Resolution in opposition to HB 197 and HB 517, which oppose the authority of the Montana Board of Regents of Higher Education

Sponsors:
Associated Students of Montana State University President, Lucas Oelkers
Associated Students of University of Montana Western President, Garret Yeager
Associated Students of Montana State University Northern President, Morgaine Milligan
Associated Students of Montana Tech President, Kylie Godfrey
Associated Students of Montana State University Billings President, David Russell
Associated Students of Helena College President, Nicholas Worsley
Associated Students of University of Montana President, Elizabeth Bowles

Montana Associated Students President and Associated Students of the University of Montana Vice President, Alexandra Berna
Associated Students of Montana State University Vice President, Isabella Roccisano
Associated Students of University of Montana Western Vice President, Ahna Fox
Associated Students of Montana State University Northern Vice President, Eddie Harmon
Associated Students of Montana Tech Vice President, Madison Skeel
Associated Students of Montana State University Billings Vice President, Brianne Humphrey
Associated Students of Helena College Vice President, Cyrus Cannon

Yes_15___ No_0___ Abs____

Date: 3/21/23

Intent: The Montana Associated Students (MAS) supports the full authority of the Montana Board of Regents to *supervise, coordinate, manage, and control* the Montana University System (MUS) as defined in the Montana State Constitution.

Whereas, MAS represents the interests of over 40,000 students within the Montana University System; and,

Whereas, MAS serves as the formal representation for all students within the Montana University System; and,

Whereas, the Montana Board of Regents is responsible for the management and operation of the MUS, which includes Montana's universities, community colleges, and vocational-technical schools; and
Whereas, the Board of Regents plays a vital role in ensuring that higher education in Montana is accessible, affordable, and of the highest quality; and

Whereas, the government of the State of Montana was intentionally created with checks and balances between policy-creating entities within the government of Montana, such as the Board of Regents (BOR); and,

Whereas, Article X, Section 9(2)(a) of The Constitution of the State of Montana states: The government and control of the Montana university system is vested in a board of regents of higher education which shall have full power, responsibility, and authority to supervise, coordinate, manage and control the Montana university system and shall supervise and coordinate other public educational institutions assigned by law; and,

Whereas, the Board of Regents has worked to increase access to higher education for all Montanans, particularly those from underserved communities, by developing partnerships with community organizations and businesses and by expanding online education opportunities; and

Whereas, the Board of Regents has consistently demonstrated a commitment to transparency, accountability, and ethical behavior in its decision-making processes and in its interactions with stakeholders and the public; and

Whereas, the language of House Bill (HB) 197 and HB 517, among other bills working to infringe upon the authority of the Board of Regents, seeks to limit the efficacy of the constitutional provision; and,

Whereas, in 2021, the MUS entered litigation with the State of Montana regarding HB 102, 349, and 112, and Senate Bill (SB) 319; and,

Whereas, the separation of power between the legislature and the BOR is in the best interests of all students, both current and prospective. The BOR protects the policies of the state’s higher education system from being politicized; and,

Whereas, the priorities of the Montana legislature often change with the political climate and legislative membership, the BOR will always prioritize the educators and students of the MUS; now, therefore, be it

Resolved, The Montana Associated Students, which is the formal voice of every student within the Montana University System, implores all members of the 68th Montana Legislative Session to vote no on HB 197 and HB 517; and,

Further Resolved, send a copy of this resolution to: Governor of Montana, Greg Gianforte; all Montana State Legislatures within the House of Representatives and Senate; all members of the Montana Board of Regents of Higher Education; all Montana University System Campus Heads; all Montana University System Dean of Students (if applicable); all Montana Student Association Presidents; the Exponent; the Kaiman; the Bozeman Chronicle; ABC Fox Montana; KTVQ; Missoulian, Montana Free Press; KPAX Missoula News; KBZK; KXLH; KTVH; KGLT Radio; Superintendent of Public Instruction, Elsie Arntzen; Intern Deputy Commissioner of Academic Research & Student Affairs, Joe Thiel;