

**North Dakota State Board of Higher Education**

September 30, 2021, Meeting Minutes

The State Board of Higher Education met on Thursday, September 30, 2021, at 8:30 a.m. CT., at North Dakota State College of Science, NDSCS-Wahpeton Campus, Bisek Hall (Lab 1119), 800 North 6<sup>th</sup> Street, Wahpeton ND, 58076..

Chair Ryan called the meeting to order at 8:30 a.m. CT.

SBHE Members participating:

Dr. Casey Ryan, Chair  
Ms. Gracie Lian  
Mr. Tim Mihalick  
Mr. Jeffrey Volk  
Ms. Retha Mattern, Staff Adviser

Dr. Jill Louters, Vice Chair  
Mr. Nick Hacker  
Mr. John Warford  
Ms. Danita Bye  
Dr. Elizabeth Legerski, Faculty Adviser

Chancellor present: Dr. Mark Hagerott

Institution Representatives Present:

Dr. Brian Van Horn, President, MaSU  
Dr. Steve Shirley, President, MiSU  
Dr. Bernell Hirning, President, WSC  
Dr. Jerry Migler, Dean, DCB  
Dr. Doug Darling, President, LRSC  
Dr. John Richman, President, NDSCS  
Dr. Doug Jensen, President, BSC  
Dr. Steve Easton, President, DSU  
Dr. Andy Armacost, President, UND  
Dr. Alan LaFave, President, VCSU  
Dr. Margaret Fitzgerald, NDSU

NDUS Senior Staff Participating:

Mr. David Krebsbach, NDUS  
Ms. Jane Grinde, NDUS  
Ms. Lisa Johnson, NDUS  
Mr. Darin King, CTS  
Ms. Terry Meyer, NDUS  
Ms. Kristie Hetzler, NDUS  
Mr. Jerry Rostad, NDUS  
Dr. Jen Weber, NDUS

Others Participating:

Mr. Eric Olson, AG Office

North Dakota State College of Science Campus overview by President Richman and Campus Representatives.

**1. Agenda**

Mr. Volk requested to add an item regarding access to past executive session recordings.

Mihalick moved, Louters seconded, to approve the agenda with amendment.

Volk, Warford, Louters, Mihalick, Hacker, Bye, Lian, and Ryan voted yes.

**Consent Agenda (2 – 7)**

2. Meeting Minutes:
  - a. May 27, 2021
  - b. June 29, 2021
  - c. July 22, 2021

SBHE Budget and Finance Committee

3. DCB request approval of the attached resolution authorizing Dakota College at Bottineau to issue not more than \$2,500,000 in Housing and [Auxiliary Facilities Revenue Bonds](#), Series 2021, for the purpose of financing the construction and equipping of a dining facility on the DCB campus and paying the costs of issuance of the Series 2021 Bonds. Further authorize DCB to construct the Dining Center using proceeds from the afore mentioned sale of revenue bonds.
4. [DSU Ratify Chancellor's interim authorization](#) for Dickinson State University to proceed with renovation of Pulver Hall as authorized by 66<sup>th</sup> legislative assembly; increase the cost of construction of Pulver Hall from \$4,284,500 to \$4,609,000 for a total increase of \$324,500 using Pulver Hall auxiliary fund reserves; and further authorize DSU to seek approval for the increase in construction cost using local funds from the interim budget section of the legislature at its next scheduled meeting.
5. NDSU to proceed with the [Ladd Hall Partial Renovation project](#) at an estimated cost of \$2,400,000 to be funded from 2021-23 extraordinary repair funds and matching operating funds.
6. NDSU to begin a formal fundraising campaign for a new [Performing Arts Facility](#) through the NDSU Foundation and/or other affiliated entities with an estimated maximum scope/amount of \$45,000,000.

SBHE Academic and Student Affairs

7. [Tenure](#)

Mihalick moved, Warford seconded, to approve the consent agenda, items 2 - 7.

Mihalick, Volk, Warford, Louters, Hacker, Bye, Lian, and Ryan voted yes.

8. **NDSU Naming of the Agricultural Products Development Center**

Louters moved, Volk seconded, to approve NDSU to name [the Agricultural Products Development Center \(APDC\) facility](#) in honor of the Peltier Family, per SBHE policy 902.12.

Warford, Louters, Mihalick, Volk, Hacker, Bye, Lian, and Ryan voted yes.

9. **SW Area CTE Joint Powers Agreement**

President Easton presented a [Joint Powers Agreement \(SW Area\)](#).

Bye moved, Warford seconded, to approve the Joint Powers Agreement (SW Area), as presented.

Mihalick, Volk, Warford, Louters, Hacker, Bye, Lian, and Ryan voted yes.

**10. SBHE Strategic Plan updates**

Chancellor Hagerott and Vice Chancellor Rostad proposed updates to the [SBHE Strategic Plan](#).

The Board noted the plan will have an annual review and can be adjusted as needed.

Mihalick moved, Bye seconded, to approve the to the SBHE Strategic Plan, including the updates as presented.

Louters, Hacker, Bye, Mihalick, Warford, Volk, Lian, and Ryan voted yes.

**11. NDUS Retirement Plan Recommendations for Plan Administration**

Mr. David Krebsbach presented the NDUS Retirement Plan Recommendations for plan administration. He explained the SBHE Budget and Finance Committee discussed in length; the committee requested more information/data to further discuss at a future committee meeting. The committee did recommend approval of the plan pricing and revenue credit disbursement for NDUS retirement plans.

Bye moved, Warford seconded, to approve NDUS Retirement Plan pricing and revenue credit disbursement for NDUS retirement plans.

Hacker, Bye, Lian, Mihalick, Volk, Warford, Louters, and Ryan voted yes.

**12. Chancellor's goals**

[Chancellor Hagerott proposed his annual goals](#) to the Board. The Board requested the Chancellor recommend how to incorporate metrics to indicate outcome. The Board also requested his communication with individual Board members occur no less than every three weeks.

Bye moved, Warford seconded, to approve the Chancellor's goals.

Bye, Lian, Hacker, Mihalick, Volk, Warford, Louters, and Ryan voted yes.

**13. SBHE 2022 Meeting Schedule**

Mihalick moved, Bye seconded, to approve the proposed [SBHE 2022 DRAFT Meeting Schedule](#).

Volk, Warford, Louters, Mihalick, Hacker, Bye, Lian, and Ryan voted yes.

**14. Update on Center for Career and Technical Education**

MiSU President Shirley and DCB Dean Migler provided an update on the [Center for Career and Technical Education](#).

**15. Waiver to Policy 520**

Waiver to Paragraph 9, section f, vii of Policy [520](#) Title IX – Sexual Harassment

Mr. Eric Olson explained the passage of H.B. 1503, further revisions are required to come into line with the new requirements. The proposed edit(s) to SBHE Policy 520 provides needed clarification about how the new revisions to policy 503.1 and the new Title IX regulations interact. The new language makes clear that sexual harassment which does

not meet the Title IX definition may be addressed using policy 503.1. Mr. Olson will bring the amendment forward at a future meeting; the current request is for a waiver.

Louters moved, Warford seconded, to approve a waiver to policy 520, as presented.

Louters, Mihalick, Volk, Warford, Hacker, Bye, Lian, and Ryan voted yes.

**16. Re-Affirmation of HR Policies**

Ms. Jane Grinde presented [several HR policies](#) that were recommended for approved for re-affirmation by the NDUS Human Resouse Counsel. Policies are periodically reviewed at the council level; counsels have representatives from all the institutions. The attached policies did not have amendments and the request is for the Board to re-affirm.

Lian moved, Bye seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> reading and final adoption of re-affirmation of HR Policies, as presented.

Volk, Warford, Louters, Mihalick, Hacker, Bye, Lian, and Ryan voted yes.

**17. HR Policy 5, Pay**

Ms. Jane Grinde reviewed proposed amendment for 1<sup>st</sup> reading, waive 2<sup>nd</sup> read and final adoption of [HR Policy 5 Pay](#)

Lian moved, Bye seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> reading, and final adoption of Policy HR5, as presented.

Volk, Warford, Louters, Mihalick, Hacker, Bye, Lian, and Ryan voted yes.

**18. Policy 830.1, Student Payment Policy**

And,

**19. Policy 830.2, Refunds**

Mr. Krebsbach reviewed proposed amendments to [Policy 830.1](#), Student Payment Policy and [Policy 830.2](#), Refunds.

Warford moved, Bye seconded, to approve 1<sup>st</sup> reading of Policies 830.1 and 830,2, as presented.

Mihalick, Volk, Warford, Louters, Hacker, Bye, Lian, and Ryan voted yes.

**20. Policy 440, Enrollment Reporting**

Ms. Lisa Johnson reviewed proposed amendments for 1<sup>st</sup> reading, waive 2<sup>nd</sup> read and final adoption of Policy 440.

Louters moved, Warford seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> read, and final adoption of [Policy 440](#), as presented.

Volk, Warford, Mihalick, Louters, Hacker, Bye, Lian, and Ryan voted yes.

**21. Update on COVID-19 / Delta Variance**

Dr. Wynne provided an update on [COVID-19 / Delta Variance](#).

**Reports/Discussion/Infomational** (Items 22 – 34)

22. SBHE Audit Committee was provided by Committee Chair Hacker; he informed the Board the committee will be review the fraud/complaint hotline and reporting at their upcoming committee meetings. He also state the committee continues to work on on reoccurring audit recommendations.
23. SBHE Research and Governance Committee was provided by Co-Chairs, Ryan and Bye.
24. SBHE Budget and Finance Committee was provided by Committee Chair Mihalick; he informed the Board the committee will continue discussing/reviewing the NDUS Retirement Plan, as discussed earlier under Board business and they would also start reviewing presidential salaries and comparisons using multiple resources, such as, MHEC, WICHE, and CUPA data.
25. SBHE Academic and Student Affairs Committee was provided by Committee Chair Louters. She briefed the Board on the Joint Boards meeting and stated the 2022 Joint Board meeting will be hosted by the SBHE.
26. NDSU Presidential Search was provided by search co-chair Louters. The final interviews are scheduled for February 2022.
27. Update on NDSCS Presidential Search was provided by search co-chair Volk. The final interviews are scheduled for March 2022 and an Interim President will be named to fill the position until new President takes office.
28. Report on United States Innovation and Competition Act (USICA) : Chancellor Hagerott provided information on the United States Innovation and Competition Act (USICA); it is a five state consortium.
29. Cyber Update was provided by Mr. Darin King.
30. Census data  
Ms. Jen Weber provided an update on NDUS enrollment [census data](#).
31. Education Online Resources ECOR Update was provided. The following Presidents lead the ECOR initiative:
  - VCSU President LaFave
  - WSC President Hirning
  - UND President Armacost
  - DSU President Easton

**Other Reports:**

32. NDSA provided by Ms. Gracie Lian.
33. CCF provided by Dr. Elizabeth Legerski
34. Staff Senate by Ms. Retha Mattern
35. Public Comment – no public comment
36. Adjourn  
Mihalick moved, Louters seconded, to adjourn at 1:30 p.m. CT.

Approved October 28, 2021.