

**BOARD OF REGENTS  
MINUTES OF THE MEETING  
June 28-30, 2016**

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**BOARD OF REGENTS  
MINUTES OF THE MEETING  
June 28-30, 2016**

The South Dakota Board of Regents met on June 28-30, 2016 at Dakota State University in Madison with the following members present:

Randy Schaefer, President  
Bob Sutton, Vice President  
Kevin Schieffer, Secretary  
John Bastian, Regent  
Harvey Jewett, Regent  
Kathryn Johnson, Regent  
Jim Morgan, Regent  
Pam Roberts, Regent  
Conrad Adam, Regent

Also present during all or part of the meeting were Mike Rush, Executive Director and CEO; Guilherme Costa, General Counsel; Paul Turman, System Vice President for Academic Affairs; Nathan Lukkes, System Assistant Vice President for Research and Economic Development; Michele Anderson, Internal Auditor; Kayla Bastian, Director of Human Resources; Monte Kramer, System Vice President of Finance and Administration; Dave Hansen, Director of Information Technology; Molly Hall-Martin, Director of Student Preparation & Success; Molly Weisgram, System Director of Student Affairs and Board Secretary; Janelle Toman, Director of Communications; Leah Ahartz, System Budget Manager; Daniel Palmer, Director of Institutional Research; Barry Dunn, SDSU; José-Marie Griffiths, DSU; Tom Jackson Jr., BHSU; Marjorie Kaiser, SDSBVI/SDSD; Heather Wilson, SDSM&T; Tim Downs, NSU; James Abbott, USD; Kathy Johnson, Chris Crawford, Randy Culver, BHSU; Steve Malott, Pat Mahon, SDSM&T; Stacy Krusemark, Marcus Garstecki, Judy Dittman, Bob Otterson, David Overby, DSU; Claudean Hluchy, SDSBVI/SDSD; Veronica Paulson, Checka Leinwall, Alan LaFave, NSU; Kim Grieve, Sheila Gestring, Roberta Ambur, Jim Moran, USD; Dennis Hedge, Mary Kay Helling, Mike Holbeck, Wesley Tschetter, Robert McLean, SDSU; Steven Kohler, BFM; Jeff Mehlaflaff, LRC; Ryan Rolfs, SDEA; and other members of the regental system and public and media.

**TUESDAY, JUNE 28, 2016**

**REGENTS WORKSHOP**

Regents' President Randy Schaefer declared a quorum present and called the meeting to order. He recognized new member Regent Conrad Adam. He also recognized new NSU President Tim Downs and new SDSU President Barry Dunn.

Executive Director Mike Rush introduced the Regents Workshop concept that comes in response to Board member feedback. He indicated that the Regents Workshop does not have corresponding agenda items; rather, it allows the regents an opportunity to discuss issues. He explained that the first Regents Workshop will focus on the upcoming budget request process.

**1-A Budget Request Strategies**

Board of Regents staff presented strategies for developing the BOR's FY18 budget request. Suggestions included looking at institutional initiatives, a request based on performance using graduate numbers, requests for technology, student affordability, student success, capital funding and various other ideas. Additional information on these strategies was included in the front of the FY18 Budget Priorities document attached to agenda item 4.

As the Board processed the information, individual regents asked clarifying questions. Regarding the student affordability item, the Board discussed whether or not non-resident students and self-support credits should be included in the affordability request. The Board discussed the shared responsibility model and asked about the involvement of the private and technical colleges. It was explained that representatives of these institutions have been involved in formulating the model. Additionally, it was noted that states that have implemented the shared responsibility model have increased enrollments. Regarding performance funding, the Board expressed interest in the concept but considered whether or not the proposal of using absolute graduate production was the right metric. Presidents said this would be most effective if it came from new money and that the one size fits all approach is less effective. Instead, the Board should consider the behavior they really want changed at each institution to determine the appropriate metric.

**WEDNESDAY, JUNE 29, 2016**

IT WAS MOVED by Regent Schieffer, seconded by Regent Sutton that the Board of Regents convene and dissolve into Executive Session at 7:00 a.m. on Wednesday, June 29 to discuss personnel matters and that it arise from executive session at 8:30 a.m. to resume the regular order of business; that is dissolve into Executive Session at 1:30 p.m. to discuss personnel matters, pending and prospective litigation, collective bargaining, contractual matters, and to consult with legal counsel; that is rise from executive session at 5:15 p.m. to resume the regular order of business; that it report its deliberations while in Executive Session during the portion of the regular order of business that begins at 9 a.m. on Thursday, June 30, 2016. The motion passed.

Regents' President Randy Schaefer called the meeting of the Board of Regents to order at 8:30 a.m. on Wednesday, June 29, and declared a quorum present. He introduced new student regent Conrad Adam, new NSU President Tim Downs, and new SDSU President Barry Dunn.

### **FY18 INFORMAL BUDGET HEARINGS**

Each institution was given time to present its FY18 budget priorities outlined in the FY18 Budget Priorities document. The six public universities and two special schools were asked to submit their priorities for the next budget year, focusing on their top five items. This is in preparation for the Board's further deliberations, which will result in an official budget request to be finalized at the August meeting.

**University of South Dakota and Sanford School of Medicine:** President James Abbott, Provost/Vice President of Academic Affairs Jim Moran, Chief Health Professions Officer Mary Nettleman, Vice President of Finance/CFO Sheila Gestring, Vice President of Administration and Information Technology Roberta Ambur, and Vice President of Student Services and Dean of Students Kimberly Grieve overviewed budget priorities for the University of South Dakota and the Sanford School of Medicine.

**South Dakota School for the Blind and Visually Impaired & South Dakota School for the Deaf:** Superintendent Marje Kaiser and Business Manager Claudean Hluchy overviewed the budget priorities for the two special schools.

**Black Hills State University:** President Tom Jackson Jr., Vice President of Finance & Administration Kathy Johnson, and Provost and Vice President of Academic Affairs Chris Crawford reviewed budget priorities for Black Hills State University..

**South Dakota School of Mines & Technology:** President Heather Wilson reviewed budget priorities for South Dakota School of Mines & Technology.

**Dakota State University:** President José-Marie Griffiths, Vice President for Student Affairs Marcus Garstecki, Provost and Vice President for Academic Affairs Judy Dittman, Vice President for Business and Administrative Services Stacy Krusemark, Vice President for Institutional Advancement Bob Otterson, and Vice President for Technology & CIO David Overby reviewed budget priorities for Dakota State University.

**Northern State University:** President Tim Downs, Vice President of Finance and Administration Veronica Paulson, and Provost and Vice President for Academic Affairs Al LaFave reviewed budget priorities for Northern State University.

**South Dakota State University, SDSU Extension, and Agricultural Experiment Station:** President Barry Dunn, Vice President-Finance & Business/CFO Wes Tschetter, Vice President for Research a& Economic Development Kevin Kephart, Interim Provost/Executive Vice President for Academic Affairs Dennis Hedge, and Director – Finance & Budget Mike Holbeck reviewed budget priorities for South Dakota State University, SDSU Extension, and the Agricultural Experiment Station.

**Board Deliberations:** Dr. Rush explained the budget request development process. He said the discussion that results from the informal budget presentations will be put into a proposal and discussed with the Governor. He said the proposal will then be brought to the August retreat for the Board's final approval. He asked the Board to provide feedback.

Regent Bob Sutton asked that the total amount for IT security be aggregated and then each university's intention for their portion of the funds could be itemized. Regent Harvey Jewett added to that request, saying he would like the campuses' physical security to be considered in this number as well.

Regent Kathryn Johnson said she has a hard time holding tuition steady for on-campus students but not for students taking self-support courses (including online and university centers). She wonders if a portion of the overall tuition should be bought down for all students so the Board would only have to raise tuition a slight amount. Additionally, she touched on the performance funding strategy discussed the previous day. She said that it feels that this strategy is aimed more at getting new money into the system. She asked whether or not the performance funding strategy should be renamed student success.

Regent Jewett agrees that it is hard to ask the legislature to include out-of-state students if we do not include our in-state students that are taking self-support courses. However, he emphasized that the out-of-state students are critical to the function of our universities. He said the system is competitive for out-of-state students but if we are not diligent we could price ourselves out of the market. He believes that it is worthwhile to ask for tuition buy-down to include all three groups (i.e. in-state students, out-of-state students, and self-support courses).

Regent John Bastian agrees that with regard to the tuition buy-down, he likes the idea of a partial buy-down. He thinks the Board should consider supporting legislation that would do away with restrictions on charging anything other than self-support at certain locations. He thinks the Board should look at that statute more closely. The programs for student success in math, American Indian students, veterans, etc., are all worthy needs. Additionally, the technology upgrades are worthy of a request. He also said the increased salaries for teachers at the special schools should be funded (to be competitive with the increased salaries for K-12 teachers as a result of new laws passed during the 2016 legislative session) and should be retroactive to July 1, 2016. Also, he thinks the request for the Law School is a high need one and should be considered.

Regent Jim Morgan thought the Board should consider how it ranks the needs-based request. The needs-based scholarship would more directly address the affordability goal than the buy-down. Additionally, the discussion about autism brought by DSU was new for the Board. He would like to understand this more and asks that this be brought to the August retreat. He also feels that the research requests should be considered.

Dr. Kramer said that the self-support hurdle may be very difficult to overcome this year. Likely the statute would need to be addressed this year so it could be handled next year. He additionally stated that in combination with the needs-based scholarships from other states as well as the in-state tuition other states are offering for out-of-state students, we need to be proactive. This is not reflected in the Fact Book statistics. He said there is additional information that should be provided to the Board at the August retreat so the Board has the necessary facts in order to make

an informed decision on whether or not a budget request for buy-down would include out-of-state students in addition to in-state students.

In response to a question about whether or not online classes have to be termed self-support, Dr. Kramer explained that he would need legal interpretation of the statute. He said that there have been internal conversations about changing the terminology used regarding state-support and self-support courses to on-campus and off-campus courses.

A copy of the institutions' budget presentations can be found on pages 2247 to 2340 of the official minutes.

## **THURSDAY, JUNE 30, 2016**

Regents' President Randy Schaefer declared a quorum present and called the meeting to order at 9:30 a.m.

### **BOARD WORK**

#### **6-A Approval of the Agenda**

The agenda was approved.

#### **6-B Declaration of Conflicts**

Consistent with the provisions of HB1214, passed during the 2016 Legislative Session, which is effective July 1, 2016, and codified in SDCL chapter 3-23, the following conflicts were disclosed and acted upon by the Board:

Regent Jim Morgan disclosed his service on the Board of Directors for Daktronics. Daktronics builds / manufactures large electronic displays, a number of which are in Regental institutions. Regent Morgan spent his career with Daktronics and retired as president about three years ago. He is not involved in any of the negotiations, does not approve contracts and is not involved in the day-to-day operations of Daktronics.

Regents' President Randy Schaefer disclosed his service on the Board of Growth Partnership at the Research Park at SDSU, which has interactions with BOR and SDSU. Due to the fact that there are interactions between the two entities, he completed a written disclosure and provided it to the Board on June 29<sup>th</sup> and in the future will recuse himself from discussion and voting on anything to do with the Research Park at SDSU.

Regent Harvey Jewett disclosed that he has relationships with Super 8 motels and noted that employees of the Regents could stay at Super 8 hotels. Regent Jewett would not arrange anything and would not have anything to do with it, but employees could stay there. If anything comes up with where employees should stay, Regent Jewett will recuse himself. Regent Jewett is also the chair of the Great Plains Education Foundation, which has a lot of dealings with the BOR. Great Plains does not get paid anything. Its business is giving money to the BOR. They



have a number of significant material multi-million dollar arrangements. He will disqualify himself from voting on those.

Regent Bob Sutton completed a couple waiver request forms. He sits on the Board for the USD Discovery District. The BOR is the sole member of the USD Discovery District, but it is important to note that he serves in this capacity. Regent Sutton is also an employee of Avera Health, which has relationships with multiple BOR institutions for such things as preceptors for nursing programs, sponsorships, and partnerships with trained health care professionals teaching courses at institutions. Regent Sutton and AVERA staff have reviewed instances in which there is a relationship with Avera and the Regental institutions and he has noted all that they found in the waiver form. He will, as he has done previously, recuse himself from any action the Board takes with Avera Health.

Regent Kevin Schieffer disclosed that he is a Trustee of the National Music Museum, which gets some funding from USD. He noted that he is unsure whether this falls within the purview of the law or not, but wants to disclose it to be safe.

Regent Conrad Adam disclosed that he is a student at USD, as he is the Student Regent, and that he is also receiving scholarship dollars for the fall 2016 and spring 2017 semesters from the Marlin R. Scarborough Memorial Scholarship, which is a BOR scholarship. He is also a summer intern at the Bureau of Finance and Management. He will recuse himself on any scholarship matters in the future.

Regent John Bastian noted that there are two parts to the law, disclosure at the Board meeting and also a written disclosure process, noting that Regents Sutton and Schaefer have filed written waiver requests as well as verbally disclosing at this meeting. Both of which require the Board to take action to address the disclosed conflict.

IT WAS MOVED by Regent Bastian and seconded by Regent Roberts to approve the transaction classes stated in the waiver request of Regent Sutton dated June 29<sup>th</sup>, 2016 and as further disclosed publicly at this meeting pertaining to his employment with Avera and Avera's relationships with the Board of Regents, specifically SDSU and USD, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Sutton abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Morgan to approve the transactions stated in the waiver request of Regent Sutton dated June 29<sup>th</sup>, 2016 and as further disclosed at this meeting pertaining to his service on the Board of Directors of the USD Discovery District, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Sutton abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Schieffer to approve the transactions stated in the waiver request of Regent Schaefer dated June 29<sup>th</sup>, 2016 and as further disclosed at this meeting pertaining to his service on the Board of Directors of SDSU Growth Partnership, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Schaefer abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Schieffer to approve the transactions stated in the verbal waiver request of Regent Adam with regard to the scholarship dollars he receives from the Marlin R. Scarborough Memorial Scholarship (BOR scholarship), his summer internship, and being a student at USD, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Adam abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Roberts to approve the transactions stated in the verbal waiver request of Regent Schieffer with regard to his Trusteeship at the National Music Museum, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Schieffer abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Roberts to approve the transactions stated in the verbal waiver request of Regent Jewett with regard to Super 8 and Great Plains Education Foundation, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Jewett abstaining.

IT WAS MOVED by Regent Bastian and seconded by Regent Adam to approve the transactions stated in the verbal waiver request of Regent Morgan with regard to Daktronics, as the essential terms of the stated transactions and the matters underlying the conflicts disclosed are fair, reasonable, and not contrary to the public interest. This motion should recognize this disclosure as a general one and need not be repeated at future meetings. If specific conflicts requiring Board action arise in the future they should be disclosed at that time. Motion passed, with Regent Morgan abstaining.

#### **6-C Approval of the Minutes**

The Board approved the minutes of the meeting on May 10-12, 2016; May 23-23, 2016; and May 26, 2016. Motion passed.

## **6-D Rolling Calendar**

The Board approved next year's Board of Regents meeting to be held on June 27-29, 2017, at Northern State University in Aberdeen. Motion passed.

A copy of the Rolling Calendar can be found on pages **2341** to **2345** of the official minutes.

## **CONSENT AGENDA**

Regents' President Schaefer explained that the consent agenda is created to include items that are not anticipated to generate discussion because of their routine manner. He offered that all items will be approved on a single vote unless any regent would like to pull an item from the consent agenda and discuss it in committee.

IT WAS MOVED by Regent Johnson, seconded by Regent Sutton to approve the consent agenda items 7-A through 7-N. Motion passed.

## **CONSENT - ACADEMIC & STUDENT AFFAIRS**

### **7-A Resolution of Recognition**

Approve South Dakota State University's request to recognize Marlys Strassburg, Secretary within the Registrar's Office, for 19 years of outstanding dedication to public higher education and to the state of South Dakota.

A copy of the Resolution of Recognition can be found on pages **2346** to **2347** of the official minutes.

### **7-B(1) Program Modifications – Dakota State University**

Approve Dakota State University's program modifications for its B.S. in Cyber Operations; B.S. in Digital Arts & Design; B.S. in Exercise Science; and B.S. in Information Systems programs.

A copy of DSU's Program Modifications can be found on pages **2348** to **2361** of the official minutes.

### **7-B(2) Program Modifications – SD School of Mines and Technology**

Approve South Dakota School of Mines and Technology's program modifications for its B.S. in Applied Biological Sciences; M.S. in Biomedical Engineering; B.S. in Chemical Engineering; Certificate in Engineering Management and Leadership; M.S. in Mining Engineering and Management; and Robotics Minor programs.

A copy of SDSM&T's Program Modifications can be found on pages **2362** to **2383** of the official minutes.

### **7-B(3) Program Modifications – South Dakota State University**

Approve South Dakota State University's program modifications for its B.S. in Agricultural Education, Communication and Leadership; B.S. in Agricultural Science; B.S. in Agronomy; Minor in Animal Science; B.S. in Dairy Production; Minor in Food Safety; Minor in Horticulture; B.L.A. in Landscape Architecture; B.S. in Nursing – Accelerated Program; M.S. in Operations Management; B.S. in Rangeland Ecology and Management; Minor in Software Engineering; B.S. in Wildlife and Fisheries Sciences programs.

A copy of the SDSU's Program Modifications can be found on pages 2384 to 2422 of the official minutes.

### **7-B(4) Program Modifications – University of South Dakota**

Approve the University of South Dakota's program modifications for its B.A. in French and Francophone Studies; Minor in French Studies; J.D. in Law; BSN-RN to BSN Nursing; M.A. in Kinesiology & Sport Science; M.A. in Special Education, Multicategorical Specialization (SPED K-12); and State Government Leadership Excellence Graduate Certificate programs.

A copy of the USD's Program Modifications can be found on pages 2423 to 2442 of the official minutes.

### **7-C(1) New Program Request – SDSU – Minor in Heavy-Highway Construction**

Approve South Dakota State University's proposal for a Minor in Heavy-Highway Construction.

A copy of SDSU's New Program Request for a Minor in Heavy-Highway Construction can be found on pages 2443 to 2447 of the official minutes.

### **7-C(2) New Program Request – SDSU – Minor in Human Resources**

Approve South Dakota State University's proposal for a Minor in Human Resources.

A copy of SDSU's New Program Request for a Minor in Human Resources can be found on pages 2448 to 2453 of the official minutes.

### **7-C(3) New Program Request – SDSU – Minor in Mental Health Services**

Approve South Dakota State University's proposal for a Minor in Health Services.

A copy of SDSU's New Program Request for a Minor in Health Services can be found on pages 2454 to 2454 of the official minutes.

### **7-C(4) New Program Request – NSU – Minor in Geographic Information Sciences**

Approve Northern State University's proposal for a minor in Geographic Information Sciences.

A copy of NSU's New Program Request for a Minor in Geographic Information Services can be found on pages 2477 to 2479 of the official minutes.

**7-C(5) New Program Request – USD – Specialization in Marketing (Master of Business Administration)**

Approve the University of South Dakota's proposal for a Specialization in Marketing as part of the existing Master of Business Administration (MBA) degree program.

A copy of USD's New Program Request for a Specialization in Marketing (Master of Business Administration) can be found on pages 2467 to 2469 of the official minutes.

**7-C(6) New Program Request – Specialization in Operations and Supply Chain Management (Masters of Business Administration)**

Approve the University of South Dakota's proposal for a Specialization in Operations and Supply Chain Management as part of the existing Master of Business Administration (MBA) degree program.

A copy of USD's New Program Request for a Specialization in Operations and Supply Chain Management (Masters of Business Administration) can be found on pages 2470 to 2472 of the official minutes.

**7-D(1) New Certificate Request – NSU – Certificate in Biotechnology Entrepreneurship**

Approve Northern State University's proposal for an undergraduate Certificate in Biotechnology Entrepreneurship.

A copy of NSU's request for an undergraduate Certificate in Biotechnology Entrepreneurship can be found on pages 2473 to 2476 of the official minutes.

**7-D(2) New Certificate Request – NSU – Certificate in Geographic Information Sciences**

Approve Northern State University's proposal for an undergraduate Certificate in Geographic Information Sciences.

A copy of NSU's request for an undergraduate Certificate in Geographic Information Sciences can be found on pages 2477 to 2479 of the official minutes.

**7-D(3) New Certificate Request – USD – Graduate Certificate in Bioethics**

Approve the University of South Dakota's proposal for a graduate Certificate in Bioethics.

A copy of USD's request for a graduate Certificate in Bioethics can be found on pages 2480 to 2481 of the official minutes.

### **7-E New Site Request – USD – Master of Science in Administration Specialization in Human Resources Management**

Approve the University of South Dakota’s request to offer the Specialization in Human Resources Management through online distance delivery as part of their Master of Science (MS) in Administration.

A copy of USD’s request for to offer the Specialization in Human Resources Management through online distance delivery can be found on pages 2482 to 2487 of the official minutes.

### **7-F Inactive Status and Program Termination Requests – DSU, SDSU, & USD**

Approve the proposals to terminate the B.S. in Professional and Technical Communication at Dakota State University; terminate the B.S. in Biology – Pre-professional Specialization at South Dakota State University; terminate the Minor in Interior Design at South Dakota State University; terminate the U.CERT.UF.SEEDC at the University of South Dakota; inactivate and terminate the Ed.S. in Curriculum & Instruction at the University of South Dakota; and inactivate the A.S. in Nursing 2 year track program at the University of South Dakota.

A copy of DSU, SDSU, & USD’s Inactive Status and Program Termination Requests can be found on pages 2488 to 2496 of the official minutes.

### **7-G Request to Seek Accreditation – BHSU**

Approve Black Hills State University’s request to seek accreditation from the Commission on Accreditation of Allied Health Education Programs (CAAHEP) for its B.S. in Exercise Science program.

A copy of BHSU’s request to seek accreditation from the Commission on Accreditation of Allied Health Education Programs (CAAHEP) can be found on pages 2497 to 2500 of the official minutes.

### **7-H(1) Articulation Agreements – BHSU**

Approve the modified articulation agreement between Black Hills State University and Western Dakota Technical Institute.

A copy of BHSU’s Articulation Agreement can be found on pages 2501 to 2518 of the official minutes.

### **7-H(2) Articulation Agreements – SDSU**

Approve the articulation agreements between South Dakota State University and the University of Nebraska – Nebraska College of Technical Agriculture; and Northwest Iowa Community College

A copy of SDSU's Articulation Agreements can be found on pages 2519 to 2533 of the official minutes.

#### **7-I(1) Memorandum of Understanding – NSU**

Approve the Memorandum of Understanding between Northern State University and the City of Huron, through Huron Community Campus (HCC), to offer undergraduate and remedial courses that would lead to completion of an Associate of Arts General Studies degree; and the Memorandum of Understanding to offer graduate courses that would lead to completion of a Master of Science in Education Teaching and Learning degree.

A copy of NSU's Memoranda of Understanding can be found on pages 2534 to 2548 of the official minutes.

#### **7-I(2) Memorandum of Understanding – SDSU**

Approve the Memorandum of Understanding between South Dakota State University and the Brookings School District to collaborate on a Graduate Program Cohort in Curriculum and Instruction and Educational Administration; and the Memorandum of Understanding between South Dakota State University and Elkton School District for delivery of English Language Learner coursework.

A copy of SDSU's Memoranda of Understanding can be found on pages 2549 to 2553 of the official minutes.

#### **7-J New Department Code Request – USD**

Approve the creation of the Biomedical Engineering Department and corresponding department code for the University of South Dakota.

A copy of the New Department Code Request for USD can be found on pages 2554 to 2555 of the official minutes.

#### **7-K Name Change Request – SDSU**

Approve South Dakota State University's request to rename the Department of Plant Science the Department of Agronomy, Horticulture, and Plant Science; and to rename the Department of Dairy Science the Department of Dairy and Food Science.

A copy of the Name Change Request for SDSU can be found on pages 2556 to 2560 of the official minutes.

#### **7-L CLEP Guidelines**

Approve the modifications to the CLEP guidelines as presented.

A copy of the CLEP Guideline revisions can be found on pages 2561 to 2572 of the official minutes.

### **7-M Revisions to Terminal Degrees Table – SDSMT & USD**

Approve the revisions to the terminal degree table as presented for the South Dakota School of Mines and Technology and the University of South Dakota.

A copy of the Revisions to the Terminal Degrees Table can be found on pages 2573 to 2584 of the official minutes.

### **CONSENT - BUDGET & FINANCE**

#### **7-N FY17 General Fund M&R Allocation and M&R Projects**

Approve the general fund M&R allocation and the requested projects for FY17.

A copy of the FY17 General Fund M&R Projects can be found on pages 2585 to 2588 of the official minutes.

### **PLANNING & RESOURCE DEVELOPMENT**

#### **8-A Welcome and Presentation by DSU President José-Marie Griffiths**

President José-Marie Griffiths welcomed the attendees of the Board of Regents meeting to DSU. She introduced Marla Forbush, DSU event planner; Rob Honomichl, instructor in the college of computing; and Reggie Vandrell, secondary student from Mitchell. They described the summer camp program at DSU, which hosts as many as 15 groups/camps every year. They described the many benefits to summer conferencing on campus, which introduces potential new students to the institution and provides a multitude of good public relations opportunities. They described these very successful camps of which some are the largest of their kind in the nation. Reggie Vandrell explained her experience as a camper over the last few years and said she will be an incoming freshman at DSU this next academic year.

#### **8-B Student Organization Awards**

Marcus Garstecki, DSU Vice President for Student Affairs, introduced the Student Organization Awards. The Award for Academic Excellence for 2015 was presented to Phi Beta Lambda (PBL). The Award for Community Service for 2015 was presented to the Photography Club. The Award for Organizational Leadership for 2015 was presented to the Gaming Club.

A Copy of the Student Organization Awards can be found on page 2589 of the official minutes.



### **8-C Reports on Individual Regent Activities**

Regent Jim Morgan explained that he attended the reception for President David Chicoine and Marcia Chicoine. He reported that the event was well-attended and a nice honoring of their service to South Dakota State University.

### **8-D Report and Actions of Executive Session**

After convening at 7:00 a.m. on Wednesday, June 29, 2016, the Board dissolved into executive session in order to discuss personnel matters. The Board rose from executive session at 8:30 a.m. to resume the regular order of business. The Board dissolved into executive session at 1:30 p.m. on June 29, 2016, in order to discuss personnel matters, pending and prospective litigation, collective bargaining, contractual matters, and to consult with legal counsel. The Board rose from executive session at 5:15 p.m.

Regent Schieffer reported that while in executive session, the Board considered personnel and administrative actions, pending and prospective litigation, collective bargaining, contractual matters, consulted with legal counsel, and gave directions to its executive director and general counsel concerning these matters.

IT WAS MOVED by Regent Schieffer, seconded by Regent Bastian that the Board approve directions given to the executive director and the general counsel with respect to matters discussed in executive session, that it:

1. Award the title of Professor Emerita of Counseling and Human Development for Dr. Ruth Harper (SDSU). The resolution of recognition can be found on page 2137.
2. Approve awarding two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Dr. William C. Sewell (DSU); one (1) year of prior service credit toward tenure for Debra Tech (DSU); one (1) year of prior service credit toward tenure and one (1) year of prior service credit toward promotion for Allen Barclay (NSU); two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Kristy M. Bockorny (NSU); two (2) years of prior service credit toward tenure and two (2) years of prior service credit toward promotion for Michael J. Bronikowski (NSU); and one (1) year of prior service credit toward tenure and one (1) year of prior service credit toward promotion for Sara Schmidt (NSU).
3. Approve the request to grant tenure to Dr. Sharman Siebenthal Adams (BHSU), Dr. Christopher B. Crawford (BHSU), and Dr. Renee Melton (SDSU).
4. Approve the leave request for Jennifer L. Benning (SDSM&T) for the Spring 2017 semester; and cancellation of the sabbatical leave for David Cartrette (SDSU) for the Spring 2017 semester.
5. Deny SDSU Faculty Grievance No. 2016-01.
6. Deny SDSU Faculty Title IX/EEO Appeal No. 2016-02.
7. Deny SDSU NFE Grievance No. 2016-01.
8. Approve the multi-year contract for SDSU Athletic Director Justin Sell to include a base annualized salary of \$240,000 for the period of June 22, 2016-June 21, 2017; \$260,000 for the period of June 22, 2017-June 21, 2018, and \$270,000 for the period of June 22, 2018-June 21, 2019.

9. Approve the multi-year contract for SDSU Women's Basketball Coach Aaron Johnson to include a base annualized salary of \$215,000 for the period of June 22, 2016 through June 21, 2017, \$225,000 for the period of June 22, 2017-June 21, 2018, and \$235,000 for the period of June 22, 2018-June 21, 2019.
10. Approve the multi-year contract for SDSU Men's Basketball Coach Thomas (T.J.) Otzelberger to include a base annualized salary of \$300,000 for the period of contract commencement date until June 21, 2017, \$325,000 for the period of June 22, 2017-June 21, 2018, and \$350,000 for the period of June 22, 2018-June 21, 2019.
11. Approve the multi-year contract for SDSU Football Coach John Stiegelmeier to include a base annualized salary of \$220,000 for the period of June 22, 2016-June 21, 2017, \$240,000 for the period of June 22, 2017-June 21, 2018, and \$255,000 for the period of June 22, 2018-June 21, 2019.
12. Approve the appointment of Dr. Timothy Downs as President of Northern State University effective June 27, 2016 to include a base annualized salary of \$251,473.
13. Approve the request to grant Dr. Timothy Downs (NSU) tenure.
14. Accept the resignation of Maria Harder as director of human resources and title IX coordinator at Dakota State University effective June 21, 2016. Upon appointment of Ms. Harder's replacement, the position will report to the vice president for business and administrative services.
15. Accept the appointment of Karyn Weber as assistant to the president at South Dakota State University effective May 22, 2016 at an annualized salary of \$90,054.
16. Approve the personnel actions as submitted by the Board office, campuses, and special schools. A copy of the personnel actions can be found on pages **2138** to **2246** of the official minutes.

Motion passed.

### **8-E Report of the Executive Director**

Dr. Mike Rush explained that the presidential selection process for NSU and SDSU worked very well and successfully placed Dr. Tim Downs as President of NSU and Dr. Barry Dunn as President of SDSU.

A copy of the Interim Actions of the Executive Director can be found on pages **2590** to **2601** of the official minutes.

### **8-F USD Discovery District**

Nathan Lukkes, System Assistant Vice President of Research and Economic Development; Rich Naser, President of the USD Discovery District; and USD President James Abbott provided a brief update for the Board on the current status of operations at the USD Research Park, Inc. (USD Discovery District). During their June 2, 2016, meeting, the USD Discovery District's Board of Directors passed a resolution that recommended and requested the Board of Regents to take action on 1) the current makeup of the Board of Directors, 2) amending the Bylaws, 3) changing the legal name of the corporation, and 4) reviewing and approving plats along with a corresponding Resolution.

Regent Johnson commended the group for its careful planning of this project and said the planning will pay great dividends in the future.

Regent Morgan asked for questions about the funding. Rich Naser said that currently the tenants pay the costs. He said in the future, depending on the tenants, they may need to draw on additional fund sources.

IT WAS MOVED by Regent Jewett, seconded by Regent Schieffer to approve the appointment of Mike Rush, Russel Olson, and Paul Hanson to serve three year terms as Directors of USD Research Park, Inc. and to appoint Daren Ketcham to replace Darrin Smith as a Director of USD Research Park, Inc. for the remainder of his existing term. Motion passed, with Regent Sutton abstaining.

IT WAS MOVED by Regent Jewett, seconded by Regent Bastian to amend the Bylaws as set forth in Attachment IV. Motion passed, with Regent Sutton abstaining.

IT WAS MOVED by Regent Jewett, seconded by Regent Roberts to approve the changing of the legal name of the corporation from the University of South Dakota Research Park, Inc. to the University of South Dakota Discovery District, Inc., and to authorize the Board of Directors to prepare, execute, and file any documents necessary to effectuate the foregoing and to otherwise amend the Bylaws and Articles of Incorporation, as necessary and appropriate, to reflect the name change. Motion passed, with Regent Sutton abstaining.

IT WAS MOVED by Regent Jewett, seconded by Regent Adam to approve the plats contained in Exhibits A & B of Attachment V in accordance with Section 1.1.B of the Amended and Restated Master Ground Lease Agreement, and to adopt and approve the Resolution set forth in Attachment V, requesting the Commissioner of School and Public Lands to proceed with the plats as stated therein. Motion passed, with Regent Sutton abstaining.

A copy of the USD Discovery District can be found on pages 2602 to 2640 of the official minutes.

## **ACADEMIC AND STUDENT AFFAIRS**

### **9-A Student Federation Report**

Robert McLean, Executive Director of the Student Federation, explained that the Federation has been working through changes to the constitution focused on representation and budget. He explained that the Student Federation is considering proposals for revisions.

In response to a question about whether or not USD and SDSU withdrew from the Student Federation, Executive Director McLean explained that last spring those two schools were strongly considering withdrawing because they paid more dues yet received the same representation (two votes). He explained that as Executive Director, he was able to convince USD and SDSU to stay in the Federation and that he would bring a proposal forward in October to address the concerns raised. He said the purpose of the Student Federation is to provide the

regental student body a voice, so he is working diligently to make sure the group remains unified and not fragmented. His initial proposal has received good reviews so far.

Regent Bastian said Executive Director McLean's focus on the purpose of the Student Federation is exactly where the conversation should remain. He recognizes the conflict as it was the same in the 1970's when he was participating as a student. He thanked Executive Director McLean for his service.

### **9-B Institutional Items of Information**

The Board received Institutional Items of Information submitted by the institutions and special schools.

A copy of the Institutional Items of Information can be found on pages 2641 to 2699 of the official minutes.

### **9-C Collective Bargaining – COHE Agreement**

Mr. Guilherme Costa, General Counsel, explained that negotiation teams for the Higher Education Collective Bargaining Agreement have reached a tentative agreement on a new draft contract for 2016-2019. All of the changes made to this new draft contract were reached by the negotiations teams by mutual agreement. The COHE membership has ratified the new draft contract for 2016-2019.

The contract includes a provision that allows for renegotiation of intellectual property language if necessitated by the final outcome of pending litigation. No other parts of the agreement would be affected by the final outcome of pending litigation.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve and ratify the 2016-2019 Higher Education Collective Bargaining Agreement, which revisions from the current agreement are show in Attachment I. Motion passed.

A copy of Collective Bargaining – Higher Education can be found on pages 2700 to 2819 of the official minutes.

### **9-D(1) General Education Redesign – BOR Policy 2:7 Revision (First Reading)**

Dr. Paul Turman, System Vice President of Academic Affairs, noted that at the March 2016 AAC meeting the council undertook steps to begin coordinating efforts for making the revisions to Board of Regents policy that would be necessary to move forward with the General Education Redesign that was presented to the Board during the April 2016 meeting. Institutional representatives selected from the various policy documents requiring modification and began to circulate a set of revisions that were then discussed at the May 2016 AAC meeting. Specifically, initial revisions to BOR Policy 2:7 Baccalaureate General Education Curriculum were reviewed by the council and further modifications were discussed. A final set of revisions were circulated; AAC and COPS reviewed the proposed changes during their June 2016 meetings. Outlined in the item provided are the revisions being recommended for Board approval.

Regent Schaefer commended the work of Dr. Paul Turman and the campus personnel who worked on these policies.

Regent Jewett asked about when in the process changes would be discussed by the Board if additional revisions are needed. It was explained that the intent of a first reading is to discuss substantive changes and a second reading would consider more minor changes. Dr. Rush indicated that substantive changes at the second reading may warrant another reading.

Regent Johnson asked how the transition to these new policies will take place. Dr. Turman explained that pending a successful second reading in August, the policy would be effective fall of 2017. He described the additional work that would need to take place after policy approval.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve the first reading of the revisions to BOR Policy 2:7 as presented. Motion passed.

A copy of the proposed revisions to BOR Policy 2:7 can be found on pages 2820 to 2849 of the official minutes.

### **9-D(2) General Education Redesign – BOR Policy 2:11 Revision (First Reading)**

Dr. Turman noted that at the March 2016 AAC meeting the council undertook steps to begin coordinating efforts for making the revisions to Board of Regents policy that would be necessary to move forward with the General Education Redesign that was presented to the Board during the April 2016 meeting. Institutional representatives selected from the various policy documents requiring modification and began to circulate a set of revisions that were then discussed at the May 2016 AAC meeting. Specifically, initial revisions to BOR Policy 2:11 Baccalaureate General Education Curriculum were reviewed by the council and further modifications were discussed. A final set of revisions were circulated; AAC and COPS reviewed the proposed changes during their June 2016 meetings. Outlined in the item provided are the revisions being recommended for Board approval.

In response to a question about CAAP assessments, Dr. Turman said the Board will continue to use the CAAP exam in the 2016-17 academic year. However, he will work to identify an adequate replacement, and at that time he will propose the adoption of the appropriate replacement and ask for a repeal of BOR Policy 2:28 Proficiency Examinations.

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

A copy of the proposed revisions to BOR Policy 2:11 can be found on pages 2850 to 2867 of the official minutes.

### **9-D(3) General Education Redesign – BOR Policy 2:26 Revision (First Reading)**

Dr. Turman noted that at the March 2016 AAC meeting, the council undertook steps to begin coordinating efforts for making the revisions to Board of Regents policy that would be necessary

to move forward with the General Education Redesign that was presented to the Board during the April 2016 meeting. Institutional representatives selected from the various policy documents requiring modification and began to circulate a set of revisions that were then discussed at the May 2016 AAC meeting. Specifically, revisions to BOR Policy 2:26 Associate Degree General Education Curriculum were discussed. Outlined in the item provided are the revisions being recommended by AAC for Board approval.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve the first reading of the revisions to BOR Policy 2:26 as presented. Motion passed.

A copy of the proposed revisions to BOR Policy 2:26 can be found on pages 2868 to 2881 of the official minutes.

#### **9-E BOR Policy 4:15 Revision – Sabbatical Leave (First Reading)**

Dr. Turman noted that during executive session of the May 2016 Board of Regents meeting, the Board discussed a request to waive the return to service requirement established in Board of Regents Policy 4:15 Leave. They declined to waive the requirement and instead asked for the policy to be modified. Specifically, section 4.G of the policy stipulates that following the conclusion of a faculty member improvement, career redirection, or sabbatical leave the faculty member must return for two (2) academic years of full-time service or repay the full salary and institutional costs incurred during the leave period. Currently, Board policy language indicates that this may only be waived in instances of death/disability or when a reduction in force occurs within the designated return to service period. Any such waivers must be approved by the Board. To provide opportunities for a president to request a waiver that may be within the best interest of the institution, additions/modifications to section 4.G are being advanced for approval.

IT WAS MOVED by Regent Morgan, seconded by Regent Adam to approve the first reading of the proposed revisions to BOR Policy 4:15 as presented. Motion passed.

A copy of the proposed revisions to BOR Policy 4:15 – Sabbatical Leave can be found on pages 2882 to 2893 of the official minutes.

#### **9-F BOR Policy 2:12 Revision – Distance Education (First Reading)**

Dr. Turman explained that Board Policy 2:12 governs the administration of distance education in the Regental system, including off-campus centers, and that Section 2:12(3)(C) of the policy currently includes the language “... All academic administration and academic programming at off campus centers shall be cleared through the Vice President for Academic Affairs at each institution.”

Recent changes in University Center governance make this aspect of the policy obsolete.

IT WAS MOVED by Regent Morgan, seconded by Regent Johnson to approve the first reading of the proposed revisions to BOR Policy 2:12 as presented. Motion passed.

A copy of the proposed revisions to BOR Policy 2:12 – Distance Education can be found on pages 2894 to 2899 of the official minutes.

### **9-G (1) Intent to Plan Requests – SDSU – MS in Human Biology**

Dr. Turman stated that South Dakota State University (SDSU) has submitted an Intent to Plan requesting approval to develop a Master of Science (MS) program in Human Biology. The program will provide graduate-level preparation for students who desire admission to professional schools in human healthcare, including but not limited to Doctor of Osteopathic Medicine (DO), Doctor of Optometry (OD), Doctor of Chiropractic (DC), and Doctor of Dental Surgery (DDS). SDSU believes the program is unique to the SDBOR system and the region by focusing on preparation for admission to professional schools. The intent to plan also specifies providing an accelerated graduation option for students by allowing twelve graduate credit hours to contribute to the bachelor's degree. SDSU is not requesting new funds or State resources to offer the program.

SDSU Associate Provost Mary Kay Helling said if approved SDSU will work to bring forward a request in the spring semester. She explained that there are no other programs in the system that are titled MS in Human Biology although there are others in the system that are related. USD Provost Jim Moran said this is a type of program that is complementary of other programs in the state and confirmed that USD is fully supportive of the program moving forward.

Regent Johnson said she was surprised that students pursuing admission to medical school would be interested in pursuing a masters first. Mary Kay Helling said while many students would not want to pursue a masters, there is a subset of students who see this as a next logical step. Some choose to take the masters and then move into industry.

IT WAS MOVED by Regent Morgan, seconded by Regent Roberts to authorize SDSU to develop a proposal for an M.S. in Human Biology with the following conditions: 1) The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers; 2) The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies; and 3) The university will not request new state resources and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs. Motion passed.

A copy of SDSU's Intent to Plan Request for an M.S. in Human Biology can be found on pages 2900 to 2908 of the official minutes.

### **9-G(2) Intent to Plan Requests – USD – AS in Integrated Science**

Dr. Turman stated that the University of South Dakota (USD) has submitted an Intent to Plan requesting approval to develop an Associate of Science (AS) program in Integrated Science. The proposed program would blend chemistry, biology, and physics to prepare graduates for careers

in regulatory affairs, biomedical technologies, medical device design, or to continue their studies in a related bachelor's degree program. USD requests authorization to deliver the program at the University Center-Sioux Falls. USD serves as the lead institution at the University Center-Sioux Falls and has recommended approval of the intent to plan. USD is not requesting new funds or State resources to offer the program.

Regent Johnson asked if this is considered a stackable degree. USD Provost Moran said it will transition to the bachelors, but it is also designed for students to move directly into industry.

IT WAS MOVED by Regent Morgan, seconded by Regent Jewett to authorize USD to develop a proposal for an A.S. in Integrated Science with the following conditions: 1) The university will research existing curricula, consult with experts concerning the curriculum, and provide assurance in the proposal that the program is consistent with current national standards and with the needs of employers; 2) The proposal will define the specific knowledge, skills, and competencies to be acquired through the program, will outline how each will be obtained in the curriculum and will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies; and 3) The university will not request new state resources and the program proposal will identify the sources and amounts of all funds needed to operate the program and the impact of reallocations on existing programs. Motion passed.

A copy of USD's Intent to Plan Request for an A.S. in Integrated Science can be found on pages **2909** to **2916** of the official minutes.

### **9-H(1) New Program Request – BHSU – BFA in Graphic Design**

Dr. Turman stated that Black Hills State University (BHSU) requests authorization to offer a Bachelor of Fine Arts (BFA) in Graphic Design. The new program would replace the existing program at BHSU in Graphic Design and Communications. The request for the new BFA program is in recognition of the national standard for graphic design degrees moving from the BA/BS to the BFA, a professional degree accredited by the National Association of Schools of Art and Design (NASAD). The request is in conjunction with two other requests by BHSU to offer the BFA in Photography and Studio Art. The program will prepare graduates with expertise in visual literacy through production, illustration technology, and studio art. BHSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve BHSU's BFA in Graphic Design as described in Attachment I. Motion passed.

A copy of BHSU's New Program Request for a B.F.A. in Graphic Design can be found on pages **2917** to **2935** of the official minutes.

### **9-H(2) New Program Request – BHSU – BFA in Photography**

Dr. Turman stated that Black Hills State University (BHSU) requests authorization to offer a Bachelor of Fine Arts (BFA) in Photography. The request for the new BFA program is in



recognition of the national standard for photography degrees moving from the BA/BS to the BFA, a professional degree accredited by the National Association of Schools of Art and Design (NASAD). The request is in conjunction with two other requests by BHSU to offer the BFA in Graphic Design and Studio Art. The program will prepare students in technical and aesthetic principles of photography and prepare graduates for careers in fields such as fine art, gallery management, advertising, publishing, and marketing. BHSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve BHSU's BFA in Photography as described in Attachment I. Motion passed.

A copy of BHSU's New Program Request for a BFA in Photography can be found on pages 2636 to 2955 of the official minutes.

### **9-H(3) New Program Request – BHSU – BFA in Studio Art**

Dr. Turman stated that Black Hills State University (BHSU) requests authorization to offer a Bachelor of Fine Arts (BFA) in Studio Art. BHSU currently offers a degree program in Art; the request for the new BFA program is in recognition of the national standard for Studio Art degrees moving from the BA/BS to the BFA, a professional degree accredited by the National Association of Schools of Art and Design (NASAD). The request is in conjunction with two other requests by BHSU to offer the BFA in Graphic Design and Photography. The program will develop artistic skills as well as technical and aesthetic principles of art and prepare graduates for careers in fields such as fine art and advertising. BHSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve BHSU's BFA in Studio Art as described in Attachment I. Motion passed.

A copy of BHSU's New Program Request for a BFA in Studio Art can be found on pages 2956 to 2976 of the official minutes.

### **9-H(4) New Program Request – SDSU – BS in Chemistry Education**

Dr. Turman stated that South Dakota State University (SDSU) requests authorization to offer a Bachelor of Science (BS) in Chemistry Education. The program will prepare students for careers teaching chemistry at the secondary/high school level both within South Dakota and nationally. The program also serves as a complement to other programs offered within the Regental system that prepare future science teachers with greater depth of content coverage. This degree is designed to alleviate current difficulties experienced by students who cannot complete the teacher education certification requirements along with the Chemistry major requirements within the 120-credit limit. SDSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

SDSU Associate Provost Helling said they hope this program will attract more students into the field of Chemistry Education.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve SDSU's B.S. in Chemistry Education as described in Attachment I. Motion passed.

A copy of SDSU's New Program Request for a B.S. in Chemistry Education can be found on pages 2977 to 2995 of the official minutes.

#### **9-H(5) New Program Request – SDSU – BS in Early Education and Care**

Dr. Turman stated that South Dakota State University (SDSU) requests authorization to offer a Bachelor of Science (BS) in Early Education and Care. Currently, SDSU is authorized to deliver the Early Childhood Education major with a Birth to five specialization. This specialization will be terminated with the approval of this new program. The proposed online program is designed for military service members and their spouses who are interested in careers working with young children. The program would be offered through the Great Plains Interactive Distance Education Alliance (Great Plains IDEA) at the request of the U.S. Department of Agriculture and U.S. Department of Defense. SDSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

SDSU Associate Provost Helling said this is unique because the request came from the U.S. Departments of Agriculture and Defense. She said SDSU is not responsible for teaching every single course, but they offer some courses within a consortium of institutions. Students get to choose the institution from which to seek a degree.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve SDSU's B.S. in Early Education and Care as described in Attachment I. Motion passed.

A copy of SDSU's New Program Request for a B.S. in Early Education and Care can be found on pages 2996 to 3012 of the official minutes.

#### **9-H(6) New Program Request – SDSU – BS in Human Biology**

Dr. Turman stated that South Dakota State University (SDSU) requests authorization to offer a Bachelor of Science (BS) in Human Biology. The proposed BS in Human Biology will replace the BS in Biology – Pre-professional Specialization to more accurately reflect the uniqueness and focus of the program. The proposed program focuses on professional training in specialized health care delivery; the existing specialization has a history and intent of preparing future rural and primary care providers, including those who later receive graduate studies at the University of South Dakota's programs in medicine. SDSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

SDSU Associate Provost Helling said this program is pre-professional program that helps students take their next steps.

IT WAS MOVED by Regent Morgan, seconded by Regent Schieffer to approve SDSU's B.S. in Human Biology as described in Attachment I. Motion passed.

A copy of SDSU's New Program Request for a B.S. in Human Biology can be found on pages 3013 to 3027 of the official minutes.

### **9-H(7) New Program Request – SDSU – BS in Precision Agriculture**

Dr. Turman stated that South Dakota State University (SDSU) requests authorization to offer a Bachelor of Science (BS) in Precision Agriculture. The program would include interdisciplinary collaboration between the Department of Agricultural and Biosystems Engineering, the Department of Plant Science, the Department of Mathematics and Statistics, and the Department of Electrical Engineering & Computer Science. The program would prepare students for careers bridging the gaps between agronomy, agriculture machinery management, and data sciences through high-speed sensor technology and would prepare students to use data in agronomic decision-making processes. Precision Agriculture is a quickly growing field, yet no other university currently offers a major; approval of the program would give SDSU a first-to-market advantage. SDSU does not request any new State resources to implement or maintain the proposed program and will fund the program through reallocation of existing resources.

SDSU Associate Provost Helling said if approved this program will be the only precision agriculture program from a land grant or four year institution. She introduced representatives from partner organizations and industries.

IT WAS MOVED by Regent Morgan, seconded by Regent Jewett to approve SDSU's B.S. in Precision Agriculture as described in Attachment I. Motion passed.

A copy of SDSU's New Program Request for a B.S. in Precision Agriculture can be found on pages 3028 to 3044 of the official minutes.

### **9-I FY2016 Section Size Report**

Dr. Daniel Palmer, Assistant Vice President for Institutional Research & Planning, explained that as the public university system advances its efforts to balance instructional effectiveness with organizational efficiency, course section size has emerged as an important accountability measure. The annual Section Size Report evaluates the extent to which the state's six public universities continue to meet Regental policy with respect to minimum enrollment per course section. Additional information is also now available within the interactive SDBOR Section Size Dashboard posted to the BOR website.

A copy of the FY2016 Section Size Report can be found on pages 3045 to 3052 of the official minutes.

### **9-J Regental Library Consortium**

Dr. Turman explained that efforts were underway to ensure that libraries in the state retained access to EBSCO database resources provided through Minitex after their contract with the

South Dakota Digital Library is terminated on July 1, 2016. He explained that existing South Dakota Library Network members were invited to participate in a sub-committee to discuss and develop viable options for a new Regental Database Consortium. Following these discussions, a usage funding distribution model was developed to distribute the costs for the EBSCO database package (\$189,429) and External Resource Sharing (\$40,800). The South Dakota State Library (SDSL) committed to join the consortium and fund only the EBSCO Database costs for all public/school libraries and Technical Institutes. Memoranda of Understanding are currently being circulated to the non-Regental partners for final signature and approval to support the FY17 cost at \$230,229 for the two resources.

A copy of the Regental Library Consortium update can be found on pages 3053 to 3058 of the official minutes.

### **9-K Discipline Councils 2015-2016 Annual Reports**

Dr. Turman explained that each of the six discipline councils and the System Librarians Council (SLiC) recently submitted their annual reports for the 2015-16 academic year. Consistent with feedback received from Committee A in 2015, a structured reporting format was adopted and each discipline council chair was asked to provide an overview of the activities from this past year for review by the Board of Regents. Each of the reports are presented in the item along with a brief summary of the work from each council for the year and any recommendations that were requested of the Academic Affairs Council (AAC). Also included is the roster for the discipline councils for 2016-2017, which includes the new chairs and vice-chairs as determined by the councils. AAC representatives reviewed these reports and recommendations during their June 2016 meeting.

Regent Johnson recognized the improvements that have been made on this report. She appreciated the consistency and that all acronyms are defined.

In response to a question, Dr. Turman touched on dual credit students and said that further analysis would be prepared for the Board. Regents agreed that it would be helpful to compare the post-secondary success rates of students who took dual credit courses.

A copy of the Discipline Councils 2015-2016 Annual Reports can be found on pages 3059 to 3076 of the official minutes.

### **9-L Online Proctoring Strategies**

Dr. Turman noted that over the past few months a number of high profile reports have emerged depicting instances of academic misconduct in online and face-to-face coursework at postsecondary institutions around the country. Most recently an incident involving 85 students at Ohio State University resulted in student code of conduct sanctions after it was determined they were collaborating on online take-home quizzes and examinations.

He updated the Board on discussions by the AAC dealing with work to comply with Higher Learning Commissions requirements. He described a pilot program of software that monitors

anomalies of behavior when students are taking tests. He will provide the Board an update at a later date.

A copy of the Online Proctoring Strategies report can be found on pages 3077 to 3080 of the official minutes.

### **9-M Program Productivity Report**

Dr. Turman explained that data from the program productivity review process were evaluated during the November 2015 AAC meeting, and a formal item outlining underperforming programs as defined by the Program Productivity Guidelines were reviewed by the Board of Regents at their December 2015 meeting. Table 1 within the item provides the list of those programs for FY15 that have fallen below the program productivity review thresholds that were set by the Board. Institutions were informed that those programs listed must be assigned one of five designation types to the programs identified in this year's review: 1) Retain due to critical need; 2) Retain with further review required; 3) Consolidate with another program on campus; 4) Consolidate with another program(s) within the system; or 5) Terminate.

The institutional responses to the complete list of identified programs were reviewed at the February 2016 AAC meeting. Following discussion, the final set of recommendations and designations were developed and the Board of Regents is asked to consider these recommendations and approve the new set of designations that will be further outlined in Academic Affairs Guidelines that track the program productivity review process.

IT WAS MOVED by Regent Morgan, seconded by Regent Sutton to approve the recommended actions from the campuses as presented in Table 1. Motion passed.

A copy of the Program Productivity Report can be found on pages 3081 to 3118 of the official minutes.

### **9-N GEAR UP Program Update**

Dr. Turman explained that during the December 2015 meeting, the Board of Regents received an update on the status of the GEAR UP program when Black Hills State University was designated as the lead institution for the grant. Since that time, BHSU has been working to hire staff, preparing for the middle school and high school enrichment programs, and establishing relationships with partner schools in preparation for academic year programming. Dr. June Apaza and Dr. Urla Marcus are currently serving as Co-Project Directors through BHSU and Brett Arenz is serving as the Project Director for the South Dakota Department of Education. As of June 7, 2016, the Project Manager, Statewide Coordinator of Academic Year Programs, Statewide Coordinator of Summer Programs, and two of the six Regional Coordinators (BHSU and DSU) have been hired, with the remaining regional coordinator positions currently being coordinated at the four remaining Regental institutions. He said the report provided outlines additional detail as to the current operations of the program.

Dr. Turman said that the work being done by BHSU is being done better than before, at a lower cost, and with accountability.

A copy the GEAR UP Program Update can be found on pages **3119** to **3124** of the official minutes.

### **9-O Multistate Collaborative on Military Credit**

Dr. Turman provided background information explaining that South Dakota is a member of the Multistate Collaborative on Military Credit (MCMC), a program supported by the Midwestern Higher Education Compact (MHEC) with funding provided by the Lumina Foundation. The MCMC consists of thirteen Midwestern states (state agencies, university systems, college campuses, and other organizations) seeking to improve the timely completion of postsecondary credentials by military service members, veterans, and their families through addressing barriers to access, participation, and completion. He pointed to the MCMC activities and recommendations outlined in the report provided, as well as opportunities for South Dakota to further assist veterans and service members with educational opportunities. He said institutions are encouraged to review this document, share it with relevant staff on campuses, and consult with Board staff on ideas that can benefit veteran students.

A copy of the Multistate Collaborative on Military Credit update can be found on pages **3125** to **3130** of the official minutes.

## **BUDGET AND FINANCE**

### **10-A Building Committee Report**

Dr. Monte Kramer, System Vice President of Finance and Administration, provided information regarding the activities of the various building committees since its last meeting.

A copy of the Building Committee Report can be found on page **3131** of the official minutes.

### **10-B Capital Project List**

Dr. Kramer provided the Capital Improvement Project List identifying the current capital improvement projects along with the Regental representative, estimated dollar amount, the source of funds for the project, and the current status of the project

A copy of the Capital Project List can be found on pages **3132** to **3136** of the official minutes.

### **10-C BOR Policy 5:5:5 – Tuition & Fees: General Procedures: Late Charges (First Reading)**

Dr. Kramer explained the proposed changes to BOR Policy 5:5 regarding restructuring late fees. The details of the proposed fee structure are listed in the item as well as the revisions to BOR Policy 5:5 – Tuition & Fees: General Procedures.

Regent Bastian pointed out a loop hole and suggested that the policy be slightly revised to include the amounts greater than \$7,000 rather than \$7,000.01.

IT WAS MOVED by Regent Schieffer, seconded by Regent Bastian to approve the first reading of the revision to BOR Policy 5:5 as outlined in Attachment I of this item with the amendment of “over \$7,000” rather than “over \$7,000.01.” Motion passed.

A copy of the BOR Policy 5:5 Tuition and Fees: General Procedures (first reading) can be found on pages 3137 to 3142 of the official minutes.

#### **10-D BHSU Lyle Hare Stadium Renovations Preliminary Facility Statement**

Randy Culver, Director of Facilities at BHSU, and Kathy Johnson, Vice President for Finance & Administration at BHSU, explained BHSU’s request to approve the Preliminary Facility Statement to begin planning for future renovations to the Lyle Hare Stadium. They explained that a use study will be done for football, outdoor track and field, and/or soccer. Once the studies are completed, BHSU can develop its Facility Program Plan to outline more specific project details and costs. Additional details of the proposed project can be found in BHSU’s Preliminary Facility Statement. The \$75,000 facility program plan development will be funded by M&R Fee funds. Possible funding sources for the project were identified.

Dr. Kramer explained that HEFF can maintain classroom buildings but cannot be used to build buildings.

IT WAS MOVED by Regent Schieffer, seconded by Regent Sutton to approve BHSU’s Preliminary Facility Statement to begin planning for renovations to its Lyle Hare Stadium facility. This would allow BHSU to move forward with the development of a Facility Program Plan including cost estimates and site evaluation. Motion passed.

A copy of BHSU’s Lyle Hare Stadium Renovations Preliminary Facility Statement can be found on pages 3143 to 3145 of the official minutes.

#### **10-E DSU Residence Hall/Student Services Space Renovation Update**

Stacy Krusemark, Vice President for Business & Administrative Services at DSU, and Marcus Garstecki, Vice President for Student Affairs at DSU, reviewed the changes recommended by the building committee for the DSU Residence Hall/Student Services Space Renovations. With the building committee’s approval of the guaranteed maximum price (GMP), the construction manager (Journey Construction) is now working with the Office of State Engineer (OSE) on a new bid schedule. Construction will begin yet this summer with completion of the project and opening of the residence hall rooms beginning with the fall 2017 semester.

A copy of the DSU Residence Hall/Student Services Space Renovation Update can be found on page 3146 of the official minutes.

### **10-F NSU New Residence Hall – Replace Jerde Hall Revised Preliminary Facility Statement**

Veronica Paulson, Vice President for Finance and Administration at NSU, presented NSU's revised Preliminary Facility Statement to construct a new residence hall to replace Jerde Hall. She said funding for this project will be entirely from donated funds.

IT WAS MOVED by Regent Schieffer, seconded by Regent Roberts to approve NSU's New Residence Hall revised Preliminary Facility Statement to replace Jerde Hall. Motion passed.

A copy of the NSU New Residence Hall to Replace Jerde Hall Revised Preliminary Facility Statement can be found on pages 3147 to 3150 of the official minutes.

### **10-G SDSM&T Foundation Housing Lease – Revised**

Steve Malott, Vice President for Finance and Administration at SDSM&T, reviewed the June 2015 Board action that authorized SDSM&T to enter into a 30-year lease agreement with the SDSM&T Foundation to build and occupy a 200-unit housing facility on Foundation-owned land, with the option to purchase the completed project from the Foundation at a later date. Since that Board meeting, SDSM&T and the Foundation have discussed potential enhancements as part of the construction of the new housing facility, which has been referred to as Placer Hall.

The three enhancements include data upgrades, precast color concrete, and upgrading from electric heat to HVAC heat pump. Additional related costs required as part of the three enhancements total \$82,784; the total increase in upfront costs is \$357,784. The base annual lease rate paid by SDSM&T will increase over the initial lease to cover these costs with the same financing assumptions as the original lease. The projected annual operating cost savings related to the upgrades is \$39,000.

IT WAS MOVED by Regent Schieffer, seconded by Regent Adam to approve the Restated Master Lease Agreement with the SDSM&T Foundation for the residential housing project referred to as Placer Hall. Motion passed.

A copy of the revised SDSM&T Foundation Housing Lease can be found on pages 3151 to 5183 of the official minutes.

### **10-H SDSU Revenue System Property Sale and Purchase**

Wes Tschetter, Vice President for Finance & Business/CFO at SDSU, explained SDSU's request to sell property currently held by the housing and auxiliary operation and to buy nine properties that would become part of the housing and auxiliary operation. The purchase is consistent with the SDSU property purchase plans of 1991 and 2003, and the most recent plan submitted on March 31, 2011. Environmental assessments have been conducted on the property being purchased with no report of hazardous material that cannot be mitigated by university facilities and services.



IT WAS MOVED by Regent Schieffer, seconded by Regent Sutton to approve the authorization of SDSU to sell the property located at 727 14<sup>th</sup> Avenue described as lots 9 and 10, Block 2, Thornbers Addition, City of Brookings, Brookings County, SD at a price of \$459,000; and to purchase Garden Square Addition Units 1706 A, 1708 B, 1710 C, 1727 C, 1743 A-R, 1745 B-R, 1746 B, 1750 C, and 1815 BR, all in Garden Square Addition, City of Brookings, Brookings County, SD for \$1,110,000 plus incidental costs not to exceed \$25,000 related to these property purchases. This authorization requires that all purchased properties be placed into the University's Institutional Housing and Auxiliary Facilities Revenue System. Motion passed.

A copy of the SDSU Revenue System Property Sale and Purchase can be found on pages **3184** to **3186** of the official minutes.

### **10-I BOR Policy 6:14 – Sale of Alcoholic Beverages at Institutions (Second Reading)**

Guilherme Costa, System General Counsel, reviewed BOR Policy 6:14 – Sale of Alcoholic Beverages at Institutions, which was approved during its first reading at the May 2016 meeting with an amendment that added a new subsection 3.B.9.d that provides as follows:

For purposes of this section 3.B.9, when the Vendor has its own insurance coverage including liquor legal liability in the amounts and coverage limits sufficient to meet the needs of the institution, the Permit holder's insurance coverage will not need to (i) include liquor legal liability; or (ii) list the Vendor as additional insured

Since that meeting, both SDSU and NSU have expressed concerns about the advertising prohibition contained in section 3.11 of the new policy, which language is below:

Alcoholic Beverage making or distributing companies shall not be allowed to advertise goods or services on Institutional Facilities, unless otherwise expressly permitted by Board action or another Board policy.

NSU and SDSU have each submitted a letter describing their concern and requesting that the Board delete section 3.11 from new BOR Policy 6:14.

Regent Bastian said that after reading the agenda item he understands the concerns of both campuses. However, he has a concern on behalf of the Board because he feels that someone needs to be approving the advertising, without it having to come to the Board for approval. He wondered if the current language could be changed to say "...unless otherwise expressly permitted by the President of the institution and as permitted by policy." He said the intent of this proposal would only pertain to the sale of alcohol. It was clarified that even without this language, the President has the final authority to approve both place of sale and advertising.

Regent Sutton said he understands that there are current advertising contracts in place. He wanted to clarify that the presidents' concern is that this policy would create problems with the current contractual arrangements. Presidents agreed.

IT WAS MOVED by Regent Schieffer, seconded by Regent Morgan to approve the second and final reading of BOR Policy 6:14 as provided in Attachment I but as amended to delete the language contained in section 3.11 and renumber section 3.12. Motion passed.

A copy of the amended BOR Policy 6:14 – Sale of Alcoholic Beverages at Institutions can be found on pages 3187 to 3198 of the official minutes.

**10-J BOR Policy 4:27 – Drug Free Environment (First Reading)**

Guilherme Costa explained the necessary addition to BOR Policy 4:27 – Drug Free Environment as a result of the approval of BOR Policy 6:14. The addition to BOR Policy 4:27 would allow alcohol to be possessed, used, or distributed in compliance with BOR Policy 6:14. The substantive revision is the addition of another exception to the prohibition of alcohol on premises controlled by the Board. The new exception would state: “When alcohol is possessed, used, or distributed in a manner that is expressly approved by a Board Policy.”

IT WAS MOVED by Regent Schieffer, seconded by Regent Morgan to approve the first reading of BOR Policy 4:27 Drug Free Environment. Motion passed.

A copy of the amended BOR Policy 4:27 – Drug Free Environment can be found on pages 3199 to 3204 of the official minutes.

**ADJOURN**

The Board adjourned at 1:00 p.m.

The South Dakota Board of Regents adjourned its regular business meeting on June 30, 2016 and will meet again for its annual retreat and business meeting on August 2-4, 2016 in Pierre, South Dakota.

I, Mike Rush, Executive Director and CEO of the South Dakota Board of Regents, declare that the above is a true, complete and correct copy of the minutes of the Board of Regents meeting held on June 28-30, 2016.

A handwritten signature in black ink that reads "Mike Rush". The signature is written in a cursive, flowing style.

Mike Rush  
Executive Director and CEO