

**BOARD OF REGENTS  
MINUTES OF THE MEETING  
June 26-28, 2018**

The South Dakota Board of Regents met on June 26-28, 2018, at South Dakota State University in Brookings, South Dakota, with the following members present:

Kevin Schieffer, Vice President  
John Bastian, Secretary  
Jim Morgan, Regent  
Randy Schaefer, Regent  
Jim Thares, Regent  
Pam Roberts, Regent  
Joan Wink, Regent  
David Mickelson, Regent

Also present during all or part of the meeting were Guilherme Costa, Board of Regents General Counsel; Paul Turman, System Vice President for Academic Affairs; Nathan Lukkes, 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, System Chief Information Officer; Molly Hall-Martin, Director of Student Preparation & Success; Janelle Toman, Director of Communications; Mary Ellen Garrett, Accounting Manager; Leah Ahartz, Budget Manager; Julie Kueter, Executive Administrative Assistant; Jay Perry, Assistant Vice President for Academic Affairs; Janice Minder, BOR; Barry Dunn, SDSU President; José-Marie Griffiths, DSU President; Tom Jackson Jr., BHSU President; Jim Rankin, SDSM&T President; Tim Downs, NSU President; Sheila Gestring, USD President; Kurt Cogswell, Roberta Olson, Doug Wermedal, Dean Kattelman, Wesley Tschetter, Michael Holbeck, Bill Gibbons, Karla Trautman, John Killefer, Mary Kay Helling, Karyn Weber, Kacie Richard, Dennis Hedge, SDSU; Heather Forney, Steve Malott, SDSM&T; Claudean Hluchy, SDSBVI/SDSD; Scott McKay, Marcus Garstecki, Dick Hanson, Stacy Krusemark, DSU; Joelle Lien, Veronica Paulson, Alan LaFave, Jeremy Reed, NSU; Roberta Ambur, Kim Grieve, Beth Freeburg, Adam Rosheim, Mary Nettleman, Mary Berry, USD; Alan W. Aldrich, SDEA/COHE; and others members of the regental system, the public, and the media.

**TUESDAY, JUNE 26, 2018**

**BOARD WORK**

**ROLL CALL:**

Bastian – PRESENT  
Morgan – PRESENT  
Roberts – PRESENT  
Schaefer – PRESENT  
Thares – PRESENT

Wink – PRESENT  
Schieffer – PRESENT  
Mickelson – PRESENT

Regent Schieffer declared a quorum present and called the meeting to order at 2:55 p.m. Regent Schieffer introduced the newest Board member, Regent David Mickelson, who was appointed June 19 to fill the vacancy left by Regent Bob Sutton's resignation. Regent Mickelson said he looks forward to participating in the important work of the Board.

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

Regent Morgan requested that Item 8-A, second reading of changes to BOR Policy 1:6 and BOR Policy 1:5 from the Consent Agenda, be moved to the discussion section (Section 7) under Planning, Governance, and Resource Development.

Regent Schieffer requested that Item 8-N, Capital Asset Purchase Greater than \$500,000, be added to the agenda.

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

### **1-B Declaration of Conflicts**

No conflicts of interest were declared.

### **1-C Approval of the Minutes – Meetings on May 8-10, 2018**

IT WAS MOVED by Regent Morgan, seconded by Regent Bastian, to approve the minutes of the meeting on May 8-10, 2018. Motion passed.

### **1-D Rolling Calendar**

IT WAS MOVED by Regent Schaefer, seconded by Regent Morgan, to approve the date and location of next year's Board of Regents' meeting to be held June 25-27, 2019, at Dakota State University in Madison. Motion passed.

A copy of the Rolling Calendar can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **2-A FY20 Informal Budget Hearings**

The presidents held their first retreat on May 14-16, 2018. At the retreat the presidents identified system budget priorities and committed to future actions. In addition to advancing a budget request to the Governor, the informal budget hearings allow the Board to do an inventory of the system's and institutions' top priorities.

President Jackson summarized the recent Presidents' Retreat, indicating that the presidents had agreed to focus on a set of system budget priorities which will be presented by the other presidents. The commitments to action agreed upon by the presidents included: 1) the development of a system-wide entrepreneurship program, and 2) a solution to achieving the 2% M&R goal. President Jackson will be addressing the entrepreneurship program and President Gestring will discuss steps needed to fully understand the 2% goal.

The university presidents presented on the following commitments and budget priorities: 1) President Rankin, SDSM&T, presented on the commitment to a collaborative system-wide entrepreneurship program; 2) President Gestring, USD, presented on the need for a space utilization and space quality study to support the commitment of the presidents to find a solution to the 2% goal; 3) President Dunn, SDSU, presented on the importance of a budget request to fund needs-based financial aid, referred to as the Dakota's Promise Scholarship; and 4) President Downs, NSU, discussed the need for a budget request for funding salary competitiveness.

Regent Roberts asked if these priorities were ranked in any particular order. The presidents indicated that the strongest consensus was to support funding for Dakota's Promise, followed by the salary competitiveness proposal.

Each institution presented its institution-specific priorities.

**South Dakota State University, SDSU Extension, and Agricultural Experiment Station:** President Barry Dunn, Dean of Agriculture, Food and Environmental Sciences John Killefer, and Interim Agricultural Experiment Station Director & Associate Dean for Research Bill Gibbons reviewed budget priorities for South Dakota State University, SDSU Extension, and the Agricultural Experiment Station.

**University of South Dakota, Law School, and Sanford School of Medicine:** President Sheila Gestring, VP for Health Affairs/Dean of Sanford School of Medicine Mary Nettleman, Vice President of Research Mary Berry, and Vice President of Student Services and Dean of Students Kimberly Grieve reviewed budget priorities for the University of South Dakota, the USD School of Law, and the Sanford School of Medicine.

**South Dakota School for Blind and Visually Impaired and the South Dakota School for the Deaf:** Supt. Marje Kaiser and Budget Manager Claudean Hluchy reviewed budget priorities of the South Dakota School for the Blind and Visually Impaired and the South Dakota School for the Deaf.

**South Dakota School of Mines and Technology:** President Jim Rankin reviewed budget priorities for South Dakota School of Mines and Technology.

**Dakota State University:** Vice President for Business and Administrative Services Stacy Krusemark reviewed budget priorities for Dakota State University.

Presentation of the remainder of the institutional budget priorities was continued until Wednesday morning.

IT WAS MOVED by Regent Bastian, seconded by Regent Morgan, that the Board dissolve into executive session at 6 p.m. on Tuesday, June 26, 2018, to discuss personnel matters; that it adjourn at 8 p.m.; that it reconvene into executive session at 7:30 a.m. on Wednesday, June 27, 2018, to discuss personnel matters; that it rise from executive session at 9 a.m. to resume the regular order of business; that it dissolve into executive session at 1:30 p.m. to discuss personnel matters, pending and prospective litigation, contractual matters, marketing or pricing strategies by a board of a business owned by the state when public discussion may be harmful to the competitive position of the business, and to consult with legal counsel, all as shown on the published agenda; that it rise from executive session at 5:15 p.m. to resume the regular order of business; and that it report its deliberations while in executive session during the appropriate Board agenda item on Thursday, June 28, 2018. Motion passed.

### **CAMPUS COMMUNITY FORUM**

The Board responded to questions from the campus and community members.

### **WEDNESDAY, JUNE 27, 2018**

Regent Schieffer reconvened the meeting of the Board at 9:05 a.m.

### **6. FY20 Informal Budget Hearings – Continued**

**Northern State University:** President Tim Downs and Vice President of Finance and Administration Veronica Paulson reviewed budget priorities for Northern State University.

**Black Hills State University:** Vice President of Finance and Administration Kathy Johnson reviewed budget priorities for Black Hills State University and Black Hills State University – Rapid City.

**Board Deliberations:** Dr. Monte Kramer said the system staff would prepare a request to be finalized at the August Board planning session. He asked the Board to consider how it would like the Board office to proceed as it prepares the draft BOR budget request for additional discussion in August. Regent Schieffer said the Board heard loud and clear that Dakota's Promise and salary competitiveness are high priorities. He noted that alternatives should be considered for either engaging foundations or a private donor to assist with the costs of the Dakota's Promise scholarship program, and that it would be important to objectively quantify the salary concerns using the best data available.

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

### **PLANNING, GOVERNANCE AND RESOURCE DEVELOPMENT**

### **7-A Welcome and Presentation by SDSU President Barry Dunn**

SDSU President Barry Dunn welcomed the audience to SDSU and showed a brief video of campus initiatives and highlights.

### **7-B (1) Student Organization Awards – SDSU**

Doug Wermedal, SDSU Associate Vice President for Student Affairs, introduced the Student Organization Awards for SDSU. The Award for Academic Excellence for 2017 was presented to Kappa Epsilon Chi Chapter. The Award for Community Service was presented to Alpha Xi Delta Epsilon Eta. The Award for Organizational Leadership was presented to American Pharmacists Association – Academy of Student Pharmacists.

A copy of the SDSU Student Organization Awards can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-B (2) Student Organization Awards – DSU**

Marcus Garstecki, DSU Vice President for Student Affairs, introduced the Student Organization Awards for DSU. The Award for Academic Excellence for 2017 was presented to Phi Beta Lambda (PBL) Business Club. The Award for Community Service was presented to CybHER. The Award for Organizational Leadership was presented to the Computer Club.

A copy of the DSU Student Organization Awards can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-C Election of Officers**

Regent Schieffer said that, as a result of the resignation of President Bob Sutton from the Board of Regents effective June 4, a vacancy exists in the office of the Board President.

IT WAS MOVED by Regent Schaefer, seconded by Regent Roberts, to elect Kevin Schieffer as President of the Board, effective immediately. Motion passed.

IT WAS MOVED by Regent Schaefer, seconded by Regent Roberts, to elect John Bastian as Vice President of the Board, effective immediately. Motion passed.

IT WAS MOVED by Regent Roberts, seconded by Regent Schaefer, to elect Jim Morgan as Secretary of the Board, effective immediately. Motion passed.

### **7-D Interim Actions**

Dr. Monte Kramer reviewed interim actions detailed in the item.

A copy of the report of the Interim Actions can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-E SDSU Foundation Report**

Steve Erpenbach, President & CEO of the SDSU Foundation, provided information about the SDSU Foundation and its recent activities.

A copy of the SDSU Foundation Report can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-F BHSU Sustainability Master Plan**

BHSU President Tom Jackson, BHSU Director of Facilities Services Randy Culver, and Kathy Johnson, BHSU Vice President of Finance and Administration, explained BHSU's continued commitment to being a leader in sustainability efforts in the region, state, and nation. The university's comprehensive plan sets impactful and life-changing goals for BHSU students, faculty, and staff. Some of the major goals in the plan include: 100 percent renewable energy, Northern Black Hills Recycling Hub, Carbon Neutral by 2050, Zero Waste Campus by 2030, Resiliency Plan, and Performance Contract.

A copy of the BHSU Sustainability Master Plan can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-G Graduate Assistant Compensation and Benefits**

Kayla Bastian, System Director of Human Resources, responded to questions posed to the Board during the May 2018 Campus Community Forum regarding options to offer further tuition and health insurance benefits to graduate assistants. Ms. Bastian provided details about existing policies and the history related to this issue, as well as the financial impact on system revenues.

Consistent with BOR Policy 5:22, graduate assistants are compensated through stipends and reduced tuition, with the exception of SDSU, which provides a stipend and waives tuition. The estimated value of the reduced tuition for a resident would be \$152.48 per credit hour and \$414.35 per credit hour for a nonresident. For a full-time student this would be \$3,659 for a resident or \$9,944 for a nonresident. The estimated value of waived tuition at SDSU for a resident graduate assistant would be \$7,825 per academic year or \$15,044 for a nonresident.

At the May 2018 meeting, the Board set FY19 minimum stipends in the amount of \$3,758 per semester and \$939 per four-week session for BHSU, NSU and DSU, \$3,907 per semester and \$976 per four-week session at SDSM&T, and an amount of \$3,898 per semester and \$974 per four-week session at USD. However, each institution utilizes a range for graduate assistant stipends depending on the program, degree level, and funding sources.

If all institutions waived tuition for graduate assistants, tuition revenue would be impacted by \$2,742,206 for the system. Waiving all graduate assistant tuition and providing a student health plan for this subset of students would have a significant financial impact.

A copy of the Graduate Assistant Compensation and Benefits can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-H Exclusion Resolution**

Guilherme Costa, Board of Regents General Counsel, explained that as part of Dakota State University's continued work with the federal government, which work includes access to classified information, the federal government requires that five regents undergo security clearance and have access to classified information. Due to recent changes in Board membership, a new Exclusion Resolution stating which regents will not have access to classified information is required.

IT WAS MOVED by Regent Schaefer, seconded by Regent Wink, to approve the Exclusion Resolution (Special Resolution No. 13-2018) included as Attachment I, which supersedes Special Resolution No. 01-2018. Motion passed.

A copy of the Exclusion Resolution can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-I Special Schools Collective Bargaining Agreement for 2018-2021**

Guilherme Costa, Board of Regents General Counsel, stated that negotiations teams for the Special Schools Collective Bargaining Agreement met on three occasions and reached a tentative agreement on a new draft collective bargaining agreement (CBA) for 2018 through 2021. If approved by both parties, the new CBA will go into effect on July 1, 2018. All of the changes made to the new draft CBA were reached by the negotiations teams by mutual agreement.

IT WAS MOVED by Regent Bastian, seconded by Regent Thares, to approve and ratify the 2018-2021 Special Schools Collective Bargaining Agreement, which revisions from the current collective bargaining agreement are shown in Attachment I. Motion passed.

A copy of the Special Schools Collective Bargaining Agreement for 2018-2021 can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **7-J Research Park at SDSU Update**

Dwaine Chapel, Executive Director of the Research Park at SDSU, SDSU President Barry Dunn, and SDSU Vice President of Research and Economic Development Daniel Scholl provided an update on the current status of operations at the research park, including the park's projected development goals for the coming year.

A copy of the Research Park at SDSU Update can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-A BOR Policy 1:6 – Appointment, Authority, and Responsibilities of Presidents and Superintendents, and BOR Policy 1:5 – Executive Director Revisions (Second Reading)**

At the request of Regent Morgan, item 8-A was removed from the consent agenda to facilitate discussion. Regent Morgan requested that language in the revised policy be adjusted to say that:

“While the presidents and superintendents report to the Board of Regents, they report to the Board through the Executive Director.”

IT WAS MOVED by Regent Bastian, seconded by Regent Morgan, to approve the second and final reading of BOR Policy 1:6 – Appointment, Authority, and Responsibilities of Presidents and Superintendents, and BOR Policy 1:5 – Executive Director. Motion passed.

A copy of the BOR Policy 1:6 – Appointment, Authority, and Responsibilities of Presidents and Superintendents, and BOR Policy 1:5 – Executive Director Revisions can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **CONSENT AGENDA**

IT WAS MOVED by Regent Bastian, seconded by Regent Wink, to approve consent agenda items 8-B through 8-N. Motion passed.

### **ACADEMIC AND STUDENT AFFAIRS (CONSENT)**

#### **8-B BOR Policy 2:5 – Transfer of Credit Revisions (Second Reading)**

Approve the second and final reading of the proposed revisions to BOR Policy 2:5 Transfer of Credit as presented.

A copy of the BOR Policy 2:5 – Transfer of Credit Revisions (Second Reading) can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

#### **8-C (1) New Program Requests DSU – PhD in Cyber Operations**

Approve DSU’s new program proposal for a Doctor of Philosophy (PhD) in Cyber Operations and online delivery of the program as described in Attachment I.

A copy of the New Program Requests DSU – PhD in Cyber Operations can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

#### **8-C (2) New Program Requests DSU – PhD in Information Systems**

Approve DSU’s new program proposal for a Doctor of Philosophy (PhD) in Information Systems and online delivery of the program as described in Attachment I.

A copy of the New Program Requests DSU – PhD in Information Systems can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

#### **8-C (3) New Program Requests – NSU – Minor in Legal Studies**

Approve NSU’s new program proposal for a minor in Legal Studies as presented.



A copy of the New Program Requests – NSU – Minor in Legal Studies can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (4) New Program Requests NSU – BFA in Digital Media**

Approve NSU’s new program proposal for a Bachelor of Fine Arts (BFA) in Digital Media as presented.

A copy of the New Program Requests NSU – BFA in Digital Media can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (5) New Program Requests – SDSU – Minor in Ranch Management**

Approve SDSU’s new program proposal for a minor in Ranch Management as presented.

A copy of the New Program Requests – SDSU – Minor in Ranch Management can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (6) New Program Requests – SDSU – Minor in Sustainability**

Approve SDSU’s new program proposal for a minor in Sustainability as presented.

A copy of the New Program Requests – SDSU – Minor in Sustainability can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (7) New Program Requests – SDSU – AS/BS in Data Science**

Authorize SDSU to offer the AS and BS in Data Science as presented, including authorization for online delivery.

A copy of the New Program Requests – SDSU – AS/BS in Data Science can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (8) New Program Requests – USD – Minor in Sport Medicine**

Approve USD’s new program proposal for a minor in Sport Medicine as presented.

A copy of the New Program Requests – USD – Minor in Sport Medicine can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

**8-C (9) New Program Requests – USD – Minor in Linguistics**

Approve USD’s new program proposal for a minor in Linguistics as presented.

A copy of the New Program Requests – USD – Minor in Linguistics can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-C (10) New Program Requests – USD – Minor in Nonprofit Studies**

Approve USD's new program proposal for a minor in Nonprofit Studies as presented.

A copy of the New Program Requests – USD – Minor in Nonprofit Studies can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-D (1) New Certificate Requests – SDSU – Community Development**

Approve SDSU's new program proposal for a graduate certificate in Community Development and online delivery as presented.

A copy of the New Certificate Requests – SDSU – Community Development can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-D (2) New Certificate Requests – SDSU – New Product and Venture Development**

Approve SDSU's new undergraduate certificate in New Product and Venture Development and online delivery of the certificate as presented.

A copy of the New Certificate Requests – SDSU – New Product and Venture Development can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-E (1) New Site Requests – SDSU – Spanish Minor**

Approve SDSU's new site request proposal to offer the Spanish minor through online delivery.

A copy of the New Site Requests – SDSU – Spanish Minor can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-E (2) New Site Requests – SDSU – Workplace Intercultural Competence Certificate**

Approve SDSU's new site request proposal to offer the Workplace Intercultural Competency Certificate through online delivery.

A copy of the New Site Requests – SDSU – Workplace Intercultural Competence Certificate can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-F (1) Agreements on Academic Cooperation – Northern State University**

Approve the agreements on academic cooperation between Northern State University and Catholic Kwandong University.

A copy of the Agreements on Academic Cooperation – Northern State University can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-F (2) Agreements on Academic Cooperation – South Dakota State University**

Approve 1) the Erasmus+ Staff Mobility for Teaching Mobility Agreement; and 2) Erasmus+ Programme Inter-Institutional Agreement between South Dakota State University and Warsaw University of Life Sciences – SGGW.

A copy of the Agreements on Academic Cooperation New Certificate Requests – South Dakota State University can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-G Dual/Concurrent Credit Transfer of Credits Agreement – Wayne State College**

Approve the Dual / Concurrent Credit Transfer of Credits Agreement with Wayne State College.

A copy of the Dual/Concurrent Credit Transfer of Credits Agreement – Wayne State College can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-H Inactive Status and Program Termination Requests – NSU, SDSU & USD**

Approve NSU's request to terminate their Physics Minor; SDSU's request to inactivate their Curriculum & Instruction (M.Ed.) – Adult and Higher Education Specialization; and USD's request to terminate their Interdisciplinary Language (German) Minor.

A copy of the Inactive Status and Program Termination Requests – NSU, SDSU & USD can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-I Request to Seek Accreditation – DSU**

Approve DSU's request to seek accreditation from the Commission on Accreditation of Health Informatics and Information Management (CAHIIM) for their Master of Science in Health Informatics and Information Management (MSHIIM).

A copy of the Request to Seek Accreditation – DSU can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-J Joint Powers Agreement Amendment – SDSU & Dept. of Agriculture**

Approve the amendment to the Joint Powers Agreement set forth in Attachment I.

A copy of the Joint Powers Agreement Amendment – SDSU can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **8-K Program Modifications – Accelerated Program Requests: DSU & USD**

Approve the program modification requests to allow for DSU's BS in Computer Information Systems / MS in Analytics and USD's MA in English to be offered as accelerated programs as described in Attachments I and II.

A copy of the Program Modifications – Accelerated Program Requests: DSU & USD can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **BUDGET AND FINANCE (CONSENT)**

#### **8-L SDSU Naming Request**

Approve the request by South Dakota State University to name the Precision Agriculture Facility the “Raven Precision Agriculture Center.”

A copy of the SDSU Naming Request can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

#### **8-M BOR Policy Revisions BOR Policy 1:7:3 – Business Affairs Council (Second Reading)**

Approve the second and final reading of BOR Policy 1:7:3 – Business Affairs Council with the revisions as shown in Attachment I.

A copy of the BOR Policy Revisions BOR Policy 1:7:3 – Business Affairs Council (Second Reading) can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

#### **8-N Capital Asset Purchase Greater than \$500,000 – USD SSOM Microscope**

Approve the purchase of a Sp8 confocal microscope with STED 3X super resolution technology requested by USD Sanford School of Medicine’s Basic Biomedical Sciences Department at an estimated cost of \$650,000. Departmental funds will be used to pay for this piece of equipment.

A copy of the Capital Asset Purchase Greater Than \$500,000 – USD SSOM Microscope can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **BUDGET AND FINANCE**

#### **9-A 2017 Facilities Utilization Report**

Dr. Monte Kramer, System Vice President of Finance and Administration, reviewed the annual facilities’ utilization report and highlighted facility usage changes by campus. Dr. Kramer said a consultant has been looking at the appropriateness of classroom and lab space, but this report only looks at what spaces are available and when they are scheduled.

Regent Schieffer said he would like to see data from this report going back to 1992 to determine how the system manages this information. He said it also would be helpful to know the breakdown on different types of spaces (including non-academic) and their utilization. Regent Schieffer said this information needs more attention from the Presidents’ offices and campus building managers.

A copy of the 2017 Facilities Utilization Report can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **9-B FY18 Preliminary Center Financials**

Monte Kramer, System Vice President of Finance and Administration, reported that the credit hours at University Center-Sioux Falls had a slight increase of around 2.4 percent for FY18 related to growth in associate degree programs, but revenue declined because the credits are being discounted by \$64.65 per credit. The credit hours at Black Hills State University at Rapid City declined for the fifth year in a row. The decline for FY18 is estimated to be 8.6 percent. The financial statement for Capital University Center now excludes the CUC Foundation support. A number of the operating costs were assumed by the CUC Foundation starting in January 2018. Staffing costs paid by the universities will be reduced in FY19. CUC's operation is being taken over by the CUC Foundation and USD will continue to offer nursing at the location. The site is really no longer a Board of Regents' university center operated by BOR institutions; instead, it is a rented facility where our campuses will offer courses.

A copy of the FY18 Preliminary Center Financials can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **9-C (1) BOR Policy 1:7 – System-wide Committee and Councils (First and Final Reading)**

Monte Kramer, System Vice President of Finance and Administration, explained that BOR Policy 1:7 was updated to the new format to include the purpose of the policy and its definitions.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of BOR Policy 1:7 – System-wide Committees and Councils with the revisions as shown in Attachment I. Motion passed.

A copy of the BOR Policy Revisions BOR Policy 1:7 – System-wide Committee and Councils (First and Final Reading) can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **9-C (2) BOR Policy 1:7:6 – Technology and Telecommunications Council (First Reading)**

Monte Kramer, System Vice President of Finance and Administration, explained that BOR Policy 1:7:6 was updated to the new format to include the purpose of the policy and its definitions. Council membership and duties were also clarified.

IT WAS MOVED by Regent Roberts, seconded by Regent Wink, to approve the first reading of BOR Policy 1:7:6 – Technology and Telecommunications Council with the revisions as shown in Attachment I. Motion passed.

A copy of the BOR Policy Revisions BOR Policy 1:7:6 – Technology and Telecommunications Council (First Reading) can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **9-D BHSU Central Chiller Plant Upgrade Preliminary Facility Statement**

Kathy Johnson, BHSU Vice President of Finance and Administration, and Randy Culver, BHSU Associate Vice President of Facilities and Sustainability, requested approval of BHSU's Preliminary Facility Statement for the upgrade of the Central Chiller Plant. The current central

chiller system has a total cooling capacity of 625 tons with approximately 125 tons for future cooling capacity. The peak demand cooling load for new and existing air conditioning in the Young Center is 300 tons, leaving the current system 175 tons short of serving the Young Center.

The total project cost is estimated at \$1.7 million. Funding for this project will come from HEFF and general-funded M&R projects, including \$466,625 of general fund M&R approved at the May 2018 Board of Regents' meeting. Reallocation of previously approved HEFF M&R projects will fund \$1.2 million. The only project that will be delayed due to the reallocation of funding is replacement of Young Center doors and windows.

Due to the maintenance and repair aspect of this project, BHSU is requesting exemption from the remaining capital improvement process. If approved, the Facility Program Plan and Facility Design Plan as defined in Board of Regents Policy 6:4 are not required, nor is a state building committee. The Office of the State Engineer and TSP Architecture have been involved in the initial planning of this project.

IT WAS MOVED by Regent Roberts, seconded by Regent Wink, to approve BHSU's Preliminary Facility Statement for the upgrade of the Central Chiller Plant and further moved that this M&R project be exempted from the capital improvement process requirements. Motion passed.

A copy of the BHSU Central Chiller Plant Upgrade Preliminary Facility Statement can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-E SDSM&T McLaurry Renovation Preliminary Facility Statement**

Heather Forney, SDSM&T's Director of Finance/Controller, requested approval of SDSM&T's Preliminary Facility Statement to renovate the McLaurry building. Built in 1922, the McLaurry building houses the Math and Computer Science Department and is a main classroom building for the SD Mines campus. From the records found, the last major updates to this building were completed between 1976 and 1979.

A solicitation of interest for an architect was completed in 2015 to develop a maintenance and repair plan for the building. The intention was to complete projects as funds were available. Two projects have been or are in process of being completed. The first project, which was finalized during the summer of 2017, replaced windows, renovated the bathrooms to make them ADA accessible, added an elevator for ADA compliance, and addressed exterior maintenance and repair needs. An additional project is being completed during the summer of 2018 to renovate the basement of the building, which includes HVAC and general architecture upgrades. The last final work to be completed on the building was determined to be impractical to complete without a larger project to ensure consistency of the HVAC systems and architectural finishes. The final project will renovate the second and third floors of the building, with an estimated cost of \$2.6 million. SDSM&T will fund this renovation with future HEFF allocations. The project will be bid out in June 2019, with a projected start date of December 2019. The project would be completed in August 2020. Given those dates, the necessary funding would come from three years of maintenance and repair funding - \$1 million from FY20 HEFF M&R, \$1 million from FY21 HEFF M&R, and \$600,000 from FY22 HEFF M&R.

SDSM&T also requested exemption from the capital improvement process due to the nature of the project being maintenance and repairs necessary for continued support of academic programs.

IT WAS MOVED by Regent Roberts, seconded by Regent Wink, to approve SDSM&T's Preliminary Facility Statement for the renovation of the McLaury building and further moved that this M&R project be exempted from the capital improvement process requirements. Motion passed.

A copy of the SDSM&T McLaury Renovation Preliminary Facility Statement can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-F SDSU American Indian Student Center Facility Design Plan**

Dean Kattelman, SDSU Vice President for Facilities Services, requested approval of SDSU's Facility Design Plan for the creation of an American Indian Student Center (AISC). The Facility Program Plan was approved by the Board of Regents at the December 2017 meeting, after which a building committee was appointed and the design team of TSP Architects was selected. The State Legislature passed and the Governor signed Senate Bill 50 on March 7, 2018, authorizing the Board of Regents to contract for construction of the American Indian Student Center at South Dakota State University at a cost of \$4.5 million, funded with \$4 million in private donations and \$500,000 of School and Public Lands funds. The building committee, chaired by Regent Sutton, approved the Facility Design Plan during its May 23, 2018, meeting.

Currently, the AISC is located in the lower level of the Enrollment Services Center. This space was renovated to accommodate the center when its previous location was demolished to construct the SDSU Alumni Center addition. The current space offers limited services and activities for the program. In addition, the Enrollment Services Center building is located outside the campus ring and reduces interaction and visibility with the campus and students.

The proposed facility would enhance services provided to American Indian students and provide contemporary multi-purpose collaboration space to the campus community. AISC assists the university community in understanding the significance, value, and strength of the American Indian experience.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve SDSU's Facility Design Plan with a total budget of approximately \$4.5 million for design and construction of the American Indian Student Center, using \$4 million of private donations and \$500,000 of School and Public Lands funds. Motion passed.

Regent Schaefer also volunteered to serve on this project's Building Committee, to replace Bob Sutton.

A copy of the SDSU American Indian Student Center Facility Design Plan can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-G SDSU Lease-Purchase for Pennington County Property**

Wes Tschetter, SDSU Vice President of Finance and Administration, requested authorization to enter into a lease-purchase agreement with the SDSU Foundation for improved property in Pennington County for the use and benefit of the SDSU West River Agriculture Center. The lease-purchase of the property was approved by the 2018 Legislature in Senate Bill 53. The approval stipulated that the lease term may not exceed \$3.5 million plus accrued interest. The real property is described as Lot A of Menard Subdivision, located in Section 32, Township 2 North, Range 8 East of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, and is currently owned by First Interstate Bank. The SDSU Foundation is working toward finalization of the purchase of the property from First Interstate Bank with a projected closing date of August 17, 2018.

Commencing on the closing date of the sale to SDSU Foundation, First Interstate Bank will lease back the property from the SDSU Foundation until January 30, 2019. First Interstate Bank will have the option to extend the lease for two separate one-month extensions. Total principal payments under the lease-purchase agreement will be \$3,337,500. The lease interest rate is 4.75 percent.

IT WAS MOVED by Regent Roberts, seconded by Regent Bastian, to authorize the Lease-Purchase Agreement between the Board of Regents and SDSU Foundation for the improved property described as Lot A of Menard Subdivision, located in Section 32, Township 2 North, Range 8 East of the Black Hills Meridian, Rapid City, Pennington County, South Dakota. Motion passed.

A copy of the SDSU Lease Purchase for Pennington County Property can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-H SDSU Agricultural Real Property Purchase – Meade County**

Wes Tschetter, SDSU Vice President of Finance and Administration, requested authorization to purchase agricultural real property in Meade County.

At the December 2017 Board of Regents' meeting, the Board approved the introduction of legislation that became Senate Bill 48. It authorized the Board of Regents to purchase on behalf of SDSU the following real property: a site comprising 111.658 acres, more or less, of improved agricultural real property, which is described as: the South Half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, less right-of-way, of Section 3, Township 5 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota.

The Meade County property will be purchased from the SDSU Foundation and will include construction of a support facility by the SDSU Foundation on the property. The land portion of the sale (\$502,461) will be purchased using research park payout proceeds received in FY2017. The support facility cost (\$400,000) will be paid for from Agricultural Experiment Station fees for services funds. A construction contract has been awarded.

IT WAS MOVED by Regent Roberts, seconded by Regent Wink, to authorize SDSU to purchase agricultural real property described as 111.658 acres, more or less, in the South Half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, less right-of-way, of Section 3,



Township 5 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, and the improvements thereon for a total cost of \$902,461. Motion passed.

A copy of the SDSU Agricultural Real Property Purchase – Meade County can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-I SDSU Property Acquisition**

Wes Tschetter, SDSU Vice President of Finance and Administration, requested authorization to acquire three properties from the SDSU Foundation using housing and auxiliary facilities system funds. The properties are: 1) Garden Square Property, 1811 8<sup>th</sup> Street, Unit 1811-A, Brookings; 2) Southeast Neighborhood Housing Development Property located at 1451 7<sup>th</sup> Street, Brookings; and 3) another Southeast Neighborhood Housing Development Property located at 1443 7<sup>th</sup> Street, Brookings.

At the June 2017 Board of Regents' meeting, authorization was granted to acquire the 13 improved residential properties authorized in section 3 of House Bill 1008 from the 2017 legislative session for a total of \$2,134,000. Eleven of the properties have been purchased and the dollar limit has been reached. To acquire the last two, which are part of the Auxiliary Revenue System, they will be purchased with revenue system funds and placed in the Auxiliary System. The Board has full authority to buy properties that are part of the Auxiliary System. These properties are part of the Southeast Neighborhood Redevelopment project.

The acquisitions will be made in accordance with applicable law and Board of Regents Policy 6:2 – Acquisition and Disposal of Real Property.

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to authorize SDSU to acquire three properties from the SDSU Foundation using housing and auxiliary revenue funds: (1) 1811 8th Street, Unit 1811-A, which is part of the Garden Square development, (2) 1451 7th Street, and (3) 1443 7th Street, both of which are located on 7th Street where the Southeast Neighborhood Housing project will be constructed. Motion passed.

A copy of the SDSU Property Acquisition can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-J USD Dakota Dome Renovation Phase I – Outdoor Football Practice Field Facility Design Plan**

Roberta Ambur, USD Vice President for Administration and Technology, recapped Board action at the October and December 2017 Board of Regents' meetings regarding USD's Dakota Dome renovation. USD is now submitting its Facility Design Plan for the Dakota Dome renovation. Since the approval of the Facility Program Plan, USD is requesting to add an outdoor football practice field as the first phase of this project. The second phase will be the interior renovations of the Dakota Dome as listed in the Facility Program Plan. The phased plan provides an artificial turf playing surface so teams can practice while the interior is being renovated as well as to facilitate the transition to Phase 2, which otherwise could not start until after the upcoming football season. During the May 21, 2018, building committee meeting, the committee approved the

Facility Design Plan for the outdoor practice field as part of the Dakota Dome renovations and approved the phased approach to this project. The Guaranteed Maximum Price for the outdoor practice field of \$2,115,000 was approved by the building committee.

Phase 1: Outdoor practice football field will provide an updated synthetic practice field and additional turf area for football practice. It will provide additional area for both athletics and intramural sports to practice while other events are occurring within the Dakota Dome.

Phase 2: Interior renovations will provide upgrades to plumbing, mechanical, and electrical systems. It will also improve ADA, restroom facilities, locker rooms, meeting rooms, coaches' offices, seating, concourse, and concessions. These renovations will update the facility to meet current international building and fire code requirements.

The overall Dakota Dome renovation project cost is \$26,320,000. Phase 1: Outdoor Football Practice Field project cost is \$2,115,000. For the Dakota Dome renovation project, funding will come from private donations bonded through the South Dakota Building Authority (\$14,500,000) with the principal and interest cost guaranteed by the USD Foundation, USD local funds (\$6,419,602), and HEFF M&R (\$5,400,398).

IT WAS MOVED by Regent Roberts, seconded by Regent Morgan, to approve the Facility Design Plan for Phase 1 – Outdoor Football Practice Field of USD's two-phase Facility Design Plan for the renovation and redevelopment of the Dakota Dome at the Vermilion campus. The total cost is not to exceed \$26.32 million and will be funded using private donations (\$14,500,000), USD local other funds (\$6,419,602), and HEFF M&R proceeds (\$5,400,398). Phase 1 is estimated at \$2,115,000. Motion passed.

A copy of the USD Dakota Dome Renovation Phase I – Outdoor Football Practice Field Facility Design Plan can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-K (1) REED Network Update**

Dr. Monte Kramer, System Vice President of Finance and Administration, recapped the request made to the Legislature to upgrade the Research, Education, and Economic Development (REED) Network from 10G to 100G. No funds were identified to fund this project during the 2018 legislative session.

After reviewing funding priorities, USD, SDSU, and DSU committed \$500,000 to the project in mid-April. Nathan Lukkes also suggested that a collaborative grant proposal from the schools be submitted to the Regents' Research and Development Innovation Grants' pool for \$500,000 to be funded over two years. That proposal is in the works and we should know by the end of July if it is funded. We are confident in that award given the other commitments to this important technology investment. Dr. Kramer requested \$500,000 in funding from the Governor as well as from the Great Plains Education Foundation (GPEF) on May 30. The Governor has already awarded the \$500,000. Even though the GPEF board has not acted upon our request, we are confident that foundation will approve the grant, given the match by the state. At this point we are confident in reaching the \$3 million need. The next steps are to meet with the Bureau of

Information and Telecommunications to discuss how we engage them and SDN, the private vendor that owns the fiber that constitutes REED.

The investment in REED provides substantial benefits to the state and the students attending our universities. Grant funding supported 667 full-time equivalent jobs in 2017. These jobs tend to be at the high-end of the pay scale for faculty and full-time researchers. The research also provides numerous assistantships and job opportunities for students. Grant expenditures totaled \$94,605,834 in FY17. These expenditures have a substantial economic impact as they flow through the local and state economies. Finally, the facilities and administration overhead reimbursement earned off the grants is vital for making investments in research facilities and to recruit quality faculty and researchers to South Dakota.

A copy of the Reed Network Update can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-K (2) Building Committee Report**

Dr. Monte Kramer, System Vice President of Finance and Administration, reviewed the actions taken by the building committees.

A copy of the Routine Information Item – Building Committee Report can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-K (3) Capital Project List**

Dr. Monte Kramer, System Vice President of Finance and Administration, reviewed the June Capital Project List.

A copy of the Capital Project List can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **9-K (4) Reduced Tuition Annual Report**

Dr. Monte Kramer, System Vice President of Finance and Administration, reviewed the annual reduced tuition report. The Board waived an estimated total of \$493,821 in tuition for National Guard members. When added to the \$4,627,064 for all other programs, the total tuition waived was \$5,120,884 for the 2018 academic year.

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

### **9-L Resolution of Recognition – SDSU**

Dr. Monte Kramer, System Vice President of Finance and Administration, requested approval to recognize Wes Tschetter for his 36 years of dedicated service to students, SDSU, the Board of Regents' System, the Brookings community, and to his profession as the Vice President of Finance and Business and Chief Financial Officer at South Dakota State University.

IT WAS MOVED by Regent Roberts, seconded by Regent Bastian, to recognize Wesley Tschetter for his years of dedicated service to South Dakota's system of public higher education. Motion passed.

A copy of the Resolution of Recognition – SDSU can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **ACADEMIC AND STUDENT AFFAIRS**

### **10-A (1) Intent to Plan Requests DSU – PhD in Computer Science**

Dr. Jay Perry, System Assistant Vice President for Academic Affairs, stated that Dakota State University (DSU) requests authorization to develop a proposal for a Doctor of Philosophy (PhD) in Computer Science. The request responds to a national need for computer science professionals and is a university priority. Students in the program will conduct theoretical and practical research in a broad range of subfields of computer science and in the intersection of computer science and other disciplines.

No related doctoral programs currently exist in the Regental system; however, both DSU and SDSU currently offer an MS in Computer Science and SDSU is exploring the addition of a doctoral program. Discussions at the May 2018 Academic Affairs Council meeting indicated a willingness on the part of DSU and SDSU to collaborate on doctoral programming in Computer Science, including potential collaboration on courses, research, graduate student committees, and the external review required by BOR Policy 2.1.

IT WAS MOVED by Regent Wink, seconded by Regent Schaefer, to authorize DSU to develop a proposal for a PhD in Computer Science as presented. Motion passed.

A copy of the Intent to Plan Requests DSU – PhD in Computer Science can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **10-A (2) Intent to Plan Requests USD – BS in Public Health**

Dr. Jay Perry, System Assistant Vice President for Academic Affairs, stated that the University of South Dakota (USD) requests authorization to develop a proposal for a Bachelor of Science (BS) in Public Health, including a specialization in Health Education. The curriculum will align with the competencies for public health education as defined by the Council on Education for Public Health (CEPH). This includes providing a strong foundation in the five core areas of public health: health communication, health disparities, legal and ethical issues, management of public health systems, and policy and research. USD reports severe shortages nationally and within the state for public health workers. Graduates will have opportunities to continue their studies in the joint USD and SDSU Master of Public Health (MPH) program.

IT WAS MOVED by Regent Wink, seconded by Regent Bastian, to authorize USD to develop a proposal for a BS in Public Health as presented. Motion passed.

A copy of the Intent to Plan Requests USD – BS in Public Health can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **10-B BOR Policy 2:12 – Distance Education Revisions (Second Reading)**

Dr. Paul Turman, System Vice President for Academic Affairs, stated that the proposed revisions to this policy were first read at the March 2018 Board meeting. Since then the policy revisions were brought back to the Academic Affairs Council during its April 2018 and May 2018 meetings. A number of additional modifications were identified by council members, which are now also reflected in Attachment I.

By making these changes, the policy will be up to date with the current formatting requirements, making it more uniform across the entire manual, while also: 1) aligning the policy with current distance education practices; 2) capturing the new licensure and certification requirements; and 3) addressing minor clerical and grammatical revisions.

IT WAS MOVED by Regent Wink, seconded by Regent Morgan, to approve the second and final reading of the proposed revisions to BOR Policy 2:12 Distance Education as presented. Motion passed.

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

### **10-C Dual Credit In-District Delivery – University Center Report**

Dr. Paul Turman, System Vice President for Academic Affairs, noted that when the Board approved the in-school-district delivery of Math 102 – College Algebra by DSU, it also indicated that a report on the in-district activity that occurred in the Harrisburg School District during the 2017-18 academic year would be provided. University Center-Sioux Falls personnel responsible for managing the relationship with Harrisburg have prepared a brief report for review by the Board summarizing the first year of in-district delivery. The report provides data on student performance, positive aspects of the program, as well as some challenges that the University Center has had to work through with Harrisburg.

A copy of the Dual Credit In-District Delivery – University Center Report can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **10-D Resolution of Recognition**

Dr. Paul Turman, System Vice President for Academic Affairs, requested approval to recognize Dr. Warren Wilson for his 28 years of outstanding service to the higher education system in South Dakota, serving in several leadership roles throughout his tenure such as the Chief Information Officer for Black Hills State University, Executive Director of the South Dakota Library Network, and Director of the Regents' Information Systems for the South Dakota Board of Regents.

IT WAS MOVED by Regent Wink, seconded by Regent Thares, to recognize Warren Wilson for his service to South Dakota's system of public higher education. Motion passed.

A copy of the Resolution of Recognition for Warren Wilson can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

## **THURSDAY, JUNE 28, 2018**

The Board reconvened at 7:30 a.m.

### **Breakfast Meeting with Area Legislators**

Sen. Larry Tidemann (District 7), Sen. John Wiik (District 4), Rep. Leslie Heinemann (District 8), Rep. Nancy York (District 5), Rep. Marli Wiese (District 8), Rep. Hugh Bartels (District 5), and Rep. John Mills (District 4) met with board members to informally discuss construction at the state animal disease laboratory at SDSU, recruiting opportunities associated with the precision agriculture program at SDSU, free speech policies, plans for the new American Indian Center at SDSU, maintenance and repair goals, and career counseling in high school.

### **PLANNING, GOVERNANCE, AND RESOURCE DEVELOPMENT**

#### **12-A Report and Actions of Executive Session**

Upon convening at 6 p.m. on Tuesday, June 26, 2018, the Board dissolved into executive session to discuss personnel matters before adjourning at 8:00 p.m. The Board reconvened in executive session at 7:30 a.m. on Wednesday, June 27, 2018, to discuss personnel matters before rising from executive session at 9:00 a.m. to resume the regular order of business. The Board dissolved into executive session at 1:30 p.m. to discuss personnel matters, pending and prospective litigation, contractual matters, marketing or pricing strategies by a board of a business owned by the state when public discussion may be harmful to the competitive position of the business, and to consult with legal counsel. The Board rose from executive session at 5:15 p.m. to resume the regular order of business.

Regent Morgan reported that while in executive session, the Board considered personnel and administrative actions, pending and prospective litigation, contractual matters, marketing or pricing strategies by a board of a business owned by the state when public discussion may be harmful to the competitive position of the business, consulted with legal counsel, and gave directions to the Board staff and general counsel concerning these matters.

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

1. Approve the leave request for Khosro Shahbazi (SDSM&T).
2. Approve the request to grant tenure to Dr. Patricia Crawford (SDSU).

3. Approve the requests for a one (1) year extension of time for tenure consideration for Lisa Elliot (SDSU) and Rachel McDaniel (SDSU).
4. Approve the multi-year contract for Thomas Otzelberger as found in Attachment II, at an annualized base salary of \$350,000, plus incentives and guaranteed supplemental compensation as defined in the contract, for the period of June 22, 2018 – June 21, 2021.
5. Approve the multi-year contract for Aaron Johnston as found in Attachment II, at an annualized salary of \$235,000, plus incentives and guaranteed supplemental compensation as defined in the contract, for the period of June 22, 2018 – June 21, 2021.
6. 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 \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

Motion passed.

### **12-B Reports on Individual Regent Activities**

No reports were presented.

### **12-C Reports from Individual Presidents and Superintendents**

No reports were presented.

### **13-A Free Speech Policies Listening Session – Free Speech Roundtable**

Regent Schieffer noted that individuals and organizations with an interest in this topic have been invited to provide oral and/or written comments to the Board during this public hearing on Board policies that may impact freedom of speech. These individuals/organizations were formally invited by letter sent May 25, and then again on June 6 through follow-up correspondence. The following constituent representatives were present to provide oral comments to the Board during the free speech policies' listening session. The session was organized using two panels as designated below, with each participant on the panel being afforded the opportunity for approximately five minutes of oral comments followed by a question and answer session among the Board of Regents and the panelists.

#### *Panel 1: Student/Faculty Perspectives of Regental Free Speech Policies in Action*

- Dale Droge – DSU Faculty Senate
- Ally Monson and Cole McDougall – SDSU Student Association President and Government Chair
- Rob Turner – Vice Chair – USD Faculty Senate
- Nathan Harmer & Nick Alholinna – DSU Student Senate Vice President & Student Association Member

#### *Panel 2: Stakeholder Perspectives of Regental Free Speech Policies in Action*

- Blake Meadows – The Alliance for Defending Freedom
- Tyler Coward – Foundation for Individual Rights in Education (FIRE) Legislative Counsel
- Alan Aldrich – Current COHE Statewide President (USD)

- Representative Michael Clark – South Dakota Legislature

In addition to the oral comments, the following individuals provided written comments for the Board of Regents to consider on this issue. Respondents were given until June 22 to provide written comments:

- Sen. Jim Bolin – Chair of Senate Education Committee
- Dr. William Richardson – Distinguished Professor Emeritus, USD
- Dr. Robin Ammon – Chair, USD Faculty Senate
- Lance Kinzer – Director of Policy and Government Relations, 1<sup>st</sup> Amendment Partnership
- Kristi Bockorny – Chair, NSU Faculty Senate
- Josh Sorbe & Madison Green – President & VP, USD Student Government Association
- Shanae Doerr & Tyler Harris – President & VP, NSU Student Government Association
- Allyson Monson & Cole McDougall – President & VP, SDSU Student Government Association
- Tyler Coward & Azhar Majeed – Legislative Counsel & Vice President of Policy Reform, Foundation for Individual Rights in Education
- Jacob Oberpriller – Vice President, SDSM&T Student Government Association
- Wyatt Osthus – President, BHSU Student Government Association
- Kimberlee Wood Colby - Director, Christian Legal Society
- Blake Meadows – Legal Counsel, Alliance for Defending Freedom
- Student Survey – SD Student Federation

Following each panel's presentation, a time for questions and responses was provided to allow for dialogue between Regents and the panel presenters. Regent Schieffer noted that this is a process, and the dialogue offered today has been very helpful. When Regents' staff get a policies' draft prepared, Regent Schieffer suggested that the draft be shared with individuals and organizations that presented today.

A copy of the Free Speech Roundtable and written comments can be found on pages \_\_\_\_\_ to \_\_\_\_\_ of the official minutes.

### **ADJOURNMENT**

IT WAS MOVED by Regent Bastian, seconded by Regent Morgan, to adjourn the meeting. Motion passed.

The meeting adjourned at 11:17 a.m.