

**BOARD OF REGENTS
MINUTES OF THE MEETING
October 5-6, 2022**

The South Dakota Board of Regents met on October 5-6, 2022, at Dakota State University in Madison at 1:00 p.m. Central Time with the following members present:

ROLL CALL:

John Bastian – PRESENT
Brock Brown – PRESENT
Jeff Partridge – ABSENT
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; Pam Carriveau, Associate Vice President for Academic Programming; Heather Forney, System Vice President of Finance & Administration; Kayla Bastian, Director of Human Resources; Liza Clark, Director of Government Relations and Economic Development; 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, OCTOBER 5, 2022

Regent Roberts declared a quorum present and called the meeting to order at 1:00 p.m.

1-A Approval of the Agenda

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

1-B Declaration of Conflicts

There were no declared conflicts. Regent Venhuizen will abstain on item 6-C.

1-C Approval of the Minutes – August 2-4, 2022

IT WAS MOVED by Regent Venhuizen, seconded by Regent Brown, to approve the minutes of the Board of Regents meeting on August 2-4, 2022. Motion passed.

1-D Motion to Dissolve into Executive Session

IT WAS MOVED by Regent Venhuizen, seconded by Regent Rave, that the Board dissolve into executive session at 1:15 p.m. on Wednesday, October 5 to consult with legal counsel and discuss personnel matters, pending and prospective litigation, contractual matters, and marketing or pricing strategies by a board of a business owned by the State when public discussion may be harmful to the competitive position of the business, and that it rise from Executive Session at 4:00p.m. and reconvene in public session at 9:00 a.m. on Thursday, October 6 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.

The Board dissolved into executive session.

THURSDAY, OCTOBER 6, 2022

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

3-A Report and Actions of Executive Session

Regent Venhuizen reported that the Board dissolved into Executive Session at 1:15 p.m. on Wednesday, October 5, 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 4:30 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 Rave, to approve Report and Actions of Executive Session. Motion passed.

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

3-B Welcome and Presentation by DSU President José-Marie Griffiths

DSU President José-Marie Griffiths welcomed the Board and other attendees to Dakota State University and shared information about DSU.

3-C (1) Student Organization Awards – Dakota State University

Amy Crissinger, DSU Vice President for Student Affairs and Enrollment Management, presented student organization award winners for 2021. Phi Beta Lambda (PBL) Business Club accepted the award for academic excellence. Photography Club accepted the award for community service. The Alliance accepted the award for organizational leadership.

A copy of the Student Organization Awards – Dakota State University can be found on pages ____ to ____ of the official minutes.

3-C (2) Student Organization Awards – South Dakota State University

Michaela Willis, SDSU Vice President of Student Affairs, presented student organization award winners for 2021. Student College of Clinical Pharmacy (SCCP) accepted the award for academic excellence. University Program Council (UPC) accepted the award for community service. Chi Omega accepted the award for organizational leadership.

A copy of the Student Organization Awards – South Dakota State University can be found on pages ____ to ____ of the official minutes.

3-D Report from Individual Presidents and Superintendents

Laurie Nichols, President of BHSU, introduced their new Provost Jon Kilpinen.

3-E Report on Individual Regent Activities

No reports.

3-F Report from the Student Federation

Katherine Conzet, Student Federation Executive Director, and Caleb Wieland, Student Federation President, provided an update on their work within their strategic plan in to address the mental health crisis.

In response to Regent Brown's question as to what the Student Federation believe to be the next steps in moving this initiative forward, Katherine Conzet stated that the next step first involves

funding; whatever path the Student Federation decides to be the first step in implementation is looking to where they can get the funding for that initiative. They have been working with Dr. Janice Minder, System Vice President for Academic Planning and Policy, on narrowing down their initiatives and how those could be funded.

3-G Report of the Executive Director

Dr. Brian Maher, Board of Regents Executive Director and CEO, noted that he along with Nathan Lukkes and Heather Forney have been making the rounds across the state with area legislators. Doing so to not only maintain and establish relationships, but also to share the Regental system's budget priorities and address any comments they may have.

3-H 2023 SDBOR Meeting Calendar

Katie Maley will work with campus staff to address a conflict with the June BOR meeting date to possibly move it to one week later.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to accept the dates and locations proposed on the 2023 Board of Regents Meeting Calendar in Attachment I with the revision of changing the August BOR meeting dates from August 8-10 to July 31-August 2. Motion passed.

A copy of the 2023 SDBOR Meeting Calendar can be found on pages ____ to ____ of the official minutes.

4 Public Comment Period

There were no public comments.

CONSENT AGENDA

IT WAS MOVED by Regent Thares, seconded by Regent Rave, to approve all consent agenda items as presented. Motion passed.

Academic and Student Affairs – Consent

5-A New BOR Policy 2:36 – Accreditation (Second Reading)

Approve the second and final reading of new BOR Policy 2:36 – Accreditation, as presented.

A copy of the New BOR Policy 2:36 – Accreditation (Second Reading) can be found on pages ____ to ____ of the official minutes.

5-B Repeal BOR Policy 1:21 – System Strategic Goals (First and Final Reading)

Approve to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading to appeal BOR Policy 1:21, as presented.

A copy of the Repeal BOR Policy 1:21 – System Strategic Goals (First and Final Reading) can be found on pages ____ to ____ of the official minutes.

5-C New Specialization Request – BHSU – Health Services Administration – BS in Business Administration

Authorize BHSU to offer a specialization in Health Services Administration within the BS in Business Administration, as presented.

A copy of the New Specialization Request – BHSU – Health Services Administration – BS in Business Administration can be found on pages ____ to ____ of the official minutes.

5-D (1) New Site Requests – NSU – MEd in Education Studies (Online)

Approve NSU's new site proposal to offer the MEd in Educational Studies online.

A copy of the New Site Requests – NSU – MEd in Education Studies (Online) can be found on pages ____ to ____ of the official minutes.

5-D (2) New Site Requests – USD – BSEd in Elementary Education (USD – Sioux Falls)

Approve USD's new site proposal to offer the BSEd in Elementary Education at USD – Sioux Falls.

A copy of the New Site Requests – USD – BSEd in Elementary Education (USD – Sioux Falls) can be found on pages ____ to ____ of the official minutes.

5-E 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 BA 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.

5-F (1) Agreements on Academic Cooperation – South Dakota School of Mines & Technology

Approve South Dakota School of Mines & Technology's agreement on academic cooperation with the University of Zaragoza, as presented.

A copy of the Agreements on Academic Cooperation – South Dakota School of Mines & Technology can be found on pages ____ to ____ of the official minutes.

5-F (2) Agreements on Academic Cooperation – University of South Dakota

Approve the University of South Dakota's agreement on academic cooperation with The Friedrich Schiller University Jena, as presented.

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

5-G Dual Credit In-District Delivery Approvals: Brookings High School

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

A copy of the Dual Credit In-District Delivery Approvals: Brookings High School can be found on pages ____ to ____ of the official minutes.

Budget and Finance – Consent

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

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

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

5-I FY23 Operating Budget

A copy of the FY23 Operating Budget can be found on pages ____ to ____ of the official minutes.

5-J Capital Projects List

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

5-K Xcel Energy Easement – USD-SF

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

A copy of the Xcel Energy Easement – USD-SF can be found on pages ____ to ____ of the official minutes.

5-L SDSU Plat Resolution

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

A copy of the SDSU Plat Resolution can be found on pages ____ to ____ of the official minutes.

5-M Capital Asset Purchase Greater than \$500,000 – SDSU Aviation Education Program Twin Engine Purchase

Approve SDSU's request to purchase an aircraft for its Aviation Education program using approximately \$600,000 in funds from the Aviation Education program.

A copy of the Capital Asset Purchase Greater than \$500,000 – SDSU Aviation Education Program Twin Engine Purchase can be found on pages ____ to ____ of the official minutes.

Routine Informational Items – No Board Action Necessary

5-N Interim Actions of the Executive Director

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

5-Q RESERVED

This item was pulled from the agenda prior to the start of the Board meeting.

5-P Intent to Plan Requests

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

5-Q Building Committee Report

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

BUDGET AND FINANCE

6-A DSU Land Acquisition – Sanford Health

Nathan Lukkes, BOR Chief of Staff, stated that Dakota State University (DSU) requests Board of Regents' authorization to acquire real estate in Minnehaha County. The acquisition was approved by the 2022 Legislature by way of SB130, which was signed by the Governor on March 24. The bill authorized the Board of Regents to accept, on behalf of Dakota State University, for the purpose serving as the site for the Dakota State University Applied Research Lab authorized in the legislation (Senate Bill 130), the donation of up to 16 acres of real property from Sanford Health.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to approve the acquisition of the real estate located in Minnehaha County, as presented, which was authorized by Senate Bill 130 during the 2022 Legislative Session. Motion passed.

A copy of the DSU Land Acquisition – Sanford Health can be found on pages ____ to ____ of the official minutes.

6-B Affiliated Entity – Dissolve Early Learning Center of Brookings, Inc. and Transfer to SDSU

Nathan Lukkes, BOR Chief of Staff, stated that this item is a follow up to another item the Board approved in December 2020 to transition the Early Learning Center of Brookings, Inc. (ELC) nonprofit for the benefit of South Dakota State University (SDSU) as an affiliated entity. Following this approval, SDSU, in consultation with the SDBOR Executive Director and General Counsel, adopted revised governing documents and appointed an Early Learning Center of Brookings Board (ELC Board) to oversee this non-profit entity. The ELC Board has held numerous meetings to facilitate this transition and establish procedures to provide strong oversight to this non-profit affiliated entity. During this transition, it became apparent to the ELC Board that it would be in the best interest of SDSU and the ELC to transition the ELC to become an SDSU entity, relinquishing its affiliated entity and separate non-profit status. This transition will allow SDSU to utilize the ELC for University purposes that are not possible under the non-profit status regulations, to include the prioritization of children of university faculty, staff, and students for services at the ELC.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to approve SDSU's request for approval of the dissolution of the Early Learning Center of Brookings, Inc. for the benefit of South Dakota State University, as set forth herein, subject to execution of contractual documents acceptable to the Executive Director and in a format approved by the Board's General Counsel. Motion passed.

A copy of the Affiliated Entity – Dissolve Early Learning Center of Brookings, Inc. and Transfer to SDSU can be found on pages ____ to ____ of the official minutes.

6-C Dakota State University Applied Research Corporation (DSU-ARC)

Nathan Lukkes, BOR Chief of Staff, stated that Dakota State University requests that the Board authorize the formation of a nonprofit corporation (DSU-ARC) pursuant to its authority under SDCL chapter 5-29, and consistent with the Articles of Incorporation By-Laws provided in the attachments of the item provided. DSU-ARC will operate the DSU Applied Research Laboratory in Sioux Falls authorized by SB130 from the 2022 Legislative Session and conduct related cyber activities.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to authorize the incorporation of DSU-ARC by filing the Articles of Incorporation in substantially similar form to those set forth in Attachment I, to adopt the by-laws for the corporation in substantially similar form to those set forth in Attachment II and begin the process of developing the structure and activities necessary to support the purpose of this corporation.

Regent Venhuizen abstained from the vote.

Motion passed.

A copy of the Dakota State University Applied Research Corporation (DSU-ARC) can be found on pages ____ to ____ of the official minutes.

6-D Human Resources Transformation

Kayla Bastian, Chief HR Officer for the BOR, stated that since the August BOR meeting, the steering committee has drafted a project charge (Attachment I) which outlines the goals and expectations of this project. In addition, the committee has developed a project timeline (Attachment II) with project milestones and deliverables that support a phased implementation of changes in the delivery model. The project charge tasks the steering committee with the first two goals, which encompasses the strategic work of developing an overall system human resources delivery model through implementation of Centers of Excellence, establishment of a funding model, definition of the role of human resources, and developing an implementation and communication plan to ensure success.

This project will also be supported by an advisory committee who will be tasked with leading, or participating in, subcommittees that will focus on key functional areas to include classification and compensation, recruitment and retention, training and professional development, standardization of processes and establishment of best practices, and an evaluation of existing shared service centers. The subcommittees will also include individuals from other functional areas to ensure that the new human resources delivery model supports the needs of the campus stakeholders.

The steering committee is requesting that the Board adopt the attached HR Transformation project charge and timeline, these two documents will drive the steering and advisory committees in development of solutions and recommendations that support the goals of the project.

IT WAS MOVED by Regent Brown, seconded by Regent Thares, to adopt the HR Transformation project charge and timeline. Motion passed.

A copy of the Human Resources Transformation can be found on pages ____ to ____ of the official minutes.

6-E SDSU Larson Commons Renovations Preliminary Facility Statement (PFS)

Barry Milkea, SDSU Associate Vice President of Facilities and Services, stated that South Dakota State University requests approval of its Preliminary Facility Statement (PFS) and accompanying work request for a project to renovate Larson Commons. SDSU also requests exemption from the remainder of the Capital Improvement Process due to the nature of the project and the appointment of a building committee as required to select an architecture and engineering firm, construction manager, and to complete statutory requirements for bidding the project.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to approve SDSU's Preliminary Facility Statement for the Larson Commons Renovation utilizing auxiliary system and private funds, and to appoint a building committee representative to oversee this project. Motion passed.

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

6-F SDSU Research High Tunnels Preliminary Facility Statement (PFS)

Barry Milkea, SDSU Associate Vice President of Facilities and Services, stated that South Dakota State University is submitting its Preliminary Facility Statement for the construction of two pre-engineered high tunnel structures, constructed by two 30 foot by 96 foot solar-heated, passively ventilated, and plastic covered structures. SDSU requests exemption from the remainder of the Capital Improvement Project process due to the limited scope of the project and definition of new construction.

IT WAS MOVED by Regent Brown, seconded by Regent Rave, to approve SDSU's Preliminary Facility Statement for construction of two Research High Tunnels funded through a combination of federal grants and other institutional funds. Motion passed.

A copy of the SDSU Research High Tunnels Preliminary Facility Statement (PFS) can be found on pages ____ to ____ of the official minutes.

6-G HEFF Cash Flow Statement

Heather Forney, System Vice President of Finance and Administration, stated that Attachment I of the item provided is a cash flow statement for the Higher Education Facilities Fund as of October 2022. The statement presents actual and planned revenues and expenditures for FY18 through FY35.

The remaining projects on the 2012 Ten-Year Plan can be found in Attachment II. Based on current assumptions and revenues, \$10.5M of projects were bonded in FY22 and \$12.5M will be bonded in FY27. If this timeline holds true, it will have taken us 15 years to complete the projects that we originally thought we had the cash flow to complete in 10 years.

Since both the USD Allied Health Facility (\$7.5M) and the E.Y Berry Library (\$3.0M) projects were approved during the 2020 legislative session and those projects were already in progress, we moved forward with a \$10.5M bond issuance in FY22. In FY22, the fund also picked up the interest costs portion of the debt service for the SDSU Performing Arts Center, of around \$510,000 per year. The remaining SDSU projects totaling \$12.5M will not be bonded until FY27 based on current projections.

A copy of the HEFF Cash Flow Statement can be found on pages ____ to ____ of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

7-A SDSBVI School Improvement Plan

Dan Trefz, SDSBVI Superintendent, stated that the last strategic plan for SDSBVI was approved in June of 2019, and it is reviewed annually for purposes of improving the SDSBVI. The school's improvement plan assists SDSBVI staff, administration, and their various stakeholders to develop the school's mission and further support meeting the needs of the students attending or being serviced by SDSBVI. This is an informational item for the Board as to the accreditation and strategic planning evaluation that was most recently conducted.

A copy of the SDSBVI School Improvement Plan can be found on pages ____ to ____ of the official minutes.

7-B SDSBVI Comprehensive Plan for Special Education

Dan Trefz, SDSBVI Superintendent, stated that Each local school district and accredited school is required to annually submit a Comprehensive Plan for Special Education to the South Dakota Department of Education that details how the school will implement federal and state laws and special education regulations. Each year the Board of Regents is asked to approve the Comprehensive Plan developed by SDSBVI staff. Local school boards across the state are required to approve similar plans, and since the SDBOR serves in this capacity for SDSBVI, formal Board approval is required prior to submission.

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

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

7-C West River Health Sciences and Monument Health

Dr. Janice Minder, System Vice President for Academic Policy and Planning, supported by Dr. Laurie Nichols, BHSU President, and Dr. Barry Dunn, SDSU President, stated that Senate Bill 55 Task Force (SB55) recommendations included strong evidence to support movement to one nursing program. The recommendation of SB55 was that a memorandum of understanding would be entered in to govern the work of the WRHSC steering committee. The desire of Monument Health was to move the lease out of the original memorandum of understanding and into a new lease agreement. Therefore, this lease agreement will be entered into between the Board of Regents and Monument Health for space needs until the building project is completed at Black Hills State University.

The Lease and the Memorandum of Understanding presented have been evaluated by the WRHSC steering committee which includes representation from Monument Health, Black Hills State University, South Dakota State University, and the Board of Regents. Legal counsel Nathan Lukkes has evaluated the attached Lease and Memorandum of Understanding to ensure it meets the requirements of the Board of Regents.

Regent Thares posed a question on if a student is an athlete, how would this agreement and movement into one program affect those types of students; President Nichols indicated that she will look into that and will need to follow up at a later date.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the attached Lease and Memorandum of Understanding as presented authorizing the president of the board to sign. This Lease and Memorandum of Understanding replace any previous agreement with respect to the West River Health Science Center and Committee. Motion passed.

A copy of the West River Health Sciences and Monument Health can be found on pages ____ to ____ of the official minutes.

7-D (1) BOR Policy Revisions – BOR Policies 1:10:1 through 1:10:6 – University Mission Statements (First and Final Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that this item is another follow up from the Senate Bill 55 Task Force recommendations. The updated policies presented now reflect a more university specific mission for which the university has been designated as one of three categories: Comprehensive Regional, Special Focus or Research. These designations were initially recommended by the SB55 taskforce and further adopted by the Board of Regents and universities.

IT WAS MOVED by Regent Wink, seconded by Regent Thares, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the new proposed BOR Policies 1:10:1 through 1:10:6, as presented in Attachment I. Motion passed.

A copy of the BOR Policy Revisions – BOR Policies 1:10:1 through 1:10:6 – University Mission Statements (First and Final Reading) Can be found on pages ____ to ____ of the official minutes.

7-D (2) BOR Policy Revisions – BOR Policy 1:10:7 – SDSD Mission Statement (First and Final Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that the change in their mission statement reflect moving to the new policy template and highlighting the unique services the SDSD offers.,

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the new proposed BOR Policy 1:10:7, as presented in Attachment I. Motion passed.

A copy of the BOR Policy Revisions – BOR Policy 1:10:7 – SDSD Mission Statement (First and Final Reading) can be found on pages ____ to ____ of the official minutes.

7-D (3) BOR Policy Revisions – BOR Policy 1:10:8 – SDSBVI Mission Statement (First and Final Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that the change in their mission statement reflect moving to the new policy template and highlighting the unique services the SDSBVI offers,.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the new proposed BOR Policy 1:10:8, as presented in Attachment I. Motion passed.

A copy of the BOR Policy Revisions – BOR Policy 1:10:8 – SDSBVI Mission Statement (First and Final Reading) can be found on pages ____ to ____ of the official minutes.

7-D (4) BOR Policy Revisions – Revised BOR Policy 4:27 – Drug Free Environment (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that the context of this policy in general has not been modified. The changes proposed reflect current practice and attempts to bring this policy into the current format and template.

IT WAS MOVED by Regent Wink, seconded by Regent Rave, to approve the first reading of the proposed revisions to BOR Policy 4:27 – Drug Free Environment, as presented. Motion passed.

A copy of the BOR Policy Revisions – Revised BOR Policy 4:27 – Drug Free Environment (First Reading) can be found on pages ____ to ____ of the official minutes.

7-D (5) BOR Policy Revisions – Revised BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions; BOR Policy 4:7 – Grievance – Faculty; and BOR Policy 4:14 – Faculty Remediation and Remediation Procedures (First Reading)

Nathan Lukkes, BOR Chief of Staff, stated that the proposed revisions set forth in BOR Policies 4:4, 4:7 and 4:14 provide additional clarification regarding the grievance process, ensure employees maintain the appropriate due process (i.e., grievance rights) for disciplinary matters, while also building in an opportunity to identify issues and correct deficiencies prior to the imposition of certain disciplinary action, ultimately benefiting both employees and the institutions.

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

A copy of the BOR Policy Revisions – Revised BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions; BOR Policy 4:7 – Grievance – Faculty; and BOR Policy 4:14 – Faculty Remediation and Remediation Procedures (First 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 10:20 a.m.

DRAFT

Secretary's Executive Session Report

The Board convened in Executive Session pursuant to the vote of the majority of the Board present and voting at its public meeting on Wednesday, October 5th, in accordance with SDCL § 1-25-2 to discuss matters authorized therein. Following executive session, on October 6th, the Board will meet in open session to discuss and take official action on the matters set forth below, all other matters discussed were consistent with the requirements of SDCL § 1-25-2, but no official action on them is being proposed at this time.

Recommended Actions:

- 2-B. Approve the City of Sioux Falls Grant Agreement in substantially similar form as presented, without restricting the ability of the parties to further revise the agreement, subject to the final approval of the Executive Director.*
- 2-G. Adopt the recommended decision and findings of fact and conclusions of law pertaining to USD Faculty Grievance No. 2022-1.*
- 2-H. Authorize the Executive Director to issue a determination on SDSU Faculty Appeal No. 2022-01, consistent with the Board's direction.*
- 2-I. Authorize the General Counsel and Executive Director to proceed with the legal matter(s) within the parameters discussed.*
- 2-J. Approved the leave request for Xinhua Bai (SDSMT) and Russ Daly (SDSU) as presented.*
- 2-K. Award one (1) year of prior service credit toward tenure and one (1) year of prior service credit toward promotion each for Christopher Near (NSU) and Congzhou Wang (SDSMT); and award two (2) years of prior service credit toward promotion for Christine Mathews (SDSMT).*
- 2-L. Award an honorary Doctor of Public Service to Mr. Pete Lien (SDSMT) and Mr. Randy Parcel (SDSMT).*
- 2-N. Approve the salary adjustments and appointments as outlined in Attachment I.*

BLACK HILLS STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Leah Shockey	Chief Foundation Accounting Officer	7/22/2022	Retention/Market	\$85,000.00	\$60,274.00	41.0%
JUSTIFICATION: The Board first reviewed this request informally on August 9, 2022. President Nichols and the BHSU foundation were able to retain Ms. Shockey, the BHSU foundation will provide the funding to cover the additional salary and fringe benefits costs for this increase. Ms. Schockey's new title is chief foundation accounting officer.						
SOUTH DAKOTA SCHOOL OF MINES & TECHNOLOGY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Amian Kar	Research Scientist II	10/22/2022	Permanent Additional Duties	\$65,000.00	\$58,300.00	11.5%
JUSTIFICATION: Amlan Kar has been a Postdoctoral Researcher within the Advanced Materials Processing department since November of 2021. Amlan's responsibilities and duties have been expanded to justify a promotion from Postdoctoral Researcher to Research Scientist II. With this promotion, SDSM&T is recommending an increase to \$65,000. The requested salary is in line with market.						
Cabot-Ann Christofferson	Research Scientist IV	10/22/2022	Permanent Additional Duties	\$114,000.00	\$89,971.00	26.7%
JUSTIFICATION: Christofferson has been on a grant from the Department of Energy office of Nuclear Physics through UT-Battelle that fully supports her salary and benefits for 12 years. As the project has evolved, her responsibilities and status at US Department of Energy has substantially grown. She is one of eight project managers for a large-scale DOE nuclear physics experiment. In addition, she plays a leadership role for the institution at the Sanford Underground Lab. Her salary is paid entirely by, and is contingent upon continued grant funding. This salary increase, while substantial, is in line with market and internal equity for like positions at SDSM&T.						
SOUTH DAKOTA STATE UNIVERSITY						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Mary Olson	Healthcare Coordinator - RN	7/22/2022	Permanent Additional Duties	\$63,902.00	\$58,094.00	10.0%
taking over the electronic health record system, Her responsibilities include orienting, developing and training of nursing staff and other members of the health care team; coordinating staffing, administrative duties, and registered nurse duties. She will also now serve as the clinic's nursing resource and clinical expert in determining standing orders, nursing regulation, medical supply, policy and workflow development, and vaccine decisions and purchases, often in collaboration with the director. SDSU is requesting a 10% increase to address the permanent additional duties and reclassification into a higher paygrade.						

UNIVERSITY OF SOUTH DAKOTA						
Name	Title	Effective date	Job Change Reason	Requested Salary	Previous Salary	% Increase
Tuyen Do	Researcher III	9/22/2022	Prevailing Wage Requirements	\$58,178.00	\$52,677.00	10.4%
JUSTIFICATION: This employee is working on an H1-B Visa and USD is required to meet prevailing wage requirements.						

APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR				
NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Vernon Brown	Associate VP of External Affairs	9/30/2022	\$ 140,000.00	SDSU