 2021, and the Board of Regents on May 11, 2021. The building committee awarded the project for construction on August 25, 2021.

**a. ARCHITECTURAL, MECHANICAL, AND ELECTRICAL SCHEMATIC DESIGN**

Attached are floor plans of the addition that illustrate the scope of the project. Features and systems within the building are unchanged from the Facility Design Plan approved in May.

**b. CHANGES FROM THE FACILITY PROGRAM PLAN**

There have been no substantive changes to the design or construction of the facility from the Facility Program Plan or Facility Design Plan. The area of the building was slightly reduced in preparation of the floor plans for bidding.

There have been changes to project costs. The estimated cost of the project was \$4,399,162 at the time the Facility Design Plan was approved. This included a construction contingency allowance. Since no distinct changes had been made to the project scope, the designers did not feel that there would be any reason to alter the estimated cost of the project when the project was bid.

The project was bid on July 27<sup>th</sup>, 2021. Five bids were received. A tabulation of bids is attached. The low bidder was Clark Drew Construction at \$3,909,700. This was more than the project estimate, and we requested the consultants confer with the low bidder to determine the reason(s) behind the discrepancy and to explore value engineering options that could be considered to reduce the contract costs.

The distinct reason for the cost increase is recent inflation of metal materials costs, particularly structural steel. Steel materials, in all forms, have shown significant increases. Multiple contractors and bidders have corroborated this information and informed us that additional increases will be forthcoming. This situation was anticipated during the latter stages of the design of the project and estimates were modified prior to the Facility Design Plan to account for volatility. However, the effect of the cost increases have proven distinctly higher and largely unpredictable.

Clark Drew Construction provided a list of eleven cost reductions to consider. Through discussion with the design team, the State Engineers Office, and our project stakeholders, many of the items were acceptable and will have no impact on the use of the space, systems operations, or durability of construction. Accepting the cost reductions reduced the contract by \$58,600.

The five bid alternatives were also considered and two were selected as highly desirable. Alternate #1 will construct a link between the Wrestling Addition and Dykhouse Student Athlete Center. This would provide direct access between the new wrestling addition and the training and sports medicine spaces in the DSAC. It also provides access to the wrestling addition via elevator in the DSAC. Alternate #2 will create an outdoor rooftop patio. This will provide the athletic department a venue for hosting and recruiting events to student athletes interested in SDSU, a desirable program element.

The increase in project costs is \$500,838. The updated project estimate is \$4,900,000. SDSU has provided a commitment letter for \$4,900,000 for the project. The estimate includes a contingency allowance of slightly more than 3% of the construction costs.

SDSU requested the Building Committee approve the project and award the base bid, Alternate #1, and Alternate #2 to the low bidder, Clark Drew Construction. This

includes approval of the value engineering items. The building committee awarded the project for construction.

**c. IMPACT TO EXISTING BUILDING OR CAMPUS-WIDE HEATING/COOLING/ELECTRICAL SYSTEMS**

As stated in the original FDP, no campus utilities will require modification. The high voltage electrical feeder that will be under the building shall be encased in concrete to protect the conduit in the future. The sanitary sewer service line under the addition will not require replacement. The storm sewer piping serving both the SJAC and the stadium will require modification to serve these facilities and the new addition.

**d. TOTAL CONSTRUCTION & PROJECT COST ESTIMATES**

The spending authority approved within Senate Bill 28 was \$3,928,916 which matches the project budget from the Facility Program Plan. It did include a provision for cost inflation to a limit of 25% over the spending authority. This would establish the maximum authority at \$4,911,145.

The current project cost estimate is \$4,900,000. A breakdown of the project cost estimate is as follows.

**Construction Costs**

New Addition Building Construction	\$ 3,909,700
Alternate #1 (link between SJAC & Addition)	\$ 212,300
Alternate #2 (East Roof Patio)	\$ 109,200
Value Engineering Items accepted (deducts)	(\$ 58,600)
Construction contingency	<u>\$ 133,688</u>
Subtotal – Construction Costs	\$ 4,306,268

**Non-construction Costs**

Design & Professional Fees	\$ 396,787
Project Management & OSE Costs	\$ 162,945
Furnishings, Equipment, Signage	<u>\$ 34,000</u>
Subtotal – non-construction Costs	\$ 593,732

Total Estimated Project Costs	\$ 4,900,000
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**e. CHANGES FROM COST ESTIMATES FOR OPERATIONAL OR M&R EXPENSES**

Estimates for operational, maintenance, utilities, and M&R expenses remain unchanged from the estimates prepared for the Facility Program Plan and the Facility Design Plan.

End of Report  
September 2, 2021

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Budget and Finance**

**AGENDA ITEM: 9 – F**  
**DATE: October 6-7, 2021**

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### **SUBJECT**

**South Dakota State University Lincoln Hall Renovation 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 this Facility Design Plan and authorization for the project to proceed to public bidding for phase two renovations in Lincoln Hall.

The Preliminary Facility Statement was approved at the August 2017 BOR meeting. A building committee was appointed, and the design team of Koch Hazard Architects was selected on December 4, 2017. The Facility Program Plan was approved by the Board of Regents at its December 2020 meeting.

Project funding was approved by the 2020 South Dakota Legislature (SB43). The legislation authorized the South Dakota Building Authority to issue revenue bonds to provide for maintenance and repair on facilities controlled by the Board of Regents and provide an appropriation therefor.

### **IMPACT AND RECOMMENDATIONS**

SDSU is planning to continue upgrading Lincoln Hall for academic use. Phase one renovations were completed in August of 2020 and included exterior masonry and stone repairs, window replacements, lighting upgrades, and restroom renovations to improve accessibility. The proposed phase two renovations would address additional deferred maintenance items within the building, upgrade building systems, and create administrative

(Continued)

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### **DRAFT MOTION 20211006\_9-F:**

I move to approve SDSU's Facility Design Plan for renovation of Lincoln Hall at a cost not to exceed \$17,243,765 utilizing a combination of HEFF, grant, and donated funds.

offices, faculty offices, and service space on the main floor of the building. The work completed in phase two would prepare the building for the remaining programmatic changes required in phase three. Building service space would be created in the lower level to accommodate new air handlers, chilled water distribution equipment, and upgraded steam equipment. Three levels of the existing archives located in the core of the building would also be upgraded for the university archives in the base bid of phase two. As described in the facility program plan, SDSU would like to accomplish as much work in phase two as the available funding would allow.

Specific maintenance and repair items to be addressed in the renovation include asbestos abatement, elevator upgrades, brick and masonry repairs, window replacements, exterior door repairs, restroom renovations, HVAC upgrades, fire sprinkler installation, electrical upgrades, envelope upgrades, and refurbishment of interior finishes.

<b>PROJECT FUNDING SOURCES</b>	
Federal Grant & Donated Funds	\$4,250,000
HEFF (FY16, FY17, FY18, FY20)	\$2,993,765
Bonded HEFF (FY21)	\$10,000,000
<b>TOTAL</b>	<b>\$17,243,765</b>

### **Total Construction Cost Estimates**

#### **Total Probable Project Cost - Phase 01 Completed 2020**

Construction Cost	\$	2,035,000
Design/Professional Services	\$	305,000
Project Administration	\$	85,000
Furniture, Fixtures, & Equipment	\$	600,000
IT/Networking	\$	80,000
Miscellaneous	\$	66,500
Lead Abatement	\$	93,500
Asbestos Abatement	\$	4,000
<b>Project Cost</b>	<b>Sub-Total</b>	<b>\$ 3,269,000</b>

#### **Total Probable Project Cost - Phase 02**

Probable Construction Cost	\$	4,625,000
Design Contingency	\$	630,250
Owner Contingency	\$	504,000
Design/Professional Services	\$	431,792
Building Commissioning	\$	120,000
Geotechnical & Construction Testing	\$	62,000
Project Administration	\$	275,000
Furniture, Fixtures, & Equipment	\$	600,000
IT/Networking	\$	80,000

	Miscellaneous	\$	286,000
	Asbestos Abatement	\$	100,000
<b>Base Probable Project Cost</b>	<b>Sub-Total</b>	<b>\$</b>	<b>7,714,142</b>
<b>**Identified Add Alternates or Phase 03 Project</b>			
	Alternate 01: Main Floor Classrooms	\$	492,000
	Alternate 02: Faculty Offices	\$	3,584,000
	Alternate 03: Reading Room	\$	1,273,000
	Alternate 04: Lower-Level Build-Out	\$	452,000
<b>Alternates Probable Cost Phase Two</b>	<b>Sub-Total</b>	<b>\$</b>	<b>5,801,000</b>
<b>Probable Cost Phase Two w/ Alternates</b>	<b>Total</b>	<b>\$</b>	<b>13,515,142</b>
<b>Probable Project Cost (All Phases)</b>	<b>Total</b>	<b>\$</b>	<b>16,784,142</b>
<b>**Fundraising for the project is ongoing. Add alternates would be awarded based on funding available for phase two construction work on the project at the time bids are received.</b>			
<b>Phase One (Complete) &amp; Phase Two Construction &amp; Design Funding Sources</b>			
FY17	Phase One - HEFF M&R Funds	\$	108,765
FY18	Phase One - HEFF M&R Funds	\$	100,000
FY19	Phase One - HEFF M&R Funds	\$	150,000
FY20	Phase One - HEFF M&R Funds	\$	1,861,460
FY21	Phase Two - HEFF M&R General Funds	\$	210,000
FY22	Phase Two - Bonded HEFF M&R Funds (Construction)	\$	10,000,000
	<b>Total Funding Available</b>	<b>\$</b>	<b>12,430,225</b>
<b>Phase Three Funding Sources</b>			



SDSU Lincoln Hall Renovations FDP

October 6-7, 2021

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FY22 to			
FY26	Phase Three - Private Donations	\$	4,500,000
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<b>Total Funding Available</b>		<b>\$</b>	<b>16,930,225</b>
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**ATTACHMENTS**

Attachment I – SDSU Facility Design Plan for Lincoln Hall Renovations – Phase Two

# FACILITY DESIGN PLAN FOR LINCOLN HALL RENOVATIONS – PHASE TWO SOUTH DAKOTA STATE UNIVERSITY

DATE: September 2021

**SDSU requests approval of this Facility Design Plan and authorization for the project to proceed to public bidding for phase two renovations in Lincoln Hall.**

**The Facility Program Plan was approved by the Board of Regents at the October 2020 meeting. The Preliminary Facility Statement was approved at the August 2017 BOR meeting. A building committee was appointed, and the design team of Koch Hazard Architects was selected on December 4<sup>th</sup>, 2017.**

## **1.A. ARCHITECTURAL, MECHANICAL AND ELECTRICAL SCHEMATIC DESIGN**

The spaces are consistent with the program requirements and facility described in the Facility Program Plan. The following drawings are attached that illustrate the design:

Drawing Title	Page No.
Lower-Level Plan	9
First Floor Plan	10
Second Floor Plan	11
Third Floor Plan	12
Architectural Renderings	13
Architectural Renderings	14
Architectural Renderings	15

### **Architectural and Structural Schematic:**

As stated in the Facility Program Plan, SDSU is planning to continue upgrading Lincoln Hall for academic use. Phase one renovations were completed in August of 2020. Phase one renovations included exterior masonry and stone repairs, window replacements, lighting upgrades, and restroom renovations to improve accessibility. The proposed phase two renovations would address additional deferred maintenance items within the building, upgrade building systems, and create administrative offices, faculty offices, and service space on the main floor of the building. The work completed in phase two would prepare the building for the remaining programmatic changes required in phase three. Building service space would be created in the lower level to accommodate new air handlers, chilled water distribution equipment, and upgraded steam equipment. Three levels of the existing archives located in the core of the building would also be upgraded for the university archives in the base bid of phase two.

As described in the facility program plan, the University would like to accomplish as much work in phase two as the available funding would allow. Add alternates identified on the second floor include additional classroom space, large multi-purpose room, faculty offices, large reading room, and building service space. The third-floor alternates would include faculty office space. The lower-level alternates would include classroom, seminar room, student study space, storage, and building service space. The project team has identified add alternates to accommodate budget flexibility and maintain a viable phase two project. The

work not awarded in the phase two construction contract would be completed in phase three renovations. Phase three work would address programmatic modifications to accommodate the School of American & Global Studies. The alternates are diagrammed in the floor plans included at the end of this report.

The program analysis performed by the University and Koch Hazard Architects identified space to accommodate the relocation and consolidation of the College of Arts, Humanities & Social Sciences administrative offices, the newly formed School of American & Global Studies, and the University Archives. Administrative offices for the College of Arts, Humanities & Social Sciences and School of American & Global Studies would be in the east wing of the main floor. Additional space on the first floor would be allocated to university classrooms, student support space, and shared office service space. The space function, use code and net square footages are detailed in the following table. The program is broken down into base bid and alternate portions of the project.

### Lincoln Hall Space Program

#### Base Bid Administrative Offices & Archives

Program Function	Space Use Code*	Net Square Footage (NSF)	Notes
Classroom	110	836	University and Department Scheduled Instruction (Classroom & Seminar)
Office	310	1,281	Department Head, Advising, Reception, Faculty Offices and Graduate Student Offices
Office Service	315	322	Waiting Area, File, Copy, and Break Room
Meeting Rooms	350	524	Conference Rooms, Workroom, and Collaboration.
Study Space	410	293	General Open Student Study Space (Not Restricted)
Storage	730	7,311	University Archives
Storage	780	311	General Building, Department, and Student Organization Storage.
Building Service	XXX	3,085	Restrooms, Custodial, Vending, IT, Electrical, & Mechanical
Circulation Space	WWW	3,314	General Building Circulation and Entrance Lobby
Sub-Total NSF		17,277	

#### Alternate 01 Main Floor Classrooms

Seminar Room	110	2,638	University and Department Scheduled Instruction (Classroom & Seminar)
Office Service	315	302	Waiting Area, File, Copy, and Break Room
Circulation Space	WWW	619	General Building Circulation and Entrance Lobby
Sub-Total NSF		3,559	

#### Alternate 02 Faculty Offices & Classrooms

Classroom	110	602	Digital Multi-Purpose
Office	310	3,312	Faculty Offices and Graduate Student Offices
Study Space	410	724	Study & Sound Booths
Storage	780	20	General Storage
Building Service	XXX	154	Restrooms, Custodial, Vending, IT, Electrical, & Mechanical
Circulation Space	WWW	3,669	General Building Circulation and Entrance Lobby
Sub-Total NSF		8,481	

#### Alternate 03 Reading Room

Classroom	110	700	University and Department Scheduled Instruction (Classroom & Seminar)
Meeting Rooms	350	460	Project Rooms
Study Space	410	4,265	Reading Room, General Student Study Space
Circulation Space	WWW	360	General Building Circulation and Entrance Lobby
Sub-Total NSF		5,785	

#### Alternate 04 Lower Level

Classroom	110	1,228	University and Department Scheduled Instruction (Classroom & Seminar)
Study Space	410	295	General Open Student Study Space (Not Restricted)
Building Service	XXX	145	Restrooms, Custodial, Vending, IT, Electrical, & Mechanical
Circulation Space	WWW	795	General Building Circulation and Entrance Lobby
Sub-Total NSF		2,463	

**TOTAL NSF** 37,565

\*Space use codes as defined by the National Center for Education Statistics Facilities Inventory and Classification Manual (FICM)

The modifications and renovations would keep most of the original 1927 structure consisting of cast-in-place concrete floor slabs, steel beams, and interior columns with exterior load bearing masonry walls set on concrete spread footings intact. The new spatial configuration would work around existing interior steel columns and substructure. There would be two structural modifications made to accommodate additional program space needs and maximize the use of existing space. The first modification would be the removal of portions of the independent archive stack structure to accommodate a new structural floor that matches the floor elevation of the first-floor building level. The modification would create additional accessible program space in the building. Second, two pavilions would be constructed in the reading room to create seminar, study, and private work rooms. The existing structure would be augmented with new steel beams and columns to support the new spaces in the reading room. Additionally, vertical mechanical chases would be cut through the existing concrete slabs for new HVAC ductwork and hydronic piping.

#### Maintenance & Repair:

Phase one renovations completed in 2020 addressed maintenance and repair projects. The work included exterior masonry & stone repairs, window replacements, and ADA restroom renovations. The projects accomplished in phase one were planned for future maintenance & repair work to be accomplished in phase two of the project.

Phase two renovations would again focus primarily on deferred maintenance and system upgrades to the building. The projects include HVAC upgrades, connection to central chilled water, steam upgrades, plumbing repairs, accessibility alterations, additional building envelope improvements, energy efficiency upgrades, electrical upgrades, fire suppression, fire alarm, and life safety. The projects would be planned to setup future programmatic modifications to be accomplished in phase three renovations.

#### Asbestos Abatement:

All identified asbestos containing materials have been abated. Selective demolition has been performed to determine the extents of hazardous materials in the building and they have been abated. If additional hazardous materials are encountered during construction, a certified asbestos remediation contractor would be engaged to perform the abatement work.

#### Lead Paint Abatement:

All identified lead paint was abated in phase one renovations. If additional lead paint is encountered during construction, a certified lead remediation contractor would be engaged to perform the abatement work.

#### Mechanical Schematic:

The design of the building HVAC system would provide for the safe operation of the building as well as the health and comfort of the occupants. Code requirements would be the standard for the design of the HVAC systems. All spaces within the building would be upgraded to include ventilation air, heating, and cooling. An independent system capable of humidification would be provided to serve the university archive space. The HVAC system would be controlled and monitored by a direct digital control building automation system compatible with existing University automated controls.

The building is supplied with steam for heating from the Central Heating Plant. Existing steam piping and condensate returns would be replaced as part of the phase two renovations. The steam utility lines serving Lincoln Hall would be replaced as part of a the chilled water & steam campus utility project. A new chilled

water connection would be extended from the existing chilled water line located northwest of Morrill Hall. The new chilled water line would be sized to accommodate future connections to the Pugsley Center and Crothers Hall. The chilled water utility and steam utility lines would be planned and installed as a separate project. The final service connections to the building would be completed as part of the Lincoln Hall Renovation Phase Two project.

### Heating

Heating would continue to be provided to the facility through campus steam. The steam utility serving the building would be upgraded as part of the campus chilled water and steam utility project. The existing steam piping and pneumatic controls within the building would be removed and replaced with hot water and digital controls. The existing lower-level mechanical room would be renovated to include steam to hot water heat exchangers, hot water circulation pumps, condensate pumps, and accessories. Additional mechanical space would be created to accommodate the dedicated outside air system units (DOAS). The system would provide tempering of fresh air to the building, perimeter radiant heating, and terminal heating through a four-pipe system. The four-pipe system pumps heated or chilled water through a piping system that is integrated with the fresh air supply system. As the tempered and dehumidified outdoor air passes over the heated or cooled coils of the terminal unit it is conditioned further to meet the desires of the building occupants. Variable speed pumps would be utilized to distribute hot water to the fan coil heating units. The existing air handlers that were installed in 2005 would be maintained and continue to serve the reading and digital seminar rooms.

### Cooling

The building would be connected to a new chilled water utility service that would be installed as part of the campus chilled water and steam utility project. The service connection would be made as part of the Lincoln Hall Renovation Phase Two project. The chilled water would enter the building in the southwest corner and be integrated into the building side cooling system. Cooled air would be distributed through the facility with the existing air handler and three new constant volume dedicated outside air handling units. The air would be cooled with chilled water-cooling coils, energy recovery wheel, and mixing box. Fan coil units would be placed throughout the facility to provide heated and cooled air to building occupants. A thermostat would be installed to control the heated or chilled water supplied to the fan coil units. This would allow each unit to individually heat and cool the space being served. Fan coil units would serve no more than three individual offices or one shared/multi-occupant space.

### Ventilation

The building is partially mechanically ventilated. The existing ventilation system would be maintained, and controls upgraded. In addition, the project would provide ductwork and equipment to distribute fresh air to all portions of the facility. Fresh air would be provided with three constant volume dedicated air handling units. The units would include MERV 8 prefilters and MERV 13 filters. The increased supply of fresh air and improved air filtration would result in improved indoor air quality. The system would not eliminate all pathogens in the building but would significantly reduce the risk of occupant exposure.

### Dehumidification

An independent dehumidifier would be provided to serve the University archives. The unit would be sized to maintain consistent humidity levels within the archives.

Controls

The building automation systems shall be designed as a direct extension of the existing campus system. The system would contain all points and programming as required to allow for automated digital control and monitoring of the new heating, cooling, and ventilation system.

**Plumbing Schematic:**Water Service

There is a four-inch cast iron water service for the building. Currently there is no fire protection service in the building. A new six-inch fire protection service would be provided from the 8" domestic water main located at the southeast corner of the building. It is also the intent of this project to replace the existing domestic water connection due to the age of the cast iron piping.

Domestic Piping

Copper piping would be used throughout the building per SDSU design standards.

Waste Piping

The existing roof drain would remain in place and not be modified. Rain leaders would be rerouted as needed due to programmatic modifications. Horizontal pipe runs would be relined and repaired.

Above grade waste, vent and storm piping would be cast iron piping with no-hub couplings. Piping below grade would be PVC, per SDSU design standards. Existing cast iron vent piping that is no longer in use would be removed.

Plumbing Fixtures

Plumbing fixtures were replaced in phase one renovations to meet ADA and water conservation standards. Additional utility sinks and drinking fountains to be installed in phase two work would meet ADA requirements.

Gas Service

Gas service would only be required for miscellaneous loads. Primary heating and cooling would be provided by the Central Utility Plants.

Fire Protection Systems

A new fire protection service line would be brought to the building. A complete automated, wet fire protection system per NFPA 13 would be provided throughout the building. Piping would be schedule 10 and/or 40 steel. Attention would be paid to the historic character of the building and pipe runs would be located to minimize the impact on the building.

**Electrical Schematic:**

The existing electrical service was recently replaced and would remain. The secondary electrical within the building would be replaced to upgrade the system, accommodate changes to the floor plan, and better meet occupant needs.

Site Lighting

Site lighting would not be impacted by the project.

Power Distribution

Switchboards: Existing 208 Volt switchboard would remain and serve mechanical equipment loads. New panelboards would be installed as required for plug loads and lighting throughout the building.

Emergency Power

An emergency generator would not be required.

Grounding

All grounded buses from switchboards and panelboards would be connected at a central ground system in the electrical room.

Security System

Rough-in for card readers at the main entrances and entrance to the university archives would be provided. Panic buttons would be provided at the central administration offices and coordinated with the University Police Department.

Lighting Systems

LED lighting fixtures would be utilized where possible. Motion detectors would be used to provide automatic on-off switching of lights in offices, storage rooms, bathrooms, and other selected rooms. Daylighting would be used to supplement electrical lighting where appropriate.

Emergency Egress Lighting

Interior light would have a battery backup installed in the fixture for emergency egress lighting. Exit signs would be LED with battery backup.

Data & Communications

Hardwired data ports would be provided in all offices, conference rooms, and classrooms. Wireless system access points would also be provided on the first, second, third floors, and archives.

Fire Alarm System

The addressable fire alarm system, main fire alarm control panel, smoke and heat detectors would be upgraded in accordance with NFPA 101 & 72 standards.

Energy Conservation

The phase one window replacement project dramatically improved the envelope performance of Lincoln Hall. The original windows were single pane steel frame windows with no thermal break. The new windows are double pane low-e glazing with thermally broken frames and insulated casing. In phase two there would be several strategies implemented to further reduce energy consumption within the building. The strategies would include variable frequency drives (VFDs) on all mechanical equipment, LED light fixtures throughout the building, occupancy sensors, optimizing daylight, and insulating the building envelope.

**1.B. CHANGES FROM THE FACILITY PROGRAM PLAN**Program and Scope Changes

The Lincoln Hall Renovation has been planned as a multi-phase project. To accomplish as much work as possible in phase two work, the project team has identified additive alternates to be included in the phase two bid package. The University would like to award as much work in phase two as the available funding allows. The remaining portions of the project not awarded under the phase two contract would be accomplished in phase three renovations.



### 1.C. IMPACT TO EXISTING BUILDING & CAMPUS UTILITIES

#### Campus Utilities

No change is required to campus electrical, water, or sanitary sewer systems as part of this project.

#### Chilled Water Utility

A new chilled water line would be extended to the building. The line would be sized to include capacity for future building connections.

#### Domestic Water Utility

The domestic water connection serving the building would be upgraded to accommodate the new fire suppression system. The campus water main would not be impacted.

#### Network Service

A new fiber optic line would be run from Crothers Hall to Lincoln Hall through the campus tunnel system.

#### Steam Utility

The steam service and steam condensate return within the building would be replaced. The campus steam service would also be replaced under a separate campus infrastructure project. The campus steam utility serves Crothers Hall, Solberg Hall, and the Pugsley Center. The steam service capacity would not be impacted by the Lincoln Hall renovations.

#### Storm Sewer Utility

The existing storm water drainage pathways would be repaired to reduce the potential of water infiltration to the building from storm water runoff. The sump pumps within the building would be rerouted to the storm sewer from the sanitary sewer.

### 1.D. TOTAL CONSTRUCTION COST ESTIMATES

#### **Total Probable Project Cost – Phase 01 Completed 2020**

Construction Cost	\$ 2,035,000
Design/Professional Services	305,000
Project Administration	85,000
Furniture, Fixtures, & Equipment	600,000
IT/Networking	80,000
Miscellaneous	66,500
Lead Abatement	93,500
Asbestos Abatement	4,000
<b>Project Cost</b>	<b>Sub-Total: \$ 3,269,000</b>

#### **Total Probable Project Cost – Phase 02**

Probable Construction Cost	\$ 4,625,000
Design Contingency	630,250
Owner Contingency	504,000
Design/Professional Services	431,792
Building Commissioning	120,000
Geotechnical & Construction Testing	62,000
Project Administration	275,000
Furniture, Fixtures, & Equipment	600,000
IT/Networking	80,000



Miscellaneous	286,100
Asbestos Abatement	100,000
<b>Base Probable Project Cost</b>	<b>Sub-Total: \$ 7,714,142</b>
<b>**Identified Add Alternates or Phase 03 Project</b>	
Alternate 01: Main Floor Classrooms	\$ 492,000
Alternate 02: Faculty Offices	3,584,000
Alternate 03: Reading Room	1,273,000
Alternate 04: Lower-Level Build-Out	452,000
<b>Alternates Probable Cost Phase Two</b>	<b>Sub-Total: \$ 5,801,000</b>
<b>Probable Project Cost Phase Two w/ Alternates</b>	<b>Total: \$ 13,515,142</b>
<b>Probable Project Cost (All Phases)</b>	<b>Total: \$ 16,784,142</b>

\*\*Fundraising for the project is ongoing. Add alternates would be awarded based on funding available for phase two construction work the project at the time bids are received.

#### **Phase One (Complete) & Phase Two Construction & Design Funding Sources**

FY17	Phase One - HEFF M&R Funds	108,765
FY18	Phase One - HEFF M&R Funds	100,000
FY19	Phase One - HEFF M&R Funds	150,000
FY20	Phase One - HEFF M&R Funds	1,861,460
FY21	Phase Two - HEFF M&R General Funds	210,000
FY22	Phase Two - Bonded HEFF M&R Funds (Construction)	10,000,000
<b>Total Funding Available:</b>		<b>\$ 12,430,225</b>

#### **Phase Three Funding Sources**

FY22 to FY26	Phase Three - Private Donations	4,500,000
<b>Total Funding Available:</b>		<b>\$ 16,930,225</b>

### **1.E. CHANGES FROM COST ESTIMATES FOR OPERATIONAL OR M&R EXPENSES**

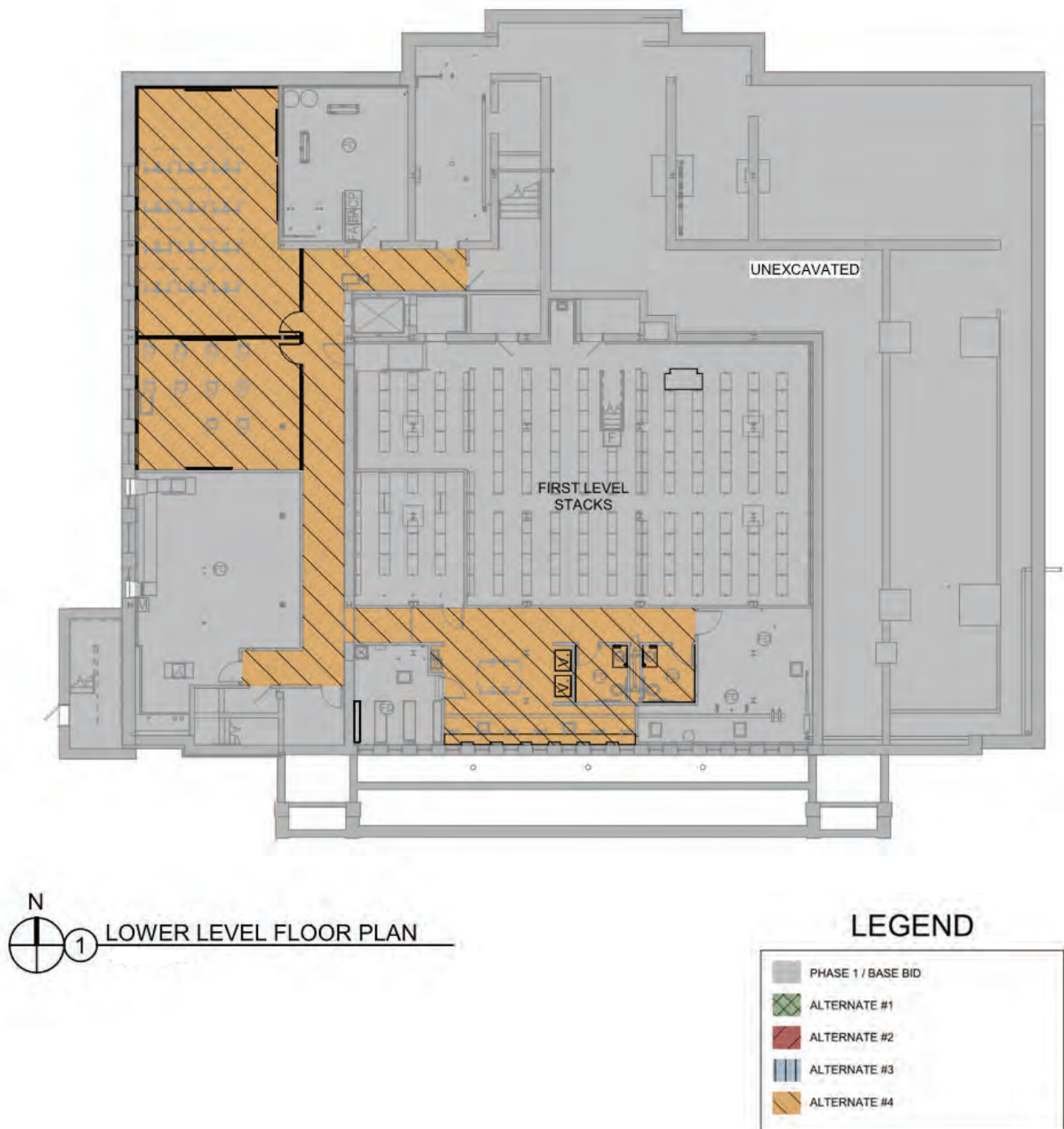
The M&R allocation would be \$270,000 annually. Maintenance and repairs for this academic facility would continue to be supported by HEFF.

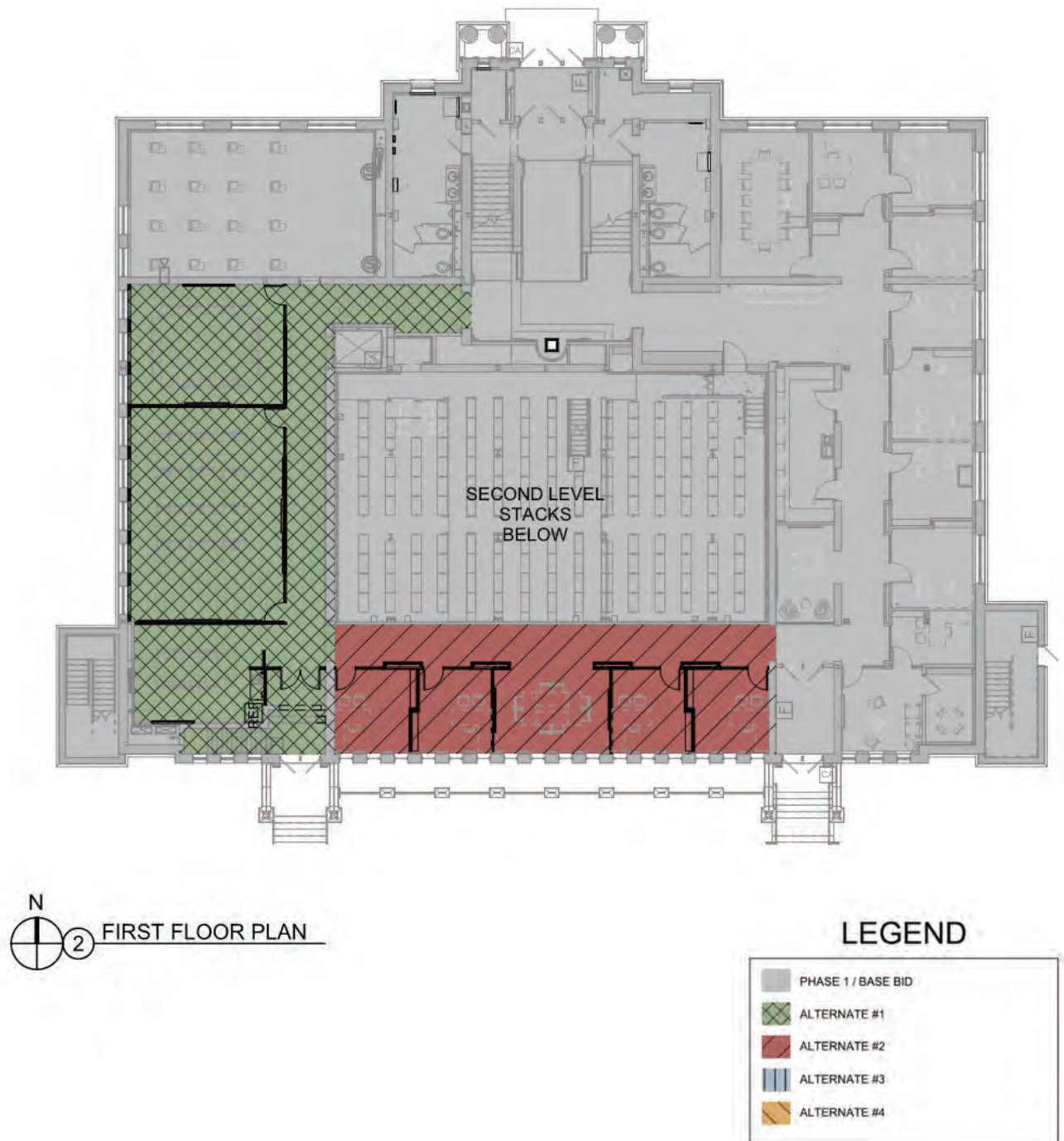
The university estimates routine maintenance expenses for Lincoln Hall to be 1.0% to 1.5% of the project costs or \$170,000 to \$255,000 annually. Maintenance funding needs for the building would increase from historic levels, due to increased monitoring related to energy management and additional mechanical equipment to be serviced within the building. In addition, the University estimates two custodial FTEs would be required to service the building when it is fully occupied.

Current utility expenses for Lincoln Hall are \$74,000 annually. Utility costs for the building would remain relatively unchanged. After renovations are complete additional square footage would be fully cooled and ventilated. The associated cost of operations for cooling and ventilating the building would be offset by improvements to the thermal performance of the building envelope. The envelope upgrades include thermally broken double pane low-e windows and upgraded wall insulation where feasible. There would also be efficiencies gained by connecting to the central chiller plant and upgrading the central steam utility.

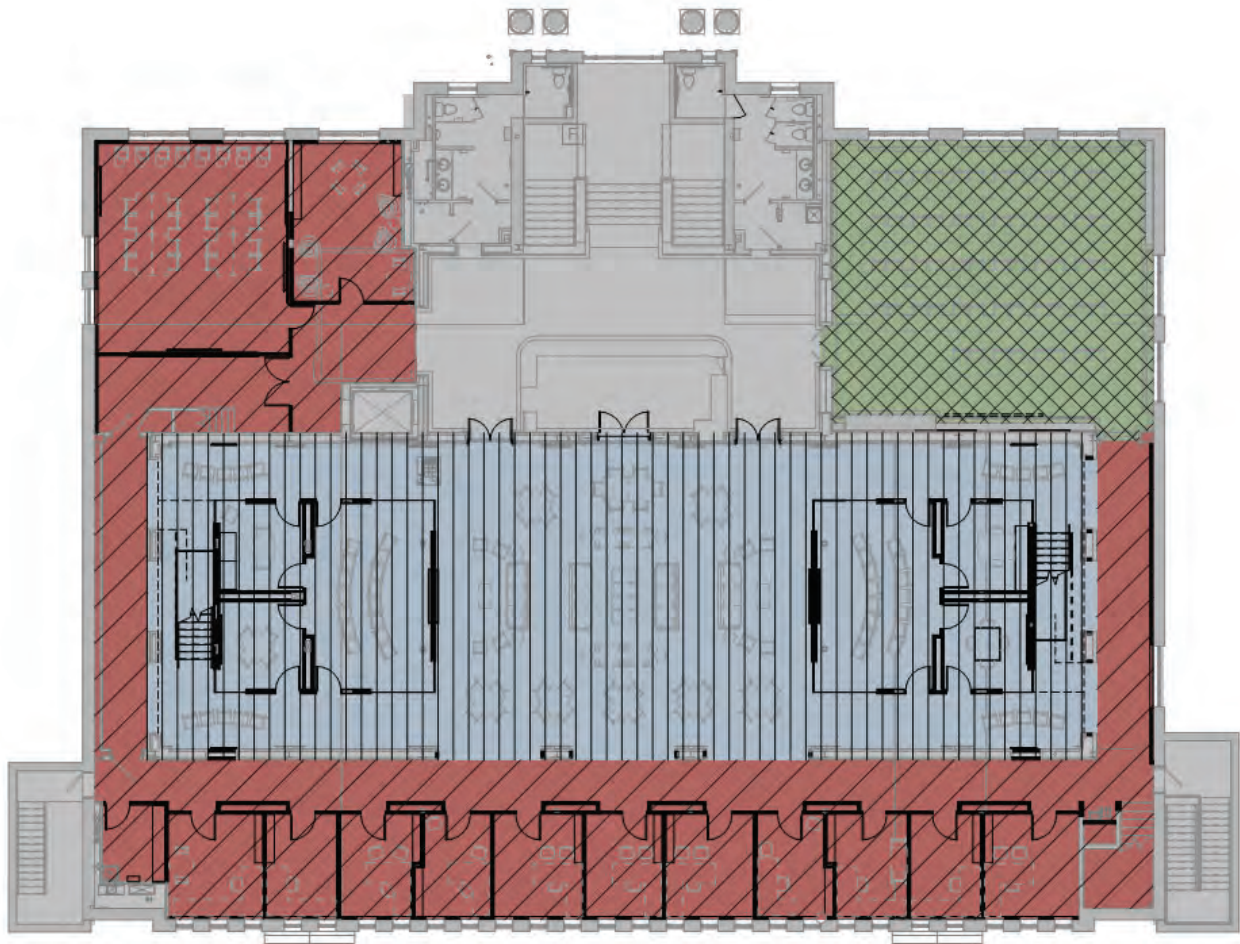
End of Report

Attachments: Floor Plans, Alternate Diagrams, & Three-Dimensional Renderings










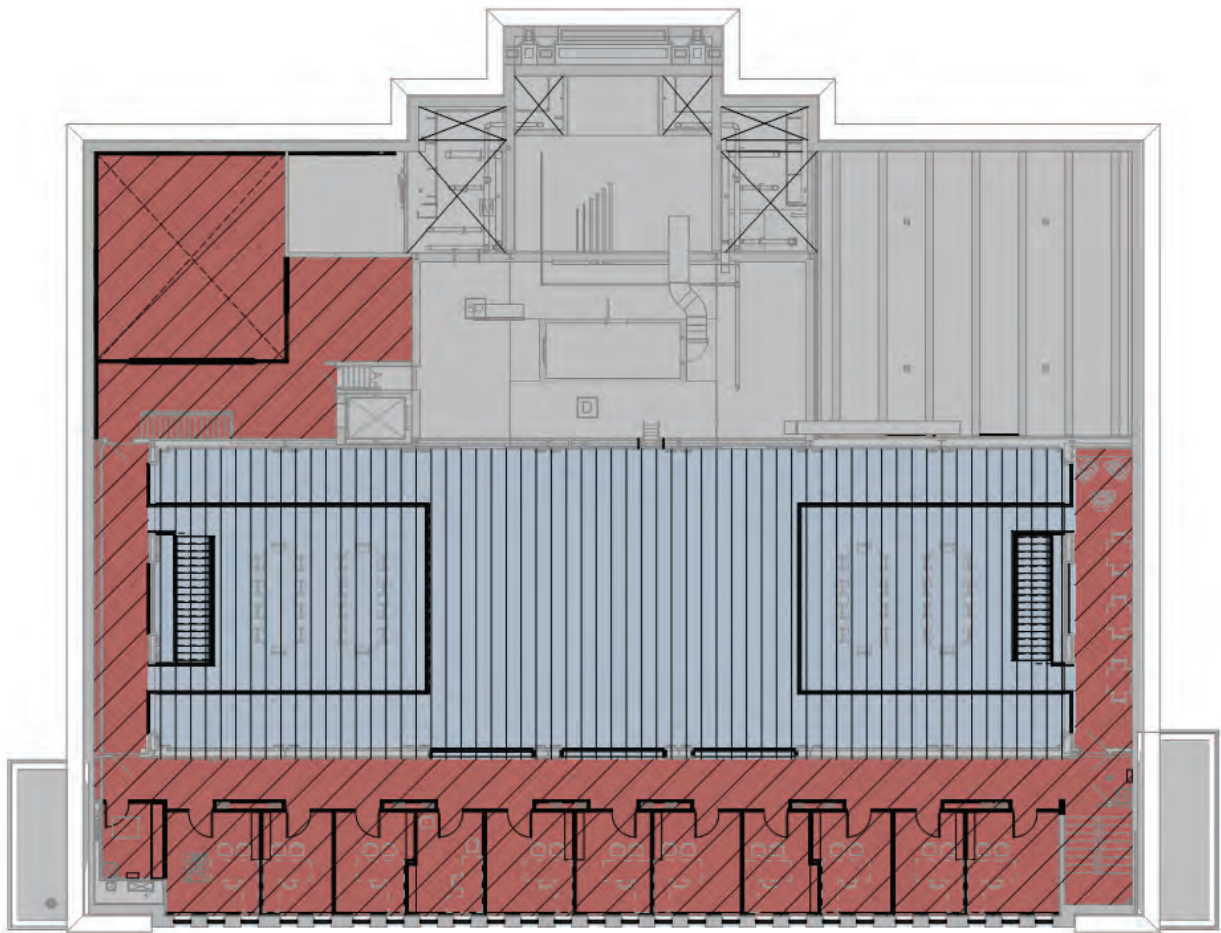




N  
3 SECOND FLOOR PLAN






## LEGEND

	PHASE 1 / BASE BID
	ALTERNATE #1
	ALTERNATE #2
	ALTERNATE #3
	ALTERNATE #4



N  
4 THIRD FLOOR PLAN

## LEGEND

	PHASE 1 / BASE BID
	ALTERNATE #1
	ALTERNATE #2
	ALTERNATE #3
	ALTERNATE #4



Rendering of the historic periodicals room, upgraded to serve as a digital/distance learning classroom.





Rendering of the fully renovated reading room, depicting state-of-the-art digital work spaces to enable research and project work.



Rendering of the fully renovated reading room,  
on top of one of two glass pavilions.



**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 9 – G**  
**DATE: October 6-7, 2021**

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**SUBJECT**

**University of South Dakota Wellness Center Expansion Facility Program 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**

The University of South Dakota (USD) requests approval of the Facility Program Plan for the expansion of the USD Wellness Center. This expansion is phase two of three of the original Wellness Center facility plan and would replace the existing swimming pool in the Dakota Dome. The Preliminary Facility Statement was approved at the June 2019 BOR meeting. The estimated cost of the expansion is \$25,000,000

**IMPACT AND RECOMMENDATIONS**

The expansion of the Wellness Center would add approximately 45,800 gross square feet to the south and west sides of the existing Wellness Center in Vermillion. The expansion would include a 50-meter competition pool, a second pool for wellness and recreation activities, hot tub, steam room, restrooms, locker rooms, and mechanical/HVAC systems for the new square footage.

This expansion will allow for additional time for pool use for students, faculty, staff, and the community. In addition, more efficient practice times for the men's and women's swimming, men's and women's diving and triathlon athletic teams would be possible with a larger swimming pool. The current pool in the Dakota Dome is 40 years old, needs considerable maintenance and repair, and is too small to accommodate all the needs of USD's students.

(Continued)

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**DRAFT MOTION 20211006\_9-G:**

I move to approve USD's Facility Program Plan for the Wellness Center Addition at an amount not to exceed \$25,000,000 utilizing a combination of private donations, and Auxiliary, Bond, and Local funds.

USD has identified several local fund sources to assist with the addition to the Wellness Center, including its Capital Commitments fund, Central Administrative Other, and the President's Strategic Initiative Funds. They will continue to seek donations to minimize needs for local funds and/or bonding.

Athletics will be assisting with the operations and maintenance of the addition since a portion of the facility expansion is in direct relation to its need for pool and practice space. In addition, a portion of the existing General Activity Fee (GAF) will be directed towards the operations and maintenance of the facility, but USD will not be requesting an increase in GAF greater than inflation for this purpose.

### **Initial Cost Estimates**

The initial cost estimate is \$25,000,000. The following presents the breakdown of the cost estimates.

Total Estimate of Probable Construction Costs	\$21,700,000
A/V & IT Allowance/BIT	\$250,000
FF & E Allowance	\$100,000
A & E Fees	\$1,800,000
LEED/Commissioning	\$125,000
Testing	\$65,000
OSE Fees / USD Fees	\$280,000
Owner's Contingency:	\$680,000
<b>PROJECT TOTAL</b>	<b>\$25,000,000</b>

### **Funding Sources**

Auxiliary Funds	\$5,000,000
Bond Funds	\$3,900,000
Private Funds	\$9,000,000
<u>Local Funds</u>	<u>\$7,100,000</u>
<b>TOTAL FUNDS</b>	<b>\$25,000,000</b>

### **ATTACHMENTS**

Attachment I – USD Wellness Center Expansion Facility Program Plan

## FACILITY PROGRAM PLAN

### Wellness Center Expansion

#### THE UNIVERSITY OF SOUTH DAKOTA

**a. Programmatic justification for discrete spaces:**

The University of South Dakota's Wellness Center is a 56,195 square foot facility completed in 2011. Today, it supports students, faculty, staff, and the community. It provides a place for exercise and fitness as well as indoor recreation.

The proposed project would add an estimated 45,800 gross square feet to the facility to house a new indoor 50-meter pool, a wellness pool, hot tub, steam room, expanded wellness locker rooms, athletic locker rooms, offices, meeting rooms, new restrooms, storage spaces, seating for 400 people, and new mechanical spaces.

This addition to the Wellness Center, phase two of a three phase expansion, would allow USD to meet Title IX requirements, provide a state-of-the-art facility for our students, faculty, staff, and community.

The existing pool is housed in the Dakota Dome. The mechanical systems for the current pool are old, require substantial on-going maintenance and need replacement. The existing facility is too small for our athletes to practice efficiently, doesn't provide adequate lighting or ventilation, has extremely limited availability for open swim for students that are not athletes and for Wellness Center members, and has limited locker facilities for patrons. A new indoor pool would provide adequate space for students, student athletes, faculty, staff, and the community to use in cohesion.

**b. Gross Square Footage:**

Total gross square footage for the Wellness Center Expansion is estimated to be 45,800 gross square feet and 1.29 acres.

**c. Site Analysis:**

The Wellness Center is an existing building that is located on the Northern side of the University of South Dakota campus, bordered by University Street on the West, Hwy 50 Bypass to the North, and Plum Street to the East.

**d. Description of Key Building Features:**

The Wellness Center Expansion will consist of precast walls with aluminum curtain walls, structural steel joist and roof deck, with a combination of metal and rubber roof systems. The interior will house an indoor 50-meter pool, a 30'x40' wellness pool, a hot tub, a steam room, new restrooms, meeting rooms, offices, storage space, spectator seating, and new mechanical/HVAC systems for the expansion.

**e. Illustrative floor plans:**

Conceptual floor plans, renderings, and an overall aerial picture of the building showing various functions and the relationship of the Wellness Center to existing campus are attached for your review. See exhibits.

**f. Initial Cost Estimates:**

The initial cost estimate is \$25,000,000. The following presents the breakdown of the cost estimates.

Total Estimate of Probable Construction Costs	\$21,700,000
A/V & IT Allowance/BIT	\$250,000
FF & E Allowance	\$100,000
A & E Fees	\$1,800,000
LEED/Commissioning	\$125,000
Testing	\$65,000
OSE Fees / USD Fees	\$280,000
Owner's Contingency:	\$680,000
<b>PROJECT TOTAL</b>	<b>\$25,000,000</b>

**g. Impact to M&R:**

The Wellness Center is classified as a revenue building. This expansion will allow for expanded offerings that are anticipated to increase revenues that will allow the Wellness Center to continue to fund its own Repair & Replacement Reserve (RRR) obligations.

**h. Budget for ongoing operational costs:**

The ongoing operational costs will be covered by the Wellness Center revenues.

**i. Proposed funding sources for costs of (i) construction (ii) ongoing operations and (iii) maintenance and repair:**

(i) Source of funding for the Wellness Center Expansion is outlined below:

- i. \$5,000,000 in Auxiliary Funds
- ii. \$3,900,000 in Bond Funds
- iii. \$9,000,000 in Private Funds
- iv. \$7,100,000 in Local Funds

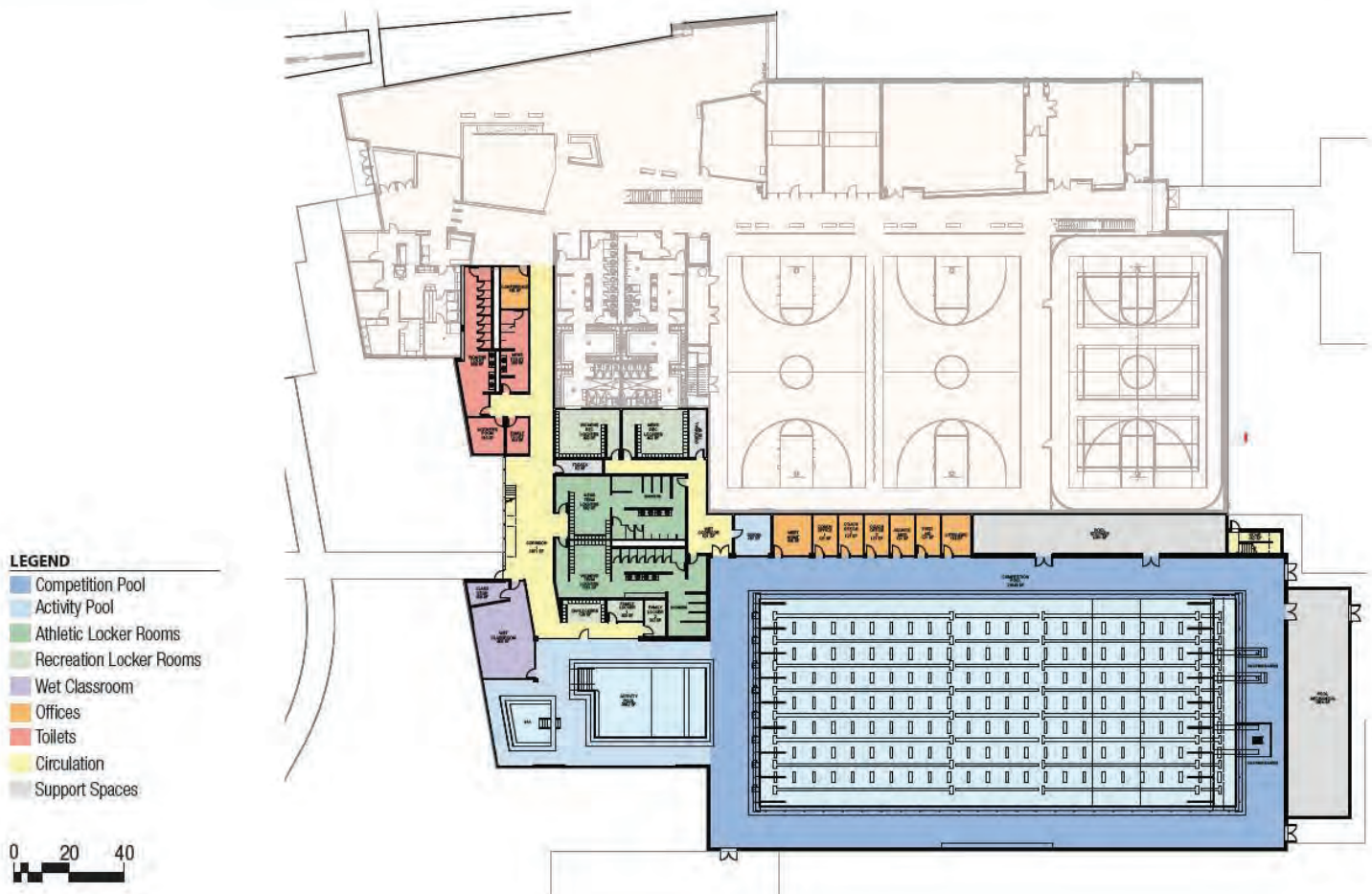
(ii) Operating costs will be covered with USD's Revenue System operating funds.

(iii) USD's RRR funds.

**AERIAL OF SITE:**



## level 01 floor plan

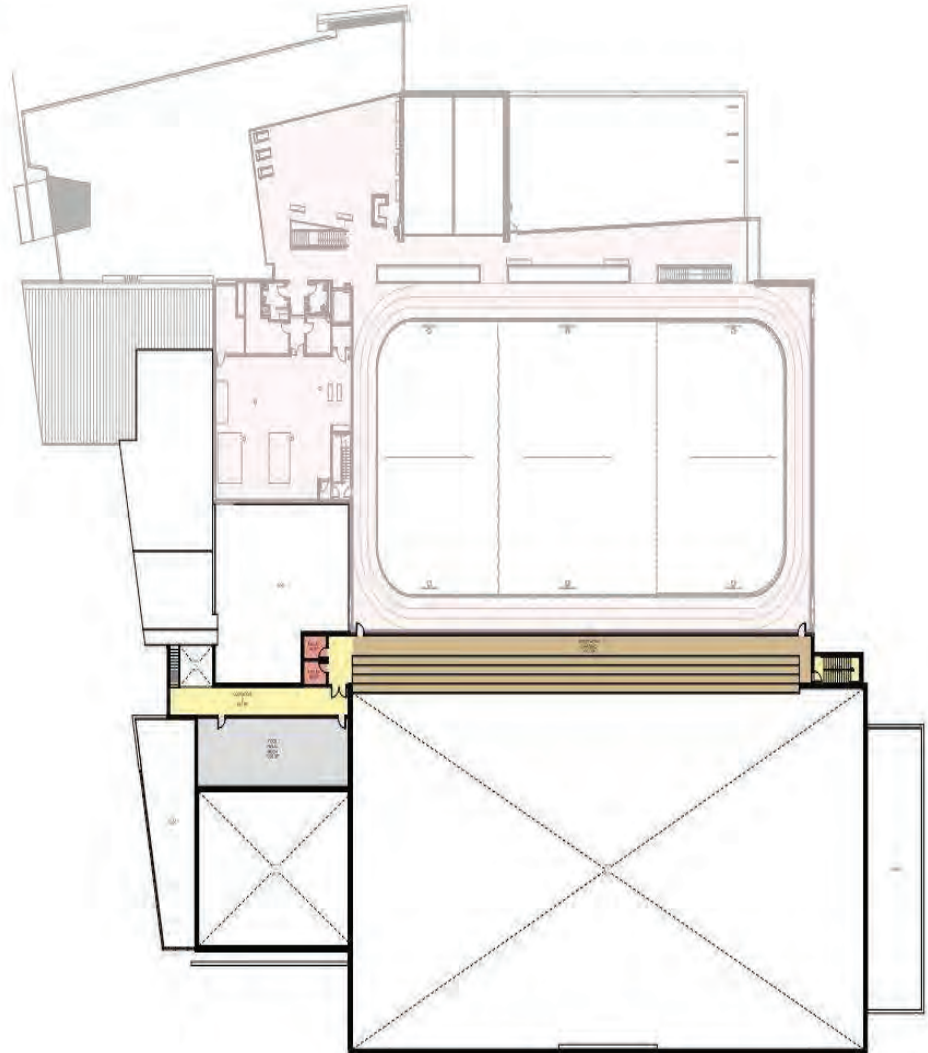


## level 02 floor plan



## LEGEND

- Competition Pool
- Activity Pool
- Athletic Locker Rooms
- Recreation Locker Rooms
- Wet Classroom
- Offices
- Toilets
- Circulation
- Support Spaces



University of South Dakota Wellness Center Expansion





aerial perspective



University of South Dakota Wellness Center Expansion





northwest street view perspective



University of South Dakota Wellness Center Expansion



southwest street view perspective



University of South Dakota Wellness Center Expansion



west street view perspective



University of South Dakota Wellness Center Expansion





## **SOUTH DAKOTA BOARD OF REGENTS**

### **Budget and Finance**

**AGENDA ITEM: 9 – H**  
**DATE: October 6-7, 2021**

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#### **SUBJECT**

**University of South Dakota Health Sciences Building Revised 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 University of South Dakota (USD) requests approval of its Revised Facility Design Plan (FDP) to construct a 45,000 gross square foot state-of-the-art Health Sciences Building that will support the anticipated growth and demand for healthcare workforce professionals in South Dakota. The Health Sciences Building Facility Program Plan was approved by the Board of Regents at its April 2020 meeting with an overall project cost of \$22,000,000. In October 2020, both the Building Committee and the Board of Regents approved the Facility Design Plan with an overall cost of \$22,000,000.

On December 7, 2020, the Building Committee met and approved the increased project total of \$22,870,905 and the Grand Total Funding increase to \$22,875,000 based on the breakdown below. This item is to request approval from the Board of Regents for the increase in total project cost as well as the increase in grand total funding available. Even though this is higher than the original \$22,000,000 estimate, USD is still within the 125% (maximum project cost of \$27.5 million) as approved in the 2020 SB40 legislation. The reason for the cost increase is due to higher than anticipated technology (AV/IT) and furniture, fixtures, and equipment (FF&E) costs. However, it is important to note that there is a contingency budget of \$1,105,953 between the Construction Manager and USD.

(Continued)

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#### **DRAFT MOTION 20211006\_9-H:**

I move to approve the University of South Dakota's updated Facility Design Plan for the new Health Sciences Building at a cost not to exceed \$22,875,000.

### **Total Construction Cost Estimates**

Total Estimate of Construction	\$16,984,085
A/V & IT Allowance	\$1,140,000
FF&E	\$2,284,000
A&E Fees	\$1,635,820
Preconstruction Fee	\$58,000
LEED	\$129,000
Testing	\$65,000
OSE Fees	\$75,000
USD Fees	\$150,000
Owner's Contingency	\$350,000
<b>Project Total</b>	<b>\$22,870,905</b>

The table below shows the original budget, by fund source, as discussed to-date throughout the process. To cover the \$870,905 total project increase, USD is seeking approval to use \$875,000 in additional local funds.

#### **Fund Sources:**

##### Original

HEFF Bond	\$7,500,000
M&R Bond	\$5,000,000
State Appropriations	\$5,000,000
Private Funds	\$4,500,000
<b>Total Original</b>	<b>\$22,000,000</b>

##### Additional

Local Funds	\$875,000
<b>Total Additional Funding</b>	<b>\$875,000</b>

<b>Grand Total Funding Available</b>	<b>\$22,875,000</b>
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### **ATTACHMENTS**

Attachment I – USD Health Sciences Building Facility Design Plan (FDP)

## Facility Design Plan

Health Sciences Building

THE UNIVERSITY OF SOUTH DAKOTA

### Introduction:

The Facility Program Plan for a three (3) story state-of-the-art 45,000 square-foot Health Sciences Building was approved at the April 2020 BOR meeting. The Facility Design Plan was approved in October 2020 by the Building Committee.

The building will be located on the Vermillion campus, on the corner of East Clark Street and North Dakota Street and will attach via a link to the existing Lee Medical building on levels 1 and 3.

The new Health Sciences building will support the necessary and anticipated growth in demand for a health care workforce and provide a contemporary facility that strengthens the opportunities for inter-professional, collaborative, hands-on experiences in simulation, classroom, and lab settings.

In addition to accommodating for growth within the health sciences programs, the new building will unite programs under one roof, thus creating operational efficiencies. The building will include technology-enhanced active learning classrooms, shared faculty and staff workplace, health science labs, simulation rooms, student collaboration and study spaces, and an active community dental hygiene clinic. The first floor will house the Dental Hygiene clinic as well as the labs and therapy rooms for various programs. The second and third floors will include study spaces, labs, classrooms, and offices. All three floors will have restrooms and the first floor will include a mother's room.

Primary constituents to be served by this facility are the students, faculty, and staff of eight (8) of the ten (10) Health Sciences majors (Addiction Counseling and Prevention, Dental Hygiene, Health Sciences, Masters of Public Health, Medical Laboratory, Nursing, Physician Assistant, and Social Work). The focus of this project is to provide a state-of-the-art contemporary building which will support the academic, research, and service missions of eight (8) of USD's fastest growing majors in health professional disciplines.

### Architectural, Mechanical, and Electrical Schematic Design:

The new Health Sciences building will be a three (3) story, 45,000 SF building that will be located directly west of the existing Lee Medical building and connected via a link. The design of the new building is to complement the existing Lee Medical building by use of similar building materials. The new building will be made of structural steel frame with architectural precast exterior that includes both brick and smooth finished surfaces.

The new building will incorporate high performance curtainwall glazing systems that puts learning on display and allows natural light within the building. The project will be striving to achieve LEED (Leadership in Energy and Environmental Design) Silver rating and therefore will be utilizing building materials that have low VOC (volatile organic compounds) materials and high performance mechanical and electrical systems.

The project will include a small parking lot to the south of the building for ADA parking as well as patient parking for the Dental Hygiene Clinic.

### **Mechanical Systems:**

The mechanical systems for this building will be completely stand-alone systems from the existing Lee Medical building and the campus-wide heating system. This will provide better heating and cooling capabilities within the new building and will save costs due to excessive infrastructure that would be required in order to get campus-wide heating system to the building. The mechanical systems will be designed to be efficient and meet LEED Silver rating requirements.

Utilities include a new 4-inch sanitary sewer service, new 3-inch domestic water service, new 6-inch fire main service, and new natural gas service and meters for water and natural gas. The mechanical equipment will be in a mix of locations throughout the building, which include outdoor space on south side (in service yard area) , first floor mechanical room, 2nd floor mechanical room, and the roof.

The systems will include an Open Well Geothermal system that utilizes the aquifer under Vermillion, SD as a heat sink for the building. This system will handle heat rejection or heat addition required within the building and would not require supplemental cooling or heating systems. Therefore, it will be efficient and save on overall energy costs. The system will utilize a heat recovery water cooled chiller, thermal ice storage system, two (2) dedicated outdoor air handling units (AHU's), single-duct variable air volume (VAV) system with hot water reheat, and perimeter radiant ceiling panels at glass curtainwalls. All mechanical equipment will be tied into the Universities existing building automation system for monitoring of equipment and addressing heating/cooling issues within the building remotely if needed.

Plumbing fixtures throughout the building will be high-efficiency, low water consumption fixtures. Natural gas-fired, high-efficiency domestic water heaters will be utilized for domestic hot water heating throughout the building. The sanitary and vent piping will utilize no-hub cast iron piping and water piping will utilize copper piping with proper insulation.

The fire suppression system will be served with a new 6-inch fire protection service main to the building. The building will be fully fire protected with a complete wet pipe fire sprinkler system that is designed and installed in accordance with the 2019 edition of NFPA 13, state, and local building codes. The system will utilize flush concealed heads in finished areas and non-concealed heads in non-finished spaces and will be zoned by floor. All flow and tamper switches will be connected to buildings fire alarm system.

### **Electrical Systems:**

The building will utilize a new 1,000 kVA transformer that will be tied into the existing main campus electrical distribution system and located in the service yard south of the building. One new 1600-amp 480Y/277V service switchboard will be provided to serve the new building and feed distribution panels throughout the building.

The building will utilize ground fault protection, copper busses, phase and balance loading of panels, dry-type transformers, and voltage surge suppression. All electrical wiring will be routed in conduit for distribution throughout the building, along with cable tray system for voice and data wiring.

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 entire 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.

Fire Alarm system for the new building will be an addressable system that includes new control panels and devices throughout. The new system will include manual pull stations, smoke detectors, visual devices, audible devices, connection to fire sprinkler flow/tamper switches, connection to fire/smoke dampers and will be connected to the Universities building automation system for notification to the University Police Department.

#### **Changes from the originally approved Facility Design Plan:**

The Health Sciences Building Facility Program Plan was approved by the Board of Regents at the April 2020 meeting with an overall project cost of \$22,000,000. In October 2020, both the Building Committee and the Board of Regents approved the Facility Design Plan with an overall cost of \$22,000,000.

On December 7, 2020 the Building Committee met and approved the additional project total of \$22,870,905 (based on breakdown below) and also the Grand Total Funding increase to \$22,875,000 based on the breakdown below. This item is to request approval from the Board of Regents for the increase in total project cost as well as the increase in grand total funding available. Even though this is higher than the original \$22,000,000 estimate, USD is still within the 125% (maximum project cost of \$27.5M) as approved in the SB40 legislation. The reason for the cost increase is due to higher than anticipated AV/IT and FF&E costs. However, it is important to note that we have a contingency budget of \$1,105,953 between the Construction Manager and USD.

#### **Impact to Existing Building or Campus Heating/Cooling/Electrical Systems:**

The Health Sciences building will not impact the existing Lee Medical building as it will be a stand-alone building with its own heating, cooling, and electrical service.

#### **Total Project Cost Estimate:**

The overall project cost estimate is \$22,870,905. The following table shows the breakdown of the estimate:

Construction Costs	\$16,984,085
A/V & IT	\$1,140,000
FF&E	\$2,284,000
A&E Fees	\$1,635,820
Pre-Construction Fee	\$58,000
LEED/Commissioning	\$129,000
Testing	\$65,000
OSE/USD Fees	\$225,000
Owner's Contingency	\$350,000
<b>Total Project Estimate</b>	<b>\$22,870,905</b>



The table below shows the original budget, by fund source, as discussed to date throughout the process. To cover the \$870,905 total project increase, we are seeking approval to use \$875,000 in additional local funds.

HEFF Bonds	\$7,500,000
M&R Bond	\$5,000,000
Private Funds	\$4,500,000
One-Time State Appropriation	\$5,000,000
Local Funds	\$875,000
<b>Total Funding</b>	<b>\$22,875,000</b>

**Changes from cost estimate for operational and M&R expenses:**

There are no changes from the Facility Program Plan. This is part of USD's plan to reduce total square footage. The plan has been previously approved by the BOR and Legislature (SB's 40, 41, and 42).

**Aerial and Site Plan:****Aerial of Site**



Aerial Looking South



Aerial Looking North



Exterior View - North



Exterior View - Northwest

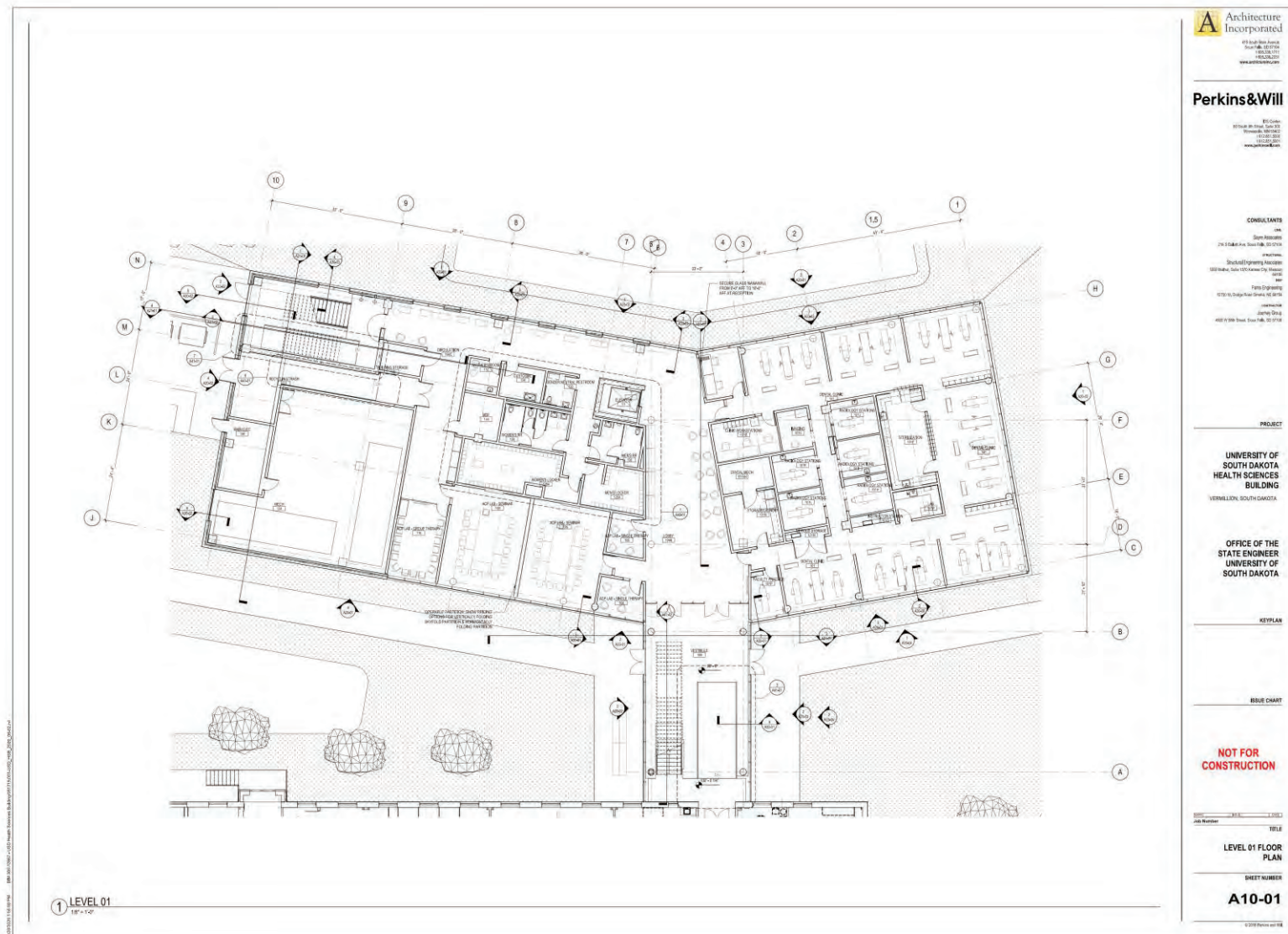




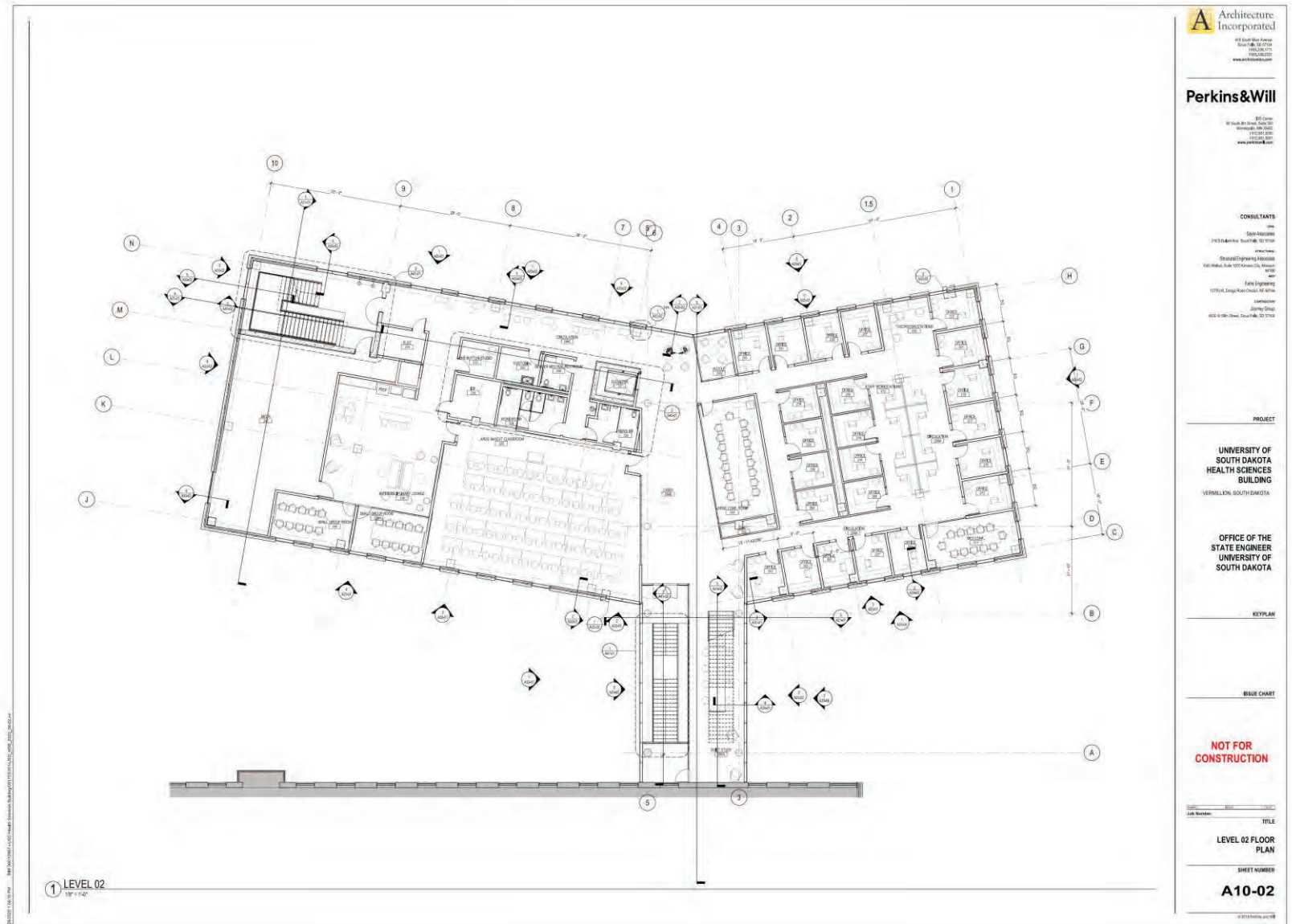


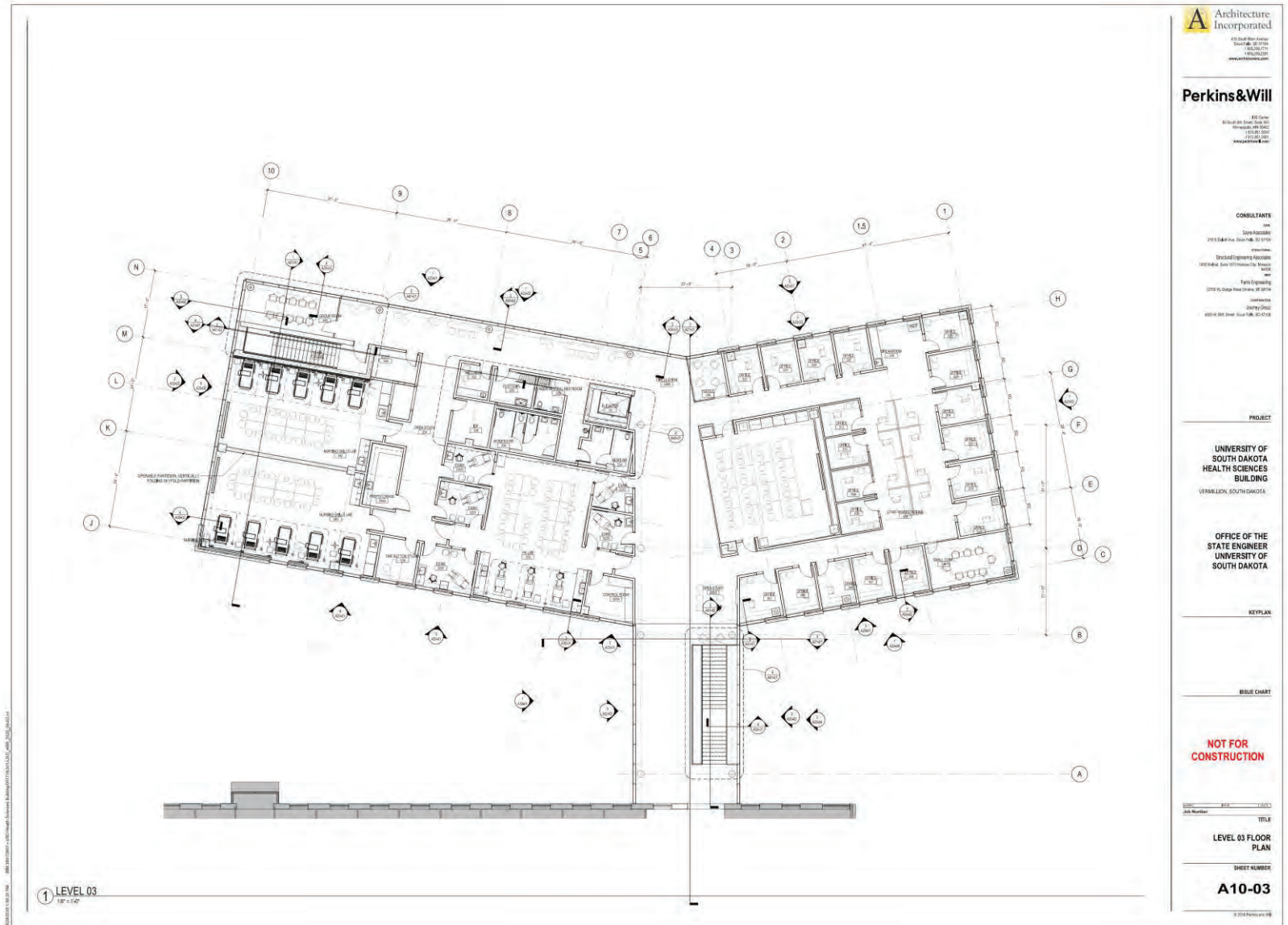
## Floor Plans:

## First Floor











**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 9 – J**

**DATE: October 6-7, 2021**

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**SUBJECT**

**Dakota Bioproducts Innovation Institute**

**CONTROLLING STATUTE, RULE, OR POLICY**

SDCL chapter [5-29](#) – Research Parks

SDCL chapter [47-22](#) – Nonprofit Corporations – Formation and General Powers

**BACKGROUND / DISCUSSION**

The 2012 Legislature enacted SDCL ch 5-29, which supplements its earlier actions by providing the Board with express, comprehensive authority to create research parks and to provide for their governance and operation. In particular, SDCL § 5-29-16 authorizes the Board to form nonprofit corporations under the chapter, “separate and apart from the state, to...develop, maintain, and operate...economic development initiatives that support the teaching, research, or service mission of the university system...” and SDCL § 5-29-17 stipulates that each such corporation formed by the Board pursuant to § 5-29-16 “be governed by, and all of the corporation's functions, powers, and duties shall be exercised by, a board appointed by the Board of Regents” and “have the Board of Regents as its sole member.”

South Dakota State University (SDSU) and South Dakota School of Mines & Technology (SDSMT) request that the Board authorize the formation of a nonprofit corporation (Dakota Bioproducts Innovation Institute) pursuant to its authority under SDCL chapter 5-29, and consistent with the Articles of Incorporation set forth in Attachment I, and the By-Laws set forth in Attachment II. The Dakota Bioproducts Innovation Institute will be organized and operated exclusively to engage in, advance, promote, and administer charitable, educational, and scientific activities and projects related to bioproducts and related

(Continued)

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**DRAFT MOTION 20211006\_9-J:**

I move to authorize the incorporation of the Dakota Bioproducts Innovation Institute by filing Articles of Incorporation in substantially similar form to those set forth in Attachment I, to adopt the by-laws for the corporation in substantially similar form to those set forth in Attachment II, and to authorize staff to take any actions necessary to effectuate the foregoing, which includes inserting the relevant information upon conclusion of related negotiations and approval of the Executive Director.

endeavors. This entity is intended to be the primary tenant of the Bioproducts Facility under construction at the Research Park at SDSU ([HB1210](#) during the 2021 Legislative Session). It will serve to connect core university activities with private sector resources and companies, to foster entrepreneurship and commercialization through a robust bioproducts and related endeavors research and development program, and to grow university research capacity, resources, and talent.

#### **IMPACT AND RECOMMENDATION**

The Dakota Bioproducts Innovation Institute will serve as the primary tenant in Bioproducts Facility being constructed at the Research Park at SDSU, serving as the conduit for the public/private partnership and research and economic development activities envisioned for the facility, with the Research Park at SDSU (Growth Partnership) being the owner/landlord of the facility.

#### **ATTACHMENTS**

Attachment I – Articles of Incorporation of the Dakota Bioproducts Innovation Institute

Attachment II – Dakota Bioproducts Innovation Institute Bylaws

**ARTICLES OF INCORPORATION OF DAKOTA BIOPRODUCTS  
INNOVATION INSTITUTE**

We, the undersigned, of full age, for the purpose of forming a corporation under and pursuant to SDCL chapter 5-29 and the provisions of the South Dakota Nonprofit Corporation Act, South Dakota Codified Laws, Chapters 47-22 to 47-28, inclusive, and the laws amendatory thereof and supplementary thereto, do hereby associate ourselves as a body corporate and adopt the following Articles of Incorporation.

**ARTICLE I**

The name of the corporation shall be Dakota BioProducts Innovation Institute.

**ARTICLE II**

The period of duration of corporation existence of this corporation shall be perpetual.

**ARTICLE III**

This corporation is formed exclusively for the purpose of developing, maintaining, and operating economic development initiatives that support the teaching, research, or service mission of South Dakota State University and South Dakota School of Mines and Technology by expanding opportunities for South Dakota faculty members, researchers, and students to participate in the application of research results and technological innovations in bioproducts and related endeavors commerce, government, or public service and in furtherance of the objectives stated and defined in SDCL chapter 5-29, and all acts incident to or necessary for the accomplishment of the aforesaid purposes and do any and all acts incidental to the transaction of the business of this corporation or expedient for the attainment of the purposes stated herein.

Within the framework of these purposes, this corporation is organized and shall be operated exclusively to engage in, advance, promote, and administer charitable, educational, and scientific activities and projects related to bioproducts and related endeavors in its own behalf or as the agent, trustee, or representative of others; to connect core university activities with private sector

resources and companies, to foster entrepreneurship and commercialization through a robust bioproducts and related endeavors incubation program, to grow university research capacity, resources and talent, to facilitate physical infrastructure necessary to support creation and attraction of research and innovation based businesses in bioproducts and related endeavors, and to aid, assist, and contribute to the support of corporations, associations, and institutions which are operated exclusively for such bioproducts and related endeavors purposes and which are described in Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of future tax code. For those purposes and not otherwise, this corporation shall have only such powers as are required by and are consistent with the foregoing purposes, including the power to acquire and receive funds and property of every kind and nature whatsoever, whether by purchase, conveyance, lease, gift, grant, bequest, legacy, devise, or otherwise, and to own, hold, expend, make gifts, grants, and contributions of, and to convey, transfer, and dispose of any funds and property and the income therefrom for the furtherance of the purposes of this corporation hereinabove set forth, of any of them, and to lease, mortgage, encumber, and use the same, and such powers which are consistent with the foregoing purposes and which are afforded to this corporation by the South Dakota Nonprofit Corporation Act, and by any future laws amendatory thereof and supplementary thereto. Provided, however, that all such powers of the corporation shall be exercised only so that this corporation's operations shall be exclusively within the contemplation of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of future tax code.

#### **ARTICLE IV**

No part of the net income or net earnings of this corporation shall inure to the benefit of any director, or individual, and no substantial part of its activities shall consist of carrying on propaganda or otherwise attempting to influence legislation. This corporation shall not participate in or intervene (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

All references in these Articles of Incorporation to Sections of the Internal Revenue Code include any provisions thereof adopted by future amendments thereto and any cognate provisions in future internal revenue codes to the extent such provisions are applicable to this corporation.

## ARTICLE V

The initial registered office of this corporation is c/o Vice President of Research and Economic Development's Office, South Dakota State University, Morrill Hall Box 2201, 1015 Campanile Avenue, Brookings, South Dakota, 57007. The name of this corporation's initial registered agent at such address is Vice President Daniel Scholl, who by his signature as an incorporator consents to serve as registered agent.

## ARTICLE VI

### The name and address of each incorporator is:

<u>Name</u>	<u>Post Office Address</u>
Daniel Scholl	Morrill Hall Box 2201 1015 Campanile Avenue Brookings, SD 57007
Ralph Davis	501 E. Saint Joseph St. Rapid City, SD 57701
David Chicoine	Box 452 Brookings, SD 57006

(TBD upon conclusion of related negotiations)

## ARTICLE VII

The Corporation has one Member, the South Dakota Board of Regents. Operation of this Corporation shall be governed by its Board of Directors. The number of directors constituting the initial Board is (5 or 6, TBD upon conclusion of related negotiations). The names and addresses of the persons who are to serve as such directors until the first annual meeting of the Member or until their successors are appointed and shall qualify, are:

<u>Name</u>	<u>Post Office Address</u>
-------------	----------------------------

Daniel Scholl	Morrill Hall Box 2201 1015 Campanile Avenue Brookings, SD 57007
Ralph Davis	501 E. Saint Joseph St. Rapid City, SD 57701
David Chicoine	Box 452 Brookings, SD 57006
Barry Dunn	Morrill Hall Box 2201 1015 Campanile Avenue Brookings, SD 57007
James Rankin	501 E. Saint Joseph St. Rapid City, SD 57701

(TBD upon conclusion of related negotiations)

#### **ARTICLE VIII**

The By-Laws of the corporation shall hereafter determine the number of directors of the corporation, subject to the approval of the Member. The Directors shall be appointed at the annual meeting by the Member. Directors of this corporation shall not be personally liable for the payment of any debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of the directors be subject to the payment of the debts or obligations of this corporation to any extent whatsoever. Time and place of the meetings of the Board of Directors and such other regulations with respect to them as are not in consistent with the provisions of these Articles of Incorporation, shall be specified, from time to time, in the By-Laws of this corporation.

#### **ARTICLE IX**

This corporation shall have no capital stock and there shall be one Member with voting rights of this corporation, the South Dakota Board of Regents.

**ARTICLE X**

These Articles of Incorporation may be amended from time to time in the manner prescribed by law, but no such amendment shall change the purpose of the corporation, the provisions of Article VII, Article VIII, Article IX or Article XI, hereof, without the consent of the Member.

**ARTICLE XI**

This corporation may be dissolved in accordance with the laws of the State of South Dakota. Upon dissolution of this corporation any surplus property remaining after the payment of its debts shall be disposed of by transfer to one or more of the institutions governed by the Member which qualify for exemption under section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of future tax code, at the time of transfer, to support South Dakota State University and/or South Dakota School of Mines and Technology educational and research activities, in such proportions as the Board of Directors of this corporation shall determine, subject to the approval of the Member and consent of the South Dakota Board of Regents.

Notwithstanding any provision herein to the contrary, nothing herein shall be construed to affect the disposition of property and assets held by this corporation upon trust or other condition, or subject to any executory or special limitation, and such property, upon dissolution of this corporation, shall be transferred in accordance with the trust, condition or limitation imposed with respect to it.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Daniel Scholl

\_\_\_\_\_  
Ralph Davis

\_\_\_\_\_  
David Chicoine

\_\_\_\_\_  
(TBD upon conclusion of related negotiations)

STATE OF SOUTH DAKOTA       )  
   : ss  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared Daniel Scholl, known to me or satisfactorily proven to be the person whose name is subscribed to the within 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 - State of South Dakota

My Commission Expires: \_\_\_\_\_

STATE OF SOUTH DAKOTA       )  
   : ss  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_ 2021, before me, the undersigned officer, personally appeared Ralph Davis, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[SEAL]

\_\_\_\_\_  
 Notary Public - State of South Dakota

My Commission Expires: \_\_\_\_\_

STATE OF SOUTH DAKOTA       )  
   : ss  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_ 2021, before me, the undersigned officer, personally appeared David Chicoine, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[SEAL]



Notary Public - State of South Dakota

My Commission Expires: \_\_\_\_\_

STATE OF SOUTH DAKOTA        )  
    : ss  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_ 2021, before me, the undersigned officer, personally appeared (TBD upon conclusion of related negotiations), known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Public - State of South Dakota

My Commission Expires: \_\_\_\_\_

**BYLAWS  
OF  
Dakota Bioproducts Innovation Institute, Inc.**

**ARTICLE I**

**Location**

The principal office of this corporation, at which the general business of this corporation shall be transacted and where the record of this corporation shall be kept, shall be at Vice President of Research and Economic Development's Office, South Dakota State University, Morrill Hall Box 2201, 1015 Campanile Avenue, Brookings, South Dakota, 57007.

**ARTICLE II**

**Purpose**

The purpose of the Corporation is to provide opportunities for South Dakota faculty members, researchers, and students to participate in the application of research results and technological innovations in bioproducts and related endeavors.

**ARTICLE III**

**Members and Annual Meeting**

As provided in the Articles of Incorporation, this corporation has one member with voting rights of this corporation, the South Dakota Board of Regents, which shall hold its annual meeting of the Member pursuant to SDCL 47-23-4 immediately following the first regularly scheduled meeting of the South Dakota Board of Regents in each calendar year, or at such other time and place as may be designated from time to time by the Member.

**ARTICLE IV**

**Directors**

The Board of Directors shall consist of five (5) to nine (9) voting members. The Vice Presidents for Research of South Dakota State University and South Dakota School of Mines shall be permanent ex officio, voting members of the Board Members, unless replaced with alternate institutional representatives by the President of the University, and approved by the Member. The Presidents of South Dakota State University and South Dakota School of Mines and Technology, and South Dakota State University Growth Partnership, Ltd. shall serve as a permanent ex officio, non-voting member of the Board of Directors. A representative designated by (TBD upon conclusion of related negotiations) will be a permanent voting member of the Board of Directors for a period of thirty (30) years the corporation assuming operation of the South Dakota BioProcessing facility authorized by 2021 HB 1210. The Member or the Board of Directors may also designate additional ex officio members without vote as needed. The initial Board of Directors shall be the initial three Directors set forth in the Articles of Incorporation and additional directors nominated by the President of South Dakota State University or South Dakota School of Mines and Technology and approved by the Member. These Directors shall serve a one-year term as the Board of Directors.

Thereafter, all non-permanent appointed Directors shall be approved by the Member at the annual meeting of the Member from a slate of nominees submitted by the current Board of Directors directly or through a nominating committee under Article VI, Section 1, which may be supplemented by the Member.

Each Director shall hold office until his or her successor has been selected and qualified at the next regular annual meeting of the Board of Directors following the expiration of his term, unless such Director sooner dies, resigns, or is removed from the Board of Directors. After the initial one-year term for all directors, as close to as possible equal proportions of Directors shall be appointed to a one (1) year term; a two (2) year term and a three (3) year term, so that there are staggered terms.

Thereafter, each Director shall serve a three (3) year term. The Member shall approve selections of the remaining Board Members to fill vacancies as they arise upon death, resignation, removal, or expiration of term, and Directors may be reappointed any number of times, and upon expiration of a term, shall serve until the vacancy is filled.

## **ARTICLE V**

### **Meetings of the Board of Directors**

Section 1. The annual meeting of the Board of Directors shall be held at such time in the month of April in each year as may be designated from time to time by the Board of Directors and at the place, within or without the State of South Dakota, designated from time to time by the Board of Directors.

Section 2. Other regular meetings of the Board of Directors may be established by the Board of Directors. Such meetings may be held without notice at the principal office of this corporation or at such other place or places as the Board of Directors from time to time designate.

Section 3. Special meetings of the Board of Directors may be called at any time by (a) the Chair of the Board of Directors, or (b) by the Board of Directors, or (c) upon the written request of three or more members of the Board of Directors. Any person or group of persons entitled to call a special meeting of the Board of Directors may make a written request to the Secretary to call the meeting, and the Secretary shall give notice of the meeting, setting forth the time, place and purpose thereof, to be held between five and thirty days after receiving the request.

Section 4. Written notice of each annual meeting of the Board of Directors stating the time and place thereof shall, unless sent electronically pursuant to Article IV, Section 7 below, be mailed, postage prepaid, not less than five nor more than thirty days before the meeting, excluding the day of the meeting, to each director at his or her address according to the last available records of this corporation. No business shall be transacted at any special meeting other than the business specified in such notice. Any director may make written waiver of notice before, at, or after a meeting. The waiver shall be filed with the person who has been designated to act as Secretary of the meeting, who shall enter it upon the records of the meeting. Appearance at a

meeting is deemed a waiver unless it is solely for the purpose of asserting the illegality of the meeting.

Section 5. At all meetings of the Board of Directors, each director shall be entitled to cast one vote on any question coming before the meeting. The presence of a majority of the members of the Board of Directors shall constitute a quorum at any meeting thereof, but the directors present at any meeting, although less than a quorum, may adjourn the meeting from time to time. Except as otherwise provided by law or these Bylaws, majority vote of the directors present at any meeting, if there be a quorum, shall be sufficient to transact any business.

Section 6. When a meeting of the Board of Directors is adjourned to another time or place, notice of the adjourned meeting need not be given other than by announcement at the meeting at which adjournment is taken.

Section 7. Any notices required to be provided hereunder by written notice may also be provided by electronic email to the noticed party's email address as listed in the records of the Corporation. Any action that could be taken at a meeting of the Board of Directors may be taken without a meeting when authorized in writing signed by all of the directors. The Directors may participate in a meeting of the Board or a Committee of the Board by means of conference call, tele video, or internet-based conferencing equipment, and such participation shall constitute presence in person at such meeting.

Section 8. Directors may be removed by the Member for cause, including incompetence, neglect of duty, or malfeasance in office.

Section 9. Any individual appointed to the Board of Directors or other corporate position may hold a concurrent position as a member, employee or officer of the Member, including a member, employee or officer also identified as representing the Member for the purposes of these Bylaws; and in such event, there shall be no liability on the part of any such individual for breach of any fiduciary obligation, to either the corporation or to the Member, arising from acts or omissions committed in good faith in reliance on the terms of this Agreement and the conditions of his or her appointment.

## **ARTICLE VI**

### **Officers**

Section 1. The officers of this corporation shall be a President, a Vice President, a Secretary-Treasurer and such other officers as the Board of Directors may from time to time designate. For purposes of presiding and conducting the meetings of the Board of Directors and serving as a spokesperson for the Board, the Vice President of Research for South Dakota State University shall serve as Chair of the Board of Directors. The Chair of the Board of Directors shall preside at meetings of the Board of Directors. Officers shall be elected by the Board of Directors to serve until their respective successors are chosen and have qualified. Any officer may at any time be removed by the Board of Directors with or without cause. The same person may hold

any two offices at the same time except the offices of (a) President and Vice President and (b) President and Secretary-Treasurer. The officers need not be directors of this corporation.

Section 2. The President shall be the chief executive officer of this corporation. He or she shall preside at all meetings of the Board of Directors in the absence of the Chair of the Board. He or she shall have general supervision, direction, and active management of the affairs of this corporation. He or she shall execute on behalf of this corporation all contracts, deeds, conveyances, and other instruments in writing which may be required or authorized by the Board of Directors for the proper and necessary transaction of the business of the corporation.

Section 3. The Vice President shall perform the duties of the President in the case of the latter's absence or disability. The execution by the Vice President on behalf of this corporation of any instrument shall have the same force and effect as if it were executed on behalf of the corporation by the President.

Section 4. The Secretary-Treasurer shall record all proceedings of the meetings of the Board of Directors in a book to be kept for that purpose. He or she shall give or cause to be given all notices of meetings of the Board of Directors and all other notices required by law or by these Bylaws, and in case of his or her absence or refusal or neglect to do so, any such notice may be given by the President or Vice President.

The Secretary-Treasurer shall be the custodian of all books, correspondence, and papers relating to the business of this corporation. He or she shall join with the President or Vice President in the execution on behalf of this corporation of all contracts, deeds, conveyances, and other instruments in writing which may be required or authorized to be so executed by the Board of Directors for the proper and necessary transaction of the business of this corporation.

The Secretary-Treasurer shall present at each annual meeting of the Board of Directors a full report of the transactions and affairs of this corporation for the preceding year and shall also prepare and present to the Board of Directors such other reports as it may desire and request at such time or times as it may designate.

The Secretary-Treasurer shall also have the custody of all the funds and securities of this corporation. When necessary and proper he or she shall endorse on behalf of this corporation all checks, drafts, notes and other obligations and evidences of the payment of money payable to this corporation or coming into his or her possession, and shall deposit the same, together with all other funds of this corporation coming into his or her possession, in such bank or banks as may be selected by the Board of Directors. He or she shall keep full and accurate account of all receipts and disbursements of this corporation in books belonging to the corporation, which shall be open at all times to the inspection of the Board of Directors. He or she shall from time to time make such other reports to the Board of Directors as it may require.

Section 5. Any officer of this corporation, in addition to the powers conferred upon him or her by these Bylaws shall have such additional powers and perform such additional duties as may be prescribed from time to time by said Board.

## **ARTICLE VII**

### **Committees**

Section 1. The Board of Directors may act by and through such committees and advisory committees as may be specified in resolutions adopted by a majority of the directors in office. Each committee shall have such duties and responsibilities as are granted to it from time to time by the Board of Directors. Each such committee shall at all times be subject to the control and direction of the Board of Directors.

Section 2. The Board of Directors shall, by resolution adopted by a majority of the entire board, designate from among its members an Executive Committee consisting of three or more Directors, including the Chair of the Board of Directors. The Board of Directors may designate one or more Directors as alternate members of the Executive Committee, who may replace any absent member or members of the Executive Committee at any meeting thereof. In the interim between meetings of the Board of Directors, the Executive Committee shall have all the authority of the Board of Directors except to amend these Bylaws or as otherwise provided by law. All acts done and powers and authority conferred by the Executive Committee from time to time within the scope of its authority shall be, and may be deemed to be, and may be certified as being, the act and under the authority of the Board of Directors. The Chairman of the Board, or the President in the absence of the Chairman of the Board, shall preside at all meetings of the Executive Committee. The Executive Committee shall elect from its members a chairman to preside at any meeting of the Executive Committee at which the Chairman of the Board and the President shall be absent. Two members of the Executive Committee shall constitute a quorum for the transaction of business.

Section 3. Each committee of this corporation may establish the time for its regular meetings and may change that time as it from time to time deems advisable. Special meetings of any committee of this corporation may be called by the chairman of that committee, or by the President. Two days' notice by mail, telephone, or telegraph shall be given of any special meeting of a committee. At all meetings of a committee of this corporation each member thereof shall be entitled to cast one vote on any question coming before such meeting. The presence of a majority of the membership of any committee of this corporation shall constitute a quorum at any meeting thereof, but the members of a committee present at any such meeting, although less than a quorum, may adjourn the meeting from time to time. A majority vote of the members of a committee of this corporation present at any meeting thereof, if there be a quorum, shall be sufficient for the transaction of the business of such committee.

## **ARTICLE VIII**

### **Fiscal Year and Statements**

Unless otherwise fixed by the Board of Directors, the fiscal year of this corporation shall begin on July 1 and end on the succeeding June 30. To ensure the corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, or other purposes, periodic reviews shall be conducted, including fiscal audits. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits, if any, are reasonable, based on competent survey of information, and the result of arm's-length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to the corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit, or in an excess benefit transaction.

When conducting the periodic reviews, the corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

## **ARTICLE IX**

### **Execution of Instruments, Deposits, and Funds**

Section 1. The board of directors, except as otherwise provided in these bylaws, may by resolution authorize any officer or agent of the corporation to enter any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit to render it liable monetarily for any purpose or in any amount.

Section 2. Except as otherwise specifically determined by resolution of the board of directors, or as otherwise required by law, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the corporation shall be signed by any two officers of the corporation.

Section 3. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the board of directors may select.

Section 4. The board of directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the nonprofit purposes of the corporation subject to policies and procedures established by the board of directors.

## **ARTICLE X**

### **Conflicts of Interest**

The Corporation will maintain a conflict-of-interest policy approved by the Board of Directors and Member, to protect the tax-exempt corporation's interest when it is contemplating entering a transaction or arrangement that might benefit the private interest of an officer or director of the corporation or any "disqualified person" as defined by law. This policy is intended to supplement but not to replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations. Directors, members, of committees with delegated powers, have a duty to disclose all material facts to the Board of Directors when considering proposed transactions or arrangements. After disclosure of the financial interest and material facts, the Board of Directors will in absence of the interested person, determine whether a conflict of interest exists, whether the conflict can be mitigated and approve or deny the transaction with or without a conflicts management plan. Violations of this policy may result in corrective action.

### **ARTICLE XI Miscellaneous**

Section 1. This corporation may have a corporate seal, which may be altered from time to time by resolution of the Board of Directors.

Section 2. These Bylaws may be amended from time to time in the manner prescribed by law. Notwithstanding the foregoing, without consent of the Member, Articles III and IV of these Bylaws may not be amended. A vote of dissolution of the corporation shall be considered an amendment of these bylaws and shall be subject to approval by and consent of the Member.

Section 3. If there is any conflict between the provisions of these bylaws and the articles of incorporation of this corporation, the provisions of the articles of incorporation shall govern. Should any or the provisions or portions of these bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these bylaws shall be unaffected by such holding. All references in these bylaws to the articles of incorporation shall be to the articles of incorporation, articles of organization, certificate of incorporation, organization charter, corporate charter, or other founding document of this corporation filed with an office of this state and used to establish the legal existence of this corporation. All references in these bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future federal tax code.

Section 4. To the full extent permitted by any applicable law, this corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, wherever brought, whether civil, criminal, administrative or investigative, other than an action by or in the right of the corporation, by reason of the fact that such person is or was a director, officer, employee, or member of a



committee of this corporation, against expenses, including attorneys' fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding. Indemnification provided by this Bylaw shall be in addition to and independent of and shall not be deemed exclusive of any other rights to indemnification to which any person may be entitled by contract or otherwise under law. Indemnification provided by this Bylaw shall continue as to a person who has ceased to be a member of the Board of Directors, officer, employee or committee member, shall inure to the benefit of the heirs, executors and administrators of such person and shall apply whether or not the claim against such person arises out of matters occurring before the adoption of this Bylaw. However, any indemnification realized other than under this Bylaw shall apply as a credit against any indemnification provided by this Bylaw.

This corporation may, to the full extent permitted by applicable law from time to time in effect, purchase and maintain insurance on behalf of any person who is or was a member of the Board of Directors, officer or employee or this corporation or a member of a committee of this corporation against any liability asserted against such person and incurred by such person in any such capacity.

Section 4. Notwithstanding anything herein to the contrary, it is the parties' intent that nothing in these Bylaws waives any applicable sovereign or Eleventh Amendment immunity of the Member, Board of Directors, or their agents, managers, employees, or persons operating through them.

Section 5. No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose of this corporation.

Section 6. No Substantial part of the activities of this corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

Section 7. Upon the dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation, shall be distributed for one or more exempt purposes as set forth in the Articles of Incorporation.

I, \_\_\_\_\_, one of the original incorporators and Chairman of the Board of Directors, hereby certify that the foregoing Bylaws were approved by the Board of Directors of Dakota Bioproducts Innovation Institute as of the \_\_\_\_ day of \_\_\_\_\_, 2021.

Daniel Scholl, Chair of Board of Directors

DRAFT

The South Dakota Board of Regents adjourned its regular business meeting on October 7, 2021 and will meet again for its regular business meeting on December 8-9, 2021 in Brookings.

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 October 6-7, 2021.

A handwritten signature in black ink that reads "Brian L. Maher". The signature is written in a cursive style with a large, stylized 'B' and 'M'.

Dr. Brian L. Maher  
Executive Director & CEO  
South Dakota Board of Regents