

**BOARD OF REGENTS
MINUTES OF THE MEETING
December 14-16, 2011**

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**BOARD OF REGENTS
MINUTES OF THE MEETING
December 14-16, 2011**

The South Dakota Board of Regents met on December 14-16, 2011 in the Surbeck Center Ballroom at South Dakota School of Mines and Technology, Rapid City, South Dakota, with the following members present:

Kathryn Johnson, President
Dean Krogman, Vice President
Randy Schaefer, Secretary
Terry Baloun, Regent
James Hansen, Regent
Harvey Jewett, Regent
Carole Pagones, Regent
Randy Morris, Regent

Also present during all or part of the meeting were Jack Warner, Executive Director and CEO; James Shekleton, General Counsel; Sam Gingerich, System Vice President for Academic Affairs; Janelle Toman, Director of Communications; Michelle Anderson, Internal Auditor; Paul Turman, Associate Vice President for Academic Affairs; Daniel Palmer, Director of Institutional Research; Gary Johnson, System Vice President of Research; Paul Gough, Director of Policy and Planning; Janice Minder, Director of Human Resources; Monte Kramer, System Vice President of Finance and Administration; Dave Hansen, Director of Information Technology; Heather Forney, Financial Compliance Officer; Molly Weisgram, Executive Administrative Assistant; James Abbott, USD; David Chicoine, SDSU; Doug Knowlton, DSU; Kay Schallenkamp, BHSU; James Smith, NSU; Robert Wharton, SDSM&T; Mark Lee, UC-Sioux Falls; Tom Hawley, Don Erlenbusch, Becky Allen, Zack Anderson, Gatlin Johnson, NSU; R. Lee Ginsbach, SDSBVU/SDSD; Kathy Johnson, John Geske, Rod Custer, Don Coble, Lois Flagstad, Christy Horn, BHSU; Tim Henderson, Julie Ohlsen, Carlos Beatty Jr, David Bridge, Kelvin Simmons, Shane Klaas, David Martin, Shawn Robinson, SDSMT; Craig Johnson, UC-Rapid City; Rhoda Smith, NSU; Mark York, Anthony Sutton, Daniel Vellek, Jameson Berreth, Maria Skoglund, Laura Barber, Rebecca Naasz, Michael Ravenhorst, Joshua Johnson, Matt Fuks, Kaytlin Pelton, Katie Wagner, Wes Tschetter, Roberta Olson, Dean Kattelmann, Doug Wermedal, Marysz Rames, Lauri Nichols, SDSU; Cecelia Wittmayer, Stacy Krusemark, DSU; Nick Weinandt, Collin Michaels, Julie Pier, Sheila Gestring, Chuck Staben, Rod Parry, USD; Clark Wald, SD Education Access Foundation; Loren Paul, SDEA/COHE; Gary Aguiar, COHE; Chris Heiser, TSP, Inc; Aaron Orłowski, Rapid City Journal; Larry Isaak, Senator Jeff Haverly, MHEC; students, faculty and members of the press.

WEDNESDAY, DECEMBER 14, 2011

The Regents convened in open session at 6:00 p.m. on Wednesday, December 14, 2011, in the McKeel Room of the Surbeck Center at South Dakota School of Mines and Technology.

IT WAS MOVED by Regent Morris, seconded by Regent Krogman that the Board of Regents Convene and Dissolve into Executive Session at 6:00 p.m. on Wednesday, December 14, 2011, in order to discuss personnel matters; that it adjourn at 9:00 p.m. and reconvene in executive session at 8:00 a.m. on Thursday, December 15, 2011, in order to discuss personnel matters; pending and prospective litigation, collective bargaining matters, and that it rise from executive session at 1:30 p.m. to resume the regular order of business and to report its deliberations in executive session. All members voting AYE. The MOTION CARRIED.

THURSDAY, DECEMBER 15, 2011

Regent President Kathryn Johnson called the meeting of the Board of Regents to order at 2:39 p.m. on December 15, 2011, and declared a quorum present. She voiced her appreciation for the participation of all involved in this fall's town hall meetings. She said they were hugely successful.

WELCOME AND PRESENTATION BY SDSMT PRESIDENT ROBERT WHARTON

President Wharton welcomed the Regents and the audience to the campus of South Dakota School of Mines and Technology. He introduced SDSMT's new Vice President for University Relations, Christy Horn; new Director of Human Resources, Kelli Shuman; and new SDSMT Foundation President, Mike Selzer. President Wharton recognized the Chairman of the SDSMT Foundation Board, Lorin Brass, and thanked him for all he has done for the university. President Wharton debuted SDSMT's new 8-minute promotional video.

APPROVAL OF THE AGENDA

Dr. Warner referenced the following revised items: Item Q Student Organization Awards – SDSMT & BHSU and Item BB – 1 New Site Request: NSU B.S. Banking & Financial Services, Pierre & Rapid City.

IT WAS MOVED by Regent Hansen, seconded by Regent Krogman to approve the agenda for the meeting as printed and mailed. All members voting AYE. The MOTION CARRIED.

APPROVAL OF THE MINUTES

Regent President Johnson noted two changes to the October Board of Regents Meeting minutes. She said on page 2753 a typographical error was made in regard to a figure of \$125,000 that should be changed to \$135,000. Also on page 2776 she noted a typographical error, asking that the word "east" be replaced with "west."

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve the minutes of the October 12-13, 2011 meeting with corrections referenced by Regent President Johnson. All members voting AYE. The MOTION CARRIED.

COMMENTS FROM INDIVIDUAL REGENTS

Regent Randy Schaefer welcomed President Douglas Knowlton to his final Board of Regents meeting.

REPORT AND ACTIONS OF EXECUTIVE SESSION

Upon convening at 6:00 p.m. on Wednesday, December 14, 2011, the Board dissolved into executive session in order to discuss personnel matters. As shown on the official agenda, it adjourned at 9:00 p.m. and reconvened in executive session at 8:00 a.m. on Thursday, December 15, 2011, in order to discuss personnel matters; pending and prospective litigation, collective bargaining matters, rising from executive session at 1:30 p.m. to report its deliberations in executive session and to resume the regular order of business.

Regent Schaefer reported that while in executive session, the Board considered personnel matters, pending and prospective litigation, collective bargaining matters, and gave directions to its executive director and general counsel concerning these matters.

IT WAS MOVED by Regent Schaefer, seconded by Regent Hansen 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. Approve SDSU's request to award the title of Associate Professor Emerita of Extension Family Resource Management to Elizabeth Gorham; Professor Emeritus of Plant Science to Robert Hall; and Professor of Education Emeritus to Larry Rogers. A copy of resolutions can be found on pages 3709 to 3705 of the official minutes.
2. Approve awarding three (3) years of prior service credit toward tenure for Linda Parks (DSU) and four (4) years of prior service credit toward tenure for Niall Hanan (SDSU).
3. Approve USD's request to appoint Michael Lawler as Dean of the School of Health Sciences with tenure and rank as full professor.
4. Approve the leave request for Sara Christensen Blair for the 2012 fall semester, Andrzej Duszenko for the 2012 fall semester, and Arthur Marmorstein for the 2013 spring semester (NSU); Jon Kellar for the 2012 fall semester (SDSMT); and postpone the request of George Langelett from the 2012 spring semester to the 2012 fall semester (SDSU).
5. 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 3706 to 3752 of the official minutes.
6. Approve administrative actions as requested by SDSMT to accept the resignation of Ms. Deb Sloat effective December 21, 2011 and to appoint Ms. Kelli Shuman for the position of director of human resources at an annualized salary of \$75,000 effective November 22,

2011; to approve request submitted by USD to appoint Dr. Mary Dekker Nettleman for the position of vice president health affairs, dean and tenured full professor of the Sanford School of Medicine at an annualized salary of \$500,000 effective April 2, 2012; and to accept Dakota State University President Douglas Knowlton's resignation effective February 10, 2012 and to authorize the Executive Director to explore options for identifying a person to preside over the institution on an interim basis.

7. Approve the settlement agreement in *Board of Regents v. Gil Haugan Construction, Inc., and Clark Enersen Partners, Inc.*
8. Adopt the Executive Director's recommendation and enter an order denying NSU Exempt Staff Grievance No. 11-001.
9. Adopt the Executive Director's recommendation and enter an order denying DSU Faculty Grievance No. 11-002.

All members voting AYE. The MOTION CARRIED.

REPORT OF THE COUNCIL OF PRESIDENTS AND SUPERINTENDENTS

Dr. Warner reported that the Council of Presidents and Superintendents met on November 29 in Pierre where they discussed most of the items that appear on the agenda for this meeting. In addition, he said they discussed issues related to abuse in light of the recent Penn State case, resulting in expanded background checks for regental employee applicants and further clarification of reporting laws.

REPORT FROM INDIVIDUAL PRESIDENTS AND SUPERINTENDENTS

President Smith from Northern State University recognized Don Erlenbusch, Vice President of Finance, who is retiring after 25 years. President Schallenkamp from Black Hills State University introduced Dr. Craig Johnson, the new dean of the University Center – Rapid City.

REPORT AND ACTIONS OF THE EXECUTIVE DIRECTOR

Dr. Warner recognized both President Knowlton and Don Erlenbusch. He also welcomed Larry Isaak and Senator Jeff Haverly who will be speaking later about the Midwestern Higher Education Compact.

He announced that the Board of Regents and Department of Education have been awarded a grant by the Bush Foundation for \$400,000 to improve the educational leadership program in the state.

Dr. Warner also mentioned that the Net Migration Report, which is on the agenda for this meeting, will show that South Dakota is importing more high school graduates into the state than are leaving. This counters the brain drain myth.

Dr. Warner referenced the Interim Actions taken by the Executive Director on behalf of the Board of Regents. A copy can be found on pages **3753** to **3758**.

STUDENT FEDERATION REPORT

Mr. Brett Monson, student federation executive director, reported that the Student Federation met with the Board's general counsel, Dr. James Shekleton, who gave guidance about student governance systems and emphasized their importance in working together with the BOR.

Mr. Monson gave an update regarding the student enhancement policy. He said the Federation met via conference call, including Regent Jewett, to discuss the student enhancement policy. After this each student government went back to its campus and asked its student body if it would support a salary competitiveness fee. Mr. Monson passed out a resolution that the Student Federation put together that shows their support for a 1% student competitiveness fee.

They also approved the federation budget and reported that they will not become part of the student association federation because the lack of return on investment.

He said the group discussed the academic calendar. The Federation will meet during SHED days to discuss feedback gathered by each student government after surveying their student bodies.

Regent President Johnson said thank you for looking into the competitiveness fee and supporting it. It's important for the quality of education and the support given by students is telling. Regent Jewett agreed.

COHE NEGOTIATIONS, HIGHER EDUCATION AGREEMENT

General Counsel James F. Shekleton explained that there were extensive negotiations and the proposals and counterproposals, together with brief statements of rationale, covered nearly one hundred pages of text. He said three issues were referred to the Department of Labor and fact finding as requested by COHE: (1) COHE's proposal on §8.6 Nonrenewal of Tenure Track Contracts, (2) the BOR proposal to Separate Librarians from the Professoriate, and (3) the BOR's claim that Intellectual Property is not a bargainable item. COHE was not ready to accept the fact finders recommendations. Therefore, in order to move forward, he said it is necessary to impose the interim terms of employment. He noted that imposition of interim terms has no effect on the parties' continuing duty to bargain in good faith if further negotiations are demanded by the other side.

Dr. Shekleton went on to explain timing issues related to imposition of terms. He said institutional administrators are particularly conscious of the fact that the fact finder recommendations were issued deep in the fall semester, long after faculty members have submitted applications for tenure or promotion and only a short time before they must prepare and submit documentation for annual performance evaluations. The institutional administrators counsel that the Board adopt a stepwise approach to imposition of interim terms. Basic fairness requires that changes that might affect faculty member performance standards be delayed to afford appropriate opportunities to adjust to new expectations.

After discussion, IT WAS MOVED by Regent Baloun, seconded by Regent Schaefer to direct that the Interim Terms take effect on the following dates:

1. Changes involving the following matters become effective on January 1, 2012, include:

- a. style and form,
 - b. grievance rights and procedures,
 - c. disciplinary procedures,
 - d. consulting rights,
 - e. substitution of grievance rights for the informal review of decisions not to renew a tenure track contract, to deny tenure or to deny promotion,
 - f. substitution of grievance rights for the right to a hearing before the Board to contest reduction in force,
 - g. workload for instructors or librarians,
 - h. self-support and overload compensation rates,
 - i. constitution of system committees,
 - j. notice procedures,
 - k. use of revised grievance appeal forms, and
 - l. elimination of appendices stating performance standards and reliance solely upon performance standards stating, or implementing Board policy.
2. Procedures relating to annual performance reviews for instructors and librarians, effective beginning in the 2012-2013 academic year.
 3. Performance standards for the 2012 annual evaluations, and promotion or tenure reviews will be the same as those that were in force at the onset of 2011.
 4. Performance standards for lecturer or librarian rank annual evaluations and changes in rank be published no later than August 1, 2012, in order to take effect on January 1, 2013.
 5. Appointment notices for the 2012-2013 academic year be based upon the division of ranks into professorial, lecturer or librarian ranks.
 6. Positions to be filled the 2012-2013 academic year be assigned to professorial, lecturer, or librarian ranks, based upon the minimal rank requirements and subject to workload expectations set forth in the interim terms, with due allowance for the elections to retain rank as provided in the interim terms.
 7. Salary determination for FY2013 should track the provisions of the interim terms.
 8. Notify all unit members that effective with the 2012-2013 academic year all salaries will be paid out over twelve months, subject only to the option of unit members who will satisfy the SDRS Rule of 85 to elect to continue to receive payments over nine, ten, or eleven months through June 30, 2015.
 9. Inform persons entitled to elect to continue to receive payments at the end of each month of service that they must make that election prior to May 1, 2012, as provided in the interim terms.
 10. Submit recommendations for revisions to Board Policy No. 4:34, Intellectual Properties, to the Board at its March 28-29, 2012 meeting.

All members voting AYE. The MOTION CARRIED.

A copy of the COHE Negotiations, Higher Education Agreement can be found on pages 3759 to 3767 of the official minutes.

2012 TEN YEAR CAPITAL IMPROVEMENT PLAN

Dr. Monte Kramer said the Board discussed development of this ten-year capital plan at the August Retreat. Upon review of the background information (which included historically HEFF funded projects, complete list of capital projects since 1997, HEFF cash flow projections for the next 15 years, revenues and expenses to the HEFF fund, and prioritized capital project lists from the universities) the Board asked Dr. Warner to develop the 2012 ten-year capital plan proposal and bring it to the December meeting. The Board also directed Dr. Warner to consider including necessary infrastructure projects as part of the next ten-year capital plan.

Since the August meeting, Dr. Warner has visited each campus to review academic building priorities. The starting points for the visits were the priority lists provided by the institutions. DSU and SDSU changed their priorities since the August meeting. The final recommendations for the 2012 Ten-Year Capital Plan were developed considering the facility needs, campus-identified priorities, and the information discussed with the Board in August.

He said a number of assumptions were made to build this recommendation list: stable enrollments, annual tuition increases of 6%, and that more money would be put into infrastructure maintenance and repair.

Questions were asked about the priority order of these projects, in particular if the infrastructure projects would be done first. Dr. Kramer said any of the infrastructure projects that are ready to go when the BOR bonds could be done right away.

Regent Jewett said the infrastructure projects are not easy to fundraise for. He worries that these projects wouldn't be completed in 10 years' time. He made mention that the SDSU tunnels have in the past been funded for completion but are still not done. He would like these to be finished before anything else is built at SDSU.

Dr. Kramer clarified that the money required for the infrastructure projects would be designated from HEFF; they would not require fundraising.

Regent Baloun emphasized that the vast majority of these projects are renovations and upgrades to existing buildings rather than brand new facilities.

Dr. Warner explained that \$200M seems like a lot of money, but he said the regental system is an enterprise with an \$800M annual operating budget. This plan proposes to put a \$200M investment into the enterprise infrastructure over 10 years.

Regent President Johnson complimented Dr. Warner, Dr. Kramer, and Campus staff for identifying buildings that need to be cared for. She also recognized the need to accommodate the growth of research in the regental system. She said in the last 10 years our research expenditures have increase dramatically, but the space required for those activities has never been addressed.

IT WAS MOVED by Regent Krogman seconded by Regent Jewett to approve the recommended projects and the funding levels in Attachment V for the next ten-year capital plan and submit the

plan as part of the 2012 legislative package. All members voting AYE. The MOTION CARRIED.

A copy of 2012 Ten Year Capital Improvement Plan can be found on pages 3768 to 3777 of the official minutes.

MIDWESTERN HIGHER EDUCATION COMPACT (MHEC)

Representatives from Midwestern Higher Education Compact (MHEC), President Larry Isaak and Chairman Senator Jeff Haverly, briefed the Board on programs and services offered by the regional organization MHEC.

A copy of the item prepared for Midwestern Higher Education Compact (MHEC) can be found on page 3778 of the official minutes.

STUDENT DEBT AND FINANCIAL AID PANEL

Regent President Johnson introduced this item by saying that it was inspired by the MHEC Policy Summit she recently attended. It struck her that often times the board members talk about access to student loans and the behavior of students and parents concerning debt risk. She said this information is well studied and predictable, but it is also important for the Board to hear from those who work every day with our students and parents concerning student debt and financial aid.

Dr. Paul Turman introduced the panel participants: Clark Wold, Executive Director of the Great Lakes Higher Education Corporation; David Martin, SDSMT Financial Aid Director; and Julie Pier, USD Financial Aid Director.

The panelists gave a description of the students and families they work with and the financial aid tools available.

Regents asked questions and discussion was generated.

A copy of the item prepared for Student Debt and Financial Aid Panel can be found on pages 3779 to 3781 of the official minutes.

BOR POLICY MANUAL CHANGES

BOR Policy 2:3 Admissions

Dr. Turman said two years ago the Board of Education approved an updated set of curriculum requirements that eliminated the need for students to complete computer science in order to graduate. This change adversely affects students in two critical areas when reviewing current *Board of Regents Policy 2:3 – System Undergraduate Admissions*. Specifically, section 2.A.1.e requires that all students must demonstrate competencies in computer technology literacy through high school coursework or complete a specified computer course during the first 42

credit hours. Additionally, the Regents' Scholar curriculum detailed in section 2.F.7 also specifies that students must complete a ½ unit of Computer Science to be eligible for the Regents' Scholars Diploma. The recent changes to the graduation and Opportunity Scholarship requirements suggest that a larger percentage of students will be ineligible to meet the Baccalaureate degree seeking requirements when seeking admissions into the Regental system.

He explained AAC members are supportive of computer science requirements as K-12 districts have made a push to integrate computer technology literacy within the curriculum.

IT WAS MOVED by Regent Hansen, seconded by Regent Jewett to approve the changes to Policy 2:3 to remove the ½ unit of Computer Science from the admission and Regents' Scholars Diploma requirements. All voting AYE. The MOTION CARRIED.

A copy of BOR Policy 2:3 Admissions can be found on pages 3782 to 3794 of the official minutes.

BOR Policy 2:7 & 2:26 General Education Curriculum Revisions

Dr. Sam Gingerich explained that institutions may submit for consideration changes to the lists of approved courses that fulfill any component of the general education requirements each year during the December Board meeting. He summarized proposals submitted by the campuses. These changes are also incorporated in revisions to BOR policy 2:7 and 2:26.

IT WAS MOVED by Regent Hansen, seconded by Regent Jewett to approve the proposed revisions to the general education curriculum for the institutions as proposed, incorporated in BOR policies 2:7 and 2:26. All members voting AYE. The MOTION CARRIED.

A copy of BOR Policy 2:7 & 2:26 General Education Curriculum Revisions can be found on pages 3795 to 3864 of the official minutes.

FRIDAY, DECEMBER 16, 2011

Regent President Johnson called the meeting of the Board to order at 9:22 a.m.

REPORT AND ACTIONS OF THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Regent Pagonis presented the following report and actions of the Committee on Academic and Student Affairs as follows:

Institutional Items of Information

The Committee received Institutional Items of Information submitted by Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, University of South Dakota, South Dakota School for the Blind and Visually Impaired, and South Dakota School for the Deaf. No action

required. A copy of the Institutional Items of Information can be found on pages **4043** to **4082** of the official minutes.

Licensure and Certification Report

The Committee received the annual licensure and certification report. No action required. A copy of the Licensure and Certification Report can be found on pages **4083** to **4102** of the official minutes.

Program Review Report - BHSU

The Committee received program review reports from BHSU for the Psychology and Mass Communication programs. No action required. A copy of the Program Review Report - BHSU can be found on pages **4103** to **4108** of the official minutes.

Program Review Report - DSU

The Committee received a program review report for the Exercise Science and Digital Arts and Design programs at DSU. No action required. A copy of the Program Review Report - DSU can be found on pages **4109** to **4117** of the official minutes.

Academic Freedom Report

The Committee received the annual academic freedom report. No action required. A copy of the Academic Freedom Report can be found on pages **4118** to **4133** of the official minutes.

Academic Calendar Proposal 2013-14 to 2019-20

The Committee received a report on proposed academic calendars for 2013-14 to 2019-20. These are in draft form and will be submitted to the BOR for approval in March. No action required.

Comments from students present for the meeting:

Becky Allen, NSU Student Association President stated that they just finalized a school survey on the proposed calendar changes and most students voted to keep things the same.

SDSU Student Senator Kaytlin Pelton stated SDSU students generally like the proposed calendar changes. They would like to see split finals done in both semesters and would also like to see a reading day for split final exams.

The Student Federation will discuss a proposed resolution during a conference call with Dr. Gingerich prior to the March Board meeting.

A copy of the Institutional Items of Information can be found on pages [4134](#) to [4142](#) of the official minutes.

Program Modifications - SDSMT

Regent Schaefer moved to approve SDSMT's program modifications for the BS in Chemistry, BS in Physics, MS in Atmospheric Sciences, BS in Science in Interdisciplinary Sciences Specialization: Atmospheric Sciences, BS in Science in Interdisciplinary Sciences Specialization: Pre-Professional Health Sciences, BS in Science in Interdisciplinary Sciences Specialization: Science, Technology, and Society. Approve the exception to the 120-credit hour degree for the program modifications for the BS in Chemical Engineering, BS in Civil Engineering, BS in Computer Engineering, BS in Electrical Engineering, BS in Environmental Engineering, BS in Geological Engineering, BS in Industrial Engineering and Engineering Management, BS in Mechanical Engineering, BS in Metallurgical Engineering, and the BS in Mining Engineering. Regent Hansen seconded the motion and the motion passed.

A copy of the Program Modifications - SDSMT can be found on pages [4143](#) to [4194](#) of the official minutes.

Program Modifications – South Dakota State University

Regent Hansen moved to approve SDSU's program modifications for Agricultural and Biosystems Engineering, Architecture, Biobased Products & Bioenergy Certificate, MS in Biological Sciences, Civil & Environmental Engineering, Electrical Engineering, AA in General Studies, BGS in General Studies, History of Modern & Contemporary Art Certificate, Mechanical Engineering, MEd in Curriculum & Instruction, Medical Laboratory Science, MS in Dietetics, and the Minor in Psychology. Regent Schaefer seconded the motion and the motion passed.

A copy of the Program Modifications – SDSU can be found on pages [4195](#) to [4242](#) of the official minutes.

Program Modifications – University of South Dakota

Regent Schaefer moved to approve USD's program modifications for the BS in Physical Education, Earth Science, BS/Minor/Teaching Minor, and the Health Minor (teaching). Regent Hansen seconded the motion and the motion passed.

A copy of the Program Modifications - USD can be found on pages [4243](#) to [4249](#) of the official minutes.

Program Terminations/Inactive Status – South Dakota State University

Regent Hansen moved to approve SDSU's requests for inactive status/termination of the Biological Sciences (PhD) - Animal & Range Sciences specialization and the Human Nutrition & Food Science specialization, Entrepreneurial Studies - Social Entrepreneurship specialization

and the Technology Management specialization. Regent Schaefer seconded the motion and the motion passed.

A copy of the Program Terminations/Inactive Status - SDSU can be found on pages 4250 to 4253 of the official minutes.

Memorandum of Agreement – SDSMT and Western Nebraska Community College

Regent Hansen moved to approve the memorandum of understanding between SDSMT and Western Nebraska Community College. Regent Schaefer seconded the motion and the motion passed.

A copy of the Memorandum of Agreement – SDSMT and Western Nebraska Community College can be found on pages 4254 to 4257 of the official minutes.

SDSU Department Name Change

Regent Schaefer moved to approve SDSU's request for the reorganization and renaming of the Department of Modern Languages to the Department of Modern Languages and Global Studies. Regent Hansen seconded the motion and the motion passed.

A copy of the SDSU Department Name Change can be found on pages 4258 to 4261 of the official minutes.

Graduation Lists

Regent Hansen moved to approve the BHSU, DSU, NSU, SDSMT, SDSU, and USD graduation lists contingent upon the students' completion of all degree requirements. Regent Schaefer seconded the motion and the motion passed.

A copy of the Graduation Lists can be found on pages 4262 to 4289 of the official minutes.

Resolutions of Recognition

Regent Hansen moved to approve the Resolutions of Recognition for Nancy Anderson for 24 years, Michelle Berkland for 7 years, Delores Bothe for 31 years, Bryan Gildemeister for 15 years, Richard Larson for 29 years, Harold Manson for 27 years, Zelda McGinnis-Schlobohm for 10 years, Shirley Mittan for 42 years, Rose Neal for 31 years, Lawrence Novotny for 42 years, Terri Van Erem for 34 years, You Wang for 4 years, and Regina Wixon for 6 years (SDSU); and John C. Rieck (SDSBVI) for 30 years of dedicated service to the public higher education system of South Dakota. Regent Schaefer seconded the motion and the motion passed.

A copy of the Resolutions of Recognition can be found on pages 4290 to 4304 of the official minutes.

2010-2011 Collegiate Assessment of Academic Proficiency (CAAP) Report

Accept the 2010-2011 CAAP Report. No action required. A copy of the 2010-2011 Collegiate Assessment of Academic Proficiency (CAAP) Report can be found on pages **4305** to **4314** of the official minutes.

2010-2011 Minimum Progression Standards Report

Accept the 2010-2011 Minimum Progression Standards Report. A copy of the 2010-2011 Minimum Progression Standards Report can be found on pages **4315** to **4322** of the official minutes.

New Certificate Program – SDSU, Certificate in Graphic Design

It was moved by Regent Schaefer and seconded by Regent Hansen to approve SDSU's request for a Certificate in Graphic Design. Motion passed.

A copy of the New Certificate Program – SDSU, Certificate in Graphic Design can be found on pages **4323** to **4324** of the official minutes.

Intent to Plan: BHSU, M.S. in Sustainability

It was moved by Regent Hansen and seconded by Regent Schaefer to authorize Black Hills State University to develop a proposal for a Master of Science degree in Sustainability with the following conditions:

1. The University will not request new State resources, additional student fees or charges, or additional facilities to develop, implement, or maintain the proposed program. 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.
2. 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.
3. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program and demonstrate how each will be obtained in the curriculum.
4. The proposal will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies and the consequences for students who do not achieve at the expected levels. Motion passed. A copy of the Intent to Plan: BHSU, M.S. in Sustainability can be found on pages **4325** to **4340** of the official minutes.

Intent to Plan: NSU, A.S. in Biotechnology

It was moved by Regent Hansen and seconded by Regent Schaefer to authorize Northern State University to develop a proposal for an Associate of Science in Biotechnology with the following conditions:

1. The University will not request new State resources, additional student fees or charges, or additional facilities to develop, implement, or maintain the proposed program. 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.
2. 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.
3. The proposal will define the specific knowledge, skills, and competencies to be acquired through the program and demonstrate how each will be obtained in the curriculum.
4. The proposal will identify the specific measures to be used to determine whether individual students have attained the expected knowledge, skills, and competencies and the consequences for students who do not achieve at the expected levels. Motion passed.

A copy of the Intent to Plan: NSU, A.S. in Biotechnology can be found on pages 4341 to 4353 of the official minutes.

BOR Policy 3:20 Non-Disciplinary Restrictions to Mitigate Direct Threats

It was moved by Regent Hansen and seconded by Regent Schaefer to approve the proposed revisions to BOR policy 3:20 Non-disciplinary Restrictions to Mitigate Direct Threats to the Safety of Self or Others to comply with recent federal regulations. Motion passed.

A copy of the BOR Policy 3:20 Non-Disciplinary Restrictions to Mitigate Direct Threats can be found on pages 4354 to 4358 of the official minutes.

BOR Policy 2:5 Transfer of Credit

It was moved by Regent Hansen and seconded by Regent Schaefer to approve the proposed revisions to BOR policy 2:5 Transfer of Credit. Motion passed.

A copy of the BOR Policy 2:5 Transfer of Credit can be found on page 4359 of the official minutes.

BOR Policy 2:10 Grades and Use of Grade Point Averages

It was moved by Regent Hansen and seconded by Regent Schaefer to approve the proposed revisions to BOR policy 2:10 Grades and Use of Grade Point Averages. Motion passed.

A copy of the BOR Policy 2:10 Grades and Use of Grade Point Averages can be found on pages 4360 to 4361 of the official minutes.

BOR Policy 2:29 Definitions of Credit

It was moved by Regent Hansen and seconded by Regent Schaefer to approve the proposed revisions to BOR policy 2:29 Definitions of Credits and Related Institutional Requirements. Motion passed.

A copy of the BOR Policy 2:29 Definitions of Credit can be found on page 4362 of the official minutes.

BOR Policy 2:6 Academic Calendars

It was moved by Regent Hansen and seconded by Regent Schaefer to approve the proposed change to BOR policy 2:6 Academic Calendars to clarify academic terms. Motion passed.

A copy of the BOR Policy 2:6 Academic Calendars can be found on pages 4363 to 4364 of the official minutes.

BOR Policy 3:4 Student Code of Conduct

It was moved by Regent Hansen and seconded by Regent Jewett to defer approving the changes to Policy 3:4 to be in compliance with federal guidelines on sexual compliance to March. Motion passed.

A copy of the BOR Policy 3:4 Student Code of Conduct can be found on pages 4365 to 4391 of the official minutes.

Full Report

IT WAS MOVED by Regent Pagonis, seconded by Regent Hansen to adopt the report and actions of the Committee on Academic and Student Affairs. All members voting AYE. The MOTION CARRIED.

A copy of the Full Report can be found on pages 4392 to 4399 of the official minutes.

REPORT AND ACTIONS OF THE COMMITTEE ON BUDGET AND FINANCE

Regent Krogman presented the report and actions of the Committee on Budget and Finance. He urged the campuses to be very conscientious about the requests they bring to the Board.

Institutional Items of Information

The Committee received the Institutional Items of Information from BHSU, DSU, NSU, SDSMT, SDSU, USD, SDSBVI, and SDSD. No action required. A copy of the Institutional Items of Information can be found on pages 4043 to 4082 of the official minutes.

Capital Project List

The Committee received the Capital Project List that identifies 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. The list includes the Board's second ten-year Capital Plan which was approved by the 2005 Legislature, and the Science and Laboratory facilities approved by the 2008 Legislature. Information only. A copy of the Capital Project List can be found on pages **4400** to **4403** of the official minutes.

Building Committee Report

The Committee received information regarding the activities of the various building committees that had met since the last meeting as follows: the Building Committee for the SDSU New Football Stadium selected Architecture Inc and Crawford to design the project; the Building Committee for the SDSU Indoor Practice & Human Performance Facility selected Architecture Inc and Crawford to design the project; the Building Committee for the SDSU Swine Unit Improvements project selected Bailey Edward Architecture, Chicago, IL, with the condition that they engage a South Dakota civil engineer firm that has civil and environment permitting experience to design the SDSU Swine Unit Improvements to design the project; the Building Committee for the SDSU Student Union Dining Service Expansion selected Henry Carlson to build the project; the Building Committee for the USD Delzell M&E Upgrade Project chose to hire Farris Engineering of Omaha, NE to design the infrastructure project; the Building Committee for the BHSU Central Utility Plant Upgrade decided to hire John W. Hey & Company to design the infrastructure project; the Building Committee for the SDSU New Southeast (SE) Living Community Project approved the Facility Design Plan for the project; the Building Committee for the SDSU Student Union and Hansen Hall Dining Expansion approved the Facility Design Plan for the project. Information only. A copy of the Building Committee Report can be found on pages **4404** to **4405** of the official minutes.

Fall 2011 Tuition Reduction Programs

The Fall 2011 Tuition Reduction Programs, both approved by the board and the Legislature, were summarized for the committee. Information only. A copy of the Fall 2011 Tuition Reduction Programs can be found on pages **4406** to **4411** of the official minutes.

FY11 Athletic Report

The annual athletic financial report was provided to the committee. The report included FY11 revenues and expenditures for the athletic programs at each school, the income and expenses by fund source and sport, and the scholarship funding. The universities included Title IX and all scholarship expenditures in the figures. Information only. A copy of the FY11 Athletic Report can be found on pages **4412** to **4414** of the official minutes.

Public Improvement Lien Notices

Lien Statement, Muth Electric, Inc. – USD Slagle Hall

On November 9, 2011, Muth Electric, Inc. filed a \$110,144.60 lien pursuant to SDCL ch 5-22 on monies held by the Board of Regents relating to the Slagle Hall upgrade at the University of South Dakota in Vermillion. The funds required to cover the lien have been segregated from other funds held for the project, and the Office of the State Engineer is in contact with Muth Electric, Inc. to assure resolution of the dispute with the supplier and discharge of the lien. No action is required by the Board at this time. A copy of the Lien Statement, Muth Electric, Inc. – USD Slagle Hall can be found on pages **4415** to **4479** of the official minutes.

Lien Statement, P & M Steel Co. – USD Wellness Center

On October 12, 2011, P & M Steel Co. filed a \$41,194.40 lien pursuant to SDCL ch 5-22 on monies held by the Board of Regents relating to the Wellness Center renovation at the University of South Dakota in Vermillion. The funds required to cover the lien have been segregated from other funds held for the project, and the Office of the State Engineer is in contact with P & M Steel Co. to assure resolution of the dispute with the supplier and discharge of the lien. No action is required by the Board at this time. A copy of the Lien Statement, P & M Steel Co. – USD Wellness Center can be found on pages **4480** to **4495** of the official minutes.

CONSENT CALENDAR

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve the following items on the consent calendar:

Ratifications of SDSU Cooperative Extension Leases

Ratify the lease between SDSU and the Codington County Commissions for portions of a structure located at 1910 West Kemp Avenue in Watertown, and the amendment to the CES lease between SDSU and Blackstone Developers, LLC of Aberdeen for the center located at 13 Second Avenue SE in Aberdeen. A copy of the Ratifications of SDSU Cooperative Extension Leases can be found on pages **4496** to **4504** of the official minutes.

Capital Asset Purchases Greater than \$500,000

Approve SDSMT's request to purchase a 3-D X-Ray Micro-Computed Tomography System at an estimated cost of \$600,000. Funding for this purchase will come from the National Science Foundation Award grant. A copy of the Capital Asset Purchases Greater than \$500,000 can be found on page **4405** of the official minutes.

FY12 Maintenance and Repair – Institutional Projects

Approve SDSU's request to renovate day room space into office, storage, and work room space at an estimated cost of \$253,152. Funding for this project comes from TRIO grant Indirect Recovery Costs.

Approve SDSU's request to construct steel and aluminum bleachers along the first and third base lines of Huether Baseball Field at an estimated cost of \$380,000. Funding for this project will come from athletic program donations.

Approve USD's request to install improvements at the softball field at an estimated cost of \$140,000. Funding for this project will come from ticket sale revenue and funds from the City of Vermillion.

A copy of the FY12 Maintenance and Repair – Institutional Projects can be found on pages **4506** to **4507** of the official minutes.

FY12 Maintenance and Repair – Fee Projects

Approve SDSU's request to renovate the technical services area within Briggs Library at an estimated cost of \$243,036. Funding for this project will come from SDSU University Support Fees. All voted AYE. The MOTION CARRIED UNANIMOUSLY.

A copy of the FY12 Maintenance and Repair – Fee Projects can be found on page **4508** of the official minutes.

South Dakota State University Lease to Swiftel Communications

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to authorize South Dakota State University to enter into a lease with Swiftel Communications, subject to the approval of the General Counsel as to legal matters addressed in the lease and on the approval of the Executive Director as to the substance of the proposed agreement. All voted AYE. The MOTION CARRIED.

A copy of the South Dakota State University Lease to Swiftel Communications can be found on pages **4509** to **4510** of the official minutes.

South Dakota State University Fraternity Land Swap

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to authorize an exchange of lands lying within University First Addition to the City of Brookings between South Dakota State University and the Alpha Gamma Rho fraternity in order to facilitate the further development of the Addition by replatting the Addition to afford street access from Eighth Street to both lots comprising the site. Authorize SDSU to relocate the existing entryway driveway on the AGR property, to pay for construction of the curb cut and for a gravel parking lot with capacity for approximately 55 cars and, at its expense, to administer the process of securing the replat of the University First Addition to the City of Brookings. Adopt the attached resolution requesting the Commissioner of School and Public Lands to proceed with the replat of University First Addition to the City of Brookings to create two new lots, one comprising the west 119 feet of the existing Lots 1 and 2, and the other comprising of the remaining portions of the existing Lots 1 and 2 and the west 40 feet by 306.59 feet running south to north of the vacated Twentieth Avenue north from the intersection of Twentieth Avenue and Eighth Street. All voted AYE. The MOTION CARRIED.

A copy of the South Dakota State University Fraternity Land Swap can be found on pages **4511** to **4518** of the official minutes.

BOR Policy 5:5 – Tuition and Fees General Procedures

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve the changes to BOR Policy 5:5 – Tuition and Fees General Procedures. All voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:5 – Tuition and Fees General Procedures can be found on pages **4519** to **4524** of the official minutes.

BOR Policy 5:7 – Refunds

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve the changes to BOR Policy 5:7 – Refunds. All voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 5:7 - Refunds can be found on pages **4525** to **4534** of the official minutes.

BOR Policy 6:3 – Higher Education Facilities Fund

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve BOR Policy 6:3 – Higher Education Facilities Fund. All voted AYE. The MOTION CARRIED.

A copy of the BOR Policy 6:3 – Higher Education Facilities Fund can be found on pages **4535** to **4536** of the official minutes.

University Managed Tuition and Credit Hour Projections

Since FY11 was the first year of University Managed Resources (UMR), the committee looked at the tuition base and actual revenue for FY11, showing the impact of the UMR in year one. Information only. A copy of the University Managed Tuition and Credit Hour Projections can be found on pages **4537** to **4538** of the official minutes.

FY12 HEFF M&R Revised Allocation and Project List

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve the HEFF allocation increase and the revised project list for FY12. All voted AYE. The MOTION CARRIED.

A copy of the FY12 HEFF M&R Revised Allocation and Project List can be found on pages **4539** to **4543** of the official minutes.

FY13 Maintenance and Repair Fee Project List

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve the FY13 M&R Fee project list funded with the maintenance and repair fee revenue. All voted AYE. The MOTION CARRIED.

A copy of the FY13 Maintenance and Repair Fee Project List can be found on pages **4544** to **4547** of the official minutes.

FY13 Maintenance and Repair Auxiliary Project List

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve the FY13 Maintenance & Repair Auxiliary project list to be funded with auxiliary revenues. All voted AYE. The MOTION CARRIED.

A copy of the FY13 Maintenance and Repair Auxiliary Project List can be found on pages **4548** to **4550** of the official minutes.

FY13 M&R HEFF Allocation and Project Lists

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve the HEFF allocation and the requested projects for FY13. All voted AYE. The MOTION CARRIED.

A copy of the FY13 M&R HEFF Allocation and Project Lists can be found on pages **4551** to **4555** of the official minutes.

FY13 Maintenance and Repair –Ag Experiment Station Project List

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve the FY13 AES Maintenance & Repair project list to be funded by the pesticide tax. All voted AYE. The MOTION CARRIED.

A copy of the FY13 Maintenance and Repair – Ag Experiment Station Project List can be found on pages **4556** to **4557** of the official minutes.

BHSU New Residence Hall – Preliminary Facility Statement

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve BHSU's Preliminary Facility Statement allowing them to further investigate the construction of a replacement residence hall. Approval of the Preliminary Facility Statement does not approve the project but will allow BHSU to move forward with their Facility Program Plan which will provide accurate cost estimates and the impact to rental rates. Waiting until FY14 to bond for further revenue system projects will allow completion of the current bonded projects and provided two more years of enrollment history for BHSU. If approved, the Board President should appoint a building committee representative to oversee the development of the project. Funding for the planning phase of the project will come from the BHSU residence hall system. All voted AYE. The MOTION CARRIED.

A copy of the BHSU New Residence Hall – Preliminary Facility Statement can be found on pages **4558** to **4565** of the official minutes.

SDSMT Chemistry/Chemical Engineering Building Renovation – Revised Preliminary Facility Statement

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve SDSMT’s Revised Preliminary Facility Statement to renovate the Ch/ChemE building at an estimated cost of \$600,000. Of this amount, \$360,000 will come from private donations in hand and \$240,000 of the HVAC improvements will be funded by FY13 HEFF M&R Funds. If approved, SDSMT requests the project be removed from the capital project list as it will be handled as a maintenance and repair project moving forward. All voted AYE. The MOTION CARRIED.

A copy of the SDSMT Chemistry/Chemical Engineering Building Renovation – Revised Preliminary Facility Statement can be found on pages **4566** to **4568** of the official minutes.

SDSU State Motor Pool Wash Bay Addition – Preliminary Facility Statement

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve SDSU’s Preliminary Facility Statement to construct a wash bay addition to the new State Motor Pool Fleet building. Funding for this project will come from university support fee revenue. If approved, this project will need to be added to the 2012 Legislative package for Board approval. All voted AYE. The MOTION CARRIED.

A copy of the SDSU State Motor Pool Wash Bay Addition – Preliminary Facility Statement can be found on pages **4569** to **4571** of the official minutes.

SDSU Southeast Residence Hall Construction Revised Facility Program Plan

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve SDSU’s Southeast Residence Hall Construction Revised Facility Program Plan at a cost not to exceed \$45,752,592. Funding for this project will be \$44,900,000 from the 2011 bond series; \$352,596 from Residential Life Repair and Replacement funds; and \$500,000 from donations to support space for honors programming. Approval of this revised plan will allow SDSU to move forward with the project’s Facility Design Plan. All voted AYE. The MOTION CARRIED.

A copy of the SDSU Southeast Residence Hall Construction Revised Facility Program Plan can be found on pages **4572** to **4576** of the official minutes.

SDSU Southeast Residence Hall Construction – Facility Design Plan

IT WAS MOVED by Regent Morris, seconded by Regent Baloun to approve SDSU’s Facility Design Plan to construct a four building residence hall complex in the southeast quadrant of campus at a cost not to exceed \$45,752,596. Funding for this project includes \$44,900,000 from bond issuance, \$352,596 from Residential Life R&R Accounts, and \$500,000 from private donations. If approved, SDSU requests the Building Committee be granted authority to approve the Guarantee Maximum Price (GMP). All voted AYE. The MOTION CARRIED.

A copy of the SDSU Southeast Residence Hall Construction – Facility Design Plan can be found on pages 4577 to 4588 of the official minutes.

SDSU Student Union and Hansen Hall Dining Expansion – Revised Facility Program Plan

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve SDSU’s Student Union-Hansen Hall Dining Expansion Revised Facility Program Plan at a cost not to exceed \$8,329,104. Funding will be as follows: \$7,065,460 from the 2011 bond series; \$460,644 from the Bond and Utility Fee funds; \$250,000 from Student Affairs auxiliary funds and \$553,000 from Bookstore reserve funds. Approval of this plan will bring the budget in-line with the proposed Facility Design Plan also on the agenda. All voted AYE. The MOTION CARRIED.

A copy of the SDSU Student Union and Hansen Hall Dining Expansion – Revised Facility Program Plan can be found on pages 4589 to 4595 of the official minutes.

SDSU Student Union and Hansen Hall Dining Expansion – Facility Design Plan

IT WAS MOVED by Regent Baloun, seconded by Regent Morris to approve SDSU’s Facility Design Plan to expand the dining services at the Student Union and renovate dining space within Hansen Hall at a cost not to exceed \$8,329,104. Funding for this project will come from: \$7,065,460 in bonds issued; \$460,644 in Bond and Utility Fee accounts; \$250,000 in Student Affairs funds; and \$553,000 in Bookstore Revenues. If approved SDSU requests the Building Committee be given authority to approve the Guarantee Maximum Price (GMP) to allow construction to begin in spring 2012. All voted AYE. The MOTION CARRIED.

A copy of the SDSU Student Union and Hansen Hall Dining Expansion – Facility Design Plan can be found on pages 4596 to 4605 of the official minutes.

Full Report

IT WAS MOVED by Regent Krogman, seconded by Regent Morris to adopt the report and actions of the Committee on Budget and Finance. All members voting AYE. The MOTION CARRIED. A copy of the Full Report can be found on pages 4606 to 4614 of the official minutes.

SDSMT AND BHSU STUDENT ORGANIZATION AWARDS

Lois Flagstad, BHSU Vice President of Student Life, and Jane Klug, BHSU Director of Student Services, presented BHSU student organization awards.

Political Science Association accepted the award for Academic Excellence. The purpose of the Political Science Association is to promote student involvement in the political application of current political ideologies and events. Sociology & Human Services Club accepted the award for Community Service. The purpose of this organization is to educate students about social responsibilities and offer professional development opportunities for students interested in sociology and human services. Buzz Marketing accepted the award for Organizational

Leadership. The purpose of Buzz Marketing is to provide professional marketing and advertising assistance to on campus organizations as well as to the greater community.

Patricia Mahon, SDSMT Vice President for Student Affairs and Dean of Students, presented the SDSMT student organization awards.

The *Aurum* accepted the award for Academic Excellence. The *Aurum* is the official student newspaper for the School of Mines and has contributed in many ways to the academic environment. Rotaract accepted the award for Community Service. The SDSMT Rotaract Club of Rapid City (the only Rotaract Club among the Board of Regents institutions) was chartered by Rotary International in May 2010. Already they have compiled an impressive record of community service. The American Society of Mechanical Engineers (ASME) accepted the award for Organizational Leadership. ASME is a very active organization that provides students the opportunity to develop leadership skills.

A copy of the SDSMT and BHSU Student Organization Awards can be found on pages **3865** to **3866** of the official minutes.

FY13 GOVERNOR'S BUDGET RECOMMENDATIONS

Dr. Monte Kramer gave a brief summary of the Governor's FY13 recommendations.

He explained that out of one-time money the Governor is recommending that state employees receive a one-time bonus in April 2012 equal to 5% of their salary. The Governor stressed that this is a one-time payment and would not be added to the base. The one-time salary payment in FY12 will be referred to the Board of Regents to identify approximately \$6.2 million dollars in funds to match that. In addition the Board of Regents would receive \$5,922,158 in one-time money in FY13. These funds would be added to our budget through a special appropriation brought forward by the Governor.

The Governor is proposing a .9% base increase for the Board of Regents in general funds for FY13 totaling \$1,402,714. This includes the reinstatement of \$83,774 at NSU for E-Learning which was part of their FY12 budget cuts. E-Learning is the only program cut in FY12 that the Governor is recommending be reinstated for the system. An increase of \$1,070,011 and 5.8 FTE was recommended for the expansion of four students per year in the MD Program and the addition of the rural education track. The Physician Assistant Program will receive an additional \$132,698 and 1.6 FTE to fund an additional five students every year. The Central Office received a net decrease of \$4,427 for the annual lease payment adjustments and the SD Opportunity Scholarship received an increase of \$120,658. A recommended increase of \$60,035 would cover an increase in computer service billings.

The Governor recommended a 3% salary policy for FY13. An employee compensation package was proposed totaling \$12.3 million in total funds for the system of which \$4.5 million is general funds. The package includes a 3% salary increase, a 2.5% movement to job worth, and an increase in employer paid health insurance of 3.3%.

HEFF Maintenance and Repair authority was increased within the Central Office by \$3,083,350 for FY13. This increase represents a \$2.5 million increase approved by the Board at the August Retreat and the annual 5% increase. South Dakota School of Mines & Technology's other fund authority request of \$9.5 million was recommended along with 25.0 FTE. This increase was necessary due to the large growth in grants and contracts as well as increased enrollments. Northern State University had an additional 10.0 FTE recommended that will be funded through other funds. The majority of the FTE increase is due to the increase in self-support enrollments. The portion of the employee compensation package that will be covered with other funds totals \$5,544,126.

The Governor has also recommended an increase of \$17,685 in other fund authority to cover an increase in computer service billings. The recommendation was also made to decrease the FTE within the South Dakota School for the Deaf by 15.4. These FTE are currently vacant due to the reorganization. This reduction would simply remove them from their budget.

In summary, the Board of Regents saw a total net increase in all funds of \$15,520,126. General funds saw an overall increase of \$16.6 million or 11%. This number includes \$10.6 million previously cut from our base and supplemented with Stimulus and ARRA dollars. With the loss of Stimulus at the end of FY12, replacement of these dollars is essential to maintain our base. An additional \$4.5 million is recommended for the employee compensation package. The new general fund investments recommended by the Governor totals \$1.4 million or .9%. Federal funds had an overall decrease of \$19.2 million or (7.9%). Other fund authority increased by \$18.1 million or 4.7%. FTE within the system had a net increase of 27.0 or .5%. This brings our total budget in FY13 in all funds to \$798,198,077 and 5,039.4 FTE.

A copy of the FY13 Governor's Budget Recommendations can be found on pages 3867 to 3870 of the official minutes.

RESOLUTION TO HONOR PRESIDENT DOUGLAS KNOWLTON

Regent Schaefer read a resolution to honor President Douglas Knowlton at his last South Dakota Board of Regents Meeting.

Special Resolution

Whereas, Dr. Douglas Knowlton served the people of South Dakota for eight years, from January 5, 2004, through February 10, 2012, as president of Dakota State University; and

Whereas, in his service to the public university system, Dr. Knowlton has worked tirelessly to instill a culture of academic rigor by encouraging and recruiting talented scholars, by advocating quality curricula, and by supporting programs designed to enhance student learning; and

Whereas, under the leadership of Dr. Knowlton, Dakota State University set record headcount enrollments, increasing from 2,295 to 3,101, while enrollment in distance-delivered coursework also increased by 60 percent since 2005; and

Whereas, the number of graduate-level degree programs at Dakota State University has doubled from three to six, with a seventh in the planning stages, and the university's first doctoral program, a Doctor of Science degree in Information Systems, was approved in 2005; and

Whereas, Dr. Knowlton worked diligently to establish Dakota State University as a leader in the fields of e-commerce, e-banking, and other technologies, with the establishment of the National Center for Protection of the Financial Infrastructure and the Center for Advancement of Health Information Technology; and

Whereas, during his administration, growth in external resources directed to research grew from a base of just under \$2 million in Fiscal Year 2008 to nearly \$9 million awarded in Fiscal Year 2010; and

Whereas, throughout his service to Dakota State University and the Board of Regents, Dr. Knowlton has worked with enthusiasm, insight, creativity, rigor, and persistence;

Now, therefore, be it resolved that it is the desire of the Board of Regents to applaud and recognize Dr. Knowlton for his dedicated service, leadership, and vision; and

Be it further resolved that Dr. Douglas Knowlton be thanked for his outstanding contributions and dedication to public higher education and to South Dakota, and be it further ordered that this Resolution be spread on the minutes of this Board and that a copy thereof be forwarded to Dr. Knowlton.

PERFORMANCE FUNDING MODELS

Dr. Turman shared information concerning performance funding models, which was a topic addressed at the Complete College America conference a group of individuals representing the state of South Dakota attended this year. He said performance funding used to be driven by enrollments; now, however, other factors are being considered. He said consideration of a Regental system performance funding formula model hinges on the challenging issue of model specification (i.e., the selection of specific performance measures to include in the model).

A copy of the Performance Funding Models can be found on pages **3871** to **3875** of the official minutes.

RESOLUTION TO ADD PLEDGED PROPERTIES TO THE REVENUE SYSTEM

Dr. Shekleton said the Board is requested to authorize the inclusion of (i) Wenona Cook Hall and Pangburn Hall, residence halls on the campus of Black Hills State University, to the Black Hills State University Institutional System; (ii) Lindberg Hall, a residence hall on the campus of Northern State University, to the Northern State University Institutional System, (iii) State Court and Waneta Hall, family student housing and a residence hall on the campus of South Dakota State University, to the South Dakota State University Institutional System, and (iv) East Cherry

Street Rentals, rental properties on the campus of the University of South Dakota, to the University of South Dakota Institutional System, each created pursuant to the Amended and Restated Bond Resolution adopted by the Board on October 21, 2004, as amended and supplemented.

Dr. Shekleton said the action should be approved on separate motion and seconded, and a roll call vote should be taken and recorded.

IT WAS MOVED by Regent Krogman, seconded by Regent Jewett to authorize the inclusion of Wenona Cook Hall and Pangburn Hall, residence halls on the campus of Black Hills State University, to the Black Hills State University Institutional System to the Housing and Auxiliary Facilities System.

AYE: Jewett, Johnson, Morris, Pagonos, Schaefer, Krogman, Hansen
NAY:
ABSENT: Baloun, Weber
MOTION CARRIED.

IT WAS MOVED by Regent Krogman, seconded by Regent Jewett to authorize the inclusion of Lindberg Hall, a residence hall on the campus of Northern State University, to the Northern State University Institutional System to the Housing and Auxiliary Facilities System.

AYE: Jewett, Johnson, Morris, Pagonos, Schaefer, Krogman, Hansen
NAY:
ABSENT: Baloun, Weber
MOTION CARRIED.

IT WAS MOVED by Regent Krogman, seconded by Regent Jewett to authorize the inclusion of State Court and Waneta Hall, family student housing and a residence hall on the campus of South Dakota State University, to the South Dakota State University Institutional System to the Housing and Auxiliary Facilities System.

AYE: Jewett, Johnson, Morris, Pagonos, Schaefer, Krogman, Hansen
NAY:
ABSENT: Baloun, Weber
MOTION CARRIED.

IT WAS MOVED by Regent Krogman, seconded by Regent Jewett to authorize the inclusion of East Cherry Street Rentals, rental properties on the campus of the University of South Dakota, to the University of South Dakota Institutional System to the Housing and Auxiliary Facilities System.

AYE: Jewett, Johnson, Morris, Pagonos, Schaefer, Krogman, Hansen
NAY:
ABSENT: Baloun, Weber
MOTION CARRIED.

A copy of the Resolution to Add Pledged Properties to the Revenue System can be found on pages 3876 to 3880 of the official minutes.

2012 BOARD SPONSORED LEGISLATION

Dr. Shekleton summarized four bills that have been developed for the Board's review.

1. An Act to authorize the South Dakota Building Authority and the Board of Regents to implement the long-term capital project request of the Board of Regents, providing for the construction, remodeling, or renovation of various structures on the campuses of the state's universities, to make appropriations therefor.

This bill draft provides the template for a bill to address a new ten year capital improvement plan, once the Board determines which projects it wishes to advance.

2. An Act to amend chapter 92 of the 2008 Session Laws to increase and to extend the availability of appropriations to replace storage facilities at the Cottonwood Agricultural Experiment Station, and to declare an emergency.

This bill appropriates an additional \$250,000 to accommodate high bids and changes made to accommodate unforeseen soil conditions. It also extends the availability of the appropriations by an additional four years, since the original appropriation will lapse on July 1, 2012. No changes have been made in the original legislation.

3. An Act to amend chapter 99 of the 2010 Session Laws to increase the authorized square footage for motor pool building at South Dakota State University, to make an appropriation therefor and to declare an emergency.

This bill expands the square footage of the motor pool building at SDSU from 2,000 to 3,000 square feet and increases the appropriation by \$70,000. These changes will permit the construction of an addition to function as a service bay.

4. An Act to authorize the Board of Regents to purchase an airport structure for use by South Dakota State University to support its aviation instruction program and to make an appropriation therefor.

This bill authorizes the Board to purchase a hangar, for a cost not to exceed \$1,100,000, at the Brookings Regional Airport for use by the SDSU aviation program to provide instructional space as well as maintenance facilities and hangar space for program aircraft.

Regent President Johnson asked about the source of money for the aviation facility. SDSU's Vice President of Finance, Wes Tschetter, clarified that money would come from private donors.

IT WAS MOVED by Regent Hansen, seconded by Regent Pagonos to authorize the Executive Director to submit the proposed bills, to prepare additional legislation that may be required and to make such modifications or, following their introduction, amendments to the bills as may be in his best judgment prudent, provided that such modifications or amendments shall not change the fundamental purpose of the authorized legislation. All voted AYE. The MOTION CARRIED.

A copy of the 2012 Board Sponsored Legislation can be found on pages 3881 to 3894 of the official minutes.

NET MIGRATION REPORT

Dr. Daniel Palmer introduced the Net Migration Report, which uses data acquired from the US Department of Education to draw comparisons between two groups: (1) first-time freshmen from other states who enroll in postsecondary institutions in South Dakota, and (2) first-time freshmen from South Dakota who enroll in postsecondary institutions in other states. Specifically, the analysis is based on members of the high school graduating class of 2007-2008 who were first-time college students in Fall 2008.

He said in summary when examining the cohort of spring 2008 high school graduates, there is a net gain of 570 students, fighting the misperception that South Dakota is a net exporter of high school graduates.

Dr. Warner gave some history and explained that there has been steady progression of importing students over the years. The trend of brain drain has been reversed.

A copy of the Net Migration Report can be found on pages 3895 to 3899 of the official minutes.

PLACEMENT OUTCOMES OF REGENTAL STUDENTS

Dr. Turman explained that this analysis explores a dataset generated through the combined efforts of three different data providers: Regents Information Systems, the South Dakota Department of Labor and Regulation, and the National Student Clearinghouse. He said the principal goal of the analysis was to examine the extent to which Regental degree completers are retained in the state of South Dakota after graduation.

Dr. Palmer further explained the results of the study, saying results of the analysis suggest that 7 out of every 10 South Dakota-originated students stayed in South Dakota, and 3 out of every 10 out-of-state students stayed in South Dakota.

Dr. Turman said they will be able to expand the nature of this study in the future. Discussion of the capture time of the data used ensued.

Regent President Johnson said she would encourage the Technical Institutes to use this same method of tracking their graduates. Dr. Palmer agreed that that effort would be beneficial to everyone.

Regent Krogman asked that this information be given to legislators since it's very important for them to understand.

A copy of the Placement Outcomes of Regental Students can be found on pages 3900 to 3915 of the official minutes.

SELECT DAKOTA

Dr. Turman said Select Dakota is a refashioning of past college prep efforts. He gave a brief overview of the Select Dakota web portal which was developed to accomplish five primary objectives including:

1. Encourage South Dakota high school students to attend one of the public high education institutions in the state;
2. Provide information to middle and high school students emphasizing how and why they should pursue post-secondary degree completion;
3. Promote avenues for transfer students to return to public institutions in South Dakota;
4. Persuade Adult Learners to either begin their post-secondary experience or return to a public institution to complete their degree; and
5. Present a variety of resources for parents/counselors that aid in their students' post-secondary preparation.

He explained that the legislature has allotted money to promote the higher education institutions including technical institutes. He said these funds would not be available if we only promoted Regental institutions.

The web portal has been developed along with promotional materials to be distributed to middle and high school students around the state. A brief overview of the site was provided to the Board of Regents during the meeting.

Regent President Johnson asked Dr. Turman to include Select Dakota's direct link on the SD My Life site.

A copy of the Select Dakota item can be found on page 3916 of the official minutes.

STUDENT RETENTION DASHBOARD TOOL

Dr. Turman gave background on the development of the System Retention and Dashboard Tool.

Dr. Turman demonstrated the Dashboard Tool to the audience and discussed how the tool can illustrate the implications of improving retention from headcount, tuition and fee revenue, and how that relates to FTE faculty. He said this tool can be used in a variety of ways to help the

Regents make the decisions they do. In addition, Dr. Turman said this could be a very useful tool for the campuses; it could demonstrate and reinforce the importance of completion.

A copy of the Student Retention Dashboard Tool information can be found on pages 3917 to 3918 of the official minutes.

DUAL CREDIT REPORT

Dr. Gingerich explained that dual credit or dual enrollment programs allow high school students to simultaneously earn credit towards a high school diploma and a postsecondary degree or certificate. In order to monitor the quality of this programming, each campus was asked to provide a summary of dual credit offerings during the past year. They were asked to outline the processes established that ensure each class offered meets the established best practices and to provide information for each dual credit course offered last year and those scheduled this fall.

He said in the 1990's to address an issue that specifically dealt with Southwest Minnesota State, South Dakota set best practices to ensure that the students who were eligible to earn dual credits were getting college-level courses. Since then, changes to the requirements in neighboring states, including Minnesota, have essentially solved these issues. However, since the regental institutions recruit students in a national market, the Board of Regents needs to continue to monitor this.

After looking at the reports, Dr. Gingerich said that the grade distribution is comparable to general education courses as well as are pass rates when the students take the next class level.

Dr. Gingerich said he'd recommend that the dual credit program stay in place, but we need to continue to make sure that the standards are met.

Questions were asked concerning the tuition rate for these classes.

Regent Jewett expressed concern about this program because he remembers the difficulties they had at Southwest Minnesota State.

Dr. Warner explained that he had a conversation with the Chancellor of MnSCU, and he confirmed that they have solved the problem at Southwest Minnesota State. Dr. Warner also commented that South Dakota doesn't offer a lot of incentive for teachers to get master's degrees which will constrain the pool of qualified teachers.

Regent Morris said that the issue at Southwest Minnesota State was a policing issue; in fact, the studies show that those students who take dual credit courses are more likely to succeed in college than those who don't.

A copy of the Dual Credit Report can be found on pages 3919 to 3955 of the official minutes.

NEW PROGRAM REQUESTS

New Program: DSU Minor in Digital Editing

Dr. Paul Gough explained that Dakota State University has submitted a proposal for a baccalaureate minor in Digital Editing. The University has a B.S. in Digital Arts and Design. DSU does not request any new State resources. The courses are offered now for the major.

DSU notes that South Dakota employers including marketing and advertising firms hire students with Digital Editing skills. The minor would provide students with the skills needed to prepare convincing video narratives.

IT WAS MOVED by Regent Jewett, seconded by Regent Hansen to approve Dakota State University's proposal for a Minor in Digital Editing as described in Attachment I.

A copy of the New Program: DSU Minor in Digital Editing can be found on pages 3956 to 3960 of the official minutes.

New Programs: South Dakota School of Mines & Technology, M.S. in Mining Engineering

Dr. Gough explained that South Dakota School of Mines & Technology requests authorization to offer an M.S. in Mining Engineering. An M.S. in Mining Engineering is within the statutory (SDCL 13-60-1) and Board policy missions of the University (*Board Policy 1:10:3 South Dakota School of Mines & Technology*). The proposed program was reviewed and the report is provided as an attachment.

He said the program will be supported with existing resources and industry donations. The University does not request any new State resources or additional student fees to implement the program. SDSM&T does not request any exceptions to Board policy.

IT WAS MOVED by Regent Morris, seconded by Regent Jewett to approve the South Dakota School of Mines & Technology proposal for an M.S. in Mining Engineering described in Attachment I and to authorize South Dakota School of Mines & Technology to deliver the M.S. in Mining Engineering by distance technology.

A copy of the New Program: SDSMT, M.S. in Mining Engineering can be found on pages 3961 to 3992 of the official minutes.

New Program: USD B.A. & B.S. in Sustainability

Dr. Gough explained that the University of South Dakota requests authorization to offer a B.A. and B.S. in Sustainability. A B.A. and B.S. in Sustainability is within the statutory (SDCL 13-51-1) and Board policy missions of the University (*Board Policy 1:10:1 University of South*

Dakota). USD does not request any exceptions to Board policy. The proposal is provided as Attachment I.

He said the proposed program supports the Board's strategic goals. USD does not request any new State resources or additional student fees to implement the program.

IT WAS MOVED by Regent Schaefer, seconded by Regent Jewett to approve the University of South Dakota's proposal for a B.A. & B.S. in Sustainability as described in Attachment I.

A copy of the New Program: USD B.A. & B.S. in Sustainability can be found on pages **3993** to **4010** of the official minutes.

NEW SITE REQUESTS

New Site Request: NSU B.S. Banking & Financial Services, Pierre & Rapid City

Dr. Gough said Northern State University requests authorization to offer the B. S. in Banking & Financial Services, Pierre & Rapid City. Offering the program online will contribute to the development of the workforce and prepare students for careers in banking and financial services.

The University does not request new State resources or new or increased student fees to support online delivery. Self-support tuition will provide the resources needed to offer the courses online.

IT WAS MOVED by Regent Hansen, seconded by Regent Morris to authorize Northern State University to deliver its B.S. in Banking & Financial Services in Pierre & Rapid City as described in Attachment I.

A copy of the New Site Request: NSU B.S. Banking & Financial Services, Pierre & Rapid City can be found on pages **4011** to **4017** of the official minutes.

New Site Request: NSU B.S. in Business Administration, Internet

Dr. Gough said Northern State University requests authorization to offer the B. S. in Business Administration via the internet. Offering the program online will contribute to the development of the workforce and prepare students for careers in business.

The University does not request new State resources or new or increased student fees to support online delivery. Self-support tuition will provide the resources needed to offer the courses online.

IT WAS MOVED by Regent Hansen, seconded by Regent Morris to authorize Northern State University to deliver its B.S. in Business Administration via the internet as described in Attachment I.

A copy of the New Site Request: NSU B.S. Business Administration, Internet can be found on pages **4018** to **4025** of the official minutes.

New Site Request: SDSU B.S. in Sociology, Online

Dr. Gough explained that South Dakota State University requests authorization to offer the B. S. in Sociology online.

He said SDSU Sociology graduates have entered a variety of careers including business, law, banking, extension, law enforcement, and counseling. The University does not request new State resources or new or increased student fees to support online delivery. Self-support tuition will provide the resources needed to offer the courses online.

IT WAS MOVED by Regent Hansen, seconded by Regent Morris to authorize South Dakota State University to deliver its B.S. in Sociology online as described in Attachment I.

A copy of the New Site Request: SDSU B.S. in Sociology, Online can be found on pages **4026** to **4033** of the official minutes.

New Site Request: SDSU B.S. in Nursing, Aberdeen

Dr. Gough explained that South Dakota State University requests authorization to offer the B.S. in Nursing (BSN) in Aberdeen. This delivery site responds to the long-term need for baccalaureate registered nurses in South Dakota and in the northeast region. (Board Policy 1:21: Economic Development & Quality of Life: Contribute to workforce development with off-campus programs.)SDSU intends to offer the BSN using the accelerated (12-month) curriculum designed for students who have completed a bachelor's degree in another discipline. The first Aberdeen cohort would begin in January 2013 and finish in December 2013. SDSU reports that the accelerated BSN has been successful in Sioux Falls.

SDSU does not request new State resources or increased student fees. Delivery in Aberdeen would be supported with state-support tuition and Nursing program fee revenue. The budget is based on annual cohorts of 40 students.

Dr. Gough further explained that SDSU intends to pay Northern State University for computer support, secretarial services, and academic advising services. Northern is to provide office and laboratory space.

IT WAS MOVED by Regent Hansen, seconded by Regent Morris to authorize South Dakota State University to deliver the B.S. in Nursing in Aberdeen as described in Attachment I.

A copy of the New Site Request: SDSU B.S. in Nursing, Aberdeen can be found on pages **4034** to **4042** of the official minutes.

ADJOURN

IT WAS MOVED by Regent Schaefer, seconded by Regent Krogman to adjourn the meeting of the Board of Regents on December 16 at 11:47 a.m. All members voting AYE. The MOTION CARRIED.

The South Dakota Board of Regents adjourned its regular meeting on December 15-16, 2011 and will meet again in regular session on March 28-29, 2012 in Aberdeen, South Dakota.

I, Jack Warner, 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 December 15-16, 2011.

A handwritten signature in black ink, appearing to read "Jack Warner", with a long horizontal flourish extending to the right.

Jack Warner
Executive Director and CEO