

**BOARD OF REGENTS
MINUTES OF THE MEETING
Board of Regents Central Office (Teleconference)
Pierre, South Dakota
February 8, 2019**

The South Dakota Board of Regents convened by teleconference at 4 p.m. Central Time on February 8, 2019 with the following members in attendance:

ROLL CALL:

Lucas Lund – PRESENT
David Mickelson – PRESENT
Jim Morgan, Secretary – PRESENT
Pam Roberts – PRESENT
Randy Schaefer – PRESENT
Jim Thares – PRESENT
Joan Wink – PRESENT
John Bastian, Vice President – PRESENT
Kevin Schieffer, President – ABSENT

Also present were Dr. Paul B. Beran, Executive Director and CEO; members of the system office and other members of the regental system.

Regent Bastian called the public meeting of the Board of Regents to order at 4 p.m. and declared a quorum present.

2019 LEGISLATIVE SESSION UPDATE

Dr. Janelle Toman, System Director of Communications, explained that it is the end of Week 5, and today (Day 20) is the halfway point of the 40-day legislative session. Regent David Mickelson was in Pierre Thursday for his confirmation hearing before the Senate Education Committee. Regent Mickelson was recommended for confirmation on a committee vote of 7-0. The full Senate voted Friday to confirm Regent Mickelson.

Before briefing the Board on other bills, Dr. Toman provided an update on a few bills the Board has been tracking

- **HB1040** – Allows home-schooled students to participate in the South Dakota Opportunity Scholarship program, applying the same criteria (24 ACT and completion of identified coursework) as it applies to students from accredited schools. House concurred Thursday in Senate amendments to the bill and it is now through the legislative process. It is headed to Gov. Kristi Noem, who is expected to sign it.
- **SB140** – This bill, introduced by Sen. Troy Heinert, “authorizes and encourages” BOR to develop programs to increase enrollment, improve retention, and offer student support for students from the nine federally recognized Indian tribes in South Dakota. It also encourages “exploration and development of tuition assistance or waiver programs.” Dr.

Beran spoke as a proponent of the bill, indicating his interest to work with tribal colleges on initiatives to support American Indian students. The bill passed out of the Senate Education Committee 7-0 and is pending action on the Senate floor.

Dr. Toman provided a status update of all Board of Regents sponsored bills:

- HB1037: NSU sports complex – This bill is through both houses and was signed by the Governor on Friday.
- HB1038: Demolish Scobey Hall at SDSU – This bill is through both houses, has been signed by the presiding officer of both bodies, and is awaiting delivery to the Governor.
- HB1045: Redefine campus security officers for SDRS purposes – Passed by the Senate 32-0 Thursday, which was the final legislative action needed on this bill. Once it is signed by the presiding officers, it will be sent to the Governor’s Office for her consideration. *An identical bill (SB42) filed on the Senate side was no longer needed after HB1045 made its way through the legislative process, and so was tabled.*
- SB40: ADRDL transfer to Animal Industry Board – This bill is through the Senate and will be heard Tuesday morning (7:45 a.m., Feb. 12) in House Agriculture & Natural Resources Committee.
- SB41: Bond savings to HEFF – At the request of our office, this bill was TABLED by the Senate Appropriations Committee today (Friday).
- SB43: SDSU Vet 2+2 – This bill is through the Senate and will be heard Tuesday morning (7:45 a.m., Feb. 12) in House Agriculture & Natural Resources Committee.
- SB44: SDSU Land Transactions – The House adopted a ‘friendly amendment’ removing Section 6 from the bill, as requested by the Office of School and Public Lands, so it must return for Senate concurrence on that change. Should be headed to the Governor after that.

Dr. Toman provided updates on a few additional bills of interest to the regental system:

- HB1087 (Promote intellectual diversity at certain institutions of higher education) – In the House Education Committee Wednesday, this measure was approved on a 9-6 vote, as amended. The amendment from bill sponsor Rep. Sue Peterson does only one thing to substantively change any of our concerns. It adjusts implementation of the civics test and the new 6-credit course requirement to apply to students enrolling as freshman beginning July 1, 2019, as opposed to the across-the-board application as of January 1, 2020. The bill is scheduled for a floor debate and action in the House of Representatives Monday afternoon (Feb. 11).
 - General Counsel Lukkes said the Board continues to oppose the bill in its current form. We are optimistic that there could be a compromise position that could accomplish the goals of the bill’s sponsors and the Board.
 - President Dunn asked if there had been any word about an amendment to be added to limit the work of the campus diversity offices. Board staff said although there was a significant data request related to diversity offices, we do not believe there is a planned amendment to this bill related to diversity offices.
- SB122 (Restrict the enactment of policies governing the possession of firearms at public institutions of higher education) – This bill is scheduled for its first committee hearing in Senate Judiciary Committee on Tuesday, Feb. 12.

- General Counsel Lukkes, said given the committee's makeup, it is expected this bill will pass favorably to the Senate floor. As drafted, this bill allows firearms possession everywhere on the public university and technical institute campuses. No restrictions would be allowed by Board policy beyond limitations and restrictions set forth in law. He said we will be opposing this 'all-in' approach and urged presidents and regents to lobby their local legislators.
- Regent Morgan asked for clarification that stadiums would be included. Dr. Toman said they are included.

Dr. Toman noted that the Students in Higher Education Days (SHED) will be in Pierre on Sunday and Monday (February 10-11), which is good timing for the bills being taken up that involve them and their campuses.

Additionally, Human Resources Director Kayla Bastian will be monitoring the appropriations committee meeting on Tuesday as they will be discussing employee compensation.

ADJOURN

IT WAS MOVED by Regent Morgan, seconded by Regent Thares, to adjourn the meeting of the full Board at 4:25 p.m.

ROLL CALL:

Lund – AYE
Mickelson – AYE
Morgan – AYE
Roberts – AYE
Schaefer – AYE
Thares – AYE
Wink – AYE
Bastian – AYE
Schieffer – ABSENT

Motion Passed. Meeting adjourned.