

**BOARD OF REGENTS
MINUTES OF THE MEETING
December 10-11, 2025**

The South Dakota Board of Regents met on December 10-11, 2025, at the University of South Dakota – Sioux Falls campus in Sioux Falls, South Dakota at 8:00 a.m. Central Time with the following members present:

ROLL CALL:

Miles Beacom – PRESENT
Judy Dittman – PRESENT
James Lochner – PRESENT
Griffin Petersen – PRESENT
Randy Rasmussen – PRESENT
Pam Roberts – PRESENT
Randy Frederick, Secretary – PRESENT
Jeff Partridge, Vice President – PRESENT
Tim Rave, President – PRESENT

Also present during all or part of the meeting were Nathan Lukkes, Board of Regents Executive Director and CEO; Liza Clark, Chief of Staff; Dr. Janice Minder, System Vice President for Academic Policy and Planning; Dr. Lisa Bonneau, System Associate Vice President for Academic Programming; Heather Forney, System Vice President of Finance and Administration; Kayla Bastian, Chief Human Resources Officer; Katie Maley, Executive Assistant to the CEO and Board; Steve Elliott, BHSU President; Dr. José-Marie Griffiths, DSU President; Dr. Laurie Nichols, NSU Interim President; Dr. Barry Dunn, SDSU President; Brian Tande, SDSMT President; Sheila Gestring, USD President; and other members of the Regental system and public and media.

WEDNESDAY, DECEMBER 10, 2025

Regent Rave declared a quorum present and called the meeting to order at 8:00 a.m. CST.

1-B Approval of the Agenda

Regent Petersen requested to move agenda item 5-U (SDSU Football Stadium FY25 Financial Report) from the consent section of the agenda to the end of Section 7 Budget and Finance as line item 7-T.

IT WAS MOVED by Regent Frederick, seconded by Regent Dittman, to approve the agenda as amended. Motion passed.

1-C Declaration of Conflicts

No conflicts were declared.

1-D Approval of the Minutes – October 1-2, 2025; November 6, 2025

IT WAS MOVED by Regent Partridge, seconded by Regent Rasmussen, to approve the minutes of the Board of Regents meetings October 1-2, 2025, and November 6, 2025. Motion passed.

1-E Motion to Dissolve into Executive Session

IT WAS MOVED by Regent Frederick, seconded by Regent Partridge, that the Board metamorphosize/dissolve into Executive Session at 8:15 a.m. on Wednesday, December 10th, 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 4:00 p.m., and reconvene in public session, to resume the regular order of business, and that the Board report its deliberations while in executive session and take any action it deems prudent as a result thereof in public session on Thursday, December 11th. Motion passed.

THURSDAY, DECEMBER 11, 2025

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

3-A Report and Actions of Executive Session

The Board dissolved into Executive Session at 8:04 a.m. on Wednesday, December 10th, 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 Frederick, seconded by Regent Partridge, that the Board approve the recommended actions as set forth in the secretary's report and publish said reports and official actions in the formal minutes of this meeting. Motion passed.

3-B Welcome Presentation by USD President Sheila Gestring

President Sheila Gestring welcomed the Board of Regents to the University of South Dakota – Sioux Falls Campus. She was joined by Dr. Jay Perry (USD-SF Vice President), Dr. John Dudley (Dean of Arts and Sciences), Dr. Klaus Beckmann (Interim Dean of the Beacom School of Business), and Dr. Jessica Messersmith (Interim Dean of the School of Health and Sciences).

Dr. Perry noted that in 2022 this campus became USD – Sioux Falls and since that time they have been hard at work, starting by acknowledging what their role was in the Regental System, which was to serve the greater Sioux Falls area. That meant aligning their academic programs with the needs of the community specifically. As a result, they focus on three areas: business, healthcare, and education. Thus far that strategy has been successful. Growth has been strong and quick since the campus became USD-SF with a 19% enrollment growth from Fall-to-Fall semester, and a 44% growth overall since 2022. Dr. Perry further noted that their efforts at USD-SF do not compete with the main campus in Vermillion but rather is complementary to it as they work with a different student population. For example, a quarter of the students at USD-SF are non-traditional aged students over the age of 24; whereas, at the main campus you would find that number of non-traditional students at around five percent. Three quarters of USD-SF's students are also local graduates from high schools within a 90-minute drive of campus. While many of their students are local, many also have family, work, personal, community commitments that prevent them from relocating to the Vermillion campus.

A copy of USD-SF's welcome presentation can be found on pages ___ to ___ of the official minutes.

3-C Recognition Award

Dr. Lauri Nichols was recognized for her work and leadership roles over the years in the Regental System.

Dave Hansen, System Chief Information Officer for Regents Information System (RIS), was also recognized for his leadership, innovation, and steady vision has shaped technology across the South Dakota Board of Regents for nearly forty years.

3-D Student Organization Awards – USD

Scott Pohlson, USD VP for Enrollment & Student Services, presented the USD student organization award winners for 2024. Lambda Chi Alpha accepted the award for academic excellence. Student Physical Therapy Association accepted the award for community service. Kappa Alpha Theta accepted the award for organizational leadership.

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

3-E Faculty Recognition Awards – USD

Kurt Hackemer, USD Provost and VP for Academic Affairs the recipients of University of South Dakota's President's Awards for Research Excellence and Innovation, which celebrate faculty and staff whose work exemplifies the highest standards of scholarship, creativity, and entrepreneurial achievement. The 2025 recipients are: 1) President's Award for Research Excellence: Established Faculty to Dr. Haoran Sun; 2) President's Award for Research Excellence: New or Mid-Career Faculty or Staff to Dr. Ranjeet John; (3) President's Award for Research Excellence: Innovation & Entrepreneurship to Dr. Lisa MacFadden; and 4) President's Award for Research Excellence: Creativity to Dr. Sonja Kraus. These awards recognize exceptional individual achievements among the faculty in their respective categories.

A copy of the USD Faculty Recognition Awards can be found on pages __ to __ of the official minutes.

3-F Reports from Individual Presidents

No reports.

3-G Reports on Individual Regent Activities

Regent Frederick noted that the Regents recently selected a new President at Northern State University, Dr. Alan LaFave, and are looking forward to his arrival on campus.

3-H Report of the Executive Director

Nathan Lukkes, Executive Director and CEO, thanked USD-SF for the warm welcome this week hosting the Board meeting. He also thanked the Regents for dedicating their time to the final search process at Northern State University and selecting the new president, Dr. LaFave as Regent Frederick noted.

Nathan also wanted to emphasize the impact that Dave Hansen and Laurie Laurie Nichols have had on the system. Their service, commitment, and impact on the state is second to none and will be long appreciated after their retirement.

Regarding a couple of items that will be up on the agenda later today, first being the Promotion and Tenure Policy. He had the opportunity to go out to each campus and meet with all of the faculty senates; he truly appreciates all of the work that has gone in to getting that policy to where it is at today. From the staff, administration, and faculty input, a number of changes have been made and it has received a ton of positive, good feedback that has helped improve the policy. It's a great product and the process was not easy, so he wanted to be sure to emphasize his gratitude for all that had a hand in shaping that policy being brought forward today.

Likewise, Nathan noted that up for a first reading today is the revised Housing and Meal Plan policy. Nathan thanked the student government and student federation for getting the word out and getting the survey results that were received from students. Tremendous feedback was received from students and that feedback was taken to heart in forming the first draft of the policy reading.

With the fall semester just about over, Nathan also wished all of the students good luck during finals week and wished them well as we move into the holiday season.

3-I Report from the Student Federation

Samuel Brumfield, Student Federation Executive Director, joined by Bailey Froelich (President), and Jacob Vostad (Vice President) provided an update on recent activities within the Student Federation and their plans for Students in Higher Education Day (SHED) during the upcoming legislative session.

Bailey noted that this is her last in person meeting before the Board as she will not be attending the April BOR meeting in the new year.

3-J Report from the USD Student Government Association

Keegan Baker, USD SGA President, and Ellie Hart, USD SGA Vice President, provided an update on recent activities within the USD Student Government Association. In March they conducted their annual budget process for student organizations. Throughout that process they got to speak with representatives from over 90 student organizations that all range from cultural, educational, and service organizations. Keegan highlighted a couple of the events that students have organized, planned, and executed which included the 109th Dakota Days in October, the 51st Annual Wacipi in April, and the Festival of Nations that occurs during the spring semester. Earlier in the year during when Keegan and Ellie kicked off their campaign for their positions in SGA, discovered after speaking with students that their main initiative would be expanding USD Safe Rides. This is the bus that originally ran on Friday and Saturday nights from 10:00pm to 2:00am that took students and community members from wherever they are to wherever they need to be, no questions asked. They were please to announce that this semester they have expanded that service to include all Thursdays as well as opening the first two weeks of the fall semester, which is not normally included, and an extra Wednesday during Dakota Days. They were able to do this funded through a state grant they received through the Department of Transportation. It is a matching grant partnered through the student counseling center and SGA that fund the match to this grant. This service keeps students from driving in the dark, impaired, and in the cold. They have received tremendously positive feedback from students and the drivers of these busses.

4 Public Comment Period

No comments.

CONSENT AGENDA

IT WAS MOVED by Regent Partridge, seconded by Regent Rasmussen, to approve consent agenda items 5-A through 5-P(2) as presented. Motion passed.

Academic and Student Affairs – Consent

5-A Graduation Lists

Approve the Fall 2025 graduation lists for BHSU, DSU, NSU, SDSMT, SDSU, and USD contingent

upon the students' completion of all degree requirements.

A copy of the Graduation Lists can be found on pages ___ to ___ of the official minutes.

5-B(1) New Program Request – USD – Minor in Human Resource Management

Authorize USD to offer a minor in Human Resource Management, as presented.

A copy of the New Program Request – USD – Minor in Human Resource Management can be found on pages ___ to ___ of the official minutes.

5-C(1) New Specialization Request – USD – Master of Business Administration (MBA) – Specialization in Economics

Authorize USD to offer an Economics specialization within the Master of Business Administration (MBA) program, as presented.

A copy of the New Specialization Request – USD – Master of Business Administration (MBA) – Specialization in Economics can be found on pages ___ to ___ of the official minutes.

5-D(1) New Certificate Request – BHSU – Early Childhood Education (Undergraduate)

Authorize BHSU to offer an undergraduate certificate in Early Childhood Education, as presented.

A copy of the New Certificate Request – BHSU – Early Childhood Education (Undergraduate) can be found on pages ___ to ___ of the official minutes.

5-D(2) New Certificate Request – NSU – Visual Impairments (Graduate)

Authorize NSU to offer a graduate certificate in Visual Impairments, as presented.

A copy of the New Certificate Request – NSU – Visual Impairments (Graduate) can be found on pages ___ to ___ of the official minutes.

5-D(3) New Certificate Request – SDSU – Innovative Healthcare Leadership (Undergraduate)

Authorize SDSU to offer an undergraduate certificate in Innovative Healthcare Leadership, as presented.

A copy of the New Certificate Request – SDSU – Innovative Healthcare Leadership (Undergraduate) can be found on pages ___ to ___ of the official minutes.

5-D(4) New Certificate Request – USD – Accounting (Graduate)

Authorize USD to offer a graduate certificate in Accounting, as presented.

A copy of the New Certificate Request – USD – Accounting (Graduate) can be found on pages ___ to ___ of the official minutes.

5-D(5) New Certificate Request – USD – Disability Services (Undergraduate)

Authorize USD to offer an undergraduate certificate in Disability Services, as Presented.

A copy of the New Certificate Request – USD – Disability Services (Undergraduate) can be found on pages ___ to ___ of the official minutes.

5-D(6) New Certificate Request – USD – Economics (Undergraduate)

Authorize USD to offer a graduate certificate in Economics, as presented.

A copy of the New Certificate Request – USD – Economics (Undergraduate) can be found on pages ___ to ___ of the official minutes.

5-D(7) New Certificate Request – USD – Innovation and Entrepreneurship (Undergraduate & Graduate)

Authorize USD to offer both an undergraduate and graduate certificate in Innovation and Entrepreneurship, as presented.

A copy of the New Certificate Request – USD – Innovation and Entrepreneurship (Undergraduate & Graduate) can be found on pages ___ to ___ of the official minutes.

5-D(8) New Certificate Request – USD – Professional Sales (Undergraduate & Graduate)

Authorize USD to offer both an undergraduate and graduate certificate in Professional Sales, as presented

A copy of the New Certificate Request – USD – Professional Sales (Undergraduate & Graduate) can be found on pages ___ to ___ of the official minutes.

5-E(1) New Site Request – DSU & SDSU – PhD in Computer Sciences (Online)

Approve DSU and SDSU's new site proposal to offer the PhD in Computer Science online, as presented.

A copy of the New Site Request – DSU & SDSU – PhD in Computer Sciences (Online) can be found on pages ___ to ___ of the official minutes.

5-E(2) New Site Request – NSU – BA in Communication Studies (Online)

Approve NSU's new site proposal to offer the BA in Communication Studies online, as presented.

A copy of the New Site Request – NSU – BA in Communication Studies (Online) can be found on pages ___ to ___ of the official minutes.

5-E(3) New Site Request – NSU – BA in History (Online)

Approve NSU's new site proposal to offer the BA in History online, as presented.

A copy of the New Site Request – NSU – BA in History (Online) can be found on pages __ to __ of the official minutes.

5-E(4) New Site Request – SDSU – AS & BS in Respiratory Care (Avera Queen of Peace, Mitchell)

Approve SDSU's new site proposal to offer the AS & BS in Respiratory Care online, as presented.

A copy of the New Site Request – SDSU – AS & BS in Respiratory Care (Avera Queen of Peace, Mitchell) can be found on pages __ to __ of the official minutes.

5-E(5) New Site Request – USD – EdD in Curriculum & Instruction (Online)

Approve USD's new site proposal to offer the EdD in Curriculum & Instruction online, as presented.

A copy of the New Site Request – USD – EdD in Curriculum & Instruction (Online) can be found on pages __ to __ of the official minutes.

5-E(6) New Site Request – USD – AS in Applied Health Sciences (Online)

Approve USD's new site proposal to offer the AS in Applied Health Sciences online, as presented.

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

5-E(7) New Site Request – NSU – BS in Finance (Online)

Approve NSU's new site proposal to offer the BS in Finance online, as presented.

A copy of the New Site Request – NSU – BS in Finance (Online) can be found on pages __ to __ of the official minutes.

5-E(8) New Site Request – NSU – BS in Management Information Systems (Online)

Approve NSU's new site proposal to offer the BS in Management Information Systems online, as presented.

A copy of the New Site Request – NSU – BS in Management Information Systems (Online) can be found on pages __ to __ of the official minutes.

5-E(9) New Site Request – NSU – BSEd in Elementary Education, Special Education, and Elementary/Special Education (Online)

Approve NSU's new site proposal to offer the BSEd in Elementary Education, Special Education and Elementary/Special Education online, as presented.

A copy of the New Site Request – NSU – BSEd in Elementary Education, Special Education, and Elementary/Special Education (Online) can be found on pages __ to __ of the official minutes.

5-F Program Modifications Requiring Board Approval – DSU, NSU, SDSU & USD

Approve the substantive program modifications from DSU, NSU, SDSU, and USD, as presented.

A copy of the Program Modifications Requiring Board Approval – DSU, NSU, SDSU & USD can be found on pages __ to __ of the official minutes.

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

Approve Dakota State University to finalize and execute the articulation agreements with Century College and Des Moines Area Community College, in substantially similar form to that set forth in Attachment I.

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

5-G(2) Articulation Agreements – Northern State University

Approve Northern State University to finalize and execute the articulation agreements with Dakota State University, in substantially similar form to that set forth in Attachment I.

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

5-G(3) Articulation Agreements – South Dakota State University

Approve South Dakota State University to finalize and execute the articulation agreements with Avera McKennan School of Radiologic Technology and South Dakota School of Mines & Technology, in substantially similar form to that set forth in Attachment I.

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

5-G(4) Articulation Agreements – University of South Dakota

Approve the University of South Dakota to finalize and execute the articulation agreements with Black Hills State University, Lake Area Technical College, & Western Iowa Tech Community College, in substantially similar form to that set forth in Attachment I.

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

5-H Agreements on Academic Cooperation – DSU

Approve Dakota State University to finalize and execute the agreement on academic cooperation between DSU and Seoul Media Institute of Technology, in substantially similar form to that set forth in Attachment I.

A copy of the Agreements on Academic Cooperation – DSU can be found on pages __ to __ of the

official minutes.

5-I(1) Request to Seek Accreditation – Dakota State University (NACEP)

Approve DSU's request to seek accreditation from the National Alliance of Concurrent Enrollment Partnerships (NACEP) for their Dual/Concurrent Enrollment program.

A copy of the Request to Seek Accreditation – Dakota State University (NACEP) can be found on pages ___ to ___ of the official minutes.

5-I(2) Request to Seek Accreditation – South Dakota State University (ABET)

Approve SDSU's request to seek accreditation from the Accreditation Board for Engineering and Technology (ABET) for their BS in Concrete Industry Management and BS in Data Science.

A copy of the Request to Seek Accreditation – South Dakota State University (ABET) can be found on pages ___ to ___ of the official minutes.

5-J Inactive Status & Program Termination Requests – SDSU & USD

Approve the program termination requests from SDSU & USD, as presented.

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

5-K Site Termination Requests – SDSU & USD

Approve the requests from SDSU & USD to terminate the sites in Attachments I and II, as presented.

A copy of the Site Termination Requests – SDSU & USD can be found on pages ___ to ___ of the official minutes.

Budget and Finance

5-L(1) M&R Projects (Greater than \$250,000)

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

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

5-L(2) FY27 HEFF M&R Projects

Approve the FY27 HEFF M&R projects as presented in Attachment II.

A copy of the FY27 HEFF M&R Projects can be found on pages ___ to ___ of the official minutes.

5-L(3) FY27 Auxiliary System M&R Projects

Approve the FY27 Auxiliary System M&R projects as presented in Attachment I.

A copy of the FY27 Auxiliary System M&R Projects can be found on pages __ to __ of the official minutes.

5-L(4) FY27 AES M&R Projects

Approve the AES M&R projects for FY27 as requested.

A copy of the FY27 AES M&R Projects can be found on pages __ to __ of the official minutes.

5-M Revised BOR Policy 1.7.1 (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 1.7.1 – Self Supporting Service Activities as shown in Attachment I.

A copy of the Revised BOR Policy 1.7.1 (Second Reading) can be found on pages __ to __ of the official minutes.

5-N(1) Capital Asset Purchase Greater than \$500,000 – SDSU – Aviation Education Program Twin-Engine Aircraft

Approve SDSU's request to purchase a twin-engine aircraft utilizing \$970,000 of aviation program funds.

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

5-N(2) Capital Asset Purchase Greater than \$500,000 – SDSMT – Dry Room

Approve SDSMT's request to construct a dry room utilizing \$688,000 of grant funds.

A copy of the Capital Asset Purchase Greater than \$500,000 – SDSMT – Dry Room can be found on pages __ to __ of the official minutes.

5-N(3) Capital Asset Purchase Greater than \$500,000 – DSU – Data Center Update

Approve DSU's request to purchase data center equipment using \$1,675,448 of general funds.

A copy of the Capital Asset Purchase Greater than \$500,000 – DSU – Data Center Update can be found on pages __ to __ of the official minutes.

5-O Naming Request – SDSU – Dakota Lavers Stadium (SDSU Soccer)

Authorize SDSU to name the forthcoming women's soccer stadium as the "Dakota Layers Stadium" pursuant to BOR Policy 1.7.2.

A copy of the Naming Request – SDSU – Dakota Layers Stadium (SDSU Soccer) can be found on pages ___ to ___ of the official minutes.

5-P(1) Agreement Authorizations: SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation

Approve proceeding with the Joint Powers Agreement in substantially similar form to that set forth in Attachment I.

A copy of the SDLTAP Joint Powers Agreement – SDSU & SD Department of Transportation can be found on pages ___ to ___ of the official minutes.

5-P(2) Agreement Authorizations: MOU with SDSU Alumni and Foundation, Inc.

Approve the Memorandum of Understanding between the Board of Regents and SDSU Alumni and Foundation, Inc. to be executed by the Board President in substantially similar form to that set forth in Attachment I.

A copy of the MOU with SDSU Alumni and Foundation, Inc., can be found on pages ___ to ___ of the official minutes.

Routine Informational Items – No Board Action Necessary

5-Q 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-R Audit Committee Report

A copy of the Audit Committee Report can be found on pages ___ to ___ of the official minutes.

5-S Building Committee Report

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

5-T Capital Projects List

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

5-U SDSU Football Stadium FY25 Financial Report

NOTE: This item was pulled from consent and moved the end of Section 7 of the agenda as item 7-T.

5-V Reduced Tuition Annual Report

A copy of the Reduced Tuition Annual Report can be found on pages ___ to ___ of the official minutes.

5-W Student Accounts Receivable Report

A copy of the Student Accounts Receivable Report can be found on pages ___ to ___ of the official minutes.

5-X Auxiliary System Agreed Upon Procedures Report

A copy of the Auxiliary System Agreed Upon Procedures Report can be found on pages ___ to ___ of the official minutes.

5-Y Intent to Plan Requests

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

5-Z(1) 2024-2025 System General Education Report

A copy of the 2024-2025 System General Education Report can be found on pages ___ to ___ of the official minutes.

5-Z(2) Annual Curriculum/Program Modification Report

A copy of the Annual Curriculum/Program Modification Report can be found on pages ___ to ___ of the official minutes.

5-Z(3) 2024 Annual Academic Program Productivity Report

A copy of the 2024 Annual Academic Program Productivity Report can be found on pages ___ to ___ of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

6-A New BOR Policy 4.4.11 (Second Reading)

Dr. Pamela Cariveau, BHSU Provost, wanted to first highlight all of the work that went into designing this policy, not just in writing good policy, but really getting out there and talking to as many stakeholder groups as we possibly could. They had a very interdisciplinary work group that included faculty, administration, HR professionals, legal counsel, all working together on trying to design this policy. The process started with a meeting that involved BOR staff, Regents, all the faculty senate leadership from last year and this year. Executive Director Lukkes went out and met with every single faculty senate at the campuses and had conversations with them about the post tenure review process. The workgroup itself also went out and met with multiple stakeholder groups on each of the campuses. Dr. Janice Minder and Dr. Lisa Bonneau from the BOR office also met with the discipline counsels and taken it to the various system councils. Many people have been involved in shaping this policy as well as Regent Frederick providing his guidance in the workgroup.

This policy really reinforces our commitment to excellence when it comes to our faculty and the work that they do in education, teaching, service and research, while also reinforcing our

commitment to continued accountability and closing the loop. When we have faculty that are performing well and continue to perform well, even past receiving tenure, this process allows us to recognize that, reinforce it, and close the loop on that continued improvement process. It also allows us to do that while retaining the benefits that tenure brings to the Regental system and recruit and retain the highest quality faculty.

IT WAS MOVED by Regent Dittman, seconded by Regent Partridge, to approve the second and final reading of new proposed BOR Policy 4.4.11 – Post Tenure Review, as presented. Motion passed.

A copy of the New BOR Policy 4.4.11 (Second Reading) can be found on pages __ to __ of the official minutes.

6-B Revised BOR Policy 2.2.2.5 (First and Final Reading)

Dr. Janice Minder, System Vice President for Academic Policy & Planning, stated that during the 2024 legislative session, House Bill (HB) 1022 was introduced, passed, and signed on March 26, 2024. This began a partnership with the South Dakota Department of Education, South Dakota Board of Regents, and the College of Education at five of our institutions. This four-year (4) project included a year of designing seven (7) comprehensive foundational literacy courses to support initiatives around the Science of Reading. The Department of Education state “these 'Literacy Blueprint' courses aim to equip South Dakota educators with the crucial knowledge and skills needed for effective reading instruction”. The courses are now available to South Dakota elementary and secondary teachers, staff, and administrators.

To ensure that these students earn credit for prior learning, the Academic Affairs Council is recommending a change to BOR Policy 2.2.2.5. Section C.2 includes a statement allowing students to request prior credit if externally funded and approved by the System. This will encourage collaboration at the graduate level for students who may not be enrolled as degree-seeking students.

IT WAS MOVED by Regent Dittman, seconded by Regent Partridge, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the proposed revisions to BOR Policy 2.2.2.5 – Credit for Prior Learning, as presented. Motion passed.

A copy of the Revised BOR Policy 2.2.2.5 (First and Final Reading) can be found on pages __ to __ of the official minutes.

6-C Revised BOR Policy 3.1.1 (Second Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, noted that these proposed policy revisions were first presented to the Board in April 2025. A workgroup was put together from across the system and universities representing multiple areas where residency impacts that include Admissions, Financial Aid, Academic Records, Accounts Receivable, and International Student Affairs. Since the initial review it has gone back to stakeholders and legal review for further revisions/modifications.

IT WAS MOVED by Regent Dittman, seconded by Regent Partridge, to approve the second reading of the proposed revisions to BOR Policy 3.1.1 – Resident and Nonresident Classification of Students, as presented. Motion passed.

A copy of the Revised BOR Policy 3.1.1 (Second Reading) can be found on pages __ to __ of the official minutes.

6-D Revised BOR Policy 2.2.1.1 and Repeal BOR Policy 3.1.2; (First and Final Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, noted the Academic Affairs Council has been evaluating BOR Policy 2.1.3 and its relation to policies 2.2.1.1 and 3.1.2. In this evaluation, the Regental academic records staff from the Regental system have recommended the repeal of BOR Policy 3.1.2 due to redundancy. By repealing BOR Policy 3.1.2, AAC has recommended that BOR Policy 2.2.1.1 be enhanced. Section F is the recommended language for BOR Policy 2.2.1.1.

IT WAS MOVED by Regent Dittman, seconded by Regent Petersen, 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 2.2.1.1 and to repeal BOR Policy 3.1.2, as presented. Motion passed.

A copy of the Revised BOR Policy 2.2.1.1 and Repeal BOR Policy 3.1.2; (First and Final Reading) can be found on pages __ to __ of the official minutes.

6-E(1) New Program Request – DSU – MS in Data Privacy

Dr. Lisa Bonneau, System Associate VP for Academic Programming, joined by Dr. Rebecca Hoey, DSU Provost and VP for Academic Affairs, stated that Dakota State University (DSU) requests authorization to offer an MS in Data Privacy. The proposed program will equip graduates with the expertise to navigate the complex and evolving landscape of data privacy. This program will explore the critical role of data in government, corporate, and nation-state contexts, applying technical, legal, and policy frameworks to ensure its protection and ethical use. Students will develop in-depth knowledge in privacy regulation, data governance, and privacy-enhancing technologies, gaining the skills to design policies, implement safeguards, and measure compliance effectively.

IT WAS MOVED by Regent Dittman, seconded by Regent Beacom, to authorize DSU to offer a MS in Data Privacy, as presented. Motion passed.

A copy of the New Program Request – DSU – MS in Data Privacy can be found on pages __ to __ of the official minutes.

6-E(2) New Program Request – SDSU – BS/BA in Finance

Dr. Lisa Bonneau, System Associate VP for Academic Programming, joined by Dennis Hedge, SDSU Provost and VP for Academic Affairs, and Dr. Joe Santos, SDSU Director of Ness School of Management and Economics, stated that South Dakota State University (SDSU) requests authorization to offer a BA/BS in Finance. The proposed program will provide students advanced training in finance theory and practice, with applications in financial analytics, portfolio investments, and corporate finance. With a major in finance, graduates enter careers in banking,

money management, investment banking, insurance, corporate treasuries, and federal, state, and local governments. Professional positions include chief financial officers, financial analysts, personal financial advisors, trust officers, portfolio analysts, stockbrokers and traders, commodity brokers and traders, financial accountants, compliance officers, budget analysts, and credit analysts.

IT WAS MOVED by Regent Dittman, seconded by Regent Roberts, to authorize SDSU to offer a BA/BS in Finance, as presented. Motion passed.

A copy of the New Program Request – SDSU – BS/BA in Finance can be found on pages __ to __ of the official minutes.

BUDGET AND FINANCE

7-A FY27 Governor's Recommended Budget

Heather Forney, System VP for Finance and Administration, noted that this item is a recap of FY27 Governor's budget recommendation. Attachment I shows that there is not a lot for the Board of Regents for FY27. FY26 base budget adjustments are really just some minor tweaks and a little adjustment to Maintenance & Repair (M&R) funding. The thing we are kind of excited about is the one-time funding that we are going to get for M&R of just under \$17M to get us to that one-time two percent, which is noteworthy. We will have a zero percent salary policy recommendation and no recommendation for adjustments to health insurance. The Governor is projecting a little bit more revenue for FY27, but that is all being absorbed pretty much for things that are mandatory increases (Medicaid, etc.). The state is pulling some money, about \$98M, out of reserves and the majority of that has again already been allocated for things like M&R, some funding for a plane for the highway patrol, and other things. Bottom line, there is about \$14M left for the legislature to discuss.

A copy of the FY27 Governor's Recommended Budget can be found on pages __ to __ of the official minutes.

7-B 2026 Legislation

Heather Forney, System VP for Finance and Administration, joined by Liza Clark, BOR Chief of Staff, summarized that this item has been updated to include the proposed Board of Regents legislative package for the 2026 Legislative session. The proposed legislation includes: 1) USD Gassen Family Indoor Track & Field Facility Construction Expenditure Authority, 2) Research Park Contractual Relationships, 3) SDSU Swine Wean-to-Finish Barn Addition Expenditure Authority, 4) SDSU Soccer Stadium Construction Expenditure Authority, and 5) SDSU Building Demolition Authorization.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to authorize the Executive Director to (1) submit the proposed legislation for the fundamental purpose as described and (2) submit such additional legislation as may be necessary and appropriate, upon concurrence of a majority of the legislative committee. Motion passed.

A copy of the 2026 Legislation can be found on pages __ to __ of the official minutes.

7-C Revised BOR Policy 3.7.1 (First Reading)

Heather Forney, System VP for Finance and Administration, stated in spring 2025, the Board established a Housing and Meal Plan Workgroup to proactively address anticipated concerns related to housing and meal plan requirements. The group was composed of students and staff from both academic and student affairs, ensuring a diverse and representative range of perspectives. The workgroup undertook a comprehensive review of housing availability in each community, examined existing exemption procedures at each institution - including data on denied exemptions and the reasons for those denials - and developed a student survey to gather feedback on housing and meal plan experiences across campuses. Conducted in October, the survey received more than 5,000 student responses. Overall, students expressed a positive view of campus housing, reporting that they felt safe, supported in their transition to college life, and connected to their peers.

The revised policy expands the criteria for housing and meal plan waivers, adding clearer guidelines for exemptions based on military service, disability accommodations, and financial hardship. It introduces a structured process for evaluation financial need using FAFSA and other indicators and clarifies that cost alone is not a valid reason for exemption.

For meal plans, the policy now clarifies that institutions shall attempt accommodations for medical and religious dietary needs before granting waivers, but that waiver can be granted if accommodations cannot be made.

Under the revised policy language, students will now be permitted to remain in campus housing during official breaks - excluding summer - without incurring additional charges. However, it is important to note that services during these periods will be limited. Meal service will not be provided, and access to mental health and counseling services may be reduced or unavailable.

Students will still be expected to coordinate with Residence Life and their housing directors regarding their plans, following the same communication process currently in place. While the procedures remain consistent, the key change is that no extra fees will be assessed for staying in housing during these break periods.

This is a first reading of the policy revisions and Heather noted that she anticipates further revisions, especially for the section addressing housing during breaks, when this is brought back for a second and final reading at a later date.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve the University of South Dakota's Preliminary Facility Statement and Facility first reading of the proposed revisions to BOR Policy 3.7.1 – Housing & Meal Plan Requirements as shown in Attachment I. Motion passed.

A copy of the Revised BOR Policy 3.7.1 (First Reading) can be found on pages __ to __ of the official minutes.

7-D SDSU Binnewies Hall Renovation Preliminary Facility Statement (PFS)

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that SDSU requests approval of this Preliminary

Facility Statement and accompanying work request for a project to renovate Binnewies Hall. Binnewies Hall is a large five-story residence hall in the southeast residential complex of SDSU. This residential facility is home to 480 undergraduate students. The building contains 78,904 gross square feet of space consisting of 259 sleep/study rooms, two apartments, 3,623 SF of bathrooms, and 2,571 SF of common study/lounge space. The intent of this project is to fully renovate the facility addressing backlogged maintenance and repairs (M&R), improve student amenities, modify the building to make it fully accessible, and generally modernize the facility.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve SDSU's Preliminary Facility Statement for the renovation of Binnewies Hall. A building committee representative should be appointed to oversee this project. Motion passed.

A copy of the SDSU Binnewies Hall Renovation Preliminary Facility Statement (PFS) can be found on pages ___ to ___ of the official minutes.

7-E SDSU Swine Unit – Wean to Finish Barn Addition Facility Design Plan (FDP)

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that South Dakota State University (SDSU) requests approval of the Facility Design Plan (FDP) to proceed with construction of the Wean-to-Finish Barn Addition at the SDSU Swine Unit. The Board approved the Preliminary Facility Statement (PFS) on August 1, 2024, and the Facility Program Plan (FPP) on December 12, 2024. SDSU also requests that this project be submitted to the 2026 South Dakota Legislative Session for consideration and approval.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve the Facility Design Plan for SDSU's Swine Unit with construction cost estimates of \$1,720,000. Legislation shall be drafted, and the project shall be submitted to the 2026 South Dakota Legislative Session for consideration and approval. Funding for the project will consist of a combination of private donations and planning funds. Motion passed.

A copy of the SDSU Swine Unit – Wean to Finish Barn Addition Facility Design Plan (FDP) can be found on pages ___ to ___ of the official minutes.

7-F SDSU Request to Demolish Buildings

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that SDSU requests approval to demolish two unused and dilapidated buildings. Total projected cost to demolish and dispose of the buildings is \$4,000; these buildings total 474 gross square feet. The facilities to be demolished include: 1) 5003 – SE Research Farm Building, and 2) 8106 – Oak Lake Fireplace Shelter.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve SDSU's request to demolish the unused facilities because it is in the best interest of the state. Projected cost of \$4,000 for the demolition and disposal will be paid from institutional funds. Motion passed.

A copy of the SDSU Request to Demolish Buildings can be found on pages ___ to ___ of the official minutes.

7-G SDSU Guaranteed Energy Savings Performance Contract

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that SDSU seeks approval to move forward with the design and competitive bidding of Phase One energy efficiency projects, estimated at \$6 million. These projects will be funded through utility savings, with repayment structured over a 15-year period. Successful implementation depends on securing State approval to retain those savings for debt service under the SEL program and lease-purchase payments. Additionally, SDSU will work with the Bureau of Resources and Administration and the Bureau of Finance and Management to establish an MOU ensuring that the same level of utility funding is maintained over the next 15 years to support repayment of the loan.

In accordance with Board policy, contracts with significant policy implications require Board approval. Given the unique nature of this initiative, SDSU is requesting authorization to proceed with Phase One through a design-bid process and to utilize a 0% interest loan from the State Energy Office.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve South Dakota State University's request to proceed with Phase I of its energy efficiency initiative, at an estimated cost of \$6 million, funded through a zero interest State Energy Loan with the Bureau of Resources and Administration. I further move to exempt this project from the standard capital improvement process. SDSU should work with the Bureau of Human Resources and Administration and the Bureau of Finance and Management to establish an MOU ensuring consistent utility funding for the 15-year repayment period. Any subsequent phases and financing arrangements will be brought back to the Board for approval. Motion passed.

A copy of the SDSU Guaranteed Energy Savings Performance Contract can be found on pages __ to __ of the official minutes.

7-H SDSU New Academic Building Preliminary Facility Statement (PFS)

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that South Dakota State University (SDSU) requests approval of this Preliminary Facility Statement to begin planning for a new academic facility on the main campus in Brookings. In spring 2025, SDSU completed a comprehensive campus master plan outlining priorities to address the university's most pressing needs. Many of the proposed projects focus on supporting academic program growth, fostering innovation, and renewing facilities. Among the critical needs identified is additional academic space to accommodate the significant enrollment growth of the Ness School of Management & Economics (Ness School).

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve the approve SDSU's Preliminary Facility Statement for planning a new academic building utilizing a combination of private donor funding, university strategic reinvestment funds, and HEFF allocations. A building committee representative should be appointed to oversee this project. Motion passed.

A copy of the SDSU New Academic Building Preliminary Facility Statement (PFS) can be found on pages __ to __ of the official minutes.

7-I SDSU Soccer Competition Venue Facility Program Plan (FPP)

Barry Meilke, SDSU Associate Vice President of Facilities & Services, joined by Heather Forney, System VP for Finance and Administration, stated that South Dakota State University (SDSU) requests approval of this Facility Program Plan (FPP) to proceed with planning of a new Soccer Competition Venue on the main campus in Brookings. The Preliminary Facility Statement (PFS) was approved on December 14, 2023. SDSU also requests that this project be submitted to the 2026 South Dakota Legislative Session for consideration and approval.

IT WAS MOVED by Regent Lochner, seconded by Regent Petersen, to approve the Facility Program Plan for construction of SDSU's soccer competition venue with cost estimates of \$5,040,000. Legislation shall be drafted, and the project shall be submitted to the 2026 South Dakota Legislative Session for consideration and approval. Funding for the project will consist of private donations and planning funds. Motion passed.

A copy of the SDSU Soccer Competition Venue Facility Program Plan (FPP) can be found on pages ___ to ___ of the official minutes.

7-J USD Auxiliary System Property Acquisition

IT WAS MOVED by Regent Rasmussen, seconded by Regent Patridge, to table item 7-J. Motion passed.

A copy of the USD Auxiliary System Property Acquisition can be found on pages ___ to ___ of the official minutes.

7-K USD Edward Olson Hall Renovation – Facility Design Plan (FDP)

Julie Kriech, USD Vice President for Finance & Administration, stated the University of South Dakota (USD) requests approval of its Facility Design Plan (FDP) for the renovation of Edward Olson Hall. The Olson Hall Preliminary Facility Statement (PFS) and Facility Program Plan (FPP) were approved by the Board of Regents at its October 2025 meeting, with an estimated project cost of \$9,000,000.

This renovation is intended to bring the facility up to modern standards, address deferred maintenance, and ensure compliance with ADA requirements. The project will involve a complete overhaul of the building's interior. Including demolition of individual restroom layouts, updated finishes and furnishings, replacement of doors, and upgrades to plumbing, HVAC, and electrical systems. A new elevator will also be installed to provide ADA-compliant access to all four floors of the building.

Once complete, Edward Olson Hall will offer updated residence hall accommodations to support both new and returning students.

IT WAS MOVED by Regent Lochner, seconded by Regent Rasmussen, to approve the University of South Dakota's Facility Design Plan for the renovation of Edward Olson Hall, at a cost not to exceed \$9,000,000, to be funded with Auxiliary Repair, Renewal, and Replacement funds. Motion passed.

A copy of the USD Edward Olson Hall Renovation – Facility Design Plan (FDP) can be found on pages __ to __ of the official minutes.

7-L USD Gassen Family Fieldhouse Preliminary Facility Statement (PFS)

Julie Kriech, USD Vice President for Finance & Administration, stated that the University of South Dakota (USD) requests approval of this Preliminary Facility Statement to begin planning for the Gassen Family Fieldhouse in Vermillion. A new 105,000 square-foot, state-of-the-art indoor facility will provide USD athletes with a world-class facility where they can train, compete, and recover at the highest level, year-round. Additionally, this space will benefit all students through enhanced facilities accommodating intramural and club sports. This facility represents USD's commitment to the collegiate athletic experience and providing student athletes the resources they need to reach their full potential.

The new facility will feature a 200-meter banked track with a pair of perimeter warm-up lanes, a 60-meter straightaway, long jump, triple jump, pole vault, high jump, and throwing cages. The facility will also include indoor practice areas for other sports such as tennis and softball.

IT WAS MOVED by Regent Lochner, seconded by Regent Dittman, to approve USD's Preliminary Facility Statement for planning the Gassen Family Fieldhouse, which will be funded through a combination of private donor contributions and university funds. The project will be submitted to the 2026 South Dakota Legislative Session for consideration and approval. A building committee representative should be appointed to oversee this project. Motion passed.

A copy of the USD Gassen Family Fieldhouse Preliminary Facility Statement (PFS) can be found on pages __ to __ of the official minutes.

7-M DSU Indoor Practice Facility Design Plan (FDP)

Stacy Krusemark, DSU Vice President for Business & Administrative Services, stated that Dakota State University (DSU) requests approval of its Facility Design Plan (FDP) for an indoor practice facility, with an estimated project cost of \$13,326,971. The project will be wholly funded by private donations.

DSU currently has 541 total student athletes participating in 13 different sports. This facility would enable DSU to expand the number of student athletes in various programs and provide an enhanced training and competition experience. DSU track, cross country, football, softball, and baseball would all benefit greatly from this facility, providing those student athletes with an additional venue that is unlike many other facilities in the area. Other sports would also benefit directly and indirectly from such a facility.

IT WAS MOVED by Regent Lochner, seconded by Regent Beacom, to approve DSU's Facility Program Plan for an indoor practice to be funded by private donations at a cost not to exceed \$13,326,971. Motion passed.

A copy of the DSU Indoor Practice Facility Design Plan (FDP) can be found on pages __ to __ of the official minutes.

7-N New BOR Policy 7.8 (First Reading)

Heather Forney, System VP for Finance and Administration, joined by Dave Hansen, System Chief Information Officer, and Chris Kolsrud, Network and Chief Information Security Officer, summarized that a new policy on Data Classification is being submitted for approval. This policy establishes a system-wide framework for managing institutional data based on its sensitivity, legal obligations, and operational impact. It supports appropriate data access while ensuring the privacy and confidentiality of personal and institutional information.

The policy introduces standardized definitions and classifications - Restricted, Confidential, Internal, and Public Data - to guide data handling across all Regental institutions and affiliates. It aligns with existing BOR policies governing student records, personal identification information, and public data access, and reinforces compliance with state and federal regulations.

The policy aims to reduce conflicting standards, improve data security, and clarify roles and responsibilities for data stewards, custodians, and trustees. Unauthorized disclosure is addressed with clear consequences, ensuring accountability and protection of institutional integrity.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve the first reading of the new proposed BOR Policy 7.8 – Data Classification and Security as shown in Attachment I. Motion passed.

A copy of the New BOR Policy 7.8 (First Reading) can be found on pages __ to __ of the official minutes.

7-O Revised BOR Policies 1.4.1 and 1.4.2 (First and Final Reading)

Holly Farris, System General Counsel, stated that the revisions to policies 1.4.1 and 1.4.2 are proposed to ensure consistent institutional compliance with pertinent federal regulatory changes across the SDBOR system. The definitions of “rape” and “criminal sexual contact” for Title IX purposes are indicated in revisions to BOR 1.4.1, while definitions within the applicable federal regulations for Title IX and Clery Act purposes that remain the same are referenced as still applicable in BOR 1.4.1 and 1.4.2. An internal reference in BOR 1.4.2 was revised to indicate the potential crossover in conduct under BOR 1.4.1 and 1.4.2 regarding conduct that may constitute “criminal sexual contact” under BOR 1.4.1 and “fondling” under BOR 1.4.2, in order to ensure that Clery reporting remains as comprehensive and accurate as possible.

Due to the automatic updates to pertinent definitions in federal regulations that BOR institutions are required to implement under Title IX, a first and final reading is recommended.

IT WAS MOVED by Regent Lochner, seconded by Regent Petersen, 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 1.4.1 (Sexual Harassment) and BOR 1.4.2 (Prevention of Dating Violence, Domestic Violence, Sexual Assault, Stalking, and Hazing), as presented. Motion passed.

A copy of the Revised BOR Policies 1.4.1 and 1.4.2 (First and Final Reading) can be found on pages __ to __ of the official minutes.

7-P Revised BOR Policy 4.8.2 (First and Final Reading)

Holly Farris, System General Counsel, stated that the proposed revisions to BOR Policy 4.8.2 expand the existing policy's requirements around fraud reporting to also include improper governmental conduct and other conduct covered by SB 62 reporting requirements. Revisions also reflect that BOR reporting and investigation responses should occur in conjunction with law enforcement, in order to ensure that institutional responses align and collaborate with SB 62 authorities such as the Offices of the Attorney General or Auditor General. Pertinent definitions found in existing policies were also updated to reflect consistency with current practices and the definitions that were set forth in SB 62.

As these policy changes incorporate statutory requirements and obligations that are already in place, a first and final reading is recommended.

IT WAS MOVED by Regent Lochner, seconded by Regent Dittman, 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 4.8.2, as presented. Motion passed.

A copy of the Revised BOR Policy 4.8.2 (First and Final Reading) can be found on pages ___ to ___ of the official minutes.

7-Q Revised BOR Policies 4.3.1 and 4.4.8 (First Reading)

Holly Farris, System General Counsel, noted that revisions to these policies are proposed to ensure consistent use of terminology regarding disciplinary actions and leaves of absence across applicable employment policies, by distinguishing between suspension without pay as a disciplinary action and paid administrative leave as an interim tool to support institutional responses to allegations of workplace conduct issues, and removing suspension with pay from the list of potential disciplinary actions.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, to approve the first reading of the proposed revisions to BOR Policies 4.3.1 (Non-Faculty Exempt Employment Provisions) and BOR Policy 4.4.8 (Faculty Remediation), as show in Attachments I and II.. Motion passed.

A copy of the Revised BOR Policies 4.3.1 and 4.4.8 (First Reading) can be found on pages ___ to ___ of the official minutes.

7-R Revised BOR Policy 7.6 (First and Final Reading)

Holly Farris, System General Counsel, stated that the proposed revisions include defined terminology for information technology, digital content, and related functions, and set forth requirements for system and campus policies, procedures, and guidelines for technology procurement, technology accessibility reviews, and standards for digital accessibility.

As these policy changes incorporate regulatory requirements and obligations set to take effect in April 2026, a first and final reading is recommended.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, 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 7.6, Technology Purchases, as presented. Motion passed.

A copy of the Revised BOR Policy 7.6 (First and Final Reading) can be found on pages __ to __ of the official minutes.

7-S Request for Waiver of Master Lease and Related Covenants, Conditions, and Restrictions – USD Discovery District/City of Sioux Falls

Holly Farris, System General Counsel, stated that the City of Sioux Falls desires to sub-lease a parcel of the Discovery District to develop and construct a fire rescue station. The proposed use, however, is potentially incompatible with the CCRs and some specific provisions of the Master Lease, due to the nature of fire rescue station operations (presence of certain hazardous fire prevention chemicals, fire equipment, etc.) and the status of the City of Sioux Falls as a governmental entity.

The Discovery District, supported by the City of Sioux Falls, requests a waiver of CCRs with respect to the parcel to be subleased by the City of Sioux Falls and a waiver of certain provisions of the Master Lease in order to permit use of the contemplated sublease premises for a fire rescue station.

Regent Rave noted that he sits on the Discovery District Board and they have discussed at length about using a research park for research park items, and they pushed hard at the Discovery District Board meeting for Ryan Oines to explain why we would put a fire station in a research park. There is value in having public safety in/around/servicing our research park area. There is still plenty of room/ acres to build as it would grow over time to fill that park with areas/spaces that could take research items in. They didn't take this recommendation lightly, and as Holly noted in the item it does fall in the guidelines of a research park.

Regent Frederick commented that you still have the whole issue of positive human capital externalities, which you will just give that up when that space is gone. It is for that reason that he will likely vote no on this request as the whole idea of a research park is that so you get more people in doing research. The more people you have there, the stronger it will be; with some of the square footage gone, some of that opportunity will also leave.

Regent Rave noted that he would only respond in that we (Discovery District Board) had these discussions and there is an attractiveness to a public safety component in the park along with something we are also missing, which is a lot of supporting infrastructure (i.e., restaurants, little shopping retail, etc.) that is what also, having gone to a couple of other research parks outside of South Dakota, that is what draws some of those folks in so that they can have their self-contained space where they don't have to travel to other places around. It is an integral part of the park, but he also understands what Regent Frederick is saying, so he thinks that in their lifetimes there is plenty of land there if/when the first building is completely full and there is need for another one, etc., there is plenty of space to grow there and that is how the Discovery District Board came to their decision.

Regent Partridge noted that he appreciates what Regent Rave was saying and the work that was done in discussing this. This is one of the few times where he and Regent Rave do not exactly see

eye-to-eye on the subject. The Discovery District and all of the other research parks you put in place in South Dakota play a very long game, and you have to; it is very difficult to fill them and do so with the right tenants. He feels this request would set a bad precedent for the Discovery District but also for the State as it relates to putting in something that would not be research oriented, in his opinion. Yes the public safety portion would be great, but not at the expense of losing space for long term research and business development, therefore he cannot find a way to see himself voting for this. He has had similar conversations with other research parks around the subject of first responders, and he is open to continue dialogue regarding that, but at this time he is a no vote on this request today.

IT WAS MOVED by Regent Lochner, seconded by Regent Beacom, to approve the Request for Waiver of Master Lease and Related Covenants, Conditions, and Restrictions – USD Discovery District/City of Sioux Falls. Motion failed.

A copy of the Request for Waiver of Master Lease and Related Covenants, Conditions, and Restrictions – USD Discovery District/City of Sioux Falls can be found on pages __ to __ of the official minutes.

7-T (Originally Consent Item 5-U) SDSU Football Stadium FY25 Financial Report

Heather Forney, System VP for Finance and Administration, stated at its December 2013 meeting, the Board of Regents approved the SDSU football stadium project, with authorizing legislation enacted in 2014. A key condition of this approval required SDSU to provide the Board with annual updates comparing the stadium's actual financial performance to the submitted pro forma. In June 2019, the Board further refined these reporting requirements, ensuring that SDSU's financial report would continue to be presented annually to the full Board as an informational item.

To date, SDSU has been meeting and exceeding their expectations, and at this point in time BOR staff recommends sunseting the reporting requirement to the Board.

IT WAS MOVED by Regent Lochner, seconded by Regent Roberts, that the South Dakota Board of Regents sunset the requirement for South Dakota State University (SDSU) to provide an annual football stadium financial report to the Board, effective immediately following the FY25 report. Motion passed.

A copy of the SDSU Football Stadium FY25 Financial Report can be found on pages __ to __ of the official minutes.

ADJOURNMENT

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

The meeting adjourned at 11:30 a.m. CST.

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, December 10th, in accordance with SDCL § 1-25-2 to discuss matters authorized therein. Following executive session, on December 11th, 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-M. Authorize the General Counsel to proceed with the legal matter(s) within the parameters discussed.*
- 2-N. Authorize the Executive Director to issue a determination on SDSU Faculty Appeal No. 2025-01, consistent with the Board's direction.*
- 2-O(2). Award one (1) year of prior service credit toward promotion and tenure for Dr. Varghese Mathew Vaidyan (DSU); and three (3) years of prior service credit toward tenure for Dr. Londa Nwadike (SDSU).*
- 2-O(3). Approve the request to grant tenure as a Professor to Dr. Lisa Lunn (SDSU).*
- 2-O(4). Approve the employment contract for SDSU women's volleyball coach, Dan Georgalas, as discussed.*
- 2-O(5). Approve the execution of the Lease Agreement Amendment between the South Dakota Board of Regents on behalf of Northern State University and the Northern State University Foundation in substantially similar form to that set forth in Attachment I.*