

North Dakota Board of Higher Education
May 29, 2020, Meeting Minutes

The State Board of Higher Education met on Friday, May 29th at 9:00 a.m. CT, via Interactive Video Conferencing (IVN), originated from Bismarck State College, National Energy Center of Excellence, Bavendick room, 1200 Schafer Street, Bismarck, ND 58501. Board members may attend from alternate IVN locations to minimize group size and contact, as recommended by state and federal government officials.

Chair Hacker called the meeting to order at 9:00 a.m. CT.

SBHE Members participating:

Mr. Nick Hacker, Chair	Dr. Casey Ryan, Vice Chair
Mr. Kaleb Dschaak	Mr. Tim Mihalick
Ms. Kathleen Neset	Ms. Jill Louters
Mr. Don Morton	Ms. Danita Bye (arrived 10:00 a.m. CT)
Dr. Debora Dragseth, Faculty Adviser	Ms. Retha Mattern, Staff Adviser

Chancellor present: Dr. Mark Hagerott

Institution Representatives Present:

Dr. Brian Van Horn, President, MaSU
Dr. Alan LaFave, President, VCSU
Dr. Steve Shirley, President, MISU
Dr. John Miller, President, WSC
Dr. Jerry Migler, Dean, DCB
Dr. Doug Darling, President, LRSC
Dr. John Richman, President, NDSCS
Dr. Dean Bresciani, President, NDSU
Dr. Larry C. Skogen, President, BSC
Mr. Stephen Easton, President, DSU
Dr. Joshua Wynne, Interim President, UND
Dr. Andy Armacost, Incoming President, UND

NDUS Senior Staff Participating:

Mr. Tammy Dolan, Vice Chancellor for Admin/CFO
Ms. Lisa Johnson, VC of Academic and Student Affairs
Mr. Darin King, VC of IT/CIO
Ms. Terry Meyer, Chief of Staff
Ms. Kristie Hetzler, Executive Assistant to the State Board of Higher Education
Mr. Phil Wisecup, VC of Strategic Engagement

Others Participating:

Mr. Eric Olson, Attorney General's Office
Ms. Erika Solberg, Incoming SBHE Student Member

1. Agenda

Ryan moved, Morton seconded, to approve the agenda with an addition of a report regarding the WICHE Conference by Ms. Jill Louters.

Dschaak, Neset, Morton, Louters, Ryan, Mihalick, and Hacker voted yes.

Board Consent Agenda (items 2 - 12)

2. April 29, 2020, Meeting Minutes

SBHE Academic and Student Affairs Committee

3. State Authorizations – Lisa Johnson
 - a. [Embry Riddle](#)
 - b. [Park University](#)

New Program(s) (ASAC final authorization)

4. BSC – B.A.S. in [Automation Management](#), CIP Code 15.1501

SBHE Budget and Finance Committee

5. [UND's Chester Fritz Library](#) authority to increase spending authorization and scope of the Chester Fritz Library renovation project from \$11,655,000 to \$16,820,000 to be supported by gift funds available within UND, appropriated funds, bonding proceeds, local funds and extraordinary repair (ER) funds.
6. [UND's request approval to rename](#) Dr. Kathleen and Hal Gershman Engagement Center as the Gershman Graduate Center.
7. [BSC's request tuition model change](#) to eliminate the Distance Fee and incorporate it into the tuition rates effective Fall 2020.
8. BSC's request to ratify the Chancellor's approval of [BSC's transfer of \\$104,418](#), from the capital assets line to the Operations line.
9. [DSU's request tuition model change](#) to charge students a per credit rate with no cap using two tuition rates: resident and non-resident. The resident rate would include ND, SD, MT, MN, Manitoba, and Saskatchewan. The non-resident rate would include all other students, including international.
10. NDSU's request to ratify Chancellor's interim authorization for NDSU to increase the project authorization for the [Richard H. Barry Hall Space Repurpose & Renovation project](#) from an estimated cost of \$2,400,000 to \$2,800,000 to be funded from privately raised funds.
11. Transfer of \$2.5 million from the [Student Financial Assistance Grants](#) (ND State Grant) appropriation line to the Academic & Tech Ed Scholarship appropriation and authorize the System Office to submit the request to the Budget Section for approval.

SBHE Governance

12. [SBHE Board Orientation](#)

Mihalick moved, Ryan seconded, to approve consent agenda items, 2 - 12.

Morton, Louters, Mihalick, Ryan, Neset, Dschaak, and Hacker voted yes.

13. **SBHE Committee Structure**

Mr. Eric Olson reviewed the proposed change to the [SBHE Committee](#) structure.

Ryan moved, Louters seconded, to approve the amendments to the SBHE Committee structure, as presented, including amendments to associated policies.

Mihalick, Ryan, Morton, Louters, Neset, Dschaak, and Hacker voted yes.

14. **Extension of Waivers**

Ms. Lisa Johnson proposed extending the originally approved extension for the following waivers to policies. Board members did not have any concerns. Ms. Retha Mattern, SBHE Staff Adviser, requested the system office inquire if reimbursing institution staff for parking pass fees during COVID-19 would be acceptable.

[Extension of waivers](#) that were previously approved at the April Board meeting:

- a. Policy [830.1](#) Student Payment Policy -- Paragraph 1 (diii-v) and Paragraph 5 through August 31, 2020.
- b. Policy [406.1](#) Academic Calendars -- Paragraph 3 (g) through August 31, 2020.
- c. Policy [402.1](#) Beginning Freshmen Applicants-Cert. Progr., Diploma, and Associate Degree Program -- Paragraph 3 (a) for applicants through Spring 2021.
- d. Policy [402.2](#) First Year Applicants - Baccalaureate Programs -- Paragraph 3 (a) for applicants through Spring 2021.

Ryan moved, Mihalick seconded, to approve an extension of waivers to policies as listed in items 14 a-d.

Morton, Louters, Mihalick, Ryan, Naset, Dschaak, and Hacker voted yes.

15. Informational Only --- Waivers of Related Procedures:

- a. Procedure [830.2](#) Refunds – Entire procedure through August 31, 2020.
- b. Procedure [402.3](#) NDUS Guidelines for Home Educated Students – Paragraph 4 for applicants through Spring 2021.
- c. Procedure [402.9](#) Admissions Procedures/New Applicants with International Coursework – Paragraph 5 (l) for applicants through Spring 2021.

16. **New Policies – 2nd Reading**

- a. [Policy 503.2](#) Student Data Privacy and Security Bill of Rights
- b. [Policy 503.3](#) Student Political Rights

Ryan moved, Dschaak seconded, to approve 2nd reading and final adoption of policy 503.2, with the implementation deadline to be set by the Chancellor in consultation with the Vice Chancellor of Information Technology.

Mihalick, Ryan, Naset, Dschaak, Morton, Louters, and Hacker voted yes.

Louters moved, Morton seconded, to approve 2nd reading and final adoption of policy 503.3.

Naset, Bye, Morton, Louters, Mihalick, Ryan Dschaak, and Hacker voted yes.

17. [AMEND HR Policies](#) – 2nd Reading – Ms. Jane Grinde

- a. HR 6 Annual Leave
- b. HR 7 Sick Leave
- c. HR 21 Leave Without Pay
- d. HR 22 Family (FMLA) Leave

Mihalick moved, Ryan seconded, to approve 2nd reading and final adoption of HR 6, HR 7, HR 21, and HR 22 policies., items 17 a-d.

Louters, Mihalick, Morton, Ryan, Naset, Dschaak, and Hacker voted yes.

18. **SBHE Chair and Vice Chair Nominations** ([Policy 310.2](#))

a. Chair:

Ryan moved, Neset seconded, to re-nominate Mr. Nick Hacker as Chair of the Board, term ending June 30, 2021.

Louters, Mihalick, Morton, Ryan, Neset, Dschaak, and Hacker voted yes.

No other nominations made.

b. Vice Chair

Morton moved, Neset seconded, to re-nominate Dr. Casey Ryan as Vice Chair of the Board, term ending June 30, 2021.

Morton, Ryan, Neset, Louters, Mihalick, Dschaak, and Hacker voted yes.

No other nominations made.

Mihalick moved, Dschaak seconded, to close nominations for Board Chair and Vice Chair.

Mihalick, Ryan, Neset, Dschaak, Morton, Louters, and Hacker voted yes.

19. **COVID-19 Update**

a. NDUS Smart Restart Task Force Update

Dr. Joshua Wynne provided an update on the Restart taskforce discussions; he indicated there would be more information provided at the June 30th SBHE meeting.

b. Resolution of Support

Mr. Eric Olson reviewed the resolution of support regarding the institutions under the control of the SBHE to resume in-person activities in Fall 2020, and to the extent possible for Summer 2020,

Mr. Eric Olson reviewed the proposed [resolution of support](#).

Ryan moved, Louters seconded, to approve the resolution of support regarding the institutions under the control of the SBHE resuming in-person activities in Fall 2020 and, to the extent possible, Summer 2020.

Morton, Bye, Louters, Mihalick, Ryan, Neset, Dschaak, and Hacker voted yes.

20. **Strategic Plan Update**

Chancellor Hagerott and Mr. Phil Wisecup provided an update on the stages completed to compile information to the [strategic plan update](#). Mr. Phil Wisecup will present a final document at the June 30th meeting for Board consideration. The strategic plan may be a Board retreat item to give the Board an opportunity to consider the Governor's strategies that will be available later this summer.

21. **SBHE Audit Committee update** was provided by Ms. Kathleen Neset.

22. **SBHE Academic and Student Affairs Committee update** was provided by Ms. Jill Louters.

23. **SBHE Research Committee update** was provided by Dr. Casey Ryan.
24. **SBHE Governance Committee update** was provided by Mr. Don Morton. He expressed his desire to grant standing Presidents tenure. There was discussion between Mr. Morton and the Chancellor, with additional input by the SBHE faculty adviser, on behalf of CCF. The Board agreed to continue discussions at a future meeting, indicating it would be beneficial to have one of the committees start discussions.
25. **SBHE Budget and Finance Committee updated** was provided by Mr. Tim Mihalick.

Chancellor Report

26. [NDUS Core Technology Services 2018-2019 Annual Report](#) was presented by Mr. Darin King.
27. [LPO Quarterly Report](#) was presented by Mr. Darin King.
28. Title IX Update was provided by Mr. Eric Olson. He explained possible updates to policies would be brought to the Board for their consideration at a future meeting.

Other Reports:

29. NDSA was provided by Mr. Kaleb Dschaak.
30. CCF was provided by Dr. Debora Dragseth.
31. Staff Senate was provided by Ms. Retha Mattern.
32. Public Comment – Mr. Nick Archaleta thanked the Board for their work regarding the NDUS restart/re-opening to on campus operations and for their flexibility to work with several different entities for best practices moving forward.

Assessment of Meeting and Future Agenda Items

Future Board Meeting: June 30

The meeting adjourned at 11:40 a.m. CT.

Approved July 23, 2020.