

**North Dakota State Board of Higher Education**  
March 30, 2023, Meeting Minutes

The State Board of Higher Education met on Thursday, March 30<sup>th</sup> at 8:30 a.m. CT, at Bismarck State College, National Center of Excellence, Room 335, 1200 Schafer Street, Bismarck, ND.

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

**SBHE Members participating:**

Dr. Casey Ryan, Chair	Mr. Tim Mihalick, Vice Chair
Dr. John Warford	Ms. Danita Bye (via Teams live)
Ms. Sadie Hanson	Mr. Nick Hacker (via Teams live)
Mr. Jeffry Volk	Mr. Kevin Black
Dr. Lisa Montplaisir, Faculty Advisor	
Mr. Michael Linnell, Staff Advisor	

Chancellor present: Dr. Mark Hagerott

**Institution Representatives Present:**

Dr. David Cook, President, NDSU  
Dr. Steve Shirley, President, MiSU  
Dr. Bernell Hirning, President, WSC  
Dr. Carmen Simone, Dean, DCB  
Dr. Brian Van Horn, President, MaSU  
Dr. Doug Darling, President, LRSC  
Dr. Rod Flanigan, President, NDSCS  
Dr. Doug Jensen, President, BSC  
Mr. Steve Easton, J.D., President, DSU  
Dr. Andy Armacost, President, UND  
Dr. Alan LaFave, President, VCSU

**NDUS Senior Staff Participating:**

Ms. Lisa Johnson, NDUS  
Mr. Darin King, CTS  
Ms. Terry Meyer, NDUS  
Ms. Kristie Hetzler, NDUS  
Ms. Robin Putnam, NDUS  
Mr. Jerry Rostad, NDUS  
Ms. Tammy Dolan, NDUS  
Mr. Chris Pieske, NDUS

**Others Participating:**

Ms. Meredith Larson, AG's Office  
Ms. Meloney Linder, UND

1. **Agenda**

Bye moved, Warford seconded, to approve the agenda with the following amendments:

- Remove Policy 100.6 and send it back to SBHE Research and Governance Committee for further discussion and/or a recommendation.
- Add update from President Hirning and Chancellor Hagerott regarding University of Mary's and Williston State College partnership.

Bye, Hanson, Warford, Volk, Mihalick, Hacker, Black, and Ryan voted yes. Motion passed.

**Board Consent (2 - 8)**

2. February 23, 2023, meeting minutes

SBHE Budget and Finance Committee

3. NDSU to begin a formal fundraising campaign for a renovation and modernization of the current Main Research Center swine unit through the NDSU Foundation and/or other affiliated entities at an estimated amount of \$6,000,000
4. MiSU request for modification of capital projects using capital building funds
5. 2023-24 Room, Board, and Fee Review/Approval make sure correct for DCB, change from BFC
6. TIAA Retirement Plan Invoices/Payments  
Expense allocation method for invoices not identified as specific to a plan(s). Current outstanding expenses for the executive compensation plan are \$3,957.60. Approve future invoice expenses payment for each retirement plan:
  - i. 1<sup>st</sup> Priority – Specific plan revenue credits
  - ii. 2<sup>nd</sup> – Priority – Specific plan investments

SBHE Audit Committee

7. NDUS Internal Audit Executive Survey

SBHE Research and Governance Committee

8. SBHE Self-Assessment Tool and Timeline
  - a. Tool
  - b. Timeline

Black moved, Warford seconded, to approve the consent agenda, items 2 – 8.

Hacker, Black, Volk, Bye, Hanson, Mihalick, Warford, and Ryan voted yes. Motion passed.

**SBHE Policy**

First Reading(s):

- ~~9. SBHE Policy 100.6 – Mr. Jerry Rostad (Removed from agenda and sent back to the SBHE Research and Governance Committee for further discussion and/or consideration).~~

Ms. Robin Putnam reviewed the proposed amendments to policies 804, 902, and 909:

10. SBHE Policies – 804, 902, and 909
  - a. Policy 804 Equipment and Personal Property Leases
  - b. Policy 902 Definitions
  - c. Policy 909 Real Property Leases

Mihalick moved, Warford seconded, to approve first reading, waive second reading, and final approval of Policies 804, 902, and 909.

Warford, Volk, Bye, Hanson, Mihalick, Hacker, Black, and Ryan voted yes. Motion passed.

#### 11. **Honorary Degrees**

Ms. Lisa Johnson reviewed the policy regarding Honorary Degrees and stated that the two proposed UND nominees meet the qualifications and are fully supported; she recommends approval.

Warford moved, Hanson seconded, to approve the following UND Honorary Degrees, as presented:

- Mr. Chuck Klosterman
- Mr. Werner Nistler Jr.

Hanson, Mihalick, Hacker, Black, Warford, Volk, Bye, and Ryan voted yes. Motion passed.

#### **The Board received the following reports (12 – 16)**

##### 12. SBHE Academic and Student Affairs Committee:

Dr. Warford stated that Vice Chancellor Johnson provided an update on the innovative, recruitment, and enrollment strategies, along with an overview of credential engine.

##### 13. SBHE Research and Governance Committee:

Dr. Ryan stated the research portion of the RGC meeting discussed the status of the transition of EPSCoR to NDSU, the Chips and Science Act 2022, the multiple state research consortium, and research day (March 22<sup>nd</sup> at the Capitol, where fifteen projects were presented. Ms. Bye provided an update on the governance portion of RGC; Mr. King provided an overview of the Starfish software as it relates to student retention. A focus on students was identified by the SBHE self-assessment as a top priority. The committee also discussed elevating the CIO Counsel and having them report to the RGC.

##### 14. SBHE Budget and Finance Committee:

Mr. Tim Mihalick stated that most BFC items were approved under consent, but there are also items that are a work in progress, such as the NDUS retirement plan overview and hiring of a consultant.

##### 15. SBHE Audit Committee:

Mr. Nick Hacker reported that the internal audit department has sent out an executive survey and reminded all Board members to engage in and provide their feedback on the survey. He stated that the survey was also provided to all the campus Presidents for their input. The results will help the department determine internal audit needs and priorities. Mr. Hacker informed the Board that the internal function continues to operate with one vacant position due to a budget shortfall. The result of not being fully staffed has been to delay a couple major (systemwide) audits that were originally in the fiscal year plan. There will be a safety and security audit with a heavy focus on active shooters; it's an issue across the country at all levels of education (primary/secondary/higher ed). The SBHE Policy relating to safety and security may need reviewing and/or updating soon and that could be done by either the SBHE Audit Committee or the SBHE Research and Governance Committee.

##### 16. SBHE Efficiency and Opportunity Ad Hoc Committee:

Mr. Black stated the committee has made progress identifying relevant/not as relevant items to achieve the Board's goals for the ad hoc committee. Currently, Core Technology Services (CTS) has risen to the top of the list to discuss at the Board's strategic planning session.

#### **Chancellor's Report (17 – 20):**

##### 17. Update on COVID-19 Task Force

Chancellor Hagerott stated that he wanted to ensure that everyone was informed that the NDUS COVID-19 Task Force has been dissolved. The Board had no concerns.

#### 18. **Legislative Update**

Chancellor Hagerott thanked his staff and the institutions for participating in the systemwide working groups led by a Board member (Inflation, technology, student enrollment, etc.) in preparation of legislative session. He stated that inflation is at an unprecedented high, and that the human factor will be a priority for the well-being of the students, faculty, and staff. The system continues to work with legislators to be innovative, respond, and adapt through the complex legislative process.

Ms. Dolan provided a high-level overview of bills that have already passed and/or been signed by the Governor. She explained that the budget discussions/decisions are underway but will continue to be in draft form as several components are still be worked/re-worked and moving through the process.

Ms. Dolan covered several bills that could or will have an impact on the system.

- State employee retirement benefit plan(s)
- CTE Center Board membership
- Prohibiting of books with specific content
- Confidentiality of the Compliance Office working documents
- Workforce Innovation Fund to expand program offerings
- Review of NDUS tenure
- Possible tuition freeze
- Allowing sports betting in ND
- Reenergized North Dakota Scholarship and
- Various grants, scholarships, and other financial aid
- Prohibiting training on specific concepts
- Access to open records
- A measure to the voters in the 2024, regarding statewide tax levy

The system office will continue to keep the Board informed while they are working through the bills and legislative process.

#### 19. **Tik Tok Update**

Mr. Darin King and Ms. Melony Linder presented how campuses have been utilizing Tik Tok for marketing purposes. Ms. Linder explained that UND uses the platform to help the University target potential students. The Board discussed; however, questioned whether Tik Tok should be utilized for any purposes on NDUS networks and/or devices. The board noted that the platform has already been banned at several other college institutions across the country and the federal government also has it blocked due to possible security threats.

Black moved, Volk seconded, to block TikTok, a software and social media platform owned by ByteDance, from all NDUS owned devices and to block access to the TikTok mobile application, website, and servers on all NDUS networks effective July 1, 2023. The SBHE may consider a proposal from CTS to carve out the special use of TikTok for recruitment purposes.

Mihalick, Black, Warford, Volk, Bye, and Ryan voted yes. Hanson voted no. Hacker absent for vote. Motion passed.

The ban, which takes effect July 1, does not apply to students' or staff members' personal devices, as they will still be able to access the platform via cellular data networks.

**20. May Strategic Planning Session**

Mr. Jerry Rostad gave a high-level overview of some of the components that will be included in the Board's strategic planning session in May. The details are still being worked through and more information will be provided at the next meeting.

**Added item – Update from Williston State College**

Member Black requested details regarding the recent news article announcing a partnership between University of Mary (Private institution) and Williston State University (NDUS/public institution). The system office explained that there are various pathways for NDUS institutions to partner with other NDUS institutions and/or non NDUS institutions. NDUS institutions have the flexibility to collaborate in a variety of ways, such as articulation agreements, partnerships, 2 + 2 programs etc. There is no policy prohibiting it, but there is a procedure (460.5) that outlines various agreements/partnerships and provides some guidelines. After discussion, the Board, Presidents, and Chancellor agreed that the communication and process of notification to all parties can be improved. The Chancellor will work with the Cabinet to set some additional guidelines going forward.

The following reports were provided to the Board:

21. Report for NDSA by Ms. Sadie Hanson.
22. Report for CCF by Dr. Lisa Montplaisir.
23. Staff Senate by Mr. Michael Linnell.
24. Public Comment – no public comment.
25. Assessment of Meeting and Future Agenda Items – none.
26. Motion to Adjourn  
Bye moved to adjourn. Approved by consensus.

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

Approved April 27, 2023.