

**BOARD OF REGENTS
MINUTES OF THE MEETING
March 29-30, 2023**

The South Dakota Board of Regents met on March 29-30, 2023, at Northern State University in Aberdeen at 11:00 a.m. Central Time and via Zoom* with the following members present:

ROLL CALL:

John Bastian – PRESENT
Brock Brown – PRESENT
Jeff Partridge – PRESENT
Tim Rave – PRESENT
Joan Wink – PRESENT
Jim Thares, Vice President – PRESENT
Pam Roberts, President – PRESENT

Also present during all or part of the meeting were Dr. Brian Maher, Board of Regents Executive Director and CEO; Nathan Lukkes, Chief of Staff; Dr. Janice Minder, System Vice President for Academic Policy and Planning; Heather Forney, System Vice President of Finance and Administration; Kayla Bastian, Chief Human Resources Officer; Shuree Mortenson, Director of Communications; Liza Clark, Director of Government Relations and Economic Development; Katie Maley; Executive Assistant to the CEO and Board; Barry Dunn, SDSU President; José-Marie Griffiths, DSU President; Laurie Nichols, BHSU President; Jim Rankin, SDSMT 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 and public and media.

WEDNESDAY, MARCH 29, 2023

Regent Roberts declared a quorum present and called the meeting to order at 11:00 a.m.

1-A Approval of the Agenda

IT WAS MOVED by Regent Bastian, seconded by Regent Rave, 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 December 7-8, 2022; December 21, 2022; February 24, 2023; February 27, 2023

IT WAS MOVED by Regent Rave, seconded by Regent Wink, to approve the minutes of the Board of Regents meeting on December 7-8, 2022; December 21, 2022; February 24, 2023; February 27, 2023. Motion passed.

1-D Election of Officers

IT WAS MOVED by Regent Brown, seconded by Regent Bastian, to elect the following slate of officers effective March 31, 2023: Tim Rave as President; Jim Thares as Vice President; and Jeff Partridge as Secretary. Motion passed.

1-E Motion to Dissolve into Executive Session

IT WAS MOVED by Regent Thares, seconded by Regent Rave, that the Board dissolve into Executive Session at 11:15 a.m. on Wednesday, March 29, 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.

That it rise from Executive Session at 5:00 p.m., and reconvene in public session at 9:00 a.m. on Thursday, March 30th, 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.

THURSDAY, March 30, 2023

The Board reconvened in public session at 9:00 a.m.

3-A Report and Actions of Executive Session

Regent Rave reported that the Board dissolved into Executive Session at 11:15 a.m. on Wednesday, March 29, 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 5:00 p.m.

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 Partidge, 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 ____ to ____ of the official minutes.

3-B (1) Resolution of Recognition – Regent Tony Venhuizen & Regent Joan Wink

IT WAS MOVED by Regent Pam Roberts, seconded by Regent Rave, to recognize Tony Venhuizen and Joan Wink for their service to South Dakota's system of public higher education. Motion passed.

A copy of the Resolution of Recognition – Regent Venhuizen can be found on pages ____ to ____ of the official minutes.

3-C Welcome and Presentation by NSU President Neal Schnoor

NSU President Dr. Neal Schnoor welcomed the Board and other attendees to Northern State University. He was joined by additional individuals from NSU who shared brief snapshots of their unique experience at Northern through the eyes of students, faculty and staff.

3-D 2022 Student Organization Awards

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that each year, the Board approves the previous year's Student Organization Award winners. The nominations advanced to the Board are chosen by each institution in the categories of Academic Excellence, Community Service, and Organizational Leadership. Once approved, the Board presents these awards at its meetings throughout the year. The current list of student organizations represents the recommended award winners for 2022.

IT WAS MOVED by Regent Thares, seconded by Regent Wink, to accept the recommendations offered by each institution for student organization awards and announce the names of the award winners.

A copy of the 2022 Student Organization Awards can be found on pages ____ to ____ of the official minutes.

3-E NSU Student Organization Awards

Sean Blackburn, NSU Dean of Students, presented the NSU student organization award winners for 2021 and 2022. For 2021, Speech and Debate (Forensics) accepted the award for academic excellence. The Honors Club accepted the award for community service. The Native American Student Association (NASA) accepted the award for organizational leadership. For 2022, the Honors Club accepted the award for academic excellence as well as the award for community service. The Campus Activities Board (CAB) accepted the award for organizational leadership.

A copy of the NSU Student Organization Awards can be found on pages ____ to ____ of the official minutes.

3-F Reports from Individual Presidents and Superintendents

No reports.

3-G Reports on Individual Regent Activities

No reports.

3-H Report from the Student Federation

Caleb Wieland, Student Federation President, provided an update on the activities of the Student Federation. They had a really successful legislative session and had put a lot of energy behind HB 1079, which is a \$2 million mental health appropriation for suicide prevention. He was pleased to report that it passed both chambers with the Joint Committee on Appropriations' (JCA) recommendation that the Governor sign that bill into law. The Student Federation is looking forward to being a part of that conversation more in the future and what they can do for youth mental health, specifically on regental system campuses.

3-I Report of the Executive Director

On behalf of Dr. Brian Maher, Nathan Lukkes, SDBOR Chief of Staff, noted that the Regental system was successful in hiring a new Director for the South Dakota Services for the Deaf (SDSD) as well as a Superintendent for the South Dakota School for the Blind and Visually Impaired (SDSBVI) earlier this month. He also thanked everyone that was involved in the search process. The candidate pool was great and they were excited to get the two individuals that we ended up getting. Kami Van Sickle was named the Director for SDSD; she has more than 16 years of experience in deaf education and her established relationships with the deaf community, school districts, and families and faculty will give her a solid foundation and we fully expect she will hit the ground running. Dr. Jessica Vogel was named the Superintendent for SDSBVI. Dr. Vogel is currently the graduate program coordinator for teaching and learning master's program at NSU.

Her knowledge and experience from that role as well as her experience and relationship with the K-12 school districts will serve her well.

A copy of the Report of the Executive Director can be found on pages ____ to ____ of the official minutes.

3-J 2023 Legislative Overview

Liza Clark, Director of Government Relations and Economic Development, stated that we had a great legislative session for higher education. We are extremely grateful to the Governor and to the legislature. There were 73 bills that we were tracking this session, with 36 directly affecting the regental system. There was a lower number of bills this session, likely because there were so many new legislators this year. One major item to point out is that this year the Board provided the direction to focus on a systemwide approach and set the priorities for everyone to support this legislative session. That directive and approach was a hit with the legislators. The number one positive comment she has received from legislators this year was the focus on the systemwide approach to our priorities. By focusing on our priorities, it really sent a clear message to the legislators and was helpful to them to know exactly where the BOR stood on various bills.

A copy of the 2023 Legislative Overview can be found on pages ____ to ____ of the official minutes.

4 Public Comment Period

There were no public comments.

CONSENT AGENDA

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to approve consent agenda items 5-A through 5-O as presented.

Regarding item *5-E(2) New Site Request – SDSU – AS/BS in Respiratory Care (Brookings, Huron, and Madison)* by request of Regent Bastian to highlight this particular program, SDSU Provost Dennis Hedge noted that this program is enabled in large part by a grant called “Breath South Dakota”. What that grant does is enable SDSU to expand their respiratory care class; they will go from 24 students to gaining an additional 16. Those 16 new students will be spread across those three communities, and SDSU is really pleased to be building those partnerships because course clinical placement in those areas is really important when it comes to recruiting and retaining healthcare professionals in those settings. Provost Hedge further noted that the previous transition of moving the Respiratory Care program from DSU to SDSU has worked really well. This program is embedded within their Allied Health department within the College of Pharmacy and Allied Health Professions. He believes that the overarching infrastructure there has enabled them to be far more competitive when it comes to writing for grants like this that has enabled expansion.

Motion passed.

Academic and Student Affairs – Consent

5-A USD Law School Admission MOUs

Approve the University of South Dakota's Memorandums of Understanding with Mount Marty University and the University of Sioux Falls, as presented.

A copy of the USD Law School Admission MOUs can be found on pages ____ to ____ of the official minutes.

5-B (1) New Program Request – SDSU – Minor in Pharmacology and Toxicology

Authorize SDSU to offer a minor in Pharmacology and Toxicology, as presented.

A copy of the Program Requests – SDSU – Minor in Pharmacology and Toxicology can be found on pages ____ to ____ of the official minutes.

5-B (2) New Program Request – SDSU – Minor in Uncrewed Aircraft Systems (UAS)

Authorize SDSU to offer a minor in Uncrewed Aircraft Systems, as presented.

A copy of the Program Requests – SDSU – Minor in Uncrewed Aircraft Systems (UAS) can be found on pages ____ to ____ of the official minutes.

5-B (3) New Program Request – USD – PhD in Data Science and Engineering

Authorize USD to offer a PhD in Data Science and Engineering, as presented.

A copy of the Program Requests – USD – PhD in Data Science and Engineering can be found on pages ____ to ____ of the official minutes.

5-B (4) New Program Request – USD – Minor in Professional Writing

Authorize USD to offer a minor in Professional Writing, as presented.

A copy of the Program Requests – USD – Minor in Professional Writing can be found on pages ____ to ____ of the official minutes.

5-C (1) New Certificate Request – NSU – Entrepreneurship (Undergraduate)

Authorize NSU to offer an Entrepreneurship undergraduate certificate, as presented.

A copy of the New Certificate Requests – NSU – Entrepreneurship (Undergraduate) can be found on pages ____ to ____ of the official minutes.

5-C (2) New Certificate Request – NSU – Leadership (Undergraduate)

Authorize NSU to offer a Leadership undergraduate certificate, as presented.

A copy of the New Certificate Requests – NSU – Leadership (Undergraduate) can be found on pages ____ to ____ of the official minutes.

5-C (3) New Certificate Request – SDSU – Pharmacology (Undergraduate)

Authorize SDSU to offer a Pharmacology undergraduate certificate, as presented.

A copy of the New Certificate Requests – SDSU – Pharmacology (Undergraduate) can be found on pages ____ to ____ of the official minutes.

5-C (4) New Certificate Request – USD – Business Leadership (Graduate)

Authorize USD to offer a Business Leadership graduate certificate, as presented.

A copy of the New Certificate Requests – USD – Business Leadership (Graduate) can be found on pages ____ to ____ of the official minutes.

5-C (5) New Certificate Request – USD – Dyslexia (Graduate)

Authorize USD to offer a Dyslexia graduate certificate, as presented.

A copy of the New Certificate Requests – USD – Dyslexia (Graduate) can be found on pages ____ to ____ of the official minutes.

5-C (6) New Certificate Request – USD – SPED Alternative Teaching (Graduate)

Authorize USD to offer a SPED Alternative Teaching graduate certificate, as presented.

A copy of the New Certificate Requests – USD – SPED Alternative Teaching (Graduate) can be found on pages ____ to ____ of the official minutes.

5-D (1) New Specialization Request – USD – Business Leadership – MBA

Authorize USD to offer a specialization in Business Leadership within the Master of Business Administration (MBA) program, as presented.

A copy of the New Specialization Requests – USD – Business Leadership – MBA can be found on pages ____ to ____ of the official minutes.

5-D (2) New Specialization Request – USD – Sustainability – MBA

Authorize USD to offer a specialization in Sustainability within the Master of Business Administration (MBA) program, as presented.

A copy of the New Specialization Requests – USD – Sustainability – MBA can be found on pages ____ to ____ of the official minutes.

5-E (1) New Site Request – DSU – Minor in Computer Forensics (Online)

Approve DSU's new site proposal to offer the minor in Computer Forensics online, as presented.

A copy of the New Site Requests – DSU – Minor in Computer Forensics (Online) can be found on pages ____ to ____ of the official minutes.

5-E (2) New Site Request – SDSU – AS/BS in Respiratory Care (Brookings, Huron, and Madison)

Approve SDSU's new site proposal to offer the AS and BS in Respiratory Care at Huron Regional Medical Center, Madison Regional Health System, and Brookings Health System, as presented.

A copy of the New Specialization Requests – SDSU – AS/BS in Respiratory Care (Brookings, Huron, and Madison) can be found on pages ____ to ____ of the official minutes.

5-F General Education Course Approvals – SDSMT

Approve the revisions to system General Education course options as presented, effective Fall 2023.

A copy of the General Education Course Approvals – SDSMT can be found on pages ____ to ____ of the official minutes.

5-G Program Modifications Requiring Board Approval – DSU

Approve DSU's program modification requests for the BSEd in Elementary/Special Education, as presented.

A copy of the Program Modifications Requiring Board Approval – DSU can be found on pages ____ to ____ of the official minutes.

5-H Inactive Status and Program Termination Requests – NSU, SDSMT, SDSU, & USD

Approve the program inactivation and termination requests from NSU, SDSMT, SDSU, and USD, as presented.

A copy of the Inactive Status and Program Termination Requests – NSU, SDSMT, SDSU, & USD can be found on pages ____ to ____ of the official minutes.

5-I (1) Agreements on Academic Cooperation – Northern State University

Approve Northern State University’s agreement on academic cooperation with Magdeburg-Stendal University of Applied Sciences, as presented.

A copy of the Agreements on Academic Cooperation – Northern State University can be found on pages ____ to ____ of the official minutes.

5-I (2) Agreements on Academic Cooperation – South Dakota State University

Approve South Dakota State University’s agreement on academic cooperation with Chitkara University, as presented.

A copy of the Agreements on Academic Cooperation – South Dakota State University can be found on pages ____ to ____ of the official minutes.

5-J (1) Articulation Agreements – Dakota State University

Approve Dakota State University’s articulation agreement with the National Security Agency, as presented.

A copy of the Articulation Agreements – Dakota State University can be found on pages ____ to ____ of the official minutes.

5-J (2) Articulation Agreements – South Dakota State University

Approve South Dakota State University’s articulation agreement with Iowa Lakes Community College (ILCC), as presented.

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

5-J (3) Articulation Agreements – University of South Dakota

Approve the University of South Dakota’s articulation agreements with Nebraska Indian Community College (NICC), as presented.

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

5-K (1) Requests to Seek Accreditation – Northern State University (COSMA)

Approve NSU's request to seek accreditation from The Commission on Sport Management Accreditation for their BS in Sport Marketing and Administration.

A copy of the Requests to Seek Accreditation – Northern State University (COSMA) can be found on pages ____ to ____ of the official minutes.

5-K (2) Requests to Seek Accreditation – South Dakota State University (USGIF)

Approve SDSU's request to seek accreditation from the United States Geospatial Intelligence Foundation for their Minor and Graduate Certificate in Geospatial Intelligence.

A copy of the Requests to Seek Accreditation – South Dakota State University (USGIF) can be found on pages ____ to ____ of the official minutes.

5-K (3) Requests to Seek Accreditation – South Dakota State University (CoARC)

Approve SDSU's request to seek accreditation from the Commission on Accreditation for Respiratory Care for their BS in Respiratory Care.

A copy of the Requests to Seek Accreditation – South Dakota State University (CoARC) can be found on pages ____ to ____ of the official minutes.

Budget and Finance – Consent

5-L Maintenance & Repair (M&R) Projects (Greater than \$250,000)

Approve the requested maintenance and repair projects as described in this item.

A copy of the Maintenance & Repair (M&R) Projects (Greater than \$250,000) can be found on pages ____ to ____ of the official minutes.

5-M City of Brookings Easement (SDSU)

Approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the easements as stated therein.

A copy of the City of Brookings Easement (SDSU) can be found on pages ____ to ____ of the official minutes.

5-N West River Electric Association, Inc. Easement (SD Mines)

Approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the easements as stated therein.

A copy of the West River Electric Association, Inc. Easement (SD Mines) can be found on pages ____ to ____ of the official minutes.

5-O BHSU Property Acquisition

Approve finalizing the acquisition of the real estate located in Lawrence County, as presented, which was authorized by HB1022 during the 2015 Legislative Session.

A copy of the BHSU Property Acquisition can be found on pages ____ to ____ of the official minutes.

Routine Informational Items – No Board Action Necessary

5-P Interim Actions of the Executive Director

A copy of the Interim Actions of the Executive Director can be found on pages ____ to ____ of the official minutes

5-Q Building Committee Report

A copy of the Building Committee Report can be found on pages ____ to ____ of the official minutes.

5-R Capital Projects List

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

5-S Intent to Plan Requests

A copy of the Intent to Plan Requests can be found on pages ____ to ____ of the official minutes.

5-T FY22 Annual Comprehensive Financial Review (ACFR) Audit

A copy of the FY22 Annual Comprehensive Financial Review (ACFR) Audit can be found on pages ____ to ____ of the official minutes.

5-U Residence Hall Occupancy Report for Fall 2022/Spring 2023

A copy of the Residence Hall Occupancy Report for Fall 2022/Spring 2023 can be found on pages ____ to ____ of the official minutes.

5-V NSU FY22 NCAA Agreed Upon Procedures Report

A copy of the NSU FY22 NCAA Agreed Upon Procedures Report can be found on pages ____ to ____ of the official minutes.

5-W 2022-2023 Regional Tuition Survey

A copy of the 2022-2023 Regional Tuition Survey can be found on pages ____ to ____ of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

6-A NSU and Presentation College Teach-Out Agreement

Dr. Pamela Carriveau, System Associate Vice President for Academic Programing, joined by NSU President Dr. Neal Schnoor and Dr. Erin Fouberg, NSU Associate VP for Academic Affairs, stated that with the announcement of Presentation College's closure in summer 2023, Northern State University (NSU), which is regionally located in Aberdeen and northeastern South Dakota, has negotiated a teach-out agreement with Presentation College so that those students may finish the remainder of their college program at NSU, as approved by the agreement. This is a common practice when institutions close and something that is monitored closely by the Higher Learning Commission (HLC). President Schnoor noted that Presentation's closure has been very challenging for the local community. The sisters of Presentation College are icons and remain that way, but they really founded healthcare in the area and contributed on the education front as well. They have great faculty and students, and we want to help them in any way we can. President Schnoor further emphasized the amount of work that must go in to working with the HLC and various stakeholder to get something like a teach-out agreement in place and made a point to thank Dr. Carriveau and Dr. Minder went over and above to help make this happen.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve Northern State University's Teach-Out Agreement with Presentation College, as presented. Motion passed.

A copy of NSU and Presentation College Teach-Out Agreement can be found on pages ____ to ____ of the official minutes.

6-B Revised BOR Policy 2:20 – Catalogs; and Repeal BOR Policy 1:10 – Relationship of Curriculum and Instruction to Statutory Objectives

Dr. Janice Minder, System Vice President for Academic Policy and Planning, noted that that in October 2022 the Board approved the revised mission statements. To eliminate redundancies in policy, it is recommended to repeal BOR Policy 1:10 and that the revisions to BOR Policy 2:20 be approved to reflect current practice.

IT WAS MOVED by Regent Wink, seconded by Regent Partridge, to approve the first reading of the proposed revisions to BOR Policy 2:20 and repeal of BOR Policy 1:10, as presented. Motion passed.

A copy of Revised BOR Policy 2:20 – Catalogs; and Repeal BOR Policy 1:10 – Relationship of Curriculum and Instruction to Statutory Objectives can be found on pages ____ to ____ of the official minutes.

6-C Revised BOR Policy 1:17 – Sexual Harassment (First and Final Reading)

Nathan Lukkes, SDBOR Chief of Staff, stated that this policy revision is being proposed as a first and final reading simply because the proposed revisions set forth in BOR Policy 1:17 update the policy to align with current US Department of Education’s (US DOE) guidance pertaining to consideration of statements made by a party or witness who does not submit to cross-examination at a live hearing.

IT WAS MOVED by Regent Wink, seconded by Regent Partridge, to (1) waive the two-reading requirement of By-Laws Section 5.5.1.; (2) approve the first and final reading of the proposed revisions to BOR Policy 1:17, as presented. Motion passed.

A copy of Revised BOR Policy 1:17 – Sexual Harassment (First and Final Reading) can be found on pages ____ to ____ of the official minutes.

6-D New BOR Policy – Minors on Campus Policy

Nathan Lukkes, SDBOR Chief of Staff, stated that this new draft policy is still a working draft. He and other central office staff have tried to engage broadly with many stakeholders to try to ensure that we are looking at things from all areas in order to get the policy right and that leave anything out. This policy establishes guard rails as to what is allowed on campus as well as ensuring all events are treated equally across the regental system, and ensuring all of the boxes are checked when any event involves minors. Approval of the first reading will allow the policy to advance to a future meeting for final approval, allowing an opportunity for additional modifications based on Board feedback and/or stakeholder input.

Regent Wink noted that while she is in support of this policy, she would ask that the title of the policy be further reviewed to make it more friendly sounding. It is her impression that the current title could be misconstrued as if we are deterring minors from being on campus in general.

Regarding suggestions for further input or recommended edits, Nathan noted that it would be preferred that any input individuals may be provided to the BOR central office using the info@sdbor.edu email address listed in the “Contact Us” section of the BOR website.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the new BOR Policy – Minors on Campus, as presented. Motion passed.

A copy of New BOR Policy – Minors on Campus Policy can be found on pages ____ to ____ of the official minutes.

BUDGET AND FINANCE

7-A FY24 On-Campus Tuition and Mandatory Fees

Heather Forney, System Vice President of Finance and Administration, stated that for the second year in a row, the 2023 South Dakota Legislative Session concluded with legislators increasing

base funding for the Board of Regents to continue to freeze tuition at FY22 rates by covering the salary policy costs for tuition funded employees. Tuition and mandatory fees will remain at the FY22 rate because of this continued support.

The tuition rate for South Dakota National Guard (SDNG) members is reduced to zero beginning in Fall of 2023 as a result of the passage of House Bill 1039, which provides for free tuition to members of the SDNG. Additional General Funds in the amount of \$1,971,852 were added to campus base budgets to accommodate the cost of this tuition waiver.

The FY24 proposal for tuition and mandatory fees attempts to keep the cost to students as low as possible in consideration of student access, service to students, and delivering the highest quality education possible to our students.

Regarding recruiting efforts, USD President Sheila Gestring also noted that this tuition freeze helps make a real impact for the hardworking families in South Dakota, as well as makes the private dollars raised for additional aid more impactful to close that affordability gap, keeping the cost of attendance attainable and within reach for families in the state.

Regent Partridge stated his gratitude towards the Board of Regents and the central office team for making this a priority and working together as a team to stick with it. It is an ongoing expense and one of the hardest things to go in front of the legislature to ask for, and the group put in an outstanding effort to get this across the finish line.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the FY24 On-Campus Tuition and Mandatory Fees as presented in Attachment I. Motion passed.

A copy of the FY24 On-Campus Tuition and Mandatory Fees can be found on pages ____ to ____ of the official minutes.

7-B FY24 Off-Campus Tuition

Heather Forney, System Vice President of Finance and Administration, stated that again due to the tuition freeze as well as additional general funds being allocated to the cover salary policy recommendation, off-campus tuition rates will be held flat commensurate with the on-campus tuition. There is one small change, the Great Plains Interactive Distance Education Alliance (IDEA) consortium that SDSU is a member of, and the consortium makes changes to their rates so those as noted in the Attachment went up 1.2%. Those rate changes are outside of the control of the regental system. The other change is due to HB 1039 for free tuition for our national guard members. That went from about \$227 down to \$0.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the FY24 Off-Campus Tuition Rates as presented in Attachment I. Motion passed.

A copy of the FY24 Off-Campus Tuition can be found on pages ____ to ____ of the official minutes.

7-C FY24 System, Discipline, Delivery, and Vehicle Registration Fees

Heather Forney, System Vice President of Finance and Administration, stated there are a few changes in this. At SDSMT there is a new rate being offered for vehicle registrations for reserved parking that is closer to the dorms for students interested in that; the previous cheaper rate for parking a little further from the dorms is still available. Heather again iterated that this is a new rate, not an increase of any sort.

There is also a change to the dietetics internship rate special discipline fee that is charged at SDSU. In the past that has been a per semester rate, and now it is proposed as a per credit hour rate. She noted that in the attachment of the item presented to the Board, there is an error where it says the current internship rate is being replaced but we actually need to teach that out at the current rate. It is tied to two specific internship courses, one is six (6) credits and the other is eight (8) credits, and we do not want to penalized the students that have already paid for a full semester at the per semester rate when we go this direction; so it will be phased out, no replaced for the students that are already impacted.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the FY24 System, Discipline, Delivery, and Vehicle Registration Fees, as presented in Attachment I. Motion passed.

A copy of the FY24 System, Discipline, Delivery, and Vehicle Registration Fees can be found on pages ____ to ____ of the official minutes.

7-D FY24 Housing and Food Service Rates

Heather Forney, System Vice President of Finance and Administration, stated that we did not receive funding to freeze these rates. The proposed housing rates for FY24 allow the universities to address the inflationary increase on operating expenses, the 2% maintenance and repair requirement, and funding adjustments to salary policy and employee healthcare costs.

The meal plan rates reflect the second year of the new contract with Sodexo for food operations and any related institutional administrative costs. For FY24, Sodexo is proposing an increase of 6.37%.

When including the tuition and mandatory fee rates, the total weighted average cost increase is \$380. The impact to students within the system will range from an increase of \$354.00 to \$422.00 per year.

IT WAS MOVED by Regent Partridge, seconded by Regent Thares, to approve the FY24 Housing and Food Service Plan rates as presented in Attachments I & II. Motion passed.

A copy of the F24 Housing and Food Service Rates can be found on pages ____ to ____ of the official minutes.

7-E FY24 Graduate Assistant Stipends

Heather Forney, System Vice President of Finance and Administration, stated that there is no change in the rates from the previous year.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve of the BHSU and NSU FY24 minimum graduate assistant stipends in the amount of \$3,921 per semester and \$980 per four-week session; and USD FY24 minimum graduate assistant stipends in the amount of \$4,067 per semester and \$1,016 per four-week session. Motion passed.

A copy of the FY24 Graduate Assistant Stipends can be found on pages ____ to ____ of the official minutes.

7-F FY24 Special Schools Nonresident Tuition

Heather Forney, System Vice President of Finance and Administration, stated that the South Dakota School for the Blind and Visually Impaired (SDSBVI) annually reviews its instructional and residential costs to determine an appropriate tuition rate for nonresident students who may attend the school. SDSBVI does not currently have any nonresident students in attendance.

The current tuition rate at SDSBVI is \$38,910 for instructional costs and \$15,727 for residential care. An inflationary increase is applied to cover salary policy, CPI on operating expenses, and adjustments to health benefit cost per benefit-eligible employee. The Bureau of Finance and Management (BFM) calculated the annual Consumer Price Index (CPI) for the last fiscal year at 2.40%.

IT WAS MOVED by Regent Partridge, seconded by Regent Thares, to approve the FY24 nonresident instructional tuition rate to be \$39,844 and the residence cost to be set at \$16,104 for the School for the Blind and Visually Impaired. Motion carried.

A copy of the FY24 Special Schools Nonresident Tuition can be found on pages ____ to ____ of the official minutes.

7-G FY24 General Bill Summary

Heather Forney, System Vice President of Finance and Administration, stated that this item is a culmination of all of the hard work staff put in during this last legislative session and provides a summary of what was awarded for general funding thanks to the legislature and the Governor.

A copy of the FY24 General Bill Summary can be found on pages ____ to ____ of the official minutes.

7-H FY23 General Bill Amendments

Heather Forney, System Vice President of Finance and Administration, noted that we are in the end of FY23 but there were some amendments made this session in our favor which can be found

in HB1049. The table in the item lists those that involved the regental system, with one of the more important ones being the \$18.1 million dollars that were added for deferred M&R.

Regent Rave wanted to recognize and thank Representative Venhuizen for bringing the bill forward and the Governor supporting to raise the dollar amount of the South Dakota Opportunity Scholarship. That program is a really big deal and he would like to see that program funding raised again to help students in the state out.

A copy of the FY23 General Bill Amendments can be found on pages ____ to ____ of the official minutes.

7-I FY23 Special Appropriations

Heather Forney, System Vice President of Finance and Administration, noted that the Board received \$10,400,000 in general funds and \$21,153,000 in other funds authority which totaled to \$31,553,000 in special appropriations. The entirety of this funding was building-related. The list of the approved appropriations bills is provided in the table within the item.

A copy of the FY23 Special Appropriations can be found on pages ____ to ____ of the official minutes.

7-J FY23 Supplemental General Fund M&R Projects

Heather Forney, System Vice President of Finance and Administration, stated that the supplemental FY23 funding is \$18,148,600. Because these funds were allocated as an amendment to the FY23 general bill, they will be available upon signature of the governor, but need to be spent or encumbered no later than June 30, 2025.

Campuses will match this appropriation with an additional \$18,148,600 in HEFF, general fund maintenance and repair, or other funds. Approval of these supplemental FY23 general fund maintenance and repair projects will allow the universities to begin project planning and completion in a timely manner.

IT WAS MOVED by Regent Partridge, seconded by Regent Thares, to approve the Supplemental General Fund M&R requested projects for FY23 as listed. Motion passed.

A copy of the FY23 Supplemental General Fund M&R Projects can be found on pages ____ to ____ of the official minutes.

7-K USD South Dakota Union Renovation Facility Design Plan (FDP)

Heather Forney, System Vice President of Finance and Administration, and Julie Kriech, USD VP for Finance & Administration, stated that the University of South Dakota (USD) requests approval of the Facility Design Plan (FDP) for the South Dakota Union Renovation. The South Dakota Union Renovation Preliminary Facility Statement (PFS) and the Facility Program Plan (FPP) were

approved by the Board of Regents at the December 2022 meeting with an overall project cost of \$6,800,000.

The South Dakota Union building has not had any major renovations since it was originally built in 1930. South Dakota Union is home to USD's Psychology department and is approximately 35,256 square feet. The renovation of the South Dakota Union building will completely renovate all four (4) floors of the building. The renovation will consist of a complete overhaul of all interior spaces, exterior windows, doors, framing, finishes, fire protection, plumbing, HVAC, and electrical systems.

On February 15, 2023, the Building Committee met and approved the Facility Design Plan with a total project cost of \$6,800,000 based on the breakdown below. The plans and specifications for this project are complete and this project is proceeding to bidding.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the University of South Dakota's Facility Design Plan for the South Dakota Union Renovation at a cost not to exceed \$6,800,000, to be funded by the sources identified in this item. Motion passed.

A copy of the USD South Dakota Union Renovation Facility Design Plan (FDP) can be found on pages ____ to ____ of the official minutes.

7-L SDSU McFadden Hall Renovations Preliminary Facility Statement (PFS)

Heather Forney, System Vice President of Finance and Administration, and Barry Mielke, SDSU Associate VP for Facilities and Services, stated that South Dakota State University (SDSU) requests approval of its revised Preliminary Facility Statement (PFS) to plan a multiphase maintenance and repair project for upgrades to the lab exhaust systems of the McFadden Biostress building on campus. The original PFS was approved by the Board of Regents on December 12, 2019. At that time, the project was anticipated to cost \$5,500,000 and would be funded by HEFF.

During the 2023 legislative session, an additional \$18,148,600 in general fund maintenance and repair dollars were allocated to the Board of Regents in the FY23 general bill amendment to address the top deferred maintenance priority for each campus. SDSU identified this project as their highest priority with an estimated cost of \$12,000,000. The revised PFS includes an expanded scope and a match of \$6,000,000 in general fund maintenance and repair with \$6,000,000 of HEFF and Other Funds.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve SDSU's Revised Preliminary Facility Statement for the upgrade and renovation of the lab exhaust systems in the McFadden Biostress building at an estimated cost of \$12,000,000 to be funded by supplemental general funds and a match of HEFF and Other Funds. Motion passed.

A copy of the SDSU McFadden Hall Renovations Preliminary Facility Statement (PFS) can be found on pages ____ to ____ of the official minutes.

7-M NSU Gerber Hall Renovations Preliminary Facility Statement (PFS)

Heather Forney, System Vice President of Finance and Administration, joined by NSU President Dr. Neal Schnoor, stated that Northern State University requests approval of its Preliminary Facility Statement (PFS) for the renovation of Gerber Hall on campus. The project is anticipated to cost \$5,000,000 and will be funded by a combination of supplemental general fund maintenance and repair dollars, HEFF, and Other Funds.

During the 2023 legislative session, an additional \$18,148,600 in general fund maintenance and repair dollars were allocated to the Board of Regents in the FY23 general bill amendment to address the top deferred maintenance priority for each campus. NSU identified this project as their highest priority with an estimated cost of \$5,000,000.

Gerber hall is home to the Millicent Atkins School of Education. The building includes offices and four classrooms. The current classrooms were designed for a traditional teacher-centered environment and are not conducive to preparing 21st century leaders in education.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve NSU's Preliminary Facility Statement for the renovations of Gerber Hall at an estimated cost of \$5,000,000 to be funded by supplemental general funds and a match of HEFF and Other Funds and to appoint a building committee. Motion passed.

A copy of the NSU Gerber Hall Renovations Preliminary Facility Statement (PFS) can be found on pages ____ to ____ of the official minutes.

7-N DSU Athletics Events Center Revised Facility Design Plan (FDP)

Heather Forney, System Vice President of Finance and Administration, and Stacy Krusemark, DSU VP for Business & Administrative Services, stated that Dakota State University (DSU) requests approval of a revised Facility Design Plan for the construction of the new Athletics Events Center. This revised Facility Design Plan primarily increases the overall budget for the facility.

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. The facilities would also allow for growth in academic programs, such as biomechanics and an Institute on Human Performance and Aging. 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.

The additional spending authority for the project was granted with the passage of SB93 during the 2023 legislative session.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the Revised Facility Design Plan for DSU's Athletics Event Center with construction cost estimates of \$40,750,000 using private donations.

A copy of the DSU Athletics Events Center Revised Facility Design Plan (FDP) can be found on pages ____ to ____ of the official minutes.

7-O BOR 2023 Series Housing and Auxiliary Facilities System Revenue Bonds

Heather Forney, System Vice President of Finance and Administration, stated that the Board is requested to authorize (A) the issuance of the Bonds for the financing of (i) improvements to the student wellness center at USD, (ii) the costs of refunding all or a portion of the Board's outstanding Housing and Auxiliary Facilities System Revenue Bonds, Series 2013A (the "Series 2013A Bonds" and the portion of such bonds to be refunded, the "Series 2013A Refunded Bonds") and the costs of refunding a portion of the Board's outstanding Housing and Auxiliary Facilities System Revenue Bonds, Series 2014A (the "Series 2014A Bonds" and the portion of such bonds to be refunded "Series 2014A Refunded Bonds" and together with the Series 2013A Refunded Bonds, the "Refunded Bonds") which such Refunded Bonds to be redeemed on or shortly after the date of issuance of the Bonds; and (iii) the costs of issuance of the Bonds, through the issuance of the referenced Bonds, and (B) the use of approximately \$5.1 million in certain available SDSU funds for the redemption and payment of the SDSU portion of the Series 2014A Bonds for the Institutional System of SDSU on a date on or shortly after the issuance of the Bonds.

The timing of the sale of the Bonds and the selection of the Refunded Bonds to be refunded in order to realize and optimize refunding savings benefits is dependent upon future conditions in the financial markets. Market conditions may result in the refunding of less than all of or none of the Series 2013A Bonds and Series 2014A Bonds. Additionally, given rapidly changing market conditions, the Bonds may be sold in a public or private sale. The authorization provided by the Board will be effective for six months from the date hereof and may be renewed at a subsequent meeting of the Board.

Bond counsel for the Bonds has prepared appropriate resolutions and documents to proceed with the next phases of the financing. The four action items include resolutions and are outlined within the body of the Board item.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the Action Item 1 set forth in the body of this Board item.

ROLL CALL:

Bastian – AYE
Brown – AYE
Partridge – AYE

Rave – AYE
Wink – AYE
Thares – AYE
Roberts – AYE

Motion passed.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the Action Item 2 set forth in the body of this Board item.

ROLL CALL:

Bastian – AYE
Brown – AYE
Partridge – AYE
Rave – AYE
Wink – AYE
Thares – AYE
Roberts – AYE

Motion passed.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the Action Item 3 set forth in the body of this Board item.

ROLL CALL:

Bastian – AYE
Brown – AYE
Partridge – AYE
Rave – AYE
Wink – AYE
Thares – AYE
Roberts – AYE

Motion passed.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the Action Item 4 set forth in the body of this Board item.

ROLL CALL:

Bastian – AYE
Brown – AYE
Partridge – AYE
Rave – AYE

Wink – AYE
Thares – AYE
Roberts – AYE

Motion passed.

A copy of BOR 2023 Series Housing and Auxiliary Facilities System Revenue Bonds can be found on pages ____ to ____ of the official minutes.

7-P HR Transformation Update

Kayla Bastian, Chief Human Resources Officer, stated that following the adoption of the HR Transformation (HRT) project charge at the October 2022 Board meeting, the HR Transformation Steering Committee (HRSC) and subcommittees have been working toward the goals as outlined in the project charge. Updates related to each of the project's goals and expected deliverables are summarized within the item provided. To continue their work, the steering committee is requesting that the Board adopt the recommendations as outlined in the item, including: 1) the development of the CCCE and authorize staff to develop positions and a budget model to support the center; 2) centralization of payroll functions across the system and expansion of services at the existing centers; and 3) implementation of best practices and uniform processes as outlined in the item.

At the request of Regent Partridge to provide input and commentary, BHSU President Laurie Nichols stated and affirmed that Kayla Bastian and campus staff involved have been working very hard in getting this together. She feels that moving to the shared center model will have tremendous value and create a lot of efficiencies in the system.

IT WAS MOVED by Regent Partridge, seconded by Regent Thares, to adopt the recommendations as outlined in this item to include, 1) develop and implement the Classification and Compensation Center of Excellence, 2) centralize payroll functions and expand shared services, and 3) implement recommended best practices. Motion passed.

A copy of the HR Transformation Update can be found on pages ____ to ____ of the official minutes.

ADJOURNMENT

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

The meeting adjourned at 11:15 a.m.

Secretary's Executive Session Report

The Board convened in Executive Session pursuant to the vote of the majority of the Board present and voting at its public meeting on Wednesday, March 29th, in accordance with SDCL § 1-25-2 to discuss matters authorized therein. Following executive session, on March 30th, 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-E. Authorize the General Counsel to proceed with the legal matter(s) within the parameters discussed.*
- 2-F. Approve the request from SDSMT to provide naming rights in substantially similar form to those set forth in Attachment I, subject to the stated edit, pending approval of the final Gift Agreement by the SDSMT President, and naming request as approved by the Executive Director upon review of the finalized Gift Agreement.*
- 2-G. Authorize USD to proceed with planning, within the parameters discussed.*
- 2-L. Approved the leave request for William C. Sewell (DSU), Randy C. Hoover (SDSMT), Moul Dey (SDSU), Lisa Hager (SDSU), Gregory R. Peterson (SDSU), Lisa Ann Robertson (USD), Shana Cerny (USD), Lauren Freese (USD), Becca Jorde (USD), Ramiero Lafuente Rodriguez (USD), Sara Lampert (USD), David Moskowitz (USD), Cliff Summers (USD), Mandy Williams (USD), Richard Braunstein (USD), Ed Gerrish (USD), and Jeffrey Simmons (USD), as presented.*
- 2-M. Award two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Ilke Celik (SDSMT); and award two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Timothy Ricker (USD).*
- 2-N. Award an honorary Doctor of Public Service to Mr. Joe Floyd (BHSU), Mr. Lorin Brass (SDSMT) and Mr. Tom Jones (SDSMT).*
- 2-O. Approve the partial waiver of sabbatical repayment as requested by President Schnoor.*
- 2-P. Approve the salary adjustments and appointments as outlined in Attachment I.*
- 2-Q. Approve the appointments of Ms. Kami Van Sickle as Director of SD Services for the Deaf, and Dr. Jessica Vogel as Superintendent of the SD School for the Blind and Visually Impaired, and authorize the Executive Director to take any actions necessary and appropriate to effectuate the same.*
- 2-R. Approve the employment contract as outlined for SDSU men's head football volleyball coach, James Rogers.*

- 2-S. *Approve the employment contract as outlined for USD women's volleyball coach, Leanne Williamson.*
- 2-T. *Approve the employment contract as outlined for SDSMT men's Head Football Coach, Charles Flohr.*
- 2-U. *Approve the evaluation letter for President Gestring.*
- 2-V. *Approve the evaluation letter for President Schnoor.*

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BLACK HILLS STATE UNIVERSITY

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Justin Nauta	Assistant Director	3/22/2023	Reclassify CSA to NFE	\$61,000.00	\$52,622.99	15.9%

JUSTIFICATION: This department has two vacant positions so are reorganizing. Due to a vacancy in this department, BHSU is undergoing a reorgnaization and are requesting this position be reclassified from CSA to NFE and will continue completing accounting duties in addition to supervising the bookstore.

SOUTH DAKOTA STATE UNIVERSITY

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Aaron Singrey	Research Associate II	3/22/2022	Permanent Additional Duty Pay	\$74,358.00	\$67,598.00	10.0%

JUSTIFICATION: This position has assume responsibilities as section ceader for the Diagnostic Serology section of the ADRDL, and is taking on new duties such as overall management of all section activities, client interactions, budget management, quality assurance, staff hiring, training and supervision, HR is supportive of reclassifying this position with a 10% increase.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Deepak Raj Joshi	Research Associate II	3/22/2023	Permanent Additional Duty Pay	\$61,700.00	\$54,908.00	12.4%

JUSTIFICATION: This position has grown and taken on more independent research. This position is expected to provide leadership and management on several large grants that are funded by USDA and the climate smart programs. This position has grown over the last several years from coordinating multidisciplinary projects to helping manage projects, writing proposals, writing research reports, conducting multidisciplinary research, lecturing in classes, and recruiting and training graduate students. SDSU is requesting to reclassify this position with a 12.4% increase.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Lindsey Gerard	Coordinator iGrow Technology	3/22/2023	Market Adjustment	\$64,566.00	\$60,722.00	6.3%

JUSTIFICATION: Due to this position providing direction to Extension educational technology content management needs and having an administrative leadership role to the educational content, SDSU is requesting reclassification of this position from a coordinator to a manager, with a working title of SDSU Extension Educational Technology Content Manager.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Zachary Lujan	Assistant Coach - Football/Offensive Coordinator	1/22/2023	Market Adjustment	\$105,000.00	\$87,980.00	19.3%

JUSTIFICATION: This permanent salary increase is to retain the current employee due to them receiving an offer with University of Washington for \$120,000. This proposed salary increase is also inline with market.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Jonathan Shaeffer	Director of Football Operations	1/22/2023	Market Adjustment	\$55,650.00	\$45,335.00	22.8%

JUSTIFICATION: This permanent salary increase is to retain the current employee due to them receiving an offer with Louisiana Tech for the Director of Operations for \$70,000. This proposed salary increase is also inline with market:

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Ryan Olson	Assistant Coach-Football	1/22/2023	Market Adjustment	\$98,500.00	\$83,740.00	17.6%

JUSTIFICATION: This permanent salary increase is to retain the current employee due to them receiving an outside offer. This proposed salary increase is also in line with market.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Nathan Skadsen	4H Youth Program Advisor	3/22/2023	Market Adjustment	\$55,000.00	\$44,651.00	23.2%

JUSTIFICATION: This position was updated to reflect changes and establish consistency with its partner position from Minnehaha county. SDSU HR recommends this increase to bring the employee to base of this pay grade and market structure and address internal equity with a like position.

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Christopher Meyers	Assistant Coach - Football	1/22/2023	Market Adjustment	\$63,000.00	\$49,936.00	26.2%

JUSTIFICATION: This permanent salary increase is to retain the current employee in this poosition. This proposed salary increase is also in line with market.

UNIVERSITY OF SOUTH DAKOTA

Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Michael Runde	Assistant Volleyball Coach	3/22/2023	Market Adjustment	\$76,300.00	\$63,000.00	21.1%

JUSTIFICATION: New multi-year contract for head coach has salary pool for assistant coaches increasing, the head coach is requesting this increase based upon performance.

APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR

NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Marcus Garstecki	Chief Enrollment Management Officer	2/13/2023	\$98,000.00	NSU
Chad Hatzenbuhler	Director of Communications and Marketing	4/3/2023	\$75,000.00	NSU

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