

**BOARD OF REGENTS
MINUTES OF THE MEETING
March 30-31, 2021**

The South Dakota Board of Regents met on March 30-31, 2021 at Northern State University in Aberdeen and via Zoom* with the following members present:

ROLL CALL:

Brown – PRESENT
Roberts – PRESENT
Schaefer – PRESENT
Schieffer – PRESENT*
Stork – PRESENT
Thares – PRESENT
Wink – PRESENT
Morgan – PRESENT
Bastian – PRESENT

Also present during all or part of the meeting were Nathan Lukkes, Board of Regents General Counsel; Janice Minder, System Vice President for Academic Policy and Planning; Heather Forney, System Vice President of Finance & Administration; Kayla Bastian, Director of Human Resources; Janelle Toman, Director of Communications; Molly Weisgram; 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; Tim Downs, 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.

TUESDAY, MARCH 30, 2021

Regent Bastian declared a quorum present and called the meeting to order at 11:05 a.m.

1-A Approval of the Agenda

IT WAS MOVED by Regent Morgan, seconded by Regent Thares, to approve the agenda as published with one change, to remove agenda item 7-K.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

1-B Declaration of Conflicts

There were no declared conflicts.

1-C Approval of the Minutes – Meeting on December 9-10, 2020; January 14, 21, 28, 2021; February 4, 11, 18, 2021; March 4, 2021

IT WAS MOVED by Regent Stork, seconded by Regent Roberts, to approve the minutes of the Board of Regents meetings on December 9-10, 2020; January 14, 21, 28, 2021; February 4, 11, 18, 2021; and March 4, 2021.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

1-D Election of Officers

Regent Stork asked for clarification about the authority of the executive committee.

Regent Bastian said there are certain things that the Board president is authorized to do, and he has made the decision to involve the Vice President and Secretary in much of what he does, especially considering the Board's stint without an executive director and in the midst of a pandemic. From there, he explained, he has tried to communicate broadly and judiciously with the rest of the Board members.

Regent Schaefer said there has never been a formal role of the executive committee during his twelve years on the Board. He feels it would be difficult to narrow that role down because there are various things regental leadership must respond to.

Nathan Lukkes, BOR General Counsel, said the executive committee is a flexible committee to be what the Board president would like it to be or what the Board authorizes it to do.

Regent Thares said it comes down to communication. He likes the use of the executive committee and appreciates when information is brought forth to the full Board when appropriate.

IT WAS MOVED by Regent Schaefer, seconded by Regent Brown, to elect the following slate of officers: John Bastian as President; Jim Morgan as Vice President; and Pam Roberts as Secretary.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

MOTION TO DISSOLVE INTO EXECUTIVE SESSION

IT WAS MOVED by Regent Roberts, seconded by Regent Brown, that the Board dissolve into executive session at 11:15 a.m. on Tuesday, March 30, 2021, 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 recess at 2:00 p.m. to resume the regular order of business. That it reconvene in Executive Session at 8:00 a.m. on Wednesday, March 31, to continue discussing the earlier referenced matters, and that it rise from Executive Session at 9:00 a.m. to resume the regular order of business and report its deliberations while in

executive session at 9:30 a.m. on Wednesday, March 31, and take any action it deems prudent as a result thereof.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

The Board dissolved into executive session.

The Board reconvened in public session at 2:30 p.m.

3-A Reserved

3-B Welcome and Presentation by NSU President Tim Downs

NSU President Tim Downs welcomed the Board and other attendees to Northern State University and shared information about NSU's charge, vision, strategic action efforts, partnerships, branding, fundraising efforts, recent building projects, new academic programs, faculty development, etc.

3-D Report from Individual Presidents and Superintendents

SDSMT President Rankin recognized Dr. Pat Mahon, SDSMT Vice President of Student Affairs, and Dr. Kate Alley, SDSMT Associate Provost for Academic Affairs, who will be retiring in June 2021.

3-E Report on Individual Regent Activities

No reports.

3-F Report from the Student Federation

Macy Halverson, Student Federation Chair, provided an update on behalf of the Student Federation, describing the Federation's modified efforts during Students in Higher Education Days (SHED) this legislative session. She said the Student Federation will be voting on its new leadership next week, so the Board will be introduced to the incoming executive director in meetings to come.

A copy of the Student Federation Report can be found on pages ____ to ____ of the official minutes.

3-G (1) Report of the Executive Director – 2021 Legislative Overview

Nathan Lukkes, Board of Regents General Counsel, provided a brief overview of the 2021 legislative session and said it was a very positive one for South Dakota students and the Board of Regents' system, especially with the state's \$50 million investment into an endowment for the Freedom Scholarship, which will provide needs based scholarship funds.

The Board had no questions.

A copy of the Report of the Executive Director – 2021 Legislative Overview can be found on pages ____ to ____ of the official minutes.

3-G (2) Report of the Executive Director – Tuition and Fees Setting

Heather Forney, System Vice President of Finance & Administration, explained that the Board will address tuition and fees setting later in the meeting. She pointed out that the Board's responsibility to set tuition and fees is a critical part of maintaining affordability while also balancing the costs of providing education.

The Board had no questions.

A copy of the Report of the Executive Director – Tuition and Fees Setting can be found on pages ____ to ____ of the official minutes.

3-G (3) Report of the Executive Director – Senate Bill 55 Task Force Update

Dr. Jay Perry, System Policy Advisor, explained that the Senate Bill 55 Task Force subcommittees have been hard at work over the last several months, meeting remotely in preparation for the next full task force meeting scheduled for April 15, 2021 in Spearfish. Dr. Perry shared focus areas of the subcommittees and explained that the task force is on track to submit its recommendations by June 2021 for analysis by the Board during its August 2021 retreat.

The Board had no questions.

A copy of the Report of the Executive Director – Senate Bill 55 Task Force Update can be found on pages ____ to ____ of the official minutes.

3-G (4) Report of the Executive Director – Fall 2021 Semester Preparation

Dr. Janice Minder, System Vice President for Academic Policy and Planning, said the South Dakota Board of Regents system has continuously responded to the changing dynamics caused by the COVID-19 pandemic. With vaccines now available in the higher education setting, the system

continues to adjust as it looks toward the Fall 2021 semester. She explained that the Board of Regents expects to return to normal operations by Fall 2021, and the transition through the summer term is currently being discussed. She noted there are a variety of best practices that have come as a result of the last year's disruption, and the system is considering how best to implement them for long-term use.

Regent Stork asked for specifics on what "more normal" means and if all campuses will be doing the same thing. Dr. Minder responded by saying "more normal" means back to normal. The part that is unknown is the transition period over the summer, which will include a close monitoring of CDC guidelines.

Regent Brown asked that the campuses put together a more concrete communication plan about what campus life will look like next year. He said students have their missed personal connections and would appreciate additional information about the transition back to normal.

A copy of the Report of the Executive Director – Fall 2021 Semester Preparation can be found on pages _____ to _____ of the official minutes.

3-H Public Comment Period

Regent Bastian explained that both commentary from in-person attendees and those participating remotely via Zoom would be taken. He invited in-person commentary first and remote commentary second.

There were no public comments.

CONSENT AGENDA

Regent Stork asked about agenda item 4-C related to new program requests. She questioned whether these new programs are needed by the market place and felt more study with employers needs to be done. Specifically, she asked that item 4-C(3) be pulled from the consent calendar.

IT WAS MOVED by Regent Thares, seconded by Regent Brown, to approve consent agenda items 4-A through 4-AA, with the exception of 4-C(3), which will be put on the Board's Academic & Student Affairs Committee agenda for later discussion.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE

Bastian – AYE

Motion passed.

Academic and Student Affairs – Consent

4-A Student Organization Award Winners for 2020

Accept the recommendations offered by each institution for student organization awards and announce the names of the award winners.

A copy of the Student Organization Award Winners for 2020 can be found on pages _____ to _____ of the official minutes.

4-B (1) BOR Policy Revisions – BOR Policy 4:11 – Rank and Promotion (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 4:11, as presented in Attachment I.

A copy of the Revisions to BOR Policy 4:11 – Rank and Promotion (Second Reading) can be found on pages _____ to _____ of the official minutes.

4-B (2) BOR Policy Revisions – BOR Policy 4:12 – Role and Responsibility of Faculty (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 4:12, as presented in Attachment I.

A copy of the Revisions to BOR Policy 4:12 – Role and Responsibility of Faculty (Second Reading) can be found on pages _____ to _____ of the official minutes.

4-C (1) New Program Request – DSU – BS in Artificial Intelligence

Authorize DSU to offer a BS in Artificial Intelligence as presented in the agenda item.

A copy of the New Program Request – DSU – BS in Artificial Intelligence can be found on pages _____ to _____ of the official minutes.

4-C (2) New Program Request – NSU – BS in Biochemistry

Authorize NSU to offer the Bachelor of Science (BS) in Biochemistry, as presented in the agenda item.

A copy of the New Program Request – NSU – BS in Biochemistry can be found on pages _____ to _____ of the official minutes.

4-C (3) New Program Request – NSU – BA in Global Language and Culture – REMOVED FROM CONSENT AGENDA

4-C (4) New Program Request – SDSMT – MS in Green and Sustainable Chemistry

Authorize SDSMT to offer a MS in Green and Sustainable Chemistry, as presented in the agenda item.

A copy of the New Program Request – SDSMT – MS in Green and Sustainable Chemistry can be found on pages _____ to _____ of the official minutes.

4-C (5) New Program Request – SDSU – BA/BS in Criminology

Authorize SDSU to offer a BA & BS in Criminology, as presented in the agenda item.

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

4-C (6) New Program Request – SDSU – MS in Pharmaceutical Sciences

Authorize SDSU to offer a MS in Pharmaceutical Sciences, as presented in the agenda item.

A copy of the New Program Request – SDSU – MS in Pharmaceutical Sciences can be found on pages _____ to _____ of the official minutes.

4-C (7) New Program Request – USD – BS in Biochemistry

Authorize USD to offer a BS in Biochemistry, as presented in the agenda item.

A copy of the New Program Request – USD – BS in Biochemistry can be found on pages _____ to _____ of the official minutes.

4-C (8) New Program Request – USD – BS in Public Health

Authorize USD to offer the Bachelor of Science (BS) in Public Health, as presented in the agenda item.

A copy of the New Certificate Request – USD – BS in Public Health can be found on pages _____ to _____ of the official minutes.

4-D (1) New Certificate Request – NSU – Germans from Russia Studies (Undergrad)

Authorize NSU to offer an undergraduate certificate in Germans from Russia Studies, as presented in the agenda item.

A copy of the New Certificate Request – NSU – Germans from Russia Studies (Undergrad) can be found on pages _____ to _____ of the official minutes.

4-D (2) New Certificate Request – NSU – TESOL (Teaching English to Speakers of Other Languages) (Graduate)

Authorize NSU to offer a graduate certificate in TESOL (Teaching English to Speakers of Other Languages), as presented in the agenda item.

A copy of the New Certificate Request – NSU – TESOL (Teaching English to Speakers of Other Languages) (Graduate) can be found on pages _____ to _____ of the official minutes.

4-D (3) New Certificate Request – SDSU – Competency-Based Learning (Graduate)

Authorize SDSU to offer a graduate certificate in Competency-Based Learning, as presented in the agenda item.

A copy of the New Certificate Request – SDSU – Competency-Based Learning (Graduate) can be found on pages _____ to _____ of the official minutes.

4-E (1) New Specialization Request – SDSMT – AI/Machine Learning (BS in Computer Science)

Authorize SDSMT to offer a specialization in AI/Machine Learning within the BS in Computer Science, as presented in the agenda item.

A copy of the New Specialization Request – SDSMT – AI/Machine Learning (BS in Computer Science) can be found on pages _____ to _____ of the official minutes.

4-E (2) New Specialization Request – SDSMT – Cybersecurity (BS in Computer Science)

Authorize SDSMT to offer a specialization in Cybersecurity within the BS in Computer Science, as presented in the agenda item.

A copy of the New Specialization Request – SDSMT – Cybersecurity (BS in Computer Science) can be found on pages _____ to _____ of the official minutes.

4-E (3) New Specialization Request – SDSMT – Visual & Interactive Computing (BS in Computer Science)

Authorize SDSMT to offer a specialization in Visual and Interactive Computing within the BS in Computer Science, as presented in the agenda item.

A copy of the New Specialization Request – SDSMT – Visual & Interactive Computing (BS in Computer Science) can be found on pages _____ to _____ of the official minutes.

4-E (4) New Specialization Request – SDSU – Aerospace Engineering (BS in Mechanical Engineering)

Authorize SDSU to offer a specialization in Aerospace Engineering within the BS in Mechanical Engineering, as presented in the agenda item.

A copy of the New Specialization Request – SDSU – Aerospace Engineering (BS in Mechanical Engineering) can be found on pages _____ to _____ of the official minutes.

4-E (5) New Specialization Request – USD – Health Education (BS in Public Health)

Authorize USD to offer a specialization in Health Education within the BS in Public Health, as presented in the agenda item.

A copy of the New Specialization Request – USD – Health Education (BS in Public Health) can be found on pages _____ to _____ of the official minutes.

4-F (1) New Site Request – SDSU – BA in Psychology (Online)

Approve SDSU's new site proposal to offer the B.A. in Psychology online.

A copy of SDSU's New Site Request, BA in Psychology (Online) can be found on pages _____ to _____ of the official minutes.

4-F (2) New Site Request – USD – Artificial Intelligence Certificate (Undergrad) (Online)

Approve USD's new site proposal to offer the undergraduate certificate in Artificial Intelligence online.

A copy of USD's New Site Request, Artificial Intelligence Certificate (Undergrad) (Online) can be found on pages _____ to _____ of the official minutes.

4-F (3) New Site Request – USD – Artificial Intelligence Certificate (Graduate) (Online)

Approve USD's new site proposal to offer the graduate certificate in Artificial Intelligence online. USD's new site proposal to offer the Artificial Intelligence Certificate (Graduate) online.

A copy of USD's New Site Request, Artificial Intelligence Certificate (Graduate) (Online) can be found on pages _____ to _____ of the official minutes.

4-F (4) New Site Request – USD – Forensic Anthropology Certificate (Online)

Approve USD's new site proposal to offer the undergraduate certificate in Forensic Anthropology online.

A copy of USD's New Site Request, Forensic Anthropology Certificate (Online) can be found on pages _____ to _____ of the official minutes.

4-F (5) New Site Request – USD – EdS in Educational Administration and Leadership with Curriculum Director Specialization (Online)

Approve USD's new site proposal to offer the Ed.S. in Educational Administration and Leadership – Curriculum Director Specialization online.

A copy of USD's New Site Request, EdS in Educational Administration and Leadership with Curriculum Director Specialization (Online) can be found on pages _____ to _____ of the official minutes.

4-G (1) Intent to Plan Request – NSU – MEd in Art Education

Authorize NSU to develop a program proposal for an MS.Ed. in Art Education, as presented in the agenda item.

A copy of the Intent to Plan Request – NSU – MEd in Art Education can be found on pages _____ to _____ of the official minutes.

4-G (2) Intent to Plan Request – DSU – BS in Artificial Intelligence for Business

Authorize DSU to develop a program proposal for a BS in Artificial Intelligence for Business, as presented in the agenda item.

A copy of the Intent to Plan Request – DSU – BS in Artificial Intelligence for Business can be found on pages _____ to _____ of the official minutes.

4-G (3) Intent to Plan Request – SDSU – BS in Concrete Industry Management

Authorize SDSU to develop a program proposal for a BS in Concrete Industry Management, as presented in the agenda item.

A copy of the Intent to Plan Request – SDSU – BS in Concrete Industry Management can be found on pages _____ to _____ of the official minutes.

4-G (4) Intent to Plan Request – SDSU – MS in Nutrition & Dietetics

Authorize SDSU to develop a program proposal for an MS in Nutrition and Dietetics, as presented in the agenda item.

A copy of the Intent to Plan Request – SDSU – MS in Nutrition & Dietetics can be found on pages _____ to _____ of the official minutes.

4-H Dual Credit In-District Delivery – DSU Southern Hills Education Consortium Cyber Academy MOU

Approve 1) the Memorandum of Understanding between Dakota State University and the Southern Hills Education Consortium, as presented, and 2) the courses as presented for the Fall 2021 through Spring 2024 semesters for in-district delivery of High School Dual Credit courses.

A copy of the Dual Credit In-District Delivery – DSU Southern Hills Education Consortium Cyber Academy MOU can be found on pages _____ to _____ of the official minutes.

4-I (1) Agreements on Academic Cooperation – SD School of Mines and Technology

Approve the South Dakota School of Mines and Technology’s agreement on academic cooperation with Universidad Mondragón Mexico.

A copy of the SDSMT’s Agreement on Academic Cooperation can be found on pages _____ to _____ of the official minutes.

4-I (2) Agreements on Academic Cooperation – University of South Dakota

Approve the University of South Dakota’s agreement on academic cooperation with University of Almería (UAL), Spain.

A copy of the USDs Agreement on Academic Cooperation can be found on pages _____ to _____ of the official minutes.

4-J (1) Articulation Agreements – Black Hills State University

Approve Black Hills State University’s articulation agreement with Northern Wyoming Community College District, as presented.

A copy of BHSU’s Articulation Agreement can be found on pages _____ to _____ of the official minutes.

4-J (2) Articulation Agreements – Dakota State University

Approve Dakota State University’s articulation agreement with Indian Hills Community College, Minnesota State Community and Technical College, Mitchell Technical College, North Dakota State College of Science, Northeast Iowa Community College, Scott Community College, Southeast Technical College, and Western Nebraska Community College, as presented.

A copy of DSU’s Articulation Agreement can be found on pages _____ to _____ of the official minutes.

4-J (3) Articulation Agreements – South Dakota State University

Approve the South Dakota State University's articulation agreements with Lake Area Technical College, Mitchell Technical College, Riverland Community College, Southeast Technical College, Western Dakota Technical College, Oglala Lakota College, and Black Hills State University, as presented.

A copy of SDSU's Articulation Agreement can be found on pages ____ to ____ of the official minutes.

4-J (4) Articulation Agreements – University of South Dakota

Approve the University of South Dakota's articulation agreements with Northwest College, Southeast Technical College, and Black Hills State University, as presented.

A copy of USD's Articulation Agreement can be found on pages ____ to ____ of the official minutes.

4-K (1) Request to Seek Accreditation – SDSU – Community Public Health

Approve SDSU's requests to seek accreditation from the National Board of Health and Wellness Coaching (NBHWC) for their Community Public Health program.

A copy of the Request to Seek Accreditation – SDSU – School of Psychology, Sociology and Rural Studies can be found on pages ____ to ____ of the official minutes.

4-K (2) Request to Seek Accreditation – SDSU – Consumer Affairs

Approve SDSU's requests to seek accreditation from Association for Financial Counseling and Planning Education (AFCPE) for their Consumer Affairs program.

A copy of the Request to Seek Accreditation – SDSU – Consumer Affairs can be found on pages ____ to ____ of the official minutes.

4-L (1) Naming Request – SDSU – School of Psychology, Sociology and Rural Studies

Approve SDSU's request create the School of Psychology, Sociology and Rural Studies, as presented in the agenda item.

A copy of the Naming Request – SDSU – School of Psychology, Sociology and Rural Studies can be found on pages ____ to ____ of the official minutes.

4-L (2) Naming Request – SDSU – New Schools within the College of Education and Human Sciences

Approve SDSU's requests to create a new School of Education, Counseling and Human Development, and School of Health and Consumer Sciences.

A copy of the Naming Request – SDSU – New Schools within the College of Education and Human Sciences can be found on pages ____ to ____ of the official minutes.

Budget and Finance – Consent

4-M BOR Policy Revisions – BOR Policy 4:16 – Military Service and Veterans Rights (Second Reading)

Approve the second and final reading of the proposed revisions to BOR Policy 4:16 – Military Service and Veterans Rights, as presented in Attachment I of the agenda item.

A copy of the Revisions to BOR Policy 4:16 – Military Service and Veterans Rights (Second Reading) can be found on pages ____ to ____ of the official minutes.

4-N M&R Projects

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

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

4-O West River Electric Association, Inc. Easement – SDSU

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 West River Electric Association, Inc. Easement – SDSU can be found on pages ____ to ____ of the official minutes.

4-P Naming Request – USD – Dental Hygiene Clinic / Delta Dental

Approve the request from the University of South Dakota to name the dental hygiene clinic in the new School of Health Sciences building as the Delta Dental Oral Health Center.

A copy of the Naming Request – USD – Dental Hygiene Clinic / Delta Dental can be found on pages ____ to ____ of the official minutes.

4-Q FY21 Operating Budgets

A copy of the FY21 Operating Budgets can be found on pages ____ to ____ of the official minutes.

4-R NSU Regional Sports Complex Request to Expend Additional Capital Campaign Funds

Authorize NSU to expend additional capital campaign funds up to a maximum of \$41,250,000 for the completion of the NSU Regional Sports Complex.

A copy of the NSU Regional Sports Complex Request to Expend Additional Capital Campaign Funds can be found on pages _____ to _____ of the official minutes.

4-S Herbicide Injury Study Joint Powers Agreement Amendment – SDSU & SD Department of Agriculture

Approve the Amendment to the Joint Powers Agreement in substantially similar form to that set forth in Attachment I, and further authorize the Executive Director to approve any subsequent amendments to the JPA which further extend the term and/or increase the funding provided.

A copy of the Herbicide Injury Study Joint Powers Agreement Amendment – SDSU & SD Department of Agriculture can be found on pages _____ to _____ of the official minutes.

Routine Informational Items – No Board Action Necessary

4-T Building Committee Report

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

4-U 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.

4-V FY20 Auxiliary System Agreed-Upon Procedures Report

A copy of the FY20 Auxiliary System Agreed-Upon Procedures Report can be found on pages _____ to _____ of the official minutes.

4-W FY20 CAFR Audit Review

A copy of the FY20 CAFR Audit Report can be found on pages _____ to _____ of the official minutes.

4-X Student Accounts Receivable Report

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

4-Y Residence Hall Occupancy Report for Fall 2020/Spring 2021

A copy of the Residence Hall Occupancy Report for Fall 2020/Spring 2021 can be found on pages _____ to _____ of the official minutes.

4-Z Capital Projects List

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

4-AA FY20 SDSM&T NCAA Agreed Upon Procedures Report

A copy of the FY20 SDSM&T NCAA Agreed Upon Procedures Report can be found on pages _____ to _____ of the official minutes.

ACADEMIC AND STUDENT AFFAIRS

4-C (3) New Program Request – NSU – BA in Global Language and Culture – MOVED FROM THE CONSENT AGENDA

Dr. Joelle Lien, System Associate Vice President of Academic Affairs, provided information on NSU's proposed BA in Global Language and Culture and said it is a good fit for NSU because of the institution's liberal arts mission.

Regent Stork expressed concern that the course content isn't relevant to market needs. She explained that currently the needs evaluation of new academic programs is qualitative, but through the Senate Bill 55 Task Force review, it has become clear that the system should implement a quantitative needs evaluation to ensure that it can support that these new programs are necessary. Additionally, regarding this proposed program, she said that she struggles to understand how offering six new courses and six new labs doesn't affect faculty course load, as claimed in the agenda item.

Dr. Lien agreed and said that the processes and procedures being built to improve the new program development and request structure, as spurred by Senate Bill 55 work, needs to incorporate faculty course load. She verified that at current the Board office has to trust the provosts at their word without any supporting background information.

IT WAS MOVED by Regent Stork, seconded by Regent Roberts, to return agenda item 4-C(3) to the university and the academic affairs staff so that they might generate more data to support the new program proposal and return it to the Board for approval at a future meeting.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the New Program Request – NSU – BA in Global Language and Culture can be found on pages ____ to ____ of the official minutes.

5-A (1) BOR Policy Revisions – BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, BOR Policy 4:7 – Grievance Faculty, and BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (First Reading)

Nathan Lukkes, Board of Regents General Counsel, stated that the proposed revisions set forth in BOR Policy 4:7 address the necessary cleanup resulting from the elimination of collective bargaining, while also promoting a more consistent grievance process across the faculty and NFE classifications. The revisions to BOR Policies 4:4 and 4:14 are the logical byproducts of the underlying changes proposed to BOR Policy 4:7, resulting in a cohesive grievance process, uniform timelines, and consistent terminology across the related BOR policies.

Regents Roberts and Stork asked questions about a section of policy that incorporates a peer panel. General Counsel Lukkes explained that the peer review panel was a result of a compromise that made an expedited process out of a section that previously required a full hearing.

The Board members generally agreed that the peer panel section was not to their liking and asked that the second reading of the policy review and revise it. Regents Roberts asked that if there are faculty members who strongly desire it, they should provide testimony to the Board explaining why they support it.

IT WAS MOVED by Regent Wink, seconded by Regent Stork, 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.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the Revisions to BOR Policy 4:4 – Non-Faculty Exempt Employment Provisions, BOR Policy 4:7 – Grievance Faculty, and BOR Policy 4:14 – Faculty Discipline and Disciplinary Procedures (First Reading) can be found on pages ____ to ____ of the official minutes.

5-A (2) BOR Policy Revisions – BOR Policy 4:13 – Faculty Evaluation (First Reading)

Kayla Bastian, System Director of Human Resources, described the proposed revisions to BOR Policy 4:13 and said that the changes are meant to add clarity and eliminate processes not currently being used.

IT WAS MOVED by Regent Wink, seconded by Regent Morgan, to approve the first reading of the proposed revisions to BOR Policy 4:13 as outlined in Attachment I of the agenda item.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the BOR Policy Revisions – BOR Policy 4:13 – Faculty Evaluation (First Reading) can be found on pages _____ to _____ of the official minutes.

5-A (3) BOR Policy Revisions – BOR Policy 2:12 – Distance Education Revisions (First Reading)

Dr. Janice Minder, System Vice President for Academic Policy and Planning, stated that while some of the proposed revisions noted within BOR Policy 2:12 are more clerical in nature, the substantive edits are needed as a direct result of new federal regulations regarding distance education that took effect on July 1, 2020. The biggest change is that Distance Education is now defined in federal regulations, and so BOR institutions are required to follow that definition. One result of this that will likely have a larger impact is that any one-way and two-way transmissions are considered distance education, which would include DDN. In the current definition, “electronic delivery on or off campus through means other than DDN” are considered distance education, meaning DDN has not been considered distance education. Under the federal regulations, DDN is distance education, and will need to be considered as such moving forward.

IT WAS MOVED by Regent Wink, seconded by Regent Schaefer, to approve the first reading of the proposed revisions to BOR Policy 4:13, as outlined in Attachment I as presented.

ROLL CALL:

Roberts – AYE
Schaefer – AYE

Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the BOR Policy Revisions – BOR Policy 2:12 – Distance Education Revisions (First Reading) can be found on pages _____ to _____ of the official minutes.

BUDGET AND FINANCE

7-A FY22 On-Campus Tuition and Mandatory Fees

Heather Forney, System Vice President of Finance and Administration, stated that the main driver of tuition increases are salary policy and health insurance adjustments made by the state. She explained that overall on-campus tuition is being recommended for a 1.1% increase, but she described the breakdown as it relates to the General Activity Fee, computer lease fees, USD School of Law and Sanford School of Medicine tuition rates.

IT WAS MOVED by Regent Roberts, seconded by Regent Thares, to approve the FY22 On-Campus Tuition and Mandatory Fees as presented in Attachment I of the agenda item.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 On-Campus Tuition and Mandatory Fees can be found on pages _____ to _____ of the official minutes.

7-B FY22 Off-Campus Tuition Rates

Heather Forney, System Vice President of Finance and Administration, explained that a zero percent tuition increase is being recommended for the Great Plains Interactive Distance Education

Alliance (IDEA) tuition, externally supported tuition, and dual credit courses. She said all other off-campus tuition rates are being recommended for an increase of 1.0%.

IT WAS MOVED by Regent Roberts, seconded by Regent Stork, to approve the FY22 Off-Campus Tuition Rates as presented in Attachment I of the agenda item.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 Off-Campus Tuition Rates can be found on pages _____ to _____ of the official minutes.

7-C FY22 System, Discipline, Delivery, and Vehicle Registration Fees

Heather Forney, System Vice President of Finance and Administration, explained that no increase is being recommended for system fees, which include fees on application, transcript, challenge by exam, international student, and testing fees.

She said a 0.50% increase is being recommended for special discipline fees. Furthermore, she noted that USD is requesting to include the Department of Communication Sciences & Disorders (DCOM) to the Allied Health programs, therefore, subjecting it to the USD Allied Health fee structure.

VP Forney said vehicle registration fees will increase 1.50% rounded to the nearest dollar for the maintenance and repair of the parking facilities and operation of the parking system. In addition, NSU is requesting an increase of 5% to afford to increase lighting and security in campus parking lots. USD is requesting to cut the vehicle registration fee in half for select students residing in Brookman Hall during FY22 due to construction limiting the number of available parking spaces.

IT WAS MOVED by Regent Roberts, seconded by Regent Thares, approve the FY22 System, Discipline, Delivery, and Vehicle Registration Fees, as presented in Attachment I of the agenda item.

ROLL CALL:

Roberts – AYE

Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 System, Discipline, Delivery, and Vehicle Registration Fees can be found on pages _____ to _____ of the official minutes.

7-D FY22 Housing and Food Service Rates

Heather Forney, System Vice President of Finance and Administration, explained that residence hall rates for FY22 are being recommended for an increase of 2%, except for DSU which is requesting an increase the FY22 housing rates by 3% above inflation for FY21, FY22, and FY23.

Additionally, she said BHSU is requesting to restructure Wenona Cook Hall's maximum occupancy in order to redesign it for more single occupancy rooms as there is a demand for more of these rooms. Also, NSU requests to establish new room rates for the Wolves Memorial Suites. The new rates fill a void in room assignment types that hadn't been initially considered when Wolves Memorial Suites opened in 2017. The number of students impacted will be minimal (1-2 per semester). The room rates are only applicable when a roommate doesn't return, and the remaining roommate wishes to stay in the room originally assigned to them and enjoy the privacy of a single room. The student does have the option of being assigned another roommate or moving into a double room rather than pay the cost of the single room. Establishing these new room rates provides students with the option of occupying a single room in Wolves Memorial Suites which is consistent with the options available in other residence halls on campus.

Furthermore, she explained that the 2.5% increase to meal plan rates will address increases to CPI, contracted increases for food operations, and any related institutional administrative costs.

She said when including the tuition and mandatory fee increases to cover salary policy and healthcare adjustments, the total weighted average cost increase is \$280 or 1.6%. The impact to students within the system will range from \$252 to \$373 more per year.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve the FY22 Housing and Food Service Plan rates as presented in Attachments I & II.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE

Stork – AYE
Thares – AYE
Wink – AYE
Brown – NAY
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 Housing and Food Service Rates can be found on pages _____ to _____ of the official minutes.

7-E FY22 Graduate Assistant Stipends

Heather Forney, System Vice President of Finance and Administration, provided an overview of proposed Graduate Assistant stipends. She explained that the salary minimums do not apply to SDSU and DSU as they waive tuition for their graduate assistants and fellows as compensation for work.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve the BHSU and NSU FY22 minimum graduate assistant stipends in the amount of \$3,921 per semester and \$980 per four-week session; SDSM&T FY22 minimum graduate assistant stipends in the amount of \$4,076 per semester and \$1,018 per four-week session; and USD FY22 minimum graduate assistant stipends in the amount of \$4,067 per semester and \$1,016 per four-week session.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 Graduate Assistant Stipends can be found on pages _____ to _____ of the official minutes.

7-F FY22 Special School Nonresident Tuition

Heather Forney, System Vice President of Finance and Administration, stated that inflation has driven a 2.45% increase to the instructional and residential costs for SDSBVI. These costs are only assigned to nonresident students, of which SDSBVI currently has none.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve the FY22 nonresident instructional tuition rate to be \$38,147 and the residence cost to be set at \$15,419 for the School for the Blind and Visually Impaired.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 Special School Nonresident Tuition can be found on pages _____ to _____ of the official minutes.

7-G FY22 DSU & SDSMT Laptop Leases RFP

Stacy Krusemark, DSU Vice President for Business and Administrative Services, described the laptop lease programs at DSU and SDSMT. He asked that the Board qualify two additional lease financiers as done earlier in this calendar year: US Bank and JP Morgan.

IT WAS MOVED by Regent Roberts, seconded by Regent Schaefer, to qualify the use of US Bank, University Lease, Bank of America, and JP Morgan for capital lease financing through FY24, and authorize DSU and SDSMT to execute financing leases with any of these vendors.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the FY22 DSU & SDSMT Laptop Leases RFP can be found on pages _____ to _____ of the official minutes.

7-H SDSU Pierson Hall Renovation Preliminary Facility Statement (PFS)

Michael Holbeck, SDSU Vice President for Finance & Budget, said Pierson Hall is not adequately serving student needs due to backlogged maintenance and repairs. This project is proposed to be a complete renovation in order to address those needs, which cannot be adequately satisfied by further piecemeal upgrades. It is anticipated that Pierson will be re-occupied in the fall semester of 2023.

Regent Brown said he struggles with this request because he knows that Brown Hall was renovated at one time as well, only to have its rate increased after renovation, making it a less attractive options for students. He wants to make sure that isn't going to happen in this scenario.

SDSU President Barry Dunn said room rates won't be increased for Pierson Hall after it is renovated as no new debt is being incurred.

Regent Brown suggested that the price point for Brown Hall be reviewed.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to (1) approve SDSU's Preliminary Facility Statement for the renovation of Pierson Hall and (2) exempt this M&R project from the capital improvement process requirements.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

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

7-I SDSMT Mineral Industries Building Facility Program Plan (FPP)

Jerilyn Roberts, SDSMT Associate Vice president for Facilities, Risk, and Services, stated that the direction of the Mineral Industries project, previously approved at the June 2014 BOR meeting, has shifted towards the current building being torn down and replaced by a new building. The new building would not only serve in the current building's capacities but would also will help increase the research enterprise and recruitment of talented students and faculty. This building is also the first step in creating a world class industries resource research center at SDSMT.

Regent Roberts congratulated the president and staff for gaining approval of this project during legislative session.

SDSMT President Rankin expressed the great excitement of everyone at the institution and thanked the Board for its support.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve SDSMT's Facility Program Plan for The Mineral Industries Building at a cost not to exceed \$34,000,000 and to be funded by a combination of General, Private, and University Funds.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

A copy of the SDSMT Mineral Industries Building Facility Program Plan (FPP) can be found on pages _____ to _____ of the official minutes.

7-J FY22 Employee Health Plan Updates

Kayla Bastian, System Director of Human Resources, explained that the SD Bureau of Human Resources (BHR) is implementing significant changes to the employee health plans for FY22 with four new plan designs that incorporate employee-paid premiums. The new plan designs, along with implementation of new employee premiums, and other changes have resulted in significant health plan savings. The legislature supported appropriating the approximate \$12 million of health plan savings back into employee salaries to address salary competitiveness issues. She described recommendations for how these salary savings could be used within the regental system.

A copy of the FY22 Employee Health Plan Updates can be found on pages _____ to _____ of the official minutes.

7-K REMOVED

8. Resolutions of Recognition

Regent Bastian explained that both Regent Randy Schaefer and Regent Kevin Schieffer are concluding their service to the Board. He recognized Regent Schaefer's twelve years of service and Regent Schieffer's nearly eight years of service, noting that they both served as Board

presidents as well. He read their resolutions of recognition aloud and thanked them for their service.

IT WAS MOVED by Regent Roberts, seconded by Regent Wink, to accept the resolutions of recognition for Regent Randy Schaefer and Regent Kevin Schieffer to recognize their service to the Board of Regents.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – ABSTAIN
Stork – ABSTAIN
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

WEDNESDAY, MARCH 31, 2021

The Board reconvened at 9:30 a.m.

Report and Actions of Executive Session

Regent Roberts reported that the Board dissolved into executive session at 11:15 a.m. on Tuesday, March 30, 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 recessing at 2:00 p.m. to resume the regular order of business.

She said the Board again reconvened in Executive Session at 8:00 a.m. on Wednesday, March 31 to continue discussing the earlier referenced matters before rising from Executive Session at 9:00 a.m. to resume the regular order of business.

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 Roberts, seconded by Regent Morgan, to approve the recommended actions as set forth in the Secretary's Report and that it publish said report and official actions in the formal minutes of this meeting.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

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

ADJOURNMENT

IT WAS MOVED by Regent Schaefer, seconded by Regent Stork, to adjourn the meeting.

ROLL CALL:

Roberts – AYE
Schaefer – AYE
Schieffer – AYE
Stork – AYE
Thares – AYE
Wink – AYE
Brown – AYE
Morgan – AYE
Bastian – AYE

Motion passed.

The meeting adjourned at 9:35 a.m.

Secretary's Executive Session Report

The Board convened in Executive Session pursuant to the vote of the majority of the Board present and voting at its public meeting on Tuesday, March 30, 2021, in accordance with SDCL 1-25-2 to discuss matters authorized therein. Following executive session on March 31st, 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-E – Authorize the Executive Director to proceed with the personnel matter as discussed.

2-G – Approve the request from SDSMT to rename the Department of Chemical and Biological Engineering, as presented in Attachment I of the agenda item, pending the approval of the Gift Agreement by the SDSMT President, and naming request as approved by the Executive Director upon General Counsel's review of the finalized Gift Agreement.

2-H (2) – Approve the salary adjustments and appointments as outlined in Attachment I.

2-H (3) – Award one (1) year of prior service credit toward tenure and one (1) year of prior service credit toward promotion each for Dr. Breon Derby (BHSU) and Dr. Bartlomiej Hanus (USD).

2-H (4) – Approve the requests to appoint Brian Butterfield (SDSMT) and Aimee Sorensen (USD) each to the rank of Lecturer.

2-H (5) – Approve the leave requests for Cheryl Anagnopoulos (BHSU), Jennifer Anderson (SDSU), Thomas Brandenburger (SDSU), Brian Rex (SDSU), Thomas Simmons (USD), and Jing Williams (USD).

2-H (6) – Award an honorary Doctorate of Humane Letters to Dick Termes (BHSU), an honorary Doctorate of Public Service to Johnnie Johnson (BHSU) and Becky Hammon (SDSMT); and an honorary Doctorate of Science to Tony Jensen (SDSMT).

SOUTH DAKOTA SCHOOL OF MINES & TECHNOLOGY						
Name	Title	Effective Date	Job Change Reason	New Salary	Previous Salary	% Increase
Jawahar Kalimuthu	Research Scientist III	22-Nov-20	Reclassification	\$68,000.00	\$54,958.00	24%

SOUTH DAKOTA STATE UNIVERSITY						
Name	Title	Effective Date	Job Change Reason	New Salary	Previous Salary	% Increase
Courtney Eidem	Research Coordinator	22-Dec-20	Reclassification	\$41,641.00	\$37,855.27	10%
Tracy Greene	Vice Pres & General Counsel	22-Jan-21	Title Change/Perm. Add Duties	\$192,500.00	\$175,000.00	10%
Allen Heuer	Manager-NE Research Station	22-Dec-20	Sal Adj.-Unusual Circumstance	\$50,037.00	\$46,331.00	8%
Brady Jensen	Instructor	22-Jan-21	Sal Adj.-Unusual Circumstance	\$63,328.00	\$57,624.00	10%
Zachary Smith	Assistant Professor	22-Nov-20	Sal Adj.-Unusual Circumstance	\$80,000.00	\$75,649.00	6%
Reinaldo Tonkoski	Associate Professor	22-Dec-20	Title Change	\$119,478.00	\$104,478.00	14%
Michelle Watkins	Web Services Coordinator	22-Nov-20	Reclassification	\$43,554.36	\$36,898.49	18%

UNIVERSITY OF SOUTH DAKOTA						
Name	Title	Effective Date	Job Change Reason	New Salary	Previous Salary	% Increase
Elizabeth Kost	Admissions Counselor CCSF	22-Dec-20	Permanent Additional Duties	\$49,050.00	\$45,000.00	9%
Connor Peterson	Asst. Director Admissions	22-Dec-20	Permanent Additional Duties	\$50,000.00	\$46,000.00	9%
Gemma Skillman	Lecturer	22-Dec-20	Sal Adj.-Unusual Circumstance	\$51,000.00	\$46,587.77	9%
Kody Thompson	Regional Director-Sioux Falls	22-Dec-20	Permanent Additional Duties	\$51,838.58	\$47,558.33	9%

APPOINTMENTS REPORTING TO THE PRESIDENT, SUPERINTENDENT or EXECUTIVE DIRECTOR				
NAME	TITLE	EFFECTIVE DATE	SALARY	INSTITUTION
Janice Minder	Vice President for Academic Policy and Planning	12/22/2020	\$185,000.00	BOR
Michael Holbeck	Vice President for Budget and Finance	9/1/2020	\$180,000.00	SDSU
David Miller	Chief Information Officer	2/22/2021	\$100,000.00	DSU
Brent Van Aartsen	Chief Technology Officer	2/22/2021	\$121,550.00	DSU
Jon Schemmel	VP for Institutional Advancement/CEO of Foundation and Alumni Association			DSU