

**BOARD OF REGENTS
MINUTES OF THE MEETING
June 22-23, 2022**

The South Dakota Board of Regents met on June 22-23, 2022, at 10:00 a.m. Central Time at The University of South Dakota in Vermillion and via Zoom with the following members present:

ROLL CALL:

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

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

WEDNESDAY, JUNE 22, 2022

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

1-A Approval of the Agenda

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

1-B Declaration of Conflicts

There were no declared conflicts.

1-C Approval of the Minutes – Meeting on May 10, 2022

IT WAS MOVED by Regent Rave, seconded by Regent Partridge, to approve the minutes of the Board of Regents meetings on May 10, 2022.

Motion passed.

1-E Motion to Dissolve into Executive Session

IT WAS MOVED by Regent Venhuizen, seconded by Regent Partridge, that the Board dissolve into executive session at 10:15 a.m. on Wednesday, June 22, to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or pricing strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business. That it rise from Executive Session at 5:00 p.m., and reconvene in public session at 9:00 a.m. on Thursday, June 23rd, to resume the regular order of business and report its deliberations while in executive session, and take any action it deems prudent as a result thereof.

Motion passed.

The Board dissolved into executive session.

THURSDAY, JUNE 23, 2022

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

4. Informal Budget Hearings

SDSU/CES/AES: President Dr. Barry Dunn and Michael Holbeck, Vice President for Finance & Budget, reviewed the budget priorities for South Dakota State University, SDSU Extension, and the Agricultural Experiment Station. This focused on their Feed Mill Renovation within the Agricultural Experiment Station

USD/Law School/SSOM: President Sheila Gestring and Julie Kriech, Vice President of Finance & Administration reviewed the budget priorities for the University of South Dakota, the USD School of Law, and the Sanford School of Medicine which focused on facilities preservation needed in the Churchill-Haines, South Dakota Union, Dakota Hall, and East Hall buildings located on the Vermillion campus.

DSU: President Dr. José-Marie Griffiths and Stacy Krusemark, VP of Business and Administrative Services, reviewed budget priorities for Dakota State University, which focused on their Data Center upgrade and expansion.

NSU: President Dr. Neal Schnoor and Veronica Paulson, VP of Finance and Administration reviewed the budget priority for Northern State University which focused on facility maintenance equipment and storage.

BHSU: President Dr. Laurie Nichols and Kathy Johnson reviewed budget priorities for Black Hills State University, which focused on their School of Business program enhancement and industry engagement.

System Requests: Heather Forney, System Vice President of Finance & Administration, explained the system's budget priorities, which include requests for a tuition freeze, support for rising construction costs, cybersecurity upgrades, and deferred maintenance & repair.

A copy of the Informal Budget Hearing materials can be found on pages ____ to ____ of the official minutes.

6-A Report and Actions of Executive Session

Regent Venhuizen reported the Board dissolved into Executive Session at 10:15 a.m. on Wednesday, June 22, to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or price strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business, before rising from executive session at 5:00 p.m.

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

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

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

6-B Welcome and Presentation by USD President Sheila Gestring

USD President Sheila Gestring welcomed the Board and other attendees to University of South Dakota and shared information about USD.

6-C USD Student Organizational Awards

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

6-D Report from Individual Presidents and Superintendents

President Dunn introduced Teresa Seefeldt as SDSU's new Vice Provost for Undergraduate Education. President Griffiths introduced Dr. Rebecca Hoey as DSU's new Provost and Vice President for Academic Affairs.

6-E Report on Individual Regent Activities

No reports.

6-F Report from the Student Federation

Katherine Conzet, Student Federation Executive Director, Caleb Wieland, Student Federation President, and Samuel Scheich, Student Federation Vice President, provided an update on what they have been doing regarding putting together and implementing a mental health strategic plan to address the mental health crisis. One primary objective regarding the mental health crisis is identifying exactly what it is and how to effectively face it. They plan to work on and implement faculty and staff training in the near future.

6-G Report of the Executive Director

Dr. Brian Maher, Board of Regents Executive Director and CEO, noted that in recent activity the BOR office has hired a new Director of Communications Shuree Mortenson. She filled the position that was left vacant after the retirement of Janelle Toman.

7. Public Comment Period

There were no public comments.

CONSENT AGENDA

IT WAS MOVED by Regent Rave, seconded by Regent Thares, to approve consent agenda items 8-A through 8-R. Motion passed.

Academic and Student Affairs – Consent

8-A BOR Policy 2:1 – External Review of Proposed Graduate Programs (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy2:1, as presented.

A copy of the BOR Policy 2:1 – External Review of Proposed Graduate Programs (Second Reading) can be found on pages ____ to ____ of the official minutes.

8-B Inactive Status & Program Termination Requests – BHSU & SDSMT

Approve BHSU’s request to inactive the BS degrees in Communication Studies and Theatre, Corporate Communication, and Mass Communication, and SDSMT’s request to terminate the Masters of Engineering, as presented.

A copy of the Inactive Status & Program Termination Requests – BHSU & SDSMT can be found on pages ____ to ____ of the official minutes.

8-C (1) New Program Request – BHSU – Minor in Finance

Authorize BHSU to offer a minor in Finance, as presented.

A copy of the New Program Request – BHSU – Minor in Finance can be found on pages ____ to ____ of the official minutes.

8-C (2) New Program Request – DSU – AS in Digital Accounting

Authorize DSU to offer a AS in Digital Accounting, as presented.

A copy of the New Program Request – DSU – AS in Digital Accounting can be found on pages ____ to ____ of the official minutes.

8-C (3) New Program Request – DSU – Minor in Digital Accounting

Authorize DSU to offer a minor in Digital Accounting, as presented.

A copy of the New Program Request – DSU – Minor in Digital Accounting can be found pages ____ to ____ of the official minutes.

8-C (4) New Program Request – NSU – AS in Digital Entrepreneurship

Authorize NSU to offer a AS in Digital Entrepreneurship, as presented.

A copy of the New Program Request – NSU – AS in Digital Entrepreneurship can be found pages ____ to ____ of the official minutes.

8-C (5) New Program Request – USD – BS in Music – Music Technology and Industry Specialization

Authorize USD to offer a BS in Music, with a specialization in Music Technology and Industry, as presented.

A copy of the New Program Request – USD – BS in Music – Music Technology and Industry Specialization can be found pages ____ to ____ of the official minutes.

8-D (1) New Certificate Request – DSU – Digital Accounting (Undergraduate)

Authorize DSU to offer an undergraduate certificate in Digital Accounting, as presented.

A copy of the New Certificate Request – DSU – Digital Accounting (Undergraduate) can be found on pages ____ to ____ of the official minutes.

8-D (2) New Certificate Request – SDSU – Institutional Research and Assessment in Higher Education (Graduate)

Authorize SDSU to offer a graduate certificate in Institutional Research and Assessment in Higher Education, as presented.

A copy of the New Certificate Request – SDSU – Institutional Research and Assessment in Higher Education (Graduate) can be found on pages ____ to ____ of the official minutes.

8-D (3) New Certificate Request – SDSU – Lobbying and Government Advocacy Undergraduate)

Authorize SDSU to offer an undergraduate certificate in Lobbying & Government Advocacy, as presented.

A copy of the New Certificate Request – SDSU – Lobbying and Government Advocacy (Undergraduate) can be found on pages ____ to ____ of the official minutes.

8-D (4) New Certificate Request – SDSU – Public Service (Undergraduate)

Authorize SDSU to offer an undergraduate certificate in Public Service, as presented.

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

8-D (5) New Certificate Request – SDSU – Real Estate (Graduate)

Authorize SDSU to offer a graduate certificate in Real Estate, as presented.

A copy of the New Certificate Request – SDSU – Real Estate (Graduate) can be found on pages ____ to ____ of the official minutes.

8-D (6) New Certificate Request – BHSU, DSU, NSU, SDSMT, SDSU & USD – American Civic Traditions (Undergraduate)

Authorize BHSU, DSU, NSU, SDSMT, SDSU, and USD to offer an undergraduate certificate in American Civic Traditions, as presented.

A copy of the New Certificate Request – BHSU, DSU, NSU, SDSMT, SDSU & USD – American Civic Traditions (Undergraduate) can be found on pages ____ to ____ of the official minutes.

8-E (1) New Specialization Request – SDSMT – Data Science – BS in Mathematics

Authorize SDSMT to offer a specialization in Data Science within the BS in Mathematics, as presented.

A copy of the New Specialization Request – SDSMT – Data Science – BS in Mathematics can be found on pages ____ to ____ of the official minutes.

8-E (2) New Specialization Request – SDSMT – Green Chemistry – BS in Chemistry

Authorize SDSMT to offer a specialization in Green Chemistry within the BS in Chemistry, as presented.

A copy of the New Specialization Request – SDSMT – Green Chemistry – BS in Chemistry can be found on pages ____ to ____ of the official minutes.

8-F (1) New Site Request – NSU – BA and Minor in Criminal Justice (Online)

Approve NSU's new site proposal to offer the BA and minor in Criminal Justice online.

A copy of New Site Request – NSU – BA and Minor in Criminal Justice (Online) can be found on pages ____ to ____ of the official minutes.

8-F (2) New Site Request – USD – MA in Human Development and Educational Psychology (Online)

Approve USD's new site proposal to offer the MA in Human Development and Education Psychology online.

A copy of New Site Request – USD – MA in Human Development and Educational Psychology (Online) can be found on pages ____ to ____ of the official minutes.

8-F (3) New Site Request – USD – Minor in Addiction Counseling & Prevention (Online)

Approve USD's new site proposal to offer the minor in Addiction Counseling & Prevention online.

A copy of New Site Request – USD – Minor in Addiction Counseling & Prevention (Online) can be found on pages ____ to ____ of the official minutes.

8-F (4) New Site Request – USD – Minor in Anthropology (Online)

Approve USD's new site proposal to offer the minor in Anthropology online.

A copy of New Site Request – USD – Minor in Anthropology (Online) can be found on pages ____ to ____ of the official minutes.

8-F (5) New Site Request – USD – Minor in Child and Adolescent Development (Online)

Approve USD’s new site proposal to offer the minor in Child and Adolescent Development online.

A copy of New Site Request – USD – Minor in Child and Adolescent Development (Online) can be found on pages ____ to ____ of the official minutes.

8-F (6) New Site Request – USD – Minor in Health Sciences (Online)

Approve USD’s new site proposal to offer the minor in Health Sciences online.

A copy of New Site Request – USD – Minor in Health Sciences (Online) can be found on pages ____ to ____ of the official minutes.

8-G Accelerated Program Request – USD – Master of Social Work (MSW)

Approve USD’s proposal to offer an accelerated program for Master of Social Work (MSW), from the BS degree Sociology, as presented.

A copy of the Accelerated Program Request – USD – Master of Social Work (MSW) can be found on pages ____ to ____ of the official minutes.

8-H Agreement on Academic Cooperation – SDSU

Approve South Dakota State University’s agreement on academic cooperation with the Institute of Technology Carlow and Carlow College, St. Patrick’s, as presented.

A copy of the Agreement on Academic Cooperation – SDSU can be found on pages ____ to ____ of the official minutes.

8-I (1) Articulation Agreements – South Dakota State University

Approve South Dakota State University’s articulation agreement with Chandigarh University, as presented in Attachment I.

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

8-I (2) Articulation Agreements – University of South Dakota

Approve the University of South Dakota’s articulation agreements with Sisseton Wahpeton College and Northeast Community College, as presented.

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

8-J Accelerated Master’s Agreement – NSU BA in Sociology & USD Master of Social Work

Approve the Accelerated Master’s Agreement between Northern State University and the University of South Dakota, as presented.

A copy of the Accelerated Master’s Agreement – NSU BA in Sociology & USD Master of Social Work can be found on pages ____ to ____ of the official minutes.

Budget and Finance – Consent

8-K BOR Policy 4:49 Revisions – Multi-Year Employment Contracts (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 4:49, as presented in Attachment I.

A copy of the BOR Policy 4:49 Revisions – Multi-Year Employment Contracts (Second Reading) can be found on pages ____ to ____ of the official minutes.

8-L M&R Projects

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

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

8-M BOR Policy 1:27 Revisions – Naming of Institutional Facilities, Programmatic Units or Funded Academic Honors (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 1:27, as presented in Attachment I.

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

8-N BOR Policy 5:7 Revisions – Refunds (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 5:7 –Refunds as outlined in Attachment I.

A copy of the BOR Policy 5:7 Revisions – Refunds (Second Reading) can be found on pages ____ to ____ of the official minutes.

8-O BOR Policy 6:5 Revisions – Building Committees (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 6:5 – Building Committees as outlined in Attachment I.

A copy of the BOR Policy 6:5 Revisions – Building Committees (Second Reading) can be found on pages ____ to ____ of the official minutes.

8-P BOR Policy 6:6 Revisions – Maintenance and Repair (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 6:6 – Maintenance and Repair as outlined in Attachment I.

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

8-Q BOR Policy 6:7 Revisions – Building Plaques (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 6:7 – Building Plaques as outlined in Attachment I.

A copy of the BOR Policy 6:7 Revisions – Building Plaques (Second Reading) can be found on pages ____ to ____ of the official minutes.

8-R BOR Policy 6:10 Revisions – Legislative Authorization of Private or Grant Funded Facilities (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 6:10 – Legislative Authorization of Private or Grant Funded Facilities as outlined in Attachment I.

A copy of the BOR Policy 6:10 Revisions – Legislative Authorization of Private or Grant Funded Facilities (Second Reading) can be found on pages ____ to ____ of the official minutes.

Informational Items – No Board Action Necessary

8-S Program Review Reports

A copy of the Program Review Reports can be found on pages ____ to ____ of the official minutes

8-T Interim Actions of the Executive Director

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

8-U Capital Projects List

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

8-V Building Committee Report

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

8-W Center for the Prevention of Child Maltreatment Annual Report

A copy of the Center for the Prevention of Child Maltreatment Annual Report can be found on pages ____ to ____ of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

9-A Revised BOR Policy 2:29 – Definition of Credits and Related Institutional Requirements (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that BOR Policy 2:29 governs the institutional credit requirements to ensure academic quality and compliance with the Higher Learning Commission (HLC) guidelines. HLC1 requires at least thirty (30) of the 120 credit hours at the undergraduate level taught and delivered by the degree-seeking institution.

Over the last several months, this policy has been evaluated by the Academic Affairs Council (AAC) to ensure that the use of technology and the practice of transfer met the rigor required for academic quality. In addition, with the approval of the SD Board of Regents Strategic Plan, the policies governed by the Regents were reviewed in light of transfer initiatives currently underway to ensure best practices. The overall policy has been updated to reflect current policy structure and to allow campuses and students optimal flexibility where warranted.

The addition of flexibility to this policy also coincides with the new draft of the BOR Seamless Transfer Policy while ensuring academic rigor and quality remains intact.

IT WAS MOVED by Regent Wink, seconded by Regent Venhuizen, to approve the first reading of the proposed revisions to BOR Policy 2:29, as presented. Motion passed.

A copy of the Revised BOR Policy 2:29 – Definition of Credits and Related Institutional Requirements (First Reading) can be found on pages ____ to ____ of the official minutes.

9-B New BOR Policies 2:5, 2:5:1, 2:5:2, 2:5:3, and 2:5:4 – Seamless Transfer of Credit (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that the Board of Regents (BOR) developed and approved a new Strategic Plan for 2022-2027 which focused on five strategic goals. Within the second goal (Access and Affordability), there were several

enrollment management strategies identified and one major objective within this centered around seamless transfer for students and the workforce needs of the state of South Dakota.

To implement this objective and action items, the Academic Affairs Council (AAC) over the last several months has been evaluating the transfer policies. To assist in this effort, a subcommittee was created. That subcommittee attempted to represent team members from each of the campuses in the following functional departments: registrar, BOR enrollment services center, academic affairs, and assessment. The work of that subcommittee has also been forwarded while in development to AAC, the Council of Presidents and Superintendents (COPS), and to functional campus departments such as financial aid and academic records. The team wanted to increase awareness of the progress on these policies and overall, on identifying campus and department needs during the evaluation.

The new policies set forth have had many stakeholders review and consider changes both philosophically and operationally. Because these policies and the practices associated will require additional dialogue, Dr. Minder will continue to route them to additional stakeholders and will begin having more discussion on the operationalizing of these policies. The goal will be to incorporate AAC guidelines where needed and Student Information System reference guides for those stakeholders managing transfer. The second review will be in August of 2022 with the anticipated effective term of Fall 2022.

Regent Brown posed the question regarding the 30-credit hour for military. Dr. Minder noted that particular item has not been fully worked through yet but is one of the carry-over revisions she anticipates being presented in August.

IT WAS MOVED by Regent Wink, seconded by Regent Thares, to approve the first reading of the proposed revisions to BOR Policies 2:5, 2:5:1, 2:5:2, 2:5:3, and 2:5:4, as presented. Motion passed.

A copy of the New BOR Policies 2:5, 2:5:1, 2:5:2, 2:5:3, and 2:5:4 – Seamless Transfer of Credit (First Reading) can be found on pages ____ to ____ of the official minutes.

9-C Repeal BOR Transfer Policies 2:25, 2:27, and 2:31 (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that with the new seamless transfer policies being proposed, the Academic Affairs Council (AAC) have reviewed and support the repealing of policies 2:25, 2:27 and 2:31 to eliminate any outdated policy language upon implementation of the new policies.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading to appeal BOR Policies 2:25, 2:27, and 2:31, as presented. Motion passed.

A copy of the Repeal BOR Transfer Policies 2:25, 2:27, and 2:31 (First Reading) can be found on pages ____ to ____ of the official minutes.

9-D Revised BOR Policy 2:7 – Undergraduate General Education Curriculum, and Repeal BOR Policy 2:26 – Associate Degree General Education Curriculum (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that the General Education Discipline council (faculty representation from each of the six universities) and the assessment committee (assessment representation from each of the six universities) have recommended that BOR Policy 2:7 and BOR Policy 2:26 be merged to one policy for Undergraduate General Education. This recommendation was forwarded to the Academic Affairs Council (AAC) for their review.

It was found in the review that these policies which cover the undergraduate general education curriculum and are duplicative. Therefore, AAC's recommendation is to repeal BOR Policy 2:26 and move to one undergraduate general education policy under BOR Policy 2:7.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading to repeal BOR Policy 2:26 and the proposed revisions to BOR Policy 2:7, as presented. Motion passed.

A copy of the Revised BOR Policy 2:7 – Undergraduate General Education Curriculum, and Repeal BOR Policy 2:26 – Associate Degree General Education Curriculum (First Reading) can be found on pages ____ to ____ of the official minutes.

9-E Revised BOR Policy 2:11 – Assessment (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that following the elimination of the CAAP examination in 2016, the Board of Regents (BOR) adopted a system-wide process to assess general education using authentic assessment. The new assessment process was modeled after the AAC&U VALUE Institute, an organization that conducts secondary assessment of a sample of de-identified student work using VALUE rubrics to draw conclusions about the efficacy of a general education program. The BOR system scaled the process to draw conclusions about general education outcomes at the state level using system-created rubrics, university faculty, and an assessment summit.

The system piloted the model in the summers of 2018 and 2019. Feedback from faculty participants, board office staff, and university academic leaders suggested the process did not result in sufficiently useful data. Following an Academic Affairs Council (AAC) meeting in October of 2019, the Board academic staff notified the System General Education Committee (general education faculty from all six universities) and System Assessment Committee (assessment stakeholders from all six universities) that the assessment summits would be discontinued in favor of a more decentralized process for assessment of general education. The notification indicated a collaborative process would be used to propose a revision to Board policies pertaining to the assessment of general education.

Due to COVID and various transitions, AAC evaluated assessment at their January 2022 meeting. The council discussed history and a proposed revision to Policy 2:11. The revision was crafted and

recommended by the System Assessment Committee and the System General Education Committee.

The BOR academic staff and legal counsel recommend that Board Policy 2:11 be revised to 1) reflect the current effective practice of institutional assessment of the System General Education Requirements, 2) require each institution to report its general education findings annually to the Board of Regents, and 3) remove the list and definitions of the cross-curricular skills from the policy and place them in a new guideline.

IT WAS MOVED by Regent Wink, seconded by Regent Bastian, to approve the first reading of the proposed revisions to BOR Policy 2:11, as presented. Motion passed.

A copy of the Revised BOR Policy 2:11 – Assessment (First Reading) can be found on pages ____ to ____ of the official minutes.

9-F Revised BOR Policy 2:13 – Third Party Requests for Academic Credit (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated Board Policy 2:13 was evaluated by the Academic Affairs Council (AAC) in coordination with the HLC guidelines. BOR academic staff recommended the policy be revised to 1) reflect the HLC's requirement on required academic credentials for instructors contracted to teach externally funded courses, and 2) reference the alternative qualification of tested experience for highly qualified professionals who do not meet the educational requirement.

Regent Partridge would like to see an example of what the new assessment will look like when this comes back for a second reading.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed revisions to BOR Policy 2:13, as presented. Motion passed.

A copy of the Revised BOR Policy 2:13 – Third Party Requests for Academic Credit (First Reading) can be found on pages ____ to ____ of the official minutes.

BUDGET AND FINANCE

10-A BOR Policy 5:21 Revisions – System Collection Policy (Second Reading)

Heather Forney, System Vice President of Finance & Administration, stated that at the May 2022 Board of Regents (BOR) meeting, the Regents reviewed the initial changes for Board Policy 5:21. This is the second and final reading of the policy. The existing collection policy makes mention of a timeline for submittal of delinquent accounts to the Board of Finance for write-off at two years. This recommended change will clarify the timeline for submitting write-offs to occur at two years, but no later than five years after delinquency. Additional clarification on who may grant the exception is the only change from the first reading.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the second and final reading of the proposed revisions to BOR Policy 5:21 – System Collection Policy as outlined in Attachment I. Motion passed.

A copy of the BOR Policy 5:21 Revisions – System Collection Policy (Second Reading) can be found on pages ____ to ____ of the official minutes.

10-B BOR Policy 6:4 Revisions – Capital Improvements (Second Reading)

Heather Forney, System Vice President of Finance & Administration, stated at the May 2022 Board of Regents (BOR) meeting, the Regents reviewed the initial changes for Board Policy 5:21. This is the second and final reading of the policy. Additional clarification on when a facility program plan or design plan may need to go back to the building committee and Board has been provided since the first reading.

IT WAS MOVED by Regent Partridge, seconded by Regent Venhuizen, to approve the second and final reading of the proposed revisions to BOR Policy 6:4 – Capital Improvements as outlined in Attachment I.

A copy of the BOR Policy 6:4 Revisions – Capital Improvements (Second Reading) can be found on pages ____ to ____ of the official minutes.

10-C USD Wellness Center Expansion – Revised Facility Design Plan

Heather Forney, System Vice President of Finance & Administration, and Julie Kriech, USD Vice President of Finance & Administration, stated that the University of South Dakota (USD) requests approval of a revised Facility Design Plan (FDP) for the expansion of its Wellness Center. The project itself has not been materially modified, but the costs associated have increased to \$31.25 million from the originally approved \$27.76 million. Per BOR Policy 6:4, changes in the project costs require resubmission of the Facility Design Plan for approval.

The Facility Program Plan for the expansion was approved by the Board at its October 2021 meeting, and the Facility Design Plan was approved at the March 2022 meeting. The spending authority approved within Senate Bill 42 was \$25 million which was the project budget from the Facility Program Plan. It included a provision for cost inflation to a limit of 25% over the spending authority. This would establish the maximum authority at \$31.25 million. The current project cost estimate is \$31.25 million.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve USD's Wellness Center Expansion Revised Facility Design Plan with an increased budget of \$31.25 million, utilizing a combination of private donations, and Auxiliary, Bond, and Local funds.

A copy of the USD Wellness Center Expansion – Revised Facility Design Plan can be found on pages ____ to ____ of the official minutes.

10-D SDSU Cottonwood Range and Livestock Field Station Preliminary Facility Statement

Heather Forney, System Vice President of Finance & Administration, and Barry Milke, SDSU Associate Vice President for Facilities, stated that The Cottonwood Field Station is located near Phillip, SD, and consists of 2,640 acres at the home site with an additional 1,100 grazing acres near Sturgis, SD. The site includes appropriate utilities and access. The property includes areas suitable for all improvements needed to renovate and modernize the Cow/Calf Field Research and Education Unit including open pens, semi-enclosed holding pens, sorting pens, enclosed animal handling pens, commodity storage, and classroom/conference facilities. Funding would come from one-time general funds and private donations.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve SDSU's Preliminary Facility Statement for the Cottonwood Range and Livestock Field Station Renovations and Upgrades which will be funded by FY23 onetime general funds and private donations, and that a building committee representative should be appointed to oversee this project.

A copy of the SDSU Cottonwood Range and Livestock Field Station Preliminary Facility Statement can be found on pages ____ to ____ of the official minutes.

10-E South Dakota Mines Building Acquisition – Incubator Building

Heather Forney, System Vice President of Finance & Administration, stated that South Dakota School of Mines & Technology (Mines) requests Board of Regents' authorization to purchase the Ascent Incubator Building (Incubator Building) from Elevate Rapid City (Elevate RC). The acquisition was approved by the 2022 Legislature in SB 97, which contained an emergency clause, and was signed by the Governor on March 24, 2022. The bill authorized the Board of Regents to acquire, on behalf of the South Dakota School of Mines and Technology, the incubator building located on the campus of Mines, at the purchase price of up to \$5,250,000, but not to exceed the appraised value of the building.

The proposed acquisition will allow Mines to expand its research, office and incubator capacity by 40,000 sq ft, of which 29,000 sq ft will be used for research and incubator space and 11,000 sq ft will be used for office space. This is critically needed space that will greatly enhance research and commercialization capacity at Mines.

IT WAS MOVED by Regent Partridge, seconded by Regent Thares, to approve the acquisition of the Incubator Building located on the campus of South Dakota Mines, as presented, which was authorized by Senate Bill 97 during the 2022 Legislative Session.

A copy of the South Dakota Mines Building Acquisition – Incubator Building can be found on pages ____ to ____ of the official minutes.

10-F University of South Dakota – Sioux Falls

Sheila Gestring, USD President, noted that the proposal for USD-SF before the Board reflects the outcome of the Senate Bill 55 Taskforce Report. The system stakeholders explored various options

for financial viability at the Sioux Falls site, resulting in the plan set forth in Attachment I, which rebrands the site as the University of South Dakota – Sioux Falls (USD-SF). This allows USD to utilize existing facilities to create a health sciences hub, relocating all of USD’s nursing classes and a skills lab (for learning and practical clinical skills) from the Sanford USD Medical Center campus, as well the Master of Public Health and Master of Social Work programs to the site. In addition, USD’s Doctor of Nurse Anesthesia Practice program, the Center for the Prevention of Child Maltreatment and the Center for Rural Health Improvement will also operate out of the USD-SF location. The foregoing allows USD to consolidate educational paths for health sciences careers, in addition to remaining focused on target markets in the community such as business and education programming while continuing its mission of providing pathways to four-year degrees.

The USD-SF rollout establishes USD as the primary provider for academic offerings at the site moving forward, with the exception of SDSU pharmacy which will continue to operate out of its current space at the location. Likewise, the transition at the location will not disrupt the Regents’ Information System (RIS), which continues to house most of its operations on site. USD will enter into the necessary MOUs with its system partners to maintain current space needs of the respective parties moving forward.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to approve the University of South Dakota – Sioux Falls plan, as presented, and the related actions outlined in the item.

A copy of the University of South Dakota – Sioux Falls plan can be found on pages ____ to ____ of the official minutes.

10-G Expanded Alcohol Sales

Nathan Lukkes, Chief of Staff, noted that we have been selling alcohol since 2016 but has been limited to specialty boxes at sporting events.

The Board previously discussed expanding alcohol sales at its March 2022 meeting. At that time, the Board directed staff to conduct additional due and bring back a proposal to consider on the topic at a future meeting. As noted in March, this conversation was prompted by a letter from the Student Federation and interest from student government on each of the six campuses.

After consultation with the six campuses and conducting a review of the various approaches utilized by campuses across the country, the proposed revisions to BOR Policy 6:14 were developed to provide the institutions with the flexibility to authorize periodic retail sales of alcohol in general admission areas of performing arts and athletic events, subject to the requirements set forth in Section 3.B.2.

The proposed revision to the policy keeps all of the current options in place but allows campuses additional flexibility. The approach is a reasonable one that summarized 1) keeps the alcohol sales separate from the regular concession stands, 2) implements an alcohol-free zone for spectators who do not want to be around alcohol, 3) making sure those who will be selling alcohol will have the appropriate training, and 4) allows language for how to handle any potential sporting event attendees that get unruly.

Nathan noted that in looking at other systems within our region, they too have been heading down this same path and approach to expanded alcohol sales.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to move to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the proposed revisions to BOR Policy 6:14, as presented in Attachment I.

A copy of the Expanded Alcohol Sales can be found on pages ____ to ____ of the official minutes.

10-H (1) Research Parks – Research Park Reports

Nathan Lukkes, SDBOR Chief of Staff, introduced Ryan Oines, Chief Operating Office of the USD Discovery District, Duane Chappell of the Research Park at SDSU, and USD President Griffiths representing on behalf of DSU-SOAR who presented to the Board of Regents. Each provided updates on the current status of operations and future plans for the respective entities.

A copy of the Research Parks – Research Park Reports can be found on pages ____ to ____ of the official minutes.

10-H (2) Research Parks – USD Discovery District Annual Meeting

IT WAS MOVED by Regent Partridge, seconded by Regent Bastian, to appoint Tim Rave, Michelle Bruhn and Bobbie Tibbetts, to serve three-year terms on the Board of Directors of the USD Discovery District.

A copy of the Research Parks – USD Discovery District Annual Meeting can be found on pages ____ to ____ of the official minutes.

10-H (3) Research Parks – DSU Soar Annual Meeting

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to reappoint David Kenley and Jim Moran and appoint David DeJong, to serve three-year terms on the Board of Directors of DSU-SOAR.

ROLL CALL:

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

Motion passed.

A copy of the Research Parks – DSU Soar Annual Meeting can be found on pages ____ to ____ of the official minutes.

10-I BOR Policy 4:25 Revisions – Time and Leave Reporting (First and Final Reading)

Kayla Bastian, System Director of Human Resources, stated that Senate Bill 68 from the 2022 legislative session amended SDCL § 3-6C-20 to revise the way in which overtime eligible employees are paid on holidays. BOR Policy 4:25 is being revised to be consistent with the new statutory language which takes effect on July 1, 2022.

IT WAS MOVED by Regent Partridge, seconded by Regent Rave, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final readings of the proposed revisions to BOR policy 4:25, effective July 1, 2022. Motion Passed.

A copy of the BOR Policy 4:25 Revisions – Time and Leave Reporting (First and Final Reading) can be found on pages ____ to ____ of the official minutes.

ADJOURNMENT

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

The meeting adjourned at 3:00 p.m.

SOUTH DAKOTA BOARD OF REGENTS

Executive Session

AGENDA ITEM: 2 – I
DATE: June 22-23, 2022

SUBJECT

Employment Actions

LEGAL BASIS FOR EXECUTIVE SESSION

[SDCL § 1-25-2](#)

Executive or closed meetings may be held for the sole purposes of:

(1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee...

CONTROLLING STATUTE, RULE, OR POLICY

[BOR Policy 1:5](#) – Executive Director

[BOR Policy 1:6](#) – Appointment, Authority, and Responsibilities of Presidents and Superintendents

[BOR Policy 4:1](#) – General Terms & Appointments

BACKGROUND / DISCUSSION

Board of Regents Policies 1:5 and 1:6 delegate most authority in employment actions to the presidents, superintendent, and executive director, but they still require certain employment actions to be approved by the Board. In accordance with BOR policy and recent guidance provided to institutions, the actions that require Board approval are outlined below and summarized in Attachment I.

IMPACT AND RECOMMENDATION

Approve the employment actions as detailed in Attachment I.

ATTACHMENTS

Attachment I – Employment Actions

RECOMMENDED ACTION:

Approve the salary adjustments and appointments as outlined in Attachment I.

SOUTH DAKOTA STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Amanda Zubke	Animal Resource Manager	6/22/2022	Reclassification	\$55,168.00	\$45,592.72	21.0%
JUSTIFICATION: SDSU has completed a review of the position and is requesting the position be reclassified from a CSA Ag Research Manager into an NFE position type. The complexity of this position does not align with the CSA class specifications, other animal research units are responsible for only one animal species, while the vivarium position requires husbandry and veterinary knowledge of over ten species. This position requires working with infectious agents and biohazards not present at the other facilities and is tasked with more regulatory oversight. Current position assists university veterinarian with surgical, medical and compliance activities at locations outside vivarium. SDSU HR is recommending a 10% salary increase due to reclassification with the employee's annualized salary of \$50,153. HR is also recommending an additional 10% increase due to internal inequity with a total annualized salary of \$55,168. Equity comparisons- livestock unit managers who are in a lower pay grade than this position and are only responsible for one animal species and are at the following salaries: \$55,344; \$54,416; \$68,000; \$55,419; and \$55,419.						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Chris Bisgard	Manager of Marketing & Retail Operations	6/22/2022	Reclassification	\$57,198.00	\$51,999.00	10.0%
JUSTIFICATION: The Manager of Retail Operations has resigned and the remaining bookstore team has evaluated current position descriptions and has determined that the current Marketing Officer position would be a candidate to absorb duties from that position. This position is taking on the duties to manage all retail and operational components for four locations and developing, implementing, and executing strategic marketing plans for the bookstore and other business units. Due to the significant change in responsibility, SDSU is requesting to reclassify this position from a CSA position type to an NFE with a 10% increase in salary.						
SOUTH DAKOTA SCHOOL OF MINES & TECHNOLOGY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Cicily Strong	Associate Director	6/22/2022	Permanent Additional Duties	\$57,760.00	\$48,760.00	18.5%
JUSTIFICATION: Due to a restructure, this position will take on oversight of the recruitment team including the Assistant Director of Admissions, two on-campus Admissions Counselors, and two Regional Admissions Counselors. Her staff members oversee the areas of territory management, summer camps, and dual credit. With these additional duties, SDSM&T is requesting a reclassification to Associate Director. Market, including BOR comps, is \$60,700. The funds will come from vacancy savings due to the reorganization.						

Ashley Von Eye	Cheerleading Coach	7/22/2022	Market/Retention Increase	\$20.00	\$15.00	33.3%
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JUSTIFICATION: SDSM&T is requesting this increase to bring this coach closer to market, which is \$21.00 per hour, through an increase from the current hourly rate of \$15.00 per hour in this part-time position. From a total cost perspective, this increases her annual salary from \$3,900 per year to \$5,200 per year. This increase includes the 6% salary policy increase, it is not in addition to the 6%. SDSM&T has existing budget available to cover this additional expense.

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DAKOTA STATE UNIVERSITY						
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Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Kyle Cronin	Associate Professor	8/22/2022	Market/Retention Increase	\$121,000.00	\$102,286.00	18.3%
Michael Ham	Associate Professor	8/22/2022	Market/Retention Increase	\$121,000.00	\$90,230.00	34.1%
Cody Welu	Assistant Professor	8/22/2022	Market/Retention Increase	\$110,000.00	\$88,841.00	23.8%
Andrew Kramer	ABD Assistant Professor	8/22/2022	Market/Retention Increase	\$99,000.00	\$57,113.00	73.3%
Shawn Zwach	ABD Assistant Professor	8/22/2022	Market/Retention Increase	\$99,000.00	\$56,750.00	74.4%

JUSTIFICATION: These faculty teach higher level, more difficult courses, including a lot of graduate level courses that require specific training and education. The Beacom college has identified mission critical courses in the areas of offensive security, cyber operations, defensive security and reverse engineering. These faculty will be required to have 80% of their teaching load made up of courses in these four key areas.

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APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR						
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NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Shawn Jaacks	Chief Information Officer	7/27/2022	\$150,000.00	DSU
Rebecca Hoey	Senior Vice President for Academic Affairs	6/22/2022	\$190,000.00	DSU
John Kilpinen	Provost	8/1/2022	\$190,000.00	BHSU

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**BOARD OF REGENTS
MINUTES OF THE MEETING
July 18, 2022**

The South Dakota Board of Regents met on July 18, 2022, at 11:00 a.m. Central Time via Zoom with the following members present:

ROLL CALL:

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

Also present during all or part of the meeting were Dr. Brian Maher, Board of Regents Executive Director and CEO; Nathan Lukkes, Board of Regents Chief of Staff; Dr. Janice Minder, System Vice President for Academic Policy and Planning; Heather Forney, System Vice President of Finance & Administration; Kayla Bastian, Director of Human Resources; Shuree Mortenson, Director of Communications; Katie Maley; Executive Assistant to the CEO and Board; Barry Dunn, SDSU President; Laurie Nichols, BHSU President; Jim Rankin, SDSM&T President; Dr. Neal Schnoor, NSU President; and other members of the Regental system and public and media.

MONDAY, JULY 18, 2022

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

1-B Approval of the Agenda

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

1-C Declaration of Conflicts

There were no declared conflicts.

1-D Motion to Dissolve into Executive Session

IT WAS MOVED by Regent Venhuizen, seconded by Regent Partridge, that the Board dissolve into executive session at 11:05 a.m. on Monday, July 18, to consult with legal counsel and discuss personnel matters. That it rise from Executive Session at 11:20 a.m., and reconvene in public session to resume the regular order of business and report its deliberations while in executive session, and take any action it deems prudent as a result thereof.

Motion passed.

The Board dissolved into executive session.

3-A Report and Actions of Executive Session

Regent Venhuizen reported the Board dissolved into Executive Session at 11:05 a.m. on Monday, July 18, to consult with legal counsel and discuss personnel matters, before rising from executive session at 11:58 a.m.

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

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

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

3-B SDBOR FY24 Budget Priorities

Heather Forney, System Vice President of Finance & Administration, stated that the Board met with campus leadership in June to discuss preliminary budget priorities for FY24. The summary of requests for FY24 General Fund support are now being presented to the Board for approval.

IT WAS MOVED by Regent Bastian, seconded by Regent Partridge, to approve the FY24 Budget Request to include the priorities identified, to direct the staff to prepare and submit the FY24 Budget Request detail and justification to the Bureau of Finance and Management, and to refine any budget request figures and narratives, as necessary. Any needs for federal and other expenditure authority, full-time equivalent (FTE), South Dakota Opportunity Scholarship, post-secondary scholarship, lease payments, salary policy, and utility adjustment requests should be included.

Motion passed.

A copy of the SDBOR FY24 Budget Priorities can be found on pages ____ to ____ of the official minutes.

3-C Maintenance & Repair (M&R) Projects

Heather Forney, System Vice President of Finance & Administration, stated that according to BOR Policy 6:6 – Maintenance and Repair – projects not on an approved list estimated to cost more than \$250,000 as well as any changes, other than funding realignments and transfers over \$250,000 to an approved project, must be submitted for BOR approval. University of South Dakota (USD) requests \$4,900,000 in local funds for full design, construction administration, cost estimate, and construction to renovate Olson Hall. Renovation will include demo, concrete, framing, doors/hardware/frames, finishes, toilet accessories, fire sprinkler heads, plumbing upgrades, HVAC upgrades, electrical upgrades, fire alarm upgrades and security.

USD also requests approval to use \$2,500,000 in local funds to complete the full design and construction of a new parking lot, on the southwest side of campus in Vermillion, SD. USD does not have adequate parking on the southwest side. To resolve the parking shortage in this area, USD plans to build a new parking lot. The new lot will provide approximately 307 additional parking spaces for students, faculty, and staff.

IT WAS MOVED by Regent Venhuizen, seconded by Regent Rave, to approve the requested maintenance and repair projects as described in this item.

Motion passed.

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

Recess

The Board recessed at 12:15pm and reconvened at 1:30pm in a joint meeting with the Board of Education Standards and the Board of Technical Education with the following board members.

In-Person

Joy Nelson, BOTE

Kay Schallenkamp, BOTE

Terry Sabers, BOTE

Brian Sandvig, BOTE

Pam Roberts, BOR President

Jim Thares, BOR Vice President
Tony Venhuizen, BOR Secretary
John Bastian, BOR
Joan Wink, BOR
Brock Brown, BOR
Becky Guffin, BOES President
Terry Nebelsick, BOES Vice President
Phyllis Heinemann, BOES
Rich Meyer, BOES
Linda Olsen, BOES
Steve Willard, BOES

Zoom:

Julie Westra, BOES
Jeff Partridge, BOR
Tim Rave, BOR

4 – Introductory Remarks

Nick Wendell, Executive Director of the South Dakota Board of Technical Education, opened the joint meeting providing an overview of postsecondary education in South Dakota.

5 – Public Comment Period

No reports.

6 – Board Discussion

Staff from the Board of Regents, Department of Education, and Board of Technical Education presented jointly on current initiatives underway between all three entities that are focused on helping students throughout the state. These initiatives include Online Tutoring (K12), Summer Career Exploration Camps (K12), the Our Dakota Dreams campaign which focuses on FAFSA completion, proactive admissions, and a free university/college application period. Another initiative between the Board of Regents and the Board of Technical Education is the work geared towards creating a seamless transfer process, policy, practice, and equivalency system between the two postsecondary systems.

A copy of the PowerPoint presentation can be found on pages ____ to ____ of the official minutes.

ADJOURNMENT

It was moved by the chair of the joint meeting, Becky Guffin of the Board Education Standards, to adjourn the meeting.

Motion passed.

The meeting adjourned at 3:20 p.m.

Secretary's Executive Session Report

The Board convened in Executive Session pursuant to the vote of the majority of the Board present and voting at its public meeting on Monday, July 18, 2022, in accordance with SDCL § 1-25-2 to discuss matters authorized therein. Following executive session, the Board will meet in open session to discuss and take official action on the matters set forth below, all other matters discussed were consistent with the requirements of SDCL § 1-25-2, but no official action on them is being proposed at this time.

Recommended Actions:

None.