



State Capitol – 600 E Boulevard Ave – Dept.215  
Bismarck ND 58505-0230  
Phone: 701.328.2960 Fax: 701.328.2961  
E-mail: ndus.inquiry@ndus.edu Web: ndus.edu

## North Dakota State Board of Higher Education

December 7, 2023, Meeting Minutes

Chair Mihalick called the December 7, 2023, SBHE meeting to order at 8:30 a.m. CT., via Teams Live.

### Roll Call

#### SBHE Members

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Mr. Tim Mihalick, Chair               | <input checked="" type="checkbox"/> Dr. John Warford, Vice Chair       |
| <input checked="" type="checkbox"/> Ms. Danita Bye                        | <input checked="" type="checkbox"/> Dr. Casey Ryan                     |
| <input checked="" type="checkbox"/> Mr. Jeffry Volk                       | <input checked="" type="checkbox"/> Mr. Kevin Black                    |
| <input checked="" type="checkbox"/> Ms. Sadie Hanson (arrived 8:35)       | <input checked="" type="checkbox"/> Mr. Curtis Biller                  |
| <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor | <input checked="" type="checkbox"/> Mr. Michael Linnell, Staff Advisor |

#### Institutions

**BSC** President Jensen, **DCB** Dean Simone, **DSU** President Easton, **LRSC** President Darling, **MaSU** President Van Horn, **MiSU** President Shirley, **NDSCS** President Flanigan, **NDSU** President Cook, Mr. Bruce Bollinger, Mr. Mike Pieper **UND** President Armacost, **VCSU** President LaFave, **WSC** President Hirning.

#### System Office

**NDUS** Chancellor Hagerott, Ms. Claire Gunwall, Mr. Chris Pieske, Mr. Mark Gorenflo, Ms. Dina Cashman, Vice Chancellor Krebsbach, Vice Chancellor Rostad, Vice Chancellor King, **Assistant Attorney General's Office** Ms. Meredith Larson **Association of Governing Boards** Mr. Alan Crist.

### Agenda

1. Agenda

Ryan moved, Biller seconded, to approve the agenda, as presented.

Black, Warford, Biller, Bye, Volk, Ryan, and Mihalick voted yes. Hanson absent.  
Motion passed 7 – 0.

### Board Consent (items 2 - 11)

2. [October 26, 2023](#), SBHE Meeting Minutes
3. [November 1, 2023](#), Envision 2035 Summit Special Meeting Minutes

SBHE Academic and Student Affairs Committee

4. State Authorizations:
  - a. [Columbia College](#)

b. [Embry-Riddle Aeronautical University](#)

SBHE Budget and Finance Committee

5. UND to proceed with [demolition, and associated site restoration](#)
6. UND Increase spending authorization for the [Frederick "Fritz" D. Pollard Jr. Athletic Center](#) (former High-Performance Center or HPC)
7. [UND Pollard Athletic Center](#) Naming
8. UND Rename [Student Center](#)
9. BSC Multipurpose [Athletic Center](#)
10. [Room, Board, and Fee Guidelines](#)

Research and Governance committee

11. Economic Diversification Research Grant [Guidelines](#) and Committee [Members](#)

Warford moved, Black seconded, to approve consent agenda items 2 – 11, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

**SBHE Policy**

The system office confirmed no additional changes have been made since the first reading of the following policies for second reading and final adoption, agenda items 12 – 17.

12. [2<sup>nd</sup> Reading, 600 Series](#)
  - a. Policy 602.3, Job Applicant and Employee Criminal History Background Checks
  - b. Policy 603.3, Nepotism
  - c. Policy 603.2, Equal Employment Opportunity
  - d. Policy 607.4, Sick and Dependent Leave; Family Leave
  - e. Policy 614, Hazardous Substances Information Program
  - f. Policy 615, Drug Free Workplace

Ryan moved, Bye seconded, to approve 2<sup>nd</sup> reading and final adoption of Policies 602.3, 603.3, 603.2, 607.4, 614, and 615, items 12(a -f), as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

13. 2<sup>nd</sup> Reading, [HR Policy 10](#), Retirement

Ryan moved, Black seconded, to approve 2<sup>nd</sup> reading and final adoption of HR Policy 10, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

14. 2<sup>nd</sup> Reading, [Policy 610](#), Oath for Teachers

And;

15. 2<sup>nd</sup> Reading, [Policy 611.9](#), Selection of Textbooks and Other Curricular Materials

Biller moved, Ryan seconded, to approve 2<sup>nd</sup> reading and final adoption of Policies 610 and 611.9, items 14 and 15, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

16. 2<sup>nd</sup> Reading, [Policy 305.1](#), Institution President Authority and Responsibilities;

Contract Terms

Ryan moved, Bye seconded, to approve 2<sup>nd</sup> reading and final adoption of Policy 305.1, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

17. 2<sup>nd</sup> Reading, [Policy 604.1](#), Performance Evaluation Presidents

Ryan moved, Warford seconded, to approve 2<sup>nd</sup> reading and final adoption of Policy 604.1, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

18. 1<sup>st</sup> Reading, [Policy 604.2](#), Performance Evaluation Chancellor

Member Volk noted concerns with Policy 604.2, specifically the timeline. He recommended the Chancellor's annual evaluation take place in the month of September. The Board discussed the timing of the Chancellor's evaluation and opted to leave the policy as written.

Ryan moved, Bye seconded, to approve 1<sup>st</sup> reading of Policy 604.2, as presented.

Ryan, Hanson, Black, Warford, Biller, Volk, Bye, and Mihalick voted yes. Volk voted no. Motion passed 7 – 1.

19. 1<sup>st</sup> Reading, [Policy 409](#), Degrees Offered

Ms. Claire Gunwall reviewed proposed amendments to Policy 409, Degrees Offered.

Member Volk outlined his concerns with Policy 409. As written, it gives decision making authority to an SBHE Committee, not consistent with the other SBHE Committees which do not have similar decision-making authority. Policy 421, Academic Program Requests, is referenced in Policy 409. SBHE Policies that are

referenced in another policy continue to be problematic. Additionally, there is no information provided on Policy 421 that is referenced in Policy 409.

Volk moved to strike paragraph one from Policy 409. Motion failed due to lack of a second.

After further discussion, the Board agreed to move forward with the first reading and ask the system office to bring Policy 409 and any associated policies to ASAC and/or the RGC committee for further review and consideration. Member Volk stated that was the intention of his motion and that he agreed to move it forward, have it further reviewed prior to the second and final reading.

Black moved, Ryan seconded, to approve 1<sup>st</sup> reading of Policy 409, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

20. 1<sup>st</sup> Reading, [Policy 420](#), Accreditation

Ms. Claire Gunwall reviewed proposed amendments to Policy 420, Accreditation.

Ryan moved, Black seconded, to approve 1<sup>st</sup> reading of Policy 420, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

21. 1<sup>st</sup> Reading, Policy 306.2, Part B – Internal Audit Charter

Member Volk reviewed Part B of [Policy 306.2](#), Internal Audit Charter.

Volk moved, Bye seconded, to approve 1<sup>st</sup> reading of Policy 306.2, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

22. 1<sup>st</sup> Reading, Policy 706.1, Board Member and Advisor Per Diem Payments

Vice Chancellor Krebsbach reviewed Policy 706.1, Board Member and Advisor Per Diem Payments.

Black moved, Ryan seconded, to approve 1<sup>st</sup> reading of Policy 706.1, as presented.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.

### **SBHE Committee Reports/Updates**

23. SBHE Academic and Student Affairs Committee report by Dr. John Warford.
24. SBHE Research and Governance Committee report by Dr. Casey Ryan and Ms. Danita Bye.
25. SBHE Budget and Finance Committee report by Mr. Kevin Black.
26. SBHE Audit Committee report by Mr. Jeffry Volk.
27. Presidential Compensation Study Ad Hoc Committee report by Dr. Casey Ryan.
28. Post-Tenure Ad Hoc Committee report by Dr. Casey Ryan and Mr. Tim Mihalick.

### **Chancellor Report**

29. Incident Report by Chair Mihalick.
30. Presidential Evaluations by Chancellor Hagerott.
31. Envision 2035 Update by Vice Chancellor Rostad/Chancellor Hagerott
  - 1<sup>st</sup> Group – Programs of the future: Healthcare report by Dr. Wynne.
  - 2<sup>nd</sup> Group – Programs of the future: Energy report by Mr. Kevin Black and President Hirning.
  - 3<sup>rd</sup> Group – Programs of the future: Ag report by Mr. Jeffry Volk and President Cook.
  - 4<sup>th</sup> Group – Student of the future report by President Jensen, President Flanigan, and Ms. Sadie Hanson.
  - 5<sup>th</sup> Group – Teacher of the future report by President Shirley.
  - 6<sup>th</sup> Group – Infrastructure of the future report by President LaFave.
  - 7<sup>th</sup> Group – Human Capital report by Mr. Michael Linnell and President Easton.
  - 8<sup>th</sup> Group – Values of the future report by President Van Horn and Ms. Danita Bye.
  - 9<sup>th</sup> Group – Programs of the future: Digitization report by President Armacost and Mr. Curtis Biller.
32. Governor Strategy Review by Chancellor Hagerott.

### **Other Reports/Updates:**

33. NDSA report by Ms. Sadie Hanson.
34. CCF report by Dr. Lisa Montplaisir.
35. Staff Senate report by Mr. Michael Linnell.
36. Public Comment – no public comment.
37. Assessment of Meeting and Future Agenda Items

### **Adjourn**

38. Motion to Adjourn  
Warford moved, Black seconded, to adjourn the meeting at 12:00 p.m. CT.

Bye, Hanson, Black, Warford, Biller, Volk, Ryan, and Mihalick voted yes. Motion passed 8 – 0.