

SOUTH DAKOTA BOARD OF REGENTS

Academic and Student Affairs
Consent

AGENDA ITEM: 5 – K
DATE: December 9-10, 2020

SUBJECT

COVID-19 Resolution Extension

CONTROLLING STATUTE, RULE, OR POLICY

[SDCL Ch. 13-49](#)
[SD Const. Art. 14, §3](#)

BACKGROUND / DISCUSSION

The Board previously discussed and approved resolutions authorizing certain emergency exceptions/waivers of Board Policy to accommodate the necessary adjustments resulting from the COVID-19 pandemic, with the approval of the applicable Board committee, to allow the system and its institutions to address and accommodate the current pandemic in a timely manner without running afoul of Board Policy. At the Board’s August 2020 meeting the foregoing authorization was extended to run through the Board’s regularly scheduled December 2020 meeting. Given the fluid and unpredictable nature of the COVID-19 pandemic, and out of an abundance of caution, the system desires to extend the aforementioned authorization through the Board’s regularly scheduled June 2021 meeting. The foregoing will provide maximum flexibility in the event the COVID-19 pandemic necessitates unanticipated action during the Spring semester which would otherwise conflict with established policy. Due to the continued extenuating circumstances, it is anticipated that exceptions will need to be extended, at minimum, for BOR Policy 4:10 (Tenure and Continuing Appointments) relating to the tenure review period.

IMPACT AND RECOMMENDATIONS

The proposed resolution would extend the granting of emergency exceptions/waivers to BOR Policy between now and the Board’s regularly scheduled June 2021 meeting, with the approval of the applicable Board committee, to allow the system and its institutions to respond to and address unforeseen circumstances which could result from the COVID-19 pandemic this fall without running afoul of BOR Policy.

Staff recommends approval.

ATTACHMENTS

Attachment I – Proposed Resolution

DRAFT MOTION 20201209_5-K:

I move to approve the resolution set forth in Attachment I.

RESOLUTION

Resolution extending the prior grant of emergency exception(s) to and/or waiver(s) of Board of Regents Policy as necessary and appropriate to respond to the current COVID-19 pandemic.

WHEREAS, the Board approved a resolution at its April 1, 2020 meeting, declaring a State of Emergency and authorizing the grant of emergency exception(s) to and/or waiver(s) of Board of Regents Policy as necessary and appropriate to respond to the current COVID-19 pandemic (“April COVID-19 Resolution”); and

WHEREAS, the aforementioned emergency exception(s) to and/or waiver(s) of Board of Regents Policy extended through the Board’s regularly scheduled May 2020 meeting; and

WHEREAS, at the Board’s May 2020 meeting it extended certain provisions contained therein until the Board’s regularly scheduled August 2020 meeting; and

WHEREAS, at the Board’s August 2020 meeting it extended certain provisions contained therein until the Board’s regularly scheduled December 2020 meeting; and

WHEREAS, the Board now desires to extend certain provisions contained therein until the Board’s regularly scheduled June 2021 meeting; and

WHEREAS, in recognition of the foregoing, the Board does hereby:

1. Extend the authorization to temporarily grant emergency exceptions and/or waivers, as stated in the April COVID-19 Resolution, until the Board’s regularly scheduled June meeting, with any such grants of exceptions and/or waivers to be reported to the full Board at the next regularly scheduled meeting.
2. All other provisions of the April COVID-19 Resolution shall remain as stated therein.

Dated this 9th day of December 2020.

SOUTH DAKOTA BOARD OF REGENTS

By _____

John W. Bastian

President

Certification:

I have compared the foregoing with an action taken by the Board of Regents at a regular meeting of the Board on the 9th day of December, 2020, and I hereby certify that the same is a true, correct, and complete copy thereof and that the same has not been rescinded.

Dated this 9th day of December 2020.

SOUTH DAKOTA BOARD OF REGENTS

By _____

Pam Roberts

Secretary