

**BOARD OF REGENTS
MINUTES OF THE MEETING
March 30 - April 1, 2016**

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ADJOURN

**BOARD OF REGENTS
MINUTES OF THE MEETING
March 30 – April 1, 2016**

The South Dakota Board of Regents met on March 30 – April 1, 2016 in Rapid City at the Surbeck Center on the campus of South Dakota School of Mines & Technology with the following members present:

Randy Schaefer, President
Bob Sutton, Vice President
Terry Baloun, Secretary
Jim Morgan, Regent
John Bastian, Regent
Harvey Jewett, Regent
Kathryn Johnson, Regent
Joe Schartz, Regent
Kevin Schieffer, Regent

Also present during all or part of the meeting were Mike Rush, Executive Director and CEO; Guilherme Costa, General Counsel; Paul Turman, System Vice President for Academic Affairs; Nathan Lukkes, System Assistant Vice President for Research and Economic Development; Michele Anderson, Internal Auditor; Kayla Bastian, Director of Human Resources; Monte Kramer, System Vice President of Finance and Administration; Dave Hansen, Director of Information Technology; Jay Perry, Director of Academic Programs; Molly Hall-Martin, Director of Student Preparation & Success; Molly Weisgram; System Director of Student Affairs and Board Secretary; Janelle Toman, Director of Communications; Leah Ahartz, Budget Manager, Mary Ellen Garrett, Accounting Manager; Daniel Palmer, Director of Institutional Research, BOR; James Abbott, USD; David Chicoine, SDSU; José-Marie Griffiths, DSU; Tom Jackson Jr., BHSU; Marjorie Kaiser, SDSBVI/SDSD; Heather Wilson, SDSM&T; Craig Johnson, University Center – Sioux Falls; and other members of the regental system, public and media.

WEDNESDAY, MARCH 30, 2016

The Board of Regents convened in open session at 6:00 p.m. on Wednesday, March 30, in the McKeel Room on the campus of South Dakota School of Mines & Technology. Calling the meeting to order, Regents' President Randy Schaefer declared a quorum present.

IT WAS MOVED by Regent Baloun, seconded by Regent Bastian that the Board of Regents convene and dissolve into Executive Session at 6:00 p.m. on Wednesday, March 30 in order to discuss 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, consult with legal counsel, and discuss personnel matters; that it adjourn at 9:00 p.m. and reconvene in executive session at 8:00 a.m. on Thursday, March 31 in order to discuss personnel matters, pending and prospective litigation, collective bargaining, contractual matters, and to consult with legal counsel; that it arise from executive session at 1:00 p.m. to resume the regular order of business and report deliberations while in executive session. All members voted AYE. The MOTION CARRIED.

THURSDAY, MARCH 31, 2016

Regents' President Randy Schaefer called the meeting of the Board of Regents to order at 1:10 p.m. on Thursday, March 31, and declared a quorum present.

BOARD WORK

3-A Approval of the Agenda

The agenda was approved with the exception of 4-K.2 USD – Instructional Coaching, Technology and Change. All members voted AYE.

3-B Approval of the Minutes

IT WAS MOVED by Regent Baloun, seconded by Regent Sutton to approve the minutes of the meeting on December 1-3, 2015; December 15, 2015; December 29, 2015; January 29, 2016 and March 1, 2016. All members voted AYE. The MOTION CARRIED.

3-C Rolling Calendar

Next year's Board of Regents meeting to be held on March 29-31, 2017, at Black Hills State University in Spearfish was approved. All members voted AYE.

A copy of the Rolling Calendar can be found on pages **306** to **310** of the official minutes.

3-D Election of Officers

IT WAS MOVED by Regent Johnson, seconded by Regent Schartz to elect the following slate of officers: Randy Schaefer as President; Bob Sutton as Vice President; and Kevin Schieffer as Secretary effective April 2, 2016. All voted AYE. The MOTION CARRIED.

RECOGNITION OF REGENTAL APPOINTEE PAM ROBERTS

Regents' President Randy Schaefer introduced and welcomed new regental appointee Pam Roberts from Pierre, SD.

CONSENT AGENDA

Regents' President Schaefer explained that the consent agenda is created to include items that are not anticipated to generate discussion because of their routine manner. He offered that all items will be approved on a single vote unless any regent would like to pull an item from the consent agenda and discuss it in committee.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve the consent agenda items 4-A through 4-N, with the exception of 4-K.2 which was removed from the agenda. All members voted AYE, Regent Sutton abstained. The MOTION CARRIED.

4-A Resolutions of Recognition

Approve the proposed request to recognize Dr. Parthasarathi Nag (BHSU) as the Black Hills State University Distinguished Faculty Honoree from March 2016 through March 2017; Mary (Kathy) Husby (USD) and Dr. Elizabeth Smith (USD) for their years of dedicated service to the public higher education system of South Dakota; and Superintendent David Pappone, Special Education Director Lyn Heidenson, Principal Susan Foster, and the Brandon Valley School District 49-2 for their leadership and contributions provided to students with special auditory needs in South Dakota.

A copy of the Resolutions of Recognition can be found on pages **311** to **315** of the official minutes.

4-B.1 Program Modifications – Northern State University

Approve NSU's program modification requests for its Coaching Minor; Health Education Minor; Human Performances and Fitness; Music Education Minor; and Physical Education Minor programs.

A copy of NSU's Program Modifications can be found on pages **316** to **327** of the official minutes.

4-B.2 Program Modifications – South Dakota State University

Approve SDSU's program modification request for its B.A./B.S. in Advertising; B.S. in Animal Science; Ph.D. in Biochemistry; Ph.D. in Chemistry; Communication Studies and Theatre Minor; B.S. in Early Childhood Education, Cooperative Elementary Education Specialization with DSU and NSU, Birth to 5 Specialization, Birth to 8 Specialization; B.S. in Electronics Engineering Technology; B.S. in Family and Consumer Sciences Education; French Studies Minor; B.A./B.S. in Journalism; Journalism Minor; Ph.D. in Sociology; and Women's Studies Minor programs.

A copy of SDSU's Program Modifications can be found on pages 328 to 365 of the official minutes.

4-B.3 Program Modifications – University of South Dakota

Approve USD's program modification requests for its B.A./B.S. and Double Major in History; M.S. in Administration with Alcohol and Drug Studies Specialization; B.S. in Physics; and Women and Gender Studies Minor programs.

A copy of the USD's Program Modifications can be found on pages 366 to 378 of the official minutes.

4-C Memorandum of Understanding – DSU & SDSU

Dakota State University and South Dakota State University are requesting approval to enter into an agreement whereby DSU students in the B.S. in Biology for Information Systems and the B.S. in Exercise Science majors can articulate into the Nursing program offered by SDSU in Sioux Falls or Aberdeen.

Approve the memorandum of understanding between Dakota State University and South Dakota State University.

A copy of the Memorandum of Understanding – DSU & SDSU requests can be found on pages 379 to 382 of the official minutes.

4-D Agreement on Academic Cooperation - NSU

Northern State University seeks approval to enter into a cooperative agreement with Central Queensland University Australia (CQUniversity), to assist in facilitating international student educational opportunities. The agreement would result in the opportunity for direct sharing of students between institutions (as non-degree seeking). Students participating in the exchange program will pay tuition and fees required by their home institution. Participating students are relieved of any payments of tuition and fees to the host institution, except as indicated by the host institution. A list of required fees will be provided by the host institution to participating students each semester. All living expenses shall be borne by the students of both institutions. In general, all other incidental costs are the responsibility of the participating students.

Approve the agreement on academic cooperation between Northern State University and Central Queensland University Australia (CQUniversity).

A copy or the Agreement on Academic Cooperation – NSU can be found on pages 383 to 388 of the official minutes.

4-E.1 Articulation Agreements – SDSU

Approve the Articulation agreements between South Dakota State University and Minnesota State Community and Technical College; Normandale Community College; Oglala Lakota College; Rochester Community and Technical College; and Southeast Technical Institute.

A copy of SDSU's articulation agreement can be found on pages 389 to 409 of the official minutes.

4-E.2 Articulations Agreements – USD

Approve the articulation agreements between the University of South Dakota and Lake Area Technical Institute; and Southeast Technical Institute.

A copy of the USD Articulation Agreement can be found on pages 410 to 421 of the official minutes.

4-F Inactive Status and Program Termination Requests – SDSU & USD

Approve the South Dakota State University's requests to terminate the B.S. in Athletic Training; and the University of South Dakota's Liberal Studies: B.L.S programs.

A copy of the Inactive Status and Program Termination Requests – SDSU & USD can be found on pages 422 to 425 of the official minutes.

4-G Request to Seek Accreditation - USD

Approve the University of South Dakota's request to seek accreditation from the Accreditation Council for Engineering Technology (ABET) for its B.S. in Computer Science program.

A copy of the Request to Seek Accreditation – USD can be found on pages 426 to 428 of the official minutes.

4-H Student Organization Award Winners for 2015

Approve the Student Organization Award recommendations for 2015 in the categories of Academic Excellence, Community Service, and Organizational Leadership. A copy of the Student Organization Awards Winners for 2015 can be found on pages 429 to 430 of the official minutes.

4-I Joint Powers Agreement – SDSU & Dept. of Agriculture

The South Dakota Department of Agriculture (DOA) is seeking to enter into an agreement with South Dakota State University (SDSU) to fund a graduate student to complete a two-year study to collect and analyze data and prepare a report covering the efficacy and cost-benefit analysis of the direct and indirect actions on mountain pine beetle infestation rates and tree mortality versus the no action alternative. The DOA will provide up to \$62,334 and SDSU will match the funds through state funded faculty time devoted to the project, volunteer labor and unrecovered overhead.

Approve Joint Powers Agreement between the South Dakota Department of Agriculture and South Dakota State University.

A copy of the Joint Powers Agreement – SDSU & Dept. of Agriculture can be found on pages **431** to **441** of the official minutes

4-J.1 New Program Request – SDSU – Minor in Electronics

Approve South Dakota State University’s proposal for a Minor in Electronics.

A copy of the SDSU’s New Program Request for a Minor in Electronics can be found on pages **442** to **446** of the official minutes.

4-J.2 New Program Request – SDSU – Minor in Financial Counseling

Approve South Dakota State University’s proposal for a Minor in Financial Counseling.

A copy of USD’s New Program Request for a Minor in Financial Counseling can be found on pages **447** to **452** of the official minutes.

4-J.3 New Program Request – SDSU – Minor in Social and Human Services

Approve South Dakota State University’s proposal for a Minor in Social and Human Services.

A copy of SDSU’s New Program Request for a Minor in Social and Human Services can be found on pages **453** to **458** of the official minutes.

4-J.4 New Program Request – SDSU – Minor in Social Media

Approve South Dakota State University’s proposal for a Minor in Social Media.

A copy of SDSU’s New Program Request for a Minor in Social Media can be found on pages **459** to **466** of the official minutes.

4-J.5 New Program Request – SDSU – Minor in Theatre

Approve South Dakota State University’s proposal for a Minor in Theatre.

A copy of SDSU’s New Program Request for a Minor in Theatre can be found on pages **467** to **473** of the official minutes.

4-J.6 New Program Request – SDSU – Minor in Youth and Community Work

Approve South Dakota State University’s proposal for a Minor in Youth and Community Work.

A copy of SDSU’s New Program Request for a Minor in Youth and Community Work can be found on pages **474** to **479** of the official minutes.

4-K.1 New Certificate Requests – SDSU – Data Science

Approve South Dakota State University's new certificate request for a Graduate Certificate in Data Science.

A copy of USD's New Certificate Request for a Data Science Certificate can be found on pages **480** to **482** of the official minutes.

4-K.2 New Certificate Requests – USD – Instructional Coaching, Technology, and Change

Item removed from agenda per USD's request.

4-K.3 New Certificate Requests – USD – Laboratory Science

Approve the University of South Dakota's new certificate request for a Laboratory Science Certificate.

A copy of the USD's New Certificate Request for a Laboratory Science Certificate can be found on pages **483** to **484** of the official minutes.

4-K.4 New Certificate Requests – USD – Museum and Archives Studies

Approve the University of South Dakota's new certificate request for a Graduate Certificate in Museum and Archives Studies.

A copy of the USD's New Certificate Request for a Museum and Archives Studies Certificate can be found on pages **485** to **486** of the official minutes.

4-K.5 New Certificate Requests – USD – Reading Interventionist

Approve the University of South Dakota's new certificate request for a graduate Reading Interventionist Certificate.

A copy of the USD's New Certificate Request for a Reading Interventionist Certificate can be found on pages **487** to **488** of the official minutes.

4-K.6 New Certificate Requests – USD – Regulatory Affairs

Approve the University of South Dakota's new certificate request for a Regulatory Affairs Certificate.

A copy if the USD's New Certificate Request for a Regulatory Affairs Certificate can be found on pages **489** to **490** of the official minutes.

4-L.1 New Site Requests – SDSU – Minor in Criminal Justice

Approve South Dakota State University's request to offer the Minor in Criminal Justice through online distance delivery.

A copy of the SDSU New Site Request for a Minor in Criminal Justice can be found on pages **491** to **496** of the official minutes.

4-L.2 New Site Requests – SDSU – Minor in Geography

Approve South Dakota State University's request to offer the Minor in Geography through online distance delivery.

A copy of the SDSU New Site Request for a Minor in Geography can be found on pages **497** to **502** of the official minutes.

4-L.3 New Site Requests – SDSU – Minor in Gerontology

Approve South Dakota State University's request to offer the Minor in Gerontology through online distance delivery.

A copy of the SDSU New Site Request for a Minor in Gerontology can be found on pages **503** to **509** of the official minutes.

4-L.4 New Site Requests – SDSU – Minor in History

Approve South Dakota State University's request to offer the Minor in History through online distance delivery.

A copy of the SDSU New Site Request for a Minor in History can be found on pages **510** to **515** of the official minutes.

4-L.5 New Site Requests – SDSU – Minor in Human Development and Family Studies

Approve South Dakota State University's request to offer the minor in Human Development and Family Studies.

A copy of the SDSU New Site Request for a Minor in Human Development and Family Studies can be found on pages **516** to **521** of the official minutes.

4-L.6 New Site Requests – SDSU – Minor in Psychology

Approve South Dakota State University's request to offer the Minor in Psychology through online distance delivery.

A copy of the SDSU New Site Request for a Minor in Psychology can be found on pages **522** to **527** of the official minutes.

4-L.7 New Site Requests – SDSU – Minor in Sociology

Approve South Dakota State University's request to offer the minor in Sociology.

A copy of the SDSU New Site Request for a Minor in Sociology can be found on pages 528 to 533 of the official minutes.

4-M.1 Intent to Plan Request – SDSU – BS in Chemistry Education

Authorize SDSU to develop a proposal for a B.S. in Chemistry Education the following conditions:

1. The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers.
2. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies.
3. The university will not request new state resources and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs.

A copy of the Intent to Plan Request – SDSU – Chemistry Education can be found on pages 534 to 542 of the official minutes.

4-M.2 Intent to Plan Request – SDSU – BS in Early Care and Education in a Mobile Society

Authorize SDSU to develop a proposal for a B.S. in Early Care and Education in a Mobile Society with the following conditions:

1. The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers.
2. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies.
3. The university will not request new state resources and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs.

A copy of the Intent to Plan Request – SDSU – BS in Early Care and Education in a Mobile Society can be found on pages 543 to 556 of the official minutes.

4-M.3 Intent to Plan Request – SDSU – BS in Human Biology

Authorize SDSU to develop a proposal for a B.S. in Human Biology with the following conditions:

1. The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers.
2. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies.
3. The university will not request new state resources and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs.

A copy of the Intent to Plan Request – SDSU – BS in Human Biology can be found on pages 557 to 566 of the official minutes.

4-N M&R Project

Approve the institutional maintenance and repair projects described in this document. A copy of the M&R Projects can be found on pages 567 to 568 of the official minutes

PLANNING AND RESOURCE DEVELOPMENT

5-A Welcome and Presentation by SDSM&T President Heather Wilson

President Heather Wilson welcomed regents and guests to the South Dakota School of Mines & Technology. In addition to highlighting construction projects on campus and in the community that have recently been completed and/or are underway, she mentioned the school's work with economic development activity, talent development, and its effort to foster entrepreneurship. She discussed SDSM&T's effort to ignite curiosity for science, math and engineering in young people.

5-B Student Organization Awards

SDSM&T (2014 & 2015)

Pat Mahon, Vice President for Student Development and Dean of Students, presented the SDSM&T Student Organization awards. The Award for Academic Excellence for 2014 and 2015 was presented to the Society of Physics Students (SPS). The Award for Community Service for 2014 was presented to the American Chemical Society (ACS). The Award for Community Service for 2015 was presented to the Cycling Club. The Award for Organizational Leadership for 2014 was presented to the Vet's Club. The Award for Organizational Leadership for 2015 was presented to the Professional Development Institute.

A copy of the SDSM&T (2014 & 2015) Student Organization Awards can be found on pages 569 to 570 of the official minutes.

BHSU (2015)

Lois Flagstad, Vice President for Enrollment & Student Life, presented the BHSU Student Organization awards. The Award for Academic Excellence was presented to the English Club. The Award for Community Service was presented to the BHSU Talking Hands. The Award for Organization Leadership was presented to the Health Sciences Student Organization (HSSO).

A copy of the BHSU (2015) Student Organization Awards can be found on page **571** of the official minutes

5-C Report on Individual Regent Activities

Regent Jim Morgan reported that he recently traveled to Washington, DC with SDSU President David Chicoine where he attended a conference sponsored by the Department of Education. The conference was focused on furthering student success for PELL students, particularly Native American populations.

5-D BOR Policy 4:1 & 4:49 – Multi-Year Contracts (Recommended Emergency Implementation)

Kayla Bastian, System Director of Human Resources, and Guilherme Costa, SDBOR General Counsel, explained that at the January 29, 2016 Board of Regents teleconference meeting, the Board directed Dr. Rush to modify BOR Policy 4.1 that prohibits multi-year contracts for NFE employees, and to develop a new policy allowing multi-year contracts for NCAA Division I Head Coaches, NCAA Division I Athletic Directors and University Presidents. In addition to the new policy, BOR Policy 4:1 requires modifications to include text that states that non-faculty exempt contracts may not be more than one year in length, unless otherwise specified in BOR Policy 4:49.

They explained that market expectations for NCAA Division I athletics have continued to evolve, and multiple year contracts for head coaches and athletic directors are commonplace. In order to remain competitive from an employee recruitment perspective, it is imperative that the institutions can offer longer term contracts for these positions. In addition, it is also common in higher education to offer multi-year contracts for University Presidents. At present time, no other positions have been identified in the proposed policy as eligible for multiple year contracts. This allows SDBOR to implement the policy for a very limited and targeted subset of employees so that the Board can understand the long-term implications and evaluate the budgetary impact before consideration of including other divisions and position types.

Additionally, it was explained that the proposed BOR Policy 4:49 does not require that a multi-year contract is offered to any of the positions identified as eligible, but it gives the institutions and the Board the ability to negotiate a multi-year employment agreement. The proposed policy stipulates that any multi-year contract issued: (1) Must follow the Board approved model contract template; (2) Any termination for convenience payouts must be paid from University non-restricted unappropriated funds; (3) Cannot be for more than four years in length, targeting three years in length; and (4) Must include supporting documentation including a summary of the terms and compensation obligations of all current institutional multi-year contracts, market salary

comparisons, and all base and supplemental compensation information.

Kayla Bastian provided one modification to proposed policy 4:49. For multi-year employment contracts for NCAA Division I head coaches and athletic directors, she offered the following replacement language to section 2:

*The President of an institution may offer to enter into, or renew, **subject to approval by the Board of Regents**, a contract for the services of non-faculty exempt NCAA Division I Head Coaches and on NCAA Division I Athletic Directors for a term of more than one year, **but not more than three years except that such contract may extend beyond three years by the minimum amount of time required to align it with the fiscal year calendar.***

In response to a question by Regent Jewett, Kayla explained that when a university requests a multi-year contract, it will be required to bring disclosure of any existing multi-year contracts.

Regent Schieffer said this policy does not explicitly recognize contingent liabilities. He said, although it is unlikely, if the cumulative amount that the institutions carry as a liability due to several multi-year contracts gets significant, he will be more critical of this policy.

Kayla suggested adding language that would require institutions to provide a summary of university non-restricted, non-appropriated funds when they request a multi-year contract. She said this could be added to section 4-B as subsection 5.

She explained the process of policy development, indicating that after the policy was drafted, it was taken to the Human Resources professionals on the campuses, athletic departments, the Academic Affairs Council, Business Affairs Council, and the Council of Presidents and Superintendents.

Regent Sutton asked if special teleconference Board of Regents meetings will be required to approve these multi-year contracts. Kayla noted that all administrative actions currently require Board approval, and Dr. Rush can determine whether or not a special teleconference meeting of the Board is necessary.

IT WAS MOVED by Regent Morgan, seconded by Regent Sutton to approve the proposed amendment to BOR Policy 4:1, and approve BOR Policy 4:49 with the modifications to section 2 discussed, and to declare an emergency.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to amend the motion to add language that would require a summary of university non-restricted, non-appropriate funds in section 4-B, subsection 5, of BOR Policy 4:49. All members voted AYE. The AMENDMENT CARRIED.

All members voted AYE on the Main Motion as Amended. The Main Motion CARRIED.

A copy of the BOR Policy 4:1 & 4:49 – Multi-Year Contracts (Recommended Emergency Implementation) can be found on pages 572 to 580 of the official minutes.

5-E Report and Actions of the Executive Session

After convening at 6:00 p.m. on Wednesday, March 30, 2016, the Board dissolved into executive session in order to discuss 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, consult with legal counsel, and discuss personnel matters. As shown on the published agenda, it adjourned at 7:30 p.m. and reconvened in executive session at 8:00 a.m. on Thursday, March 31, in order to discuss personnel matters, pending and prospective litigation, collective bargaining, contractual matters, and to consult with legal counsel; rising from executive session at 12:30 p.m. to report its deliberations in executive session and to resume the regular order of business.

Regent Baloun reported that while in executive session, the Board considered 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, personnel and administrative actions, pending and prospective litigation, collective bargaining, contractual matters, consulted with legal counsel, and gave directions to its executive director and general counsel concerning these matters.

IT WAS MOVED by Regent Baloun, seconded by Regent Sutton that the Board approve directions given to the executive director and the general counsel with respect to matters discussed in executive session, that it:

1. Grant the title of Professor Emeritus of Spanish to Dr. Peggy Buckwalter (BHSU); grant the title of Professor Emeritus of English to Kent Meyers (BHSU); grant the title of Professor Emeritus of Business to Dr. Ken Schallenkamp (BHSU); grant the title of Professor Emeritus of Education and Behavioral Sciences to Dr. Patricia Simpson (BHSU); grant the title of Professor Emeritus to Ethelle Bean (DSU); grant the title of Associate Professor Emeritus of Education to Dr. Gale Wiedow (DSU); grant the title of Professor Emeritus of Music to Dr. Allan Jacobson (NSU); grant the title of Professor Emerita of Humanities to Dr. Kathy Antonen (SDSM&T); grant the title of Professor Emeritus of Civil and Environmental Engineering to Dr. Thomas Fontaine (SDSM&T); grant the title of Professor Emeritus of Mining Engineering to Dr. Charles A. Kliche (SDSM&T); grant the title of Professor Emerita of English to Dr. Kathleen Donovan (SDSU); grant the title of Professor Emerita of Teaching, Learning and Leadership to Dr. Kathryn Penrod (SDSU); grant the title of Professor Emerita of English to Dr. Kathleen Danker (SDSU); grant the title of Professor Emeritus of English to Dr. John Taylor (SDSU); grant the title of Professor Emeritus to Dr. Carla Dieter (USD); grant the title of Professor Emeritus to Dr. Richard Ekstrom (USD); grant the title of Professor Emeritus to Dr. Leroy Meyer (USD); grant the title of Professor Emeritus to Dr. David Moen (USD); grant the title of Professor Emeritus to Richard Rognstad (USD); grant the title of Professor Emeritus to Dr. Evelyn Schlenker (USD); and grant the title of Professor Emeritus to Susan Skyrn (USD). A copy of the special resolutions can be found on page **118** to **138** of the official minutes.
2. Award the title of Distinguished Professor to Dr. Sharon Clay (SDSU).
3. Award an honorary Doctorate of Humane Letters to Daniel Morrow (DSU); honorary Doctorate of Public Service to Dr. Susan J. Koch (DSU); honorary Doctorate of Public Service degree to Mr. Michael Black (SDSM&T); honorary Doctor of Public Service degree to Senator Tim Johnson (SDSU); honorary Doctor of Public Service degree to Brigadier General Myrna H. Williamson (SDSU); honorary Doctor of Public Service

degree to Mr. Larry Ness (SDSU); honorary Doctor of Humane Letters degree to Ms. Pamela Smith Hill (USD); honorary Doctor of Humane Letters degree to Ms. Jan Neuharth (USD).

4. Award a posthumous Bachelor of Arts in General Studies to Lisa Raab (BHSU).
5. Approve the leave requests for John E. Brawand (SDSU), Molly Enz (SDSU), Karla Hunter (SDSU), Sharon Smith (SDSU), Zhiguang Wang (SDSU), Moses N. Ikiugu (USD), Nan Jiang (USD), and Kenneth Renner (USD) for the Fall 2016 semester; and Ric Dias (NSU), Pen Pearson (NSU), Marie-Pierre Baggett (SDSU), Paul Baggett (SDSU), John Banasiak (USD), Darlene Farabee (USD), and Jacob Kerby (USD) for the Spring 2017 semester; and Maribeth Price (SDSM&T) and James Stone (SDSM&T) for the 2016-17 academic year.
6. Approve awarding two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Christopher Olson (DSU); and three (3) years of prior service credit toward tenure and three (3) years of prior service credit toward promotion for Christopher Jenks (USD).
7. Approve the request to grant tenure to Dr. Kristi Cammack (SDSU) and Dr. Charles Fenster (SDSU).
8. Approve the request for a one (1) year extension of time for tenure consideration for Dr. J. Scott Pattison (USD).
9. Deny the SDSU Student Grievance No. 16-001.
10. Accept the System Scholarship Committee's recommended recipients for the 2016-2017 Fowler, Haines, and Bjugstad scholarships. The 2016-17 Annis Irene Fowler/Kaden Scholarship recommended recipients are Abby Rank and Tayla Weber. The 2016-17 Haines Memorial Scholarship recommended recipient is Megan Pond. The 2016-17 Ardell Bjugstad Scholarship recommended recipients are Wade Gesinger and Sydney Peters.
11. Approve the multi-year contract request for Bob Nielson for the Head Football Coach position at USD effective December 15, 2015, with an annualized salary of \$255,000.
12. Accept the resignation of Rodney Custer from BHSU Chief Academic Affairs Officer, effective June 21, 2016, and approve his one-year position as Coordinator of Special Projects for Academic Affairs as of June 22, 2016; accept the retirement of Laurie Stenberg Nichols from the position of SDSU Provost & Executive Vice President for Academic Affairs as of May 21, 2016; accept the resignation of Robert (Bob) J. Otterson as SDSU Executive Assistant to the President effective March 21, 2016; accept the resignation of Greg Smith as NSU University Relations Director effective March 18, 2016; Accept the appointment of Susan Bostian as interim NSU University Relations Director effective March 22, 2016, with a monthly stipend of \$2,100 per month through July 21, 2016; accept the appointment of Dennis Hedge as interim SDSU Provost and Vice President for Academic Affairs effective May 22, 2016 at an annualized salary of \$230,412; accept the appointment of Robert (Bob) J. Otterson as the DSU Vice President for Institutional Advancement effective March 22, 2016, at an annualized salary of \$160,000; accept the appointment of Kathleen McClatchey as the DSU Assistant to the President for Strategic Projects effective January 19, 2016, at an annualized salary of \$96,000; accept the appointment of Ann Brentlinger as SDSM&T Director of Marketing and Communications effective January 4, 2016, at an annualized salary of \$77,000; accept the title change for Judy Dittman at DSU from Vice President of Academic Affairs to Provost and Vice President for Academic Affairs effective March 22, 2016.

13. Approve the personnel actions as submitted by the Board office, campuses, and special schools. A copy of the personnel actions can be found on pages 144 to 305 of the official minutes.

All members voted AYE. The MOTION CARRIED.

5-F Report of the Executive Director

Dr. Mike Rush recognized President Wilson, Stephanie Lindsley and Shannon Patterson for their gracious hosting of the March/April 2016 Board of Regents meeting. He additionally expressed his appreciation for the support of legislators and individual Board members during his first legislative session in South Dakota.

A copy of the Interim Actions of the Executive Director can be found on pages 581 to 592 of the official minutes.

5-G Margolis Healy & Associates System-wide Title IX Readiness Assessment Review

Michael Webster, Director of Regulatory Compliance, explained that Margolis Healy & Associates conducted a system-wide Title IX readiness assessment of the South Dakota regental system in the summer and fall of 2015. This review included a comprehensive review of BOR policies, institutional policies and processes, training programs, complaint documentation, investigative files, communication materials and various other materials that the institutions provided for review. He provided a brief summary of the recent system-wide Title IX review by consolidating the common themes from these reports into summary items for which the Board has some role in the resolution of, either directly or as a facilitator. Some of these recommendations included uniform notices of non-discrimination, Title IX Coordinators should not double as investigators, Title IX coordinators are expected to have access to chief executives at each campus, each campus should have a Title IX committee chaired by the Title IX coordinator, and checklists which can be developed to conform to federal requirements and to ensure matters are handled properly.

Regent Schartz asked about a previously mentioned Title IX retreat. Kayla Bastian explained that the Title IX Coordinators and deputies as appropriate are planning to gather to discuss many of these matters, including campus climate survey, Memorandums of Understanding, and others. In addition, she noted that the group plans to work through the review process of the related policies.

Regent Schieffer asked if there was a way to eliminate the confusion between Title IX coordinators limited role, if any, in investigations. Mr. Webster said that the guidance provided at this point discusses the conflict based upon the duties that are expected. It is less about function and more about the duties being undertaken. He said there are ways to eliminate conflict of interest through the deputy appointments. He went on to explain that in an ideal sense the Title IX coordinator would never investigate matters of Title IX; however, this is not practical depending on the size and unique circumstance of the institutions.

A copy of the Margolis Healy & Associates System-wide Title IX Readiness Assessment Review can be found on pages 593 to 596 of the official minutes.

5-H.1 University Center – Sioux Falls Proposed Governance Model

Dr. Jay Perry, System Director of Academic Programs, explained that the Regents committee worked with the Executive Director of the Board of Regents and the presidents of the University of South Dakota (USD), South Dakota State University (SDSU), and Dakota State University (DSU) to develop this proposed model.

He explained that the participating universities have agreed to the Memorandum of Understanding (MOU) presented to guide the governance, funding, and operations of the UC-SF. He highlighted the eight important features of the MOU.

Regent Morgan asked how competitive the rate of \$270 is compared to the current rate. USD President Abbott said it is their feeling that if they are competitive with the technical institutions they will be in better shape considering their intent to offer more two-year degrees.

There was a question about the intended naming of the University Center. President Abbott replied by saying that naming is a regental decision. Before this is undertaken, though, it is important to see how the community reacts to the changes to the University Center.

Regent Johnson asked about the financial aid opportunities for the students attending the University Center. Executive Dean Craig Johnson explained that there are some local funds, including funds from the University Center – Sioux Falls Foundation. He also indicated that there are financial aid personnel on site that work with the students.

Regent Schaefer asked about the membership of the advisory council. Dean Johnson explained that there would be somewhere between 15-20 members. He said they are working with several groups in the community to understand the best composition of the group. President Abbott indicated that the executive director and regents would be invited to attend at any time and they would be happy to formalize that element of membership. Regent Schaefer indicated that they would like the executive director and one regent formally on this group.

Regent Baloun provided additional thoughts about important partners to be included on the advisory council.

In response to a question, President Abbott said the preference is to create scholarships as opposed to a direct buy-down. He believes this is the most palatable method of making contributions to students.

Regent Schieffer asked that the regents be informed if any element of this planning is not working.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the Memorandum of Understanding between USD, SDSU, and DSU on a governance, funding, and operations model for the UC-SF and the proposed self-support tuition rate of \$270/credit hour for

lower division courses for students enrolled in certificate or associate degree programs at UC-SF. All members voted AYE. The MOTION CARRIED.

A copy of the University Center – Sioux Falls Update Proposed Governance Model can be found on pages 597 to 608 of the official minutes.

5-H.2 University Center – Sioux Falls Proposed Action Plan

An outline of related current and proposed action steps to guide further marketing, programming, and community engagement efforts was provided to the Board.

A copy of the University Center – Sioux Falls Update Proposed Action Plan can be found on pages 609 to 617 of the official minutes.

5-I 2016 Legislative Overview

Dr. Janelle Toman, System Director of Communications, explained that the 2016 South Dakota Legislature ended with Veto Day March 29, 2016. She noted major legislative achievements this session, including four of five bills filed on behalf of the Board of Regents were enacted. She provided a quick summary of key legislation this year.

She thanked all contributors, including students, regents, presidents and other institutional personnel. She noted that their participation makes this process successful.

Additionally, she pointed out that there are new requirements around appropriate intervening time between notice of public meetings and the actual meeting.

Regent Jewett asked that the regents be fully informed about the open meeting laws. Dr. Toman indicated that she would work with legal counsel to summarize the effects of the three bills that relate to this.

Regents and Dr. Rush recognized all who were involved in this process.

A copy of the 2016 Legislative Overview can be found on pages 618 to 620 of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

6-A Student Federation Report

Harrison (Chance) Costello, Executive Director of the Student Federation, introduced the new Executive Director Robert McLean, sophomore at South Dakota State University. He explained that the Student Federation reviewed the revised BOR policy 3:4 – Student Code of Conduct and indicated its support of these changes. He thanked Guilherme Costa and Molly Weisgram for attending the Student Federation meeting the evening before to answer additional questions about the revised Student Code. He additionally noted that SHED days was a success this year and recognized the many students who contributed their voice and time during the legislative session.

6-B Institutional Items of Information

The Board received Institutional Items of Information submitted by Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, University of South Dakota, South Dakota School for the Blind and Visually Impaired, and South Dakota School for the Deaf. No action required.

A copy of the Institutional Items of Information can be found on pages **621** to **682** of the official minutes.

6-C BHSU Naming Request

Guilherme Costa explained the naming request from Black Hills State University (BHSU), which requests authorization for BHSU to name the outdoor amphitheater in the newly developed campus green adjacent to Crow Peak Hall the “President Kay Schallenkamp Amphitheater,” in recognition of her distinguished service and exceptional contributions to the university.

IT WAS MOVED by Regent Johnson, seconded by Regent Baloun to approve Black Hills State University’s request to name the outdoor amphitheater in the newly developed campus green adjacent to Crow Peak Hall the “President Kay Schallenkamp Amphitheater.” All members voted AYE. The MOTION CARRIED.

A copy of the BHSU Naming Request can be found on pages **683** to **687** of the official minutes.

6-D USD Naming Request

6-D.1 First Bank & Trust Soccer Complex

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the University of South Dakota’s request to name the outdoor amphitheater the “First Bank & Trust Soccer Complex.” All members voted AYE. The MOTION CARRIED.

A copy of the First Bank & Trust Soccer Complex can be found on pages **688** to **692** of the official minutes

6-D.2 Lillibridge Track Complex

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the University of South Dakota’s request to name the new track and field complex the “Lillibridge Track Complex.” All members voted AYE. The MOTION CARRIED.

A copy of the Lillibridge Track Complex can be found on pages **693** to **697** of the official minutes.

6-D.3 Sanford Coyote Sports Center

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the University of South Dakota's request to name the new Sports Performance Enhancement Facility as the "Sanford Coyote Sports Center." All members voted AYE. The MOTION CARRIED.

A copy of the Sanford Coyote Sports Center can be found on pages **698** to **701** of the official minutes.

6-E BOR Policy 3:4 & 2:X – Student Code of Conduct and Student Academic Misconduct (First Reading)

Molly Weisgram, System Director of Student Affairs, and Guilherme Costa, General Counsel, explained that the proposed revisions to BOR Policy 3:4 – Student Conduct Code came as a result of multiple conversations and input from the Student Affairs Council (SAC) and Student Conduct Officers throughout the system. Additionally, these revisions were thoroughly vetted with the Council of Presidents and Superintendents and the Student Federation.

They provided an overview of the major revisions to BOR Policy 3:4, explaining that there was a focus on breaking down the technical language used in the existing policy as well as intentionally distinguishing the Student Code from the criminal justice system since these are separate processes that operate under separate requirements and standards.

Additionally, they explained the need to create a clear process for handling allegations of Academic Misconduct, forming a companion policy 2:X for Student Academic Misconduct. The Academic Affairs Council (AAC) reviewed BOR Policy 2:X at its February 24 meeting and approved it as written. Weisgram noted these revisions have undergone a very comprehensive and deliberative process that involved many stakeholders.

Guilherme Costa walked the regents through the policy diagrams that are intended to remain with the policy so that the student conduct process is accessible and easy to understand. He provided special emphasis on the process and how it provides the respondent with the constitutionally guaranteed due process rights.

He pointed out areas of special attention in the revised BOR Policy 3:4, including sexual misconduct, the definition of consent, and amnesty from alcohol sanctions when a student would need to call for emergency medical assistance.

Regent Jewett expressed some concerns about the draft policy, referring specifically to burden of proof provisions. He also referred to his concerns about discovery actions, 5th Amendment guarantees, and the basic right to have a lawyer to assist you. The process to solve these cases seems to be too rushed, Regent Jewett said. He commented that these cases are too important to get wrong. He said he does not think this policy is ready until all related policy adjustments are ready. He urged the Board members to table these policy changes for now. Regent Jewett distributed a letter to other board members containing his objections to the policies and asked

that it become part of the official record. The Board agreed that the letter would be attached to the final minutes of the meeting, recognizing that the comments in the letter were directed specifically to an earlier draft of BOR Policy 3:4. A copy of Regent Jewett's letter can be found on pages 139 to 143 of the official minutes

Regent Baloun asked if there is time to pass first reading now and then before the next Board meetings in May (roughly six weeks from now) identify needed changes and adjustments, before moving to final consideration. Regent Jewett said that would be like approving half of a contract. Regent Sutton said he believes most of the concerns expressed by Regent Jewett are actually addressed in the draft.

Guilherme Costa said that time is needed to train staff and students; a delay in policy adoption may result in a delay of policy implementation until the fall of 2017 instead of the fall of 2016. To achieve implementation for the fall of 2016, Molly Weisgram said final action in May 2016 would be ideal, but action by late June could possibly work too.

Guilherme said the proposal does not fundamentally change the processes used now, but many changes were made to non-process items, adding clarity to those. Regent Bastian said he was confident that Guilherme's expertise working with student conduct codes in a previous position at the University of Idaho played significantly in making these suggested changes here.

Additionally, Guilherme said if there are more revisions desired by the Board members, it would not require months of additional research, but likely involve changes in a few words or sentences. He reiterated that the proposed documents had been vetted and supported by all constituencies. Regent Schieffer asked where this draft falls on the spectrum of student conduct codes around the country; Guilherme responded that he believed it to be fairly typical of the policies he had read from other institutions. He said this version strikes a good balance in an educational process that teaches students about being good citizens, while also addressing situations where someone may need to be removed from the community as a result of the dangers such person's behavior poses to other members of the community.

Regent Jewett said he is only concerned about assuring full legal representation involving conduct that amounts to situations where felonies were committed. Regent Bastian says he is convinced the code being proposed today is constitutional. Regent Schaefer said the question the Board needs to answer is whether six weeks is enough time to tweak content to address the concerns raised today. Guilherme added that a second reading could be delayed past the next regular board meeting. Regent Schartz encouraged board members to proceed to approve first reading and move forward with the process.

IT WAS MOVED by Regent Johnson, seconded by Regent Schartz to approve the revisions to BOR Policy 3:4 – Student Conduct Code outlined in Attachment II and BOR Policy 2:X – Student Academic Misconduct provided as Attachment V for first reading. All members voted AYE, except for Regent Jewett who voted NAY. The MOTION CARRIED.

A copy of the BOR Policy 3:4 & 2:X – Student Code of Conduct and Student Academic Misconduct can be found on pages 702 to 781 of the official minutes.

A copy of Regent Jewett's letter can be found on pages 139 to 143 of the official minutes.

6-F BOR Policy 4:35 – Conflict of Interest (Second Reading)

Nathan Lukkes, System Assistant Vice President of Research and Economic Development, provided an overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Schartz to approve the second and final reading of the proposed amendments to BOR Policy 4:35. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 4:35 – Conflict of Interest (Second Reading) can be found on pages **782** to **791** of the official minutes.

6-G BOR Policy 1:29 – South Dakota State Authorization Reciprocity Agreement (Second Reading)

Dr. Paul Turman, System Vice President of Academic Affairs, provided an overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Morgan to approve the second and final reading of the proposed amendments to BOR Policy 1:29. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 1:29 – South Dakota State Authorization Reciprocity Agreement (Second Reading) can be found on pages **792** to **805** of the official minutes.

6-H BOR Policy 2:28 – CAAP Exemptions (Second Reading)

Dr. Turman provided an overview of the item.

Regent Jewett voiced his concern that the general public would not understand the results of the CAAP exam, considering that not all students are required to take it. Regent Johnson noted that with the proposed general education revisions, the CAAP would no longer be required at all.

IT WAS MOVED by Regent Baloun, seconded by Regent Johnson to approve the second and final reading of the proposed amendments to BOR Policy 2:28. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 2:28 – CAAP Exemptions (Second Reading) can be found on pages **806** to **810** of the official minutes.

6-I BOR Policy 2:7 – IGR Elimination Proposal – BHSU (Second Reading)

Dr. Turman provided an overview of the item.

IT WAS MOVED by Regent Schieffer, seconded by Regent Schartz to approve the second and final reading of the proposed amendments to BOR Policy 2:7. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 2:7 – IGR Elimination Proposal – BHSU (Second Reading) can be found on pages **811** to **833** of the official minutes.

6-J BOR Policy 5:17 Revision – Section Size Guidelines (First Reading)

Dr. Turman provided an overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Bastian to approve the first reading of the proposed amendments to BOR Policy 5:17. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:17 Revision – Section Size Guidelines (First Reading) can be found on pages **834** to **836** of the official minutes.

6-K Institutional & System Enrollment Reports

Dr. Daniel Palmer, System Director of Institutional Research, explained that during the December 2015 Board of Regents meeting, a detailed analysis of Enrollment Trends in the University System was shared with the Board. The intent of the report was to provide the Board with data on fall enrollment patterns beyond the basic headcount/FTE tables that traditionally are reported in the fact book. Since presenting the report, a number of queries have emerged to further aggregate specific data points with respect to institutional enrollments. In working to respond to these queries, Dr. Palmer noted that he has developed a reporting program using Stata that will allow for the automated creation of specific institutional enrollment reports for use by the campuses and the Board of Regents.

Additionally, in an effort to continue expanding the interactive tools available on the Board's online dashboard suite, a new SDBOR Fall Enrollment Dashboard was added to the Board's website. Board members, campus staff, and other interested stakeholders are encouraged to explore the data available in this new tool.

A copy of the Institutional & System Enrollment Reports can be found on page **837** of the official minutes.

6-L Minimum Progression Report

Dr. Palmer explained that the *Minimum Progression Standards Report* analyzes the extent to which students met minimum progression benchmarks during the 2014-2015 academic year. He explained that degree-seeking undergraduate students maintaining a cumulative GPA of 2.0 or better are considered to be in good standing with their institutions. Students failing to meet this benchmark are subject to academic probation and/or academic suspension. He indicated that the report shows that 92% of our students are able to meet the 2.0 or better cumulative CPA.

A copy of the Minimum Progression Report can be found on pages **838** to **842** of the official minutes.

6-M 2015 Teacher Education Report

Dr. Palmer explained that this report provides a data-driven snapshot of the five teacher education programs in the public university system (i.e., BHSU, DSU, NSU, SDSU, and USD). Data are shown for a variety of performance measures, including student enrollments, academic performance, degree completions, graduate placement, and labor force outcomes.

Regent Johnson encouraged a better descriptor of teachers rather than “Placed” or “Not Placed” because this gets misinterpreted by the media as not placed at all, rather than not placed in South Dakota, which is the true meaning.

A copy of the 2015 Teacher Education Report can be found on pages **843** to **856** of the official minutes.

6-N.1 New Program Request – SDSU – BS in Public Relations

Dr. Perry provided a brief overview of the item. He noted that the approval is just for the Brookings campus at this time although it may come back in the future for approval at the University Center – Sioux Falls location.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve SDSU’s new program proposal for a B.S. in Public Relations for on campus delivery in Brookings. All members voted AYE. The MOTION CARRIED.

A copy of SDSU’s New Program Request for a BS in Public Relations can be found on pages **857** to **874** of the official minutes.

6-N.2 New Program Request –USD – BBA in Innovation and Entrepreneurship

Dr. Perry provided a brief overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve USD’s new program proposal for a BBA in Innovation and Entrepreneurship. All members voted AYE. The MOTION CARRIED.

A copy of USD’s New Program Request for a BBA in Innovation and Entrepreneurship can be found on pages **875** to **891** of the official minutes.

6-N.3 New Program Request –USD – BBA in Operational Analytics

Dr. Perry provided a brief overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve USD’s new program proposal for a BBA in Operational Analytics. All members voted AYE. The MOTION CARRIED.

A copy of USD’s New Program Request for a BBA in Operational Analytics can be found on pages **892** to **911** of the official minutes.

6-N.4 New Program Request – SDSU – BS in Community and Regional Planning

Dr. Perry provided a brief overview of the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve SDSU’s new program proposal for a B.S. in Community and Regional Planning. All members voted AYE. The MOTION CARRIED.

A copy of SDSU’s New Program Request for a BS in Community and Regional Planning can be found on pages 912 to 931 of the official minutes.

6-O New Site Requests – USD – BS in Dental Hygiene

Dr. Perry provided a brief overview of the item

Further description was given to the concurrent completion of the associates degree and bachelor’s degree, including proposed exceptions to Board Policies 2:5 and 2:29 as described in the item.

IT WAS MOVED by Regent Johnson, seconded by Regent Sutton to approve USD’s request to offer the B.S. in Dental Hygiene through online distance delivery, and approve USD’s program modification for the B.S. in Dental Hygiene (waiving BOR Policy limiting 60 credit hours of transfer credit for bachelor’s degree programs). All members voted AYE. The MOTION CARRIED.

A copy of the USD’s New Site Request for a BS in Dental Hygiene can be found on pages 932 to 947 of the official minutes.

6-P.1 Joint Degree – Articulation Agreement – SDSU & LATI

Dr. Turman provided a brief overview of the item, explaining that South Dakota State University (SDSU) seeks approval to enter into an articulation agreement with Lake Area Technical Institute (LATI). This proposed articulation agreement between SDSU and LATI to deliver the Associate of Science degree in Agricultural Science at LATI has been designed so as to provide the opportunity for students to eventually enroll in the SDSU Bachelors of Science degree in Agricultural Sciences. Students who complete the program will have earned 60 credits which are “stackable” and fully transferable to the SDSU bachelor’s degree program.

IT WAS MOVED by Regent Morgan, seconded by Regent Schartz to

1. Approve the articulation agreement between South Dakota State University and Lake Area Technical Institute.
2. approve SDSU’s request to offer the AS in Agricultural Science at Lake Area Technical Institute (LATI) in Watertown, SD as described in Attachment I and waive the requirement of BOR Policy 2:29 Section 1 (C)(3) requiring 8 of the last 15 credits for the associate degree must be completed as institutional credit.

All members voted AYE. The MOTION CARRIED.

A copy of the Articulation Agreement between SDSU and LATI can be found on pages 948 to 954 of the official minutes.

6-P.2 Joint Degree – New Site Request – SDSU – AS in Agricultural Science

This item was approved as part of the motion made for 6-P.1 above.

A copy of the Articulation Agreement between SDSU and LATI can be found on pages 955 to 962 of the official minutes.

6-Q Intent to Plan Request – BHSU – MS in American Indian Studies

Dr. Perry provided a brief overview of the item.

IT WAS MOVED by Regent Bastian, seconded by Regent Johnson to authorize BHSU to develop a proposal for a M.S. in American Indian Studies with the following conditions:

1. The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers.
2. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies.
3. The university will identify the sources of all funds needed to offer the program in the program proposal. BHSU will not submit a program proposal until financial resources, including any requested state recourses, are secured.

All members voted AYE. The MOTION CARRIED.

A copy of the Intent to Plan Request – BHSU – MS in American Indian Studies can be found on pages 963 to 977 of the official minutes.

6-R Student Grant/Aid Shared Responsibility Taskforce

Molly Hall-Martin, System Director of Academic Preparation and Student Success, explained that the Board of Regents has contracted with the Western Interstate Commission for Higher Education (WICHE) to engage critical stakeholders in the state in a discussion of our existing grant and aid environment, the constraints facing current students, and how future grant and aid programs could be structured. WICHE has facilitated similar work in a number of other states by applying a framework for Share Responsibility that has proven to be successful. David Longanecker, President of WICHE, and his colleague Sarah Leibrandt are facilitating this process. The goal of these efforts is to provide a model that may be used with future administrations to develop a long term strategy to address the need for a more robust and cohesive financial aid funding structure for South Dakota's students. She explained that this is

designed to assist the neediest students first. An overview of the status of the initiative was provided to the Board.

A copy of the Student Grant/Aid Shared Responsibility Taskforce can be found on pages **978** to **1021** of the official minutes.

6-S College Application Week 2015

Molly Hall-Martin explained that the South Dakota College Application Week took place the week of November 2-6, 2015 as a part of the American College Application Campaign. In the second year of the program, students at nineteen high schools across the state had the opportunity to apply to up to three Regental institutions of their choosing and had the application fees waived. Schools for this year's expanded pilot were selected based on postsecondary enrollment trends, identification as a South Dakota Jump Start target school, existing college preparation activities, and expressed interest from school counselors.

A copy of the College Application Week 2015 can be found on pages **1022** to **1024** of the official minutes.

6-T HSDC Program Grade & Enrollment Report

Dr. Turman explained that the BOR office received performance data from the Fall 2015 semester for students participating in the High School Dual Credit Program. He said this spring showed another record breaking year for dual credit enrollments.

A copy of the HSDC Program Grade & Enrollment Report can be found on pages **1025** to **1027** of the official minutes.

6-U Program Review Report – SDSM&T

Dr. Turman provided a brief overview of the program review report for South Dakota School of Mines & Technology's B.S. in Applied and Computational Mathematics.

A copy of the Program Review Report – SDSM&T can be found on pages **1028** to **1037** of the official minutes.

FRIDAY, APRIL 1, 2016

Regents' President Randy Schaefer called the meeting of the Board of Regents to order at 9:15 a.m. on Friday, April 1, and declared a quorum present.

6-V General Education Redesign

Dr. Turman reminded the Board that a System General Education Steering Committee worked throughout the 2014-15 academic year to discuss and identify problems with the current system general education requirements. In addition, the group worked to evaluate national initiatives related to general education. As a result of the committee's work, a number of action items

emerged through the councils and were discussed by the Board of Regents at the August 2015 Planning Session.

He explained that due to concerns raised by the Council of Presidents and Superintendents (COPS), the Academic Affairs Councils (AAC) refined the set of action items. These action items will result in modifications to a number of BOR policies. He explained that each of these policy revisions will be brought forward in the future for a first and second reading with a goal of putting the proposed revisions in place for the Fall 2017 academic catalog cycle. Dr. Turman provided an overview of the objectives of the general education action items proposed.

Regent Schartz asked about the assessment method being proposed to replace the CAAP. In response, Dr. Turman said CAAP was seen as a mechanism to determine that students can achieve minimum competency. However, the assessments resulting from the redesign will be customized to the courses taught at the institutions and the specific outcome that the system is aiming to achieve.

Regent Johnson asked about the benefits to the redesign. Dr. Turman explained that the redesign will help with identified problems such as system/institutional barriers that hindered student transfer, prevented enhanced learning assessment, inhibited expansion of online courses and programs, reduced opportunities for shared degree programs between institutions.

Dr. Turman explained that there is system-wide consensus on most pieces of this proposal. He further explained that all campuses will be supportive of this direction if a nation-wide approach is not adopted as a whole. If nation-wide efforts are re-framed for what is best for South Dakota, the institutions will be supportive.

A copy of the General Education Redesign can be found on pages **1038** to **1062** of the official minutes.

6-W SDSU GRADUATION REQUEST

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the request for SDSU to award the Doctorate of Nursing Practice to Ms. Danielle Reiff on April 1, 2016. All voted AYE. The MOTION CARRIED.

BUDGET AND FINANCE

7-A Building Committee Report

The Board received information regarding the activities of the various building committees since its last meeting.

A copy of the Building Committee Report can be found on page **1063** of the official minutes.

7-B Capital Project List

The Board received the Capital Improvement Project List identifying the current capital improvement projects along with the Regental representative, estimated dollar amount, the source of funds for the project, and the current status of the project.

A copy of the Capital Project List can be found on pages **1064** to **1068** of the official minutes.

7-C Residence Hall Occupancy Report for Fall 2015/Spring 2016

Dr. Monte Kramer, System Vice President of Finance and Administration, overviewed the Residence Hall Occupancy Report which explains the capacity and the historical utilization numbers for each of the campuses' residence halls for both the fall and spring terms.

A copy of the Residence Hall Occupancy Report for Fall 2015/Spring 2016 can be found on pages **1069** to **1072** of the official minutes.

7-D.1 BOR Policy 5:1 – Institutional Representation Account (Second Reading)

Dr. Kramer reviewed the dollar amounts used by the campuses to support on-campus activities based on BOR Policy 5:1 – Institutional Representation Account. The dollar amount allowed per student has been the same since 2001. The requested policy change would increase the fund from \$10.00 per student to \$20.00 per student.

IT WAS MOVED by Regent Jewett, seconded by Regent Bastian to approve the second reading of policy changes to BOR Policy 5:1 Institutional Representation Account. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:1 – Institutional Representation Account (Second Reading) can be found on pages **1073** to **1074** of the official minutes.

7-D.2 BOR Policy 6:6 – Maintenance and Repair (Second Reading)

Dr. Kramer reviewed the Board's action in December to put the changes to BOR Policy 6:6 on hold to allow time to work out differences with OSE and BOA regarding the change giving the campuses authority to do projects up to \$100,000. Since then Mike Rush, Jim Shekleton and Monte Kramer met with Jason Dilges, Kristi Honeywell, Jeff Holden, BOA Commissioner, and Catherine Duenwald, BOA Attorney, to discuss the proposed changes. The direction from the meeting was that BOA would look at the necessary language to accommodate the change. In the end, BOA agreed to a change that would allow BOR to manage projects up to \$50,000 versus the \$100,000 originally proposed. Campuses can request delegation for larger projects.

IT WAS MOVED by Regent Sutton, seconded by Regent Schartz to approve the second reading of the changes to BOR Policy 6:6 Maintenance and Repair. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 6:6 – Maintenance and Repair (Second Reading) can be found on pages 1075 to 1102 of the official minutes.

7-D.3 BOR Policy 5:5:1 – Tuition and Fees: State-Support Tuition (Recommended Emergency Implementation)

Regent Baloun asked that action on Item 7-D.3 be held until after the Board takes up Item 7-V because BOR Policy 5:5:1 contains language about the Iowa Tuition proposal.

A copy of BOR Policy 5:5:1 Tuition and Fees: State-Support Tuition can be found on pages 1103 to 1110 of the official minutes.

7-D.4 BOR Policy 5:5:4 – Tuition and Fees: Fees (Recommended Emergency Implementation)

Dr. Kramer reviewed the 2016 legislative action enacted allowing the rolling of the university support fee (USF) into the tuition rate and providing the necessary funding to make the BOR whole for this change. The policy change reflects the fact that we will no longer have a separate USF, but that we will still allocate dollars to salary competitiveness, maintenance and repair, and technology. Appropriate language has been added to BOR policy 5:5:4 because the source for salary competitiveness, maintenance and repair, and technology will now be tuition.

The revenue from the transcript fee and the application fee will no longer be deposited into the System Tuition Fund and be required to contribute to the Higher Education Facilities Funds (HEFF). This adjustment in revenue was accounted for when the HEFF percentage of 11.5% was calculated.

Discussion about the legislatively approved tuition freeze was discussed. Regents summarized the way in which tuition will be frozen by saying that after 14 years, money that would otherwise have been unrestricted is now restricted for the purpose of freezing tuition. They also emphasized that it is important to recognize that this action also saves students \$1,400 over four years.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve the emergency implementation of the changes to BOR Policy 5:5:4 – Tuition and Fees: Fees, keeping the policy in-line with the emergency approval provided in the legislation. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:5:4 – Tuition and Fees: Fees (Recommended Emergency Implementation) can be found on pages 1111 to 1117 of the official minutes.

7-D.5 BOR Policy 6:3 – Higher Education Facilities Fund (Recommended Emergency Implementation)

Dr. Kramer reviewed the recommended changes to the Higher Education Facilities Fund (HEFF) policy following the changes approved during the 2016 legislative session relating to rolling the university support fee (USF) into tuition. Because the revenue base that HEFF is now applied to is significantly more, the percentage needs to be reduced. The 11.5% also reflects the payoff of

the 2008 A-3 SDM&T Chemical Engineering Bond at a cost of \$8,612,640, resulting in annual savings of \$704,077. The savings are redirected to the cost of the tuition freeze.

The original HEFF statute limited investments in new facilities until there was at least \$3.0M available for maintenance and repair. The amount was increased to \$15.0M to be consistent with today's environment.

IT WAS MOVED by Regent Baloun, seconded by Regent Johnson to approve the emergency implementation of the changes to BOR Policy 6:3 – Higher Education Facilities Fund, keeping in-line with the emergency approval provided in the 2016 legislation. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 6:3 – Higher Education Facilities Fund (Recommended Emergency Implementation) can be found on pages 1118 to 1119 of the official minutes.

7-D.6 BOR Policy 3:15 – Scholarships, Grants, and Loans (Recommended Emergency Implementation)

Dr. Kramer explained that with the elimination of the USF as a fund source, the BOR must find a revenue source for housing scholarships currently reimbursed from USF and GAF monies collected from students. The logical fund source would be from the tuition generated from the students receiving the scholarship. The updated language is found in section 8 of the policy.

IT WAS MOVED by Regent Baloun, seconded by Regent Schieffer to approve the emergency implementation of the changes to BOR Policy 3:15 – Scholarships, Grants and Loans, keeping the policy in-line with the emergency approval provided in the legislation to roll USF into tuition. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 3:15 Scholarships, Grants, and Loans (Recommended Emergency Implementation) can be found on pages 1120 to 1130 of the official minutes.

7-D.8 BOR Policy 5:19 – System Funding (Recommended Emergency Implementation)

Dr. Kramer reviewed the language changes in policy 5:19 – System Funding section 1-B reflecting the change of rolling USF into tuition.

IT WAS MOVED by Regent Bastian, seconded by Regent Schartz to approve the emergency implementation of the changes to the BOR Policy 5:19 – System Funding, keeping the policy in-line with the emergency approval provided in the 2016 legislation to roll USF into tuition. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:19 – System Funding (Recommended Emergency Implementation) can be found on pages 1131 to 1133 of the official minutes.

7-E SDSM&T Child of Alum Criteria

Dr. Kramer reviewed the changes to SDSM&T's eligibility criteria for the Child of Alum program, explaining that SDSM&T is duplicating the criteria currently used by SDSU.

IT WAS MOVED by Regent Jewett, seconded by Regent Schartz to approve the change in initial eligibility and renewal criteria for the SDSM&T Children of Alum program starting summer 2016. All members voted AYE. The MOTION CARRIED.

A copy of the SDSM&T's new eligibility criteria can be found on pages 1134 to 1135 of the official minutes.

7-F 2015-2016 Regional Tuition Survey

Dr. Kramer explained the results of the annual tuition survey of the four-year public institutions in the surrounding states. He said South Dakota continues to rank seventh highest out of eight states for cost of undergraduate resident tuition and fees, and sixth highest out of eight states for graduate resident tuition and fees. South Dakota remains the lowest for nonresident undergraduate and graduate tuition and fees.

He further explained that over the ten-year period, only Idaho increased undergraduate resident tuition and fees more than South Dakota, a 71.4% increase compared to 63.9% increase. South Dakota also increased its total cost for undergraduate residents by more than any other state at 67.0%, followed by Nebraska at 58.1%. Over that same ten-year period, South Dakota's nonresident undergraduate tuition and fees costs remained virtually unchanged because of the state's decision to lower the costs to 150% in FY07.

Regent Baloun said there is a lot of history behind those numbers, noting that the cost increases were due to years with significant cuts as well as accommodating projects specifically requested by students.

A copy of the 2015-2016 Regional Tuition Survey can be found on pages 1136 to 1184 of the official minutes.

7-G Economic Impact Study

Dr. Kramer explained that 2010 was the last time an economic impact study of the South Dakota public university was completed. He said that he has been in contact with the dean of the USD Business School, Dr. Michael Allgrunn, to discuss the preparation of a new economic impact study of higher education as well as a separate study on the economic impact of the research activities and investments within higher education. He referred to USD's proposal provided in the item, which describes the proposed studies and the costs.

Regent Baloun explained that this study provides important information for the public as it tells the story of the regental impact to the state. He listed a number of possible ways that the information can be packaged for different constituents throughout the state. The regents concurred with the ideas provided and said that the presidents should be consulted for their ideas as well.

IT WAS MOVED by Regent Sutton, seconded by Regent Schieffer to proceed with an economic impact study of higher education on local communities and the state, as well as the economic

impact of higher education research on the state. All members voted AYE. The MOTION CARRIED.

A copy of the 2010 Economic Impact Study as well as USD's proposal for a new economic study of higher education's impact on communities and the state including the research activities and investments within higher education can be found on pages 1185 to 1211 of the official minutes.

7-H Resolution of Recognition

On behalf of the SDBOR Executive Director, Dr. Mike Rush, and the BOR system of higher education, Dr. Kramer requested approval of the Resolution of Recognition honoring Claude Garelik. He said Mr. Garelik has been with the Board of Regents and Regents Information Services for 21 years. He currently serves as the Chief Networking and Security Officer for the BOR and has provided strategic leadership and direction on a Regental and national level ensuring the security of the Board's environment today and into the future. Mr. Garelik has also been instrumental in architecting the high speed, redundant network infrastructure in South Dakota to better support the current and future needs of the Regental system and its research partners.

IT WAS MOVED by Regent Johnson, seconded by Regent Morgan to recognize Mr. Claude Garelik for his years of dedicated service to Regents Information Systems, the universities, and the Board of Regents System, and to approve the accompanying resolution. All members voted AYE. The MOTION CARRIED.

A copy of Claude Garelik's resolution of recognition can be found on pages 1212 to 1213 of the official minutes.

7-I FY15 Audit Review

Dr. Kramer explained that despite having to submit the annual financial data six weeks sooner than was previously done, the accounting staff at the campuses and the central office completed the Comprehensive Annual Finance Report (CAFR) with no audit adjustments necessary. Significant improvements have been made over the past six years, but this is the first time that no adjustments were needed.

Dr. Kramer recognized the individuals throughout the system that deserve much of the credit for the good work.

A copy of the FY15 Audit Review summary can be found on pages 1214 to 1215 of the official minutes.

7-J FY16 General Bill Amendments

Dr. Kramer reported that the FY16 general bill amendments contained in SB48 were approved by the 2016 legislature and signed by the Governor. He explained that SB48 included a significant reduction in general funds totaling \$3,337,863 to adjust for health insurance savings in FY16. The reduction is based on money appropriated in FY16 for anticipated health insurance

premiums, but that will not be billed by the state. This reduction is allocated to each campus based on benefit eligible employees.

He touched on other adjustments to FY16 funds, which included a \$1,400,000 reduction of health insurance savings from tuition funds. These dollars will become part of the Needs Based/Critical Teaching Scholarship endowment. An additional \$137,170 reduction of health insurance savings from tuition funds will be deposited directly into the Needs Based/Critical Teaching Scholarship fund to supplement the endowment earnings of \$126,707.35, bringing the total funds available in FY17 to \$263,877.35

A copy of the FY16 General Bill Amendments can be found on pages 1216 to 1217 of the official minutes.

7-K FY17 Budget Summary

Leah Ahartz, System Budget Manager, provided an overview of the general fund base budget changes pertaining to the Board of Regents. She additionally overviewed the one-time appropriations not included in the general bill.

A copy of the FY17 Budget Summary can be found on pages 1218 to 1223 of the official minutes.

7-L NSU New Residence Hall Facility Design Plan

Dr. Kramer provided an overview of NSU's Facility Design Plan to construct a new residence hall at an estimated cost of \$7,350,000. Funding for this construction project will come from \$7,000,000 in bond proceeds debt serviced by rent revenues plus \$350,000 from NSU's auxiliary system Repair/Replacement/Renewal Funds. He explained that with Board approval, construction will begin in May 2016.

IT WAS MOVED by Regent Jewett, seconded by Regent Morgan to approve NSU's Facility Design Plan to construct a new residence hall. All members voted AYE. The MOTION CARRIED.

A copy of NSU's New Residence Hall Facility Design Plan can be found on pages 1224 to 1238 of the official minutes.

7-M NSU Reimbursement Resolution

Dr. Kramer explained that bonds for the NSU new residence hall will likely be issued this fall when SDSU may be ready to proceed with their Wellness Center expansion. Because of this he requested that a reimbursement resolution be approved for NSU so that expenses can be reimbursed with bond proceeds at a later date. The resolution allows expenses that have been paid 60 days prior to approval to be included in the reimbursable amount.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve the following Reimbursement Resolution:

1. The Board reasonably expects to reimburse Northern State University for capital expenditures relating to the NSU New Residence Hall (the "Project") with the proceeds of Housing and Auxiliary Facilities System Revenue Bonds of the Board (the "Bonds");
2. The costs of the Project to be reimbursed with proceeds of the Bonds have been or will be paid no earlier than 60 days prior to the date of this resolution; and
3. The maximum principal amount of Bonds expected to be issued for the Project is \$7,000,000, and the maximum amount of capital expenditures expected to be reimbursed with proceeds of the Bonds is \$3,500,000.

ROLE CALL:

Schaefer – AYE
Sutton – AYE
Baloun – AYE
Bastian – AYE
Jewett – AYE
Johnson – AYE
Morgan – AYE
Schartz – AYE
Schieffer – AYE

The MOTION CARRIED.

A copy of the NSU Reimbursement Resolution can be found on page **1239** of the official minutes.

7-N DSU Land Purchase – Foundation Parking Lot

Nathan Lukkes, Assistant Vice President of Research and Economic Development, explained DSU's request that the Board grant the BOR's Executive Director the authority to execute the purchase agreement acquiring the parking lot located at 802 N. Washington Avenue, Madison, SD, from the DSU Foundation at a cost of \$30,000 that will be paid by DSU from institutional funds. SB11, which contained an emergency clause making it effective upon its passage and approval, was passed by the Legislature and signed by the Governor on February 18 authorizing the Board to purchase the property. An appraisal was conducted on January 30, 2016, which stated an opinion of value at \$30,000. Additionally, GEOTEK Engineering & Testing Services, Inc. completed its Phase I Environmental Site Assessment on March 3, 2016, which recommended no additional assessment or remediation.

IT WAS MOVED by Regent Morgan, seconded by Regent Bastian to grant the Executive Director the authority to execute the purchase agreement set forth in Attachment I and to further authorize the President of DSU to take such actions as are necessary and appropriate to effectuate the purchase. All members voted AYE. The MOTION CARRIED.

A copy of the DSU Land Purchase – Foundation Parking Lot can be found on pages 1240 to 1289 of the official minutes.

7-O SDSU Land Lease Agreement for Agricultural Experiment Station in Hughes County

Guilherme Costa explained that SDSU requests the authority to enter into a land lease agreement on behalf of the South Dakota Agricultural Experiment Station at SDSU with Dakota Lakes Research Farm Corporation. The purpose of the Agreement is to provide the Experiment Station with access to land in Hughes County to conduct agricultural research.

IT WAS MOVED by Regent Schartz, seconded by Regent Morgan to approve, and authorize South Dakota State University to enter into, the land lease agreement between South Dakota State University, on behalf of the Agricultural Experiment Station at SDSU, and Dakota Lakes Research Farm Corporation for real estate described in Exhibit A of the land lease agreement attached to this agenda item, which by this reference is incorporated herein, comprising 813 acres, more or less along with all water rights and easements that are appurtenant to the described real estate, and also included is the easement for the pumping station at the Missouri River, which provides irrigation water to this real estate. The land lease agreement is for five (5) years and includes an annual lease payment of \$140,000. All members voted AYE. The MOTION CARRIED.

A copy of the SDSU Land Lease Agreement for Agricultural Experiment Station in Hughes County can be found on pages 1290 to 1301 of the official minutes.

7-P SDSU Graduate Nursing Program – West River Office Lease

Guilherme Costa explained that SDSU requests authorization to lease office and classroom space at 1220 Mt. Rushmore Road, Rapid City, SD, allowing the College of Nursing West River leadership to relocate graduate teaching faculty, schedule, and deliver graduate and doctoral courses, and create a new area that supports SDSU's diversity outreach activities under the Native American grant initiative.

In response to a question, Dr. Barbara Hobbs, assistant dean of the SDSU nursing program, explained where the program is currently located. She said they have expanded faculty for both SDSU and USD and, therefore, are running out of room.

Regent Johnson noted that the lease be revised so that the option to terminate is at SDSU's discretion.

Dr. Rush indicated that the lease could be re-worked, including Regent Johnson's suggestion.

IT WAS MOVED by Regent Schartz, seconded by Regent Baloun to approve the authorization of the lease agreement between South Dakota State University (SDSU) and Rushmore Road Chiropractic, LLC, which would permit SDSU's graduate nursing program to occupy the office space at 1220 Mt. Rushmore Road, Rapid City, SD. All members voted AYE. The MOTION CARRIED.

A copy of the SDSU Graduate Nursing Program – West River Office Lease can be found on pages **1302** to **1310** of the official minutes.

7-Q SDSU Utility Repairs & Upgrades Water, Sanitary Sewer, and Storm Sewer Facility

Dean Kattelman explained SDSU's request for approval of its Facility Program Plan for utility repairs and upgrades. He said these water, sanitary sewer and storm sewer upgrades and repairs have an estimated cost of \$10,043,000. SDSU's Preliminary Facility Statement was approved at the March 2012 meeting. This project was identified as part of the 2012 Ten-Year Capital Plan approved by the 2012 Legislative Session – HB1051.

In SDSU's Preliminary Facility Statement, three primary utility systems were identified as needing repairs and upgrades: domestic water, storm water, and sanitary sewer. The domestic water and storm sewer studies have been completed. These studies included data collection, GIS model development, domestic water system analysis, and storm sewer and drainage system analysis plus development and prioritization of the recommended repair and replacement projects for each system. The final study of the sanitary sewer system will be completed in the summer of 2016.

IT WAS MOVED by Regent Johnson, seconded by Regent Sutton to approve SDSU's Facility Program Plan and to move forward with its utility repairs and upgrades at an estimated total cost of \$10,043,000. SDSU is requesting approval of their \$5,043,000 portion of the funds from multiple years HEFF M&R allocations, university funds, and other funds. The remaining \$5,000,000 in bond proceeds may be available to SDSU if bonds are issued in 2021 or 2022. All members voted AYE. The MOTION CARRIED.

A copy of the SDSU Utility Repairs & Upgrades Water, Sanitary Sewer, and Storm Sewer Facility Program Plan can be found on pages **1311** to **1319** of the official minutes.

7-R SDSU Plant Science Research Support Facility-Facility Design Plan

Dean Kattelman introduced SDSU's request for approval of its Facility Design Plan to continue planning, design and construction of the Plant Science Research Support Facility at a projected cost of \$4,500,000. SDSU's Preliminary Facility Statement for this project was approved in October 2014 with the Facility Program Plan approved by the Board at its December 2014 meeting. The Building Committee approved this Facility Design Plan at their March 21, 2016 meeting.

This new facility will consist of 17,142 gross square feet. The space will house laboratory, seed preparation, seed drying storage, office, support, multi-purpose and unloading areas. The building will be located north of the existing Foundation Seed Stock and Plant Science Storage buildings. There is gravel road access from the north and from the south, but a new driveway will be added to connect the building drives and parking lot to Stadium Road. A parking lot will be created south of the building to accommodate 20 to 25 parking spaces.

IT WAS MOVED by Regent Schartz, seconded by Regent Sutton to approve SDSU's Facility Design Plan to move forward with planning and design to construct a Plant Science Research

Support Facility at an estimated cost of \$4,500,000. Funding for this construction project will consist of \$2,400,000 from SDSU's Facilities & Administration Sponsored Programs indirect funds, \$1,100,000 from the SDSU Foundation Seed Stock Grant, \$500,000 from the SDSU College of Agriculture & Biological Sciences, and \$500,000 from Agriculture Industry Partners. The building committee overseeing this project is being headed by Regent Schartz. All members voted AYE. The MOTION CARRIED.

A copy of the SDSU Plant Science Research Support Facility-Facility Design Plan can be found on pages 1320 to 1329 of the official minutes.

7-S FY17 Tuition & Fee Overview

Dr. Kramer explained a number of funding issues that must be considered when looking at the annual tuition and fee increase to students. For the FY17 academic year, he overviewed the issues that need to be addressed in order to provide context to the increase.

He explained that the total cost to provide salary policy, salary enhancement and inflation on the general fund and tuition and fee base for FY17 is roughly \$9,500,000. The state provided general funds of \$4,583,366 and utilized health insurance savings of \$514,265 to offset the increase needed. The prepayment of two BOR bonds, totaling \$35.5M, allows base funds of \$2,904,690 to be repurposed to fund the state salary package, a 0.5% salary enhancement pool, and inflation for the portion of the budget funded with resident tuition and fees. The balance of the money must come from a nonresident tuition and fee increase.

Additionally, he explained that a factor that must be considered when increasing tuition and fees is the level of state support. The greater the level of state support (taxpayer support), the greater the ability to provide the citizens of the state a lower cost public education. Five of the states in our region support higher education better than South Dakota. With Governor Daugaard's and the South Dakota Legislature's efforts, additional state funding has been made available to offset the tuition and fee increases to resident students at the six public universities.

Regent Morgan asked what percent of nonresident students coming to South Dakota pay the full nonresident tuition amount, considering the special arrangements for neighboring states, including Minnesota reciprocity, etc. Dr. Kramer said although he does not have those specific numbers readily available, 32% of revenue comes from nonresidents.

Dr. Kramer provided further explanation as to how the nonresident tuition increase is established.

IT WAS MOVED by Regent Baloun, seconded by Regent Johnson to applaud the efforts of Governor Daugaard and the South Dakota Legislature for recognizing the need for affordable higher education by providing additional state funding to offset the tuition and fee increases to resident student. All members voted AYE. The MOTION CARRIED.

A copy of the FY Tuition & Fee Overview can be found on pages 1330 to 1335 of the official minutes.

7-T FY17 Resident On-Campus Tuition & Fees

Mary Ellen Garrett, Accounting Manager, gave a brief overview of the FY17 Resident On-Campus Tuition & Fees item and also noted that the system is moving away from the terminology of “self-support” and “state support” and rather will use the terms “on-campus” and “off-campus” tuition rate.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve the proposed FY17 Resident On-Campus Tuition and Fees as presented in Attachment I and to authorize SDSU to waive the graduate assistant tuition and delivery fees and take that into consideration as part of compensation starting summer 2016. All members voted AYE. The MOTION CARRIED.

A copy of the FY17 Resident On-Campus Tuition & Mandatory and Institutional Fees can be found on pages **1336** to **1343** of the official minutes.

7-U FY17 Nonresident On-Campus Tuition

Mary Ellen Garrett explained that the Governor recommended and the Legislature provided funding that will cover the cost of a tuition freeze for resident students. The funding will cover the portion of salary and benefit costs and inflation normally covered by tuition and fee increases to resident students. This funding included a 2.7% salary and related benefit increase on the university support fee (USF), general activity fee (GAF), and all program fees; 2.5% movement to job worth for CSA employees; a 0.5% salary competitiveness funding increase for faculty and non-faculty exempt staff; and, 0.73% operating expense inflation on the portion of the budget supported with resident tuition and fees. Nonresident tuition must be increased to cover these same cost increases on the portion of the budget supported by nonresidents. The increase to nonresident undergraduate students within the system averages 3.1% or a \$349 increase.

IT WAS MOVED by Regent Sutton, seconded by Regent Morgan to approve the proposed FY17 Nonresident On-Campus Tuition rates as presented in Attachment II which represents a 3.5% increase in the rate. All members voted AYE. The MOTION CARRIED

A copy of the FY17 Non-Resident On-Campus Tuition & Fees can be found on pages **1344** to **1345** of the official minutes.

7-V Iowa Resident Tuition Proposal

Dr. Kramer explained that according to Board policy a university may request that the Board approve the use of reduced nonresident tuition rates to manage enrollment. USD’s proposal is to reduce the tuition cost to Iowa students to resident rates while also increasing the marketing and recruitment efforts in Iowa. Using the FY16 rates, the tuition revenue discounted per Iowa student per academic year would be \$2,170.50. This effort is intended to counter some of the push in Iowa to retain their students in state. A new performance based funding model in Iowa bases sixty percent of the state funding allocation on enrollment of in-state students.

He indicated that based on the information provided in the item, USD, SDSU, DSU and NSU would all like to offer resident rates to Iowa students. BHSU and SDSM&T did not feel that offering students a discount would impact the number of students coming to their institution.

Regent Jewett recognized the growing appreciation of out-of-state students by the state as a whole, including the legislature.

IT WAS MOVED by Regent Johnson, seconded by Regent Schieffer to approve the undergraduate resident tuition rates for new first-time freshman students and new transfer students from Iowa attending DSU, NSU, SDSU and USD starting summer of 2016. All members voted AYE. The MOTION CARRIED

A copy of the Iowa Resident Tuition Proposal can be found on pages 1346 to 1348 of the official minutes.

7-D.3 BOR Policy 5:5:1 – Tuition and Fees: State-Support Tuition (Recommended Emergency Implementation)

Dr. Kramer reviewed the 2016 legislative action relating to rolling the university support fee (USF) into tuition. This approval effected several BOR tuition policies. The biggest change is the percentage that graduate assistants will pay moving forward. They will no longer pay 1/3 of the graduate tuition rate, plus USF and GAF; instead residents will pay 53% and nonresidents will pay 63% of the combined tuition and USF plus GAF. The dollar value of the discount they receive will change slightly.

He further explained that the passage of HB1163 removed the time limits that a veteran can pursue an undergraduate degree without payment of charges for tuition based on qualified service. The benefit is no less than one or more than four academic years of free tuition. Finally, HB1203 changed the 50% reduced tuition benefit for National Guard such that all federal tuition benefits must be applied first. National Guard members will be required to apply for their federal benefits to qualify for the state benefit.

IT WAS MOVED by Regent Baloun, seconded by Regent Schartz to approve the emergency implementation of the changes to BOR Policy 5:5:1 – Tuition and Fees: State-Support Tuition. All members voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:5:1 – Tuition and Fees: State-Support Tuition (Recommended Emergency Implementation) can be found on pages 1103 to 1110 of the official minutes.

7-W FY17 Off-Campus Tuition Rates

Dr. Kramer explained that all courses offered off campus, including those at the University Centers and electronically delivered courses, are charged an off-campus tuition rate. The off-campus tuition rate includes a HEFF component of 11.5%. All off-campus tuition rates are charged per credit hour. The proposed rate increase for off-campus tuition is based on the FY16 budgets and the necessary funds needed to cover salary policy and inflation on OE. The proposed increase is 2.5%.

He said state employees attending a university center receive a reduction to the off-campus rate equal to 50% of on-campus tuition rate provided certain criteria are met. This was a change made in FY14 at the request of the universities. The reduction in the rate is attributable to rolling the USF into tuition, which increases the benefit. Details regarding undergraduate and graduate off-campus tuition rates, rates for courses taken at the technical institutes, the IDEA tuition rates determined by GPIDEA consortium, externally supported tuition rates, and rates for dual credit courses can be found in the item.

The question was asked by Regent Jewett how the rates for the Sioux Falls Centers related to the proposed self-support tuition rate of \$270/credit hour for lower division courses for students enrolled in certificate or associate degree programs at UC-SF approved as part of agenda item 5.H. Dr. Kramer explained that the \$270.00 rate would be added to the schedule for the associate degree program cohort and the \$325.25 rate would apply to all other undergraduate courses at Sioux Falls.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve the FY17 Off-Campus Tuition Schedule as provided in Attachment I. All members voted AYE. The MOTION CARRIED.

A copy of the FY17 Office-Campus Tuition can be found on pages 1349 to 1351 of the official minutes.

7-X FY17 Residence Hall and Food Service Rates

Mary Ellen Garrett introduced the FY17 residence hall rates, which are charged per semester to fund the ongoing operations of the resident halls including major repairs, renovations, and debt service. The proposed increase for FY17 is based on FY16 budgets and the necessary funds needed to cover salary policy and inflation on OE. The proposed increase is 2.5 percent.

IT WAS MOVED by Regent Sutton, seconded by Regent Baloun to approve the FY17 Housing and Food Service Plans rates as presented in this agenda item. All members voted AYE. The MOTION CARRIED.

A copy of the FY17 Housing and Food Service Rate can be found on pages 1352 to 1357 of the official minutes.

7-Y FY17 Special Schools Nonresident Tuition

Mary Ellen Garrett explained that the South Dakota School for the Blind and Visually Impaired (SDSB&VI) annually reviews its instructional and residential costs to determine an appropriate tuition rate for nonresident students who may attend the school. The current tuition rate at SDSB&VI is \$34,675 for instructional costs and \$14,016 for residential care. This rate is reflective of the current costs for these areas. It is recommended that the rate increase by salary policy or 2.7%.

IT WAS MOVED by Regent Morgan, seconded by Regent Schartz to approve the Special Schools Nonresident Tuition rate for FY17 at \$35,611 for instructional costs and \$14,394 for residential care. All members voted AYE. The MOTION CARRIED.

A copy of the FY17 Special Schools Non-Resident Tuition can be found on page 1358 of the official minutes.

7-Z FY17 Graduate Assistant Stipends

Mary Ellen Garrett explained that Board Policy 5:22(B) – Graduate Assistants and Fellows requires the Board to annually establish a minimum graduate assistant stipend. Graduate assistants are expected to work a full semester to receive the full semester compensation. Graduate assistants are expected to work the full four-week summer session to receive the full four-week session compensation. The minimum compensation may be prorated accordingly if the graduate student does not work the full semester or four-week session.

She explained that the Board has traditionally increased the minimum amount of the graduate assistant stipends by the rate of increase in resident graduate tuition. Because of the state-support tuition freeze for FY17, the minimum amount is increased to reflect salary policy. The increase is rounded to the nearest dollar.

She noted that there is no rate identified for SDSU given their intent to waive tuition and delivery fees starting in summer of 2016 and to adjust stipends accordingly. This approach is possible under the policy changes approved to BOR policy 5:22 during the December 2015 Board meeting.

IT WAS MOVED by Regent Baloun, seconded by Regent Morgan to approve BHSU, DSU, and NSU proposed FY17 minimum graduate assistant stipends in the amount of \$3,594 per semester and \$898 per four-week session; SDSM&T proposed FY17 minimum graduate assistant stipends in the amount of \$3,830 per semester and \$957 per four-week session; and USD proposed FY17 minimum graduate assistant stipends in the amount of \$3,744 per semester and \$935 per four-week session. All members voted AYE. The MOTION CARRIED.

A copy of the FY17 Graduate Assistant Stipends can be found on pages 1359 to 1360 of the official minutes.

RESOLUTION OF RECOGNITION FOR REGENT TERRY BALOUN

Regent Terry Baloun offered his gratitude to the institutions and the regents for the last 12 years while he served on the Board.

Regents' President Schaefer shared his appreciation for Regent Baloun's service and mentorship and asked Dr. Rush to read a resolution of recognition for Regent Baloun.

WHEREAS, Terry Baloun served the people of the state of South Dakota for 12 years, from April 2004 to April 2016, as a member of the South Dakota Board of Regents; and

WHEREAS, Regent Baloun served with distinction as Secretary, Vice President, and President of the Board of Regents; and

WHEREAS, Regent Baloun served on countless building committees, carefully overseeing the investment of public and private resources in capital improvements for the betterment of the public higher education system; and

WHEREAS, Regent Baloun exemplified steady, thoughtful leadership as the Board embarked on initiatives to promote strong academic standards, to develop innovative approaches to resource allocation and performance assessment, and to improve relationships with South Dakota policymakers; and

WHEREAS, Regent Baloun took an active and involved role to ensure that South Dakota's public resources were always invested wisely to achieve the academic, research, and service missions of the Board of Regents' system; and

WHEREAS, Regent Baloun served throughout his tenure on the Board with utmost integrity and steadfast dedication to the improvement of South Dakota's system of public higher education and its constituent institutions;

THEREFORE, BE IT RESOLVED, that it is the desire of the Board of Regents to applaud and recognize Regent Baloun for his dedicated service, leadership, and vision; and

BE IT FURTHER RESOLVED, that Regent Terry Baloun be thanked for his outstanding contributions and dedication to higher education and to South Dakota, and it is ordered that this Resolution be spread upon the minutes of this Board and that a copy thereof be forwarded to Regent Baloun.

IT WAS MOVED by Regent Sutton, seconded by Regent Johnson to accept the Resolution of Recognition for Regent Terry Baloun. All members voted AYE. The MOTION CARRIED.

ADJOURN

IT WAS MOVED by Regent Baloun, seconded by Regent Schartz to adjourn the meeting of the Board of Regents. All members voted AYE. The MOTION CARRIED. The Board adjourned at 11:15 a.m.

The South Dakota Board of Regents adjourned its regular business meeting on April 1, 2016 and will meet again in regular session on May 11-12, 2016 in Brookings, South Dakota.

I, Mike Rush, Executive Director and 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 March 30-April 1, 2016.

A handwritten signature in black ink that reads "Mike Rush". The signature is written in a cursive, flowing style.

Mike Rush
Executive Director and CEO