

North Dakota State Board of Higher Education

May 30, 2024, Meeting Minutes

The State Board of Higher Education met on Thursday, May 30, 2024, at 8:30 a.m. CT., at Bismarck State College, National Energy Center of Excellence, 1200 Schafer Street, Bavendick room.

8:30 a.m. CT. – The Board’s May 29th retreat concluded at 8:50 a.m. CT.

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 | <input checked="" type="checkbox"/> Mr. Curtis Biller |
| <input checked="" type="checkbox"/> Mr. Michael Linnell, Staff Advisor | <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor (virtual) |

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, **UND** President Armacost, **VCSU** President LaFave, **WSC** President Hirning.

System Office/Guests

NDUS Chancellor Hagerott, VC Lisa Johnson, VC Krebsbach, VC Rostad, Ms. Jane Grinde, Ms. Brenda Zastoupil, Mr. Mark Gorenflo, **CTS** – VC Darin King, Mr. Corey Quirk, **Assistant Attorney General** – Ms. Meredith Larson.

1. **Agenda**

Warford moved, Bye seconded, to approve the agenda, as presented.

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

Board Consent (2 - 12)

2. [April 26, 2024](#), SBHE Meeting Minutes

SBHE Budget and Finance Committee

3. [UND EERC Bond](#)
4. UND Health [Facility/Sports Med Renovation](#)
5. [UND Starcher Hall Renovation](#)
6. [UND STEM Construction Phase I](#)
7. UND [Renaming of Chester Fritz Auditorium](#)
8. BSC [Bismarck Community Bowl Naming Rights Agreement](#).

9. WSC Dining Services [rate request](#)

Research and Governance Committee

10. [New Board Member Orientation](#)
11. [EDRF Internal Advisory Committee membership](#)
12. Updated SBHE [Self-assessment Executive Summary](#)

Casey moved, Warford seconded, to approve the consent agenda, items 2 -12, as presented.

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

13. **1st Reading, Policy 1202.1, Acceptable Use of Information Technology Resources**

Ryan moved, Warford seconded, to approve first reading of SBHE [Policy 1202.1](#), Acceptable Use of Information Technology Resources, as presented.

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

14. **1st Reading, Policy 830.1, Student Payment**

VC Johnson proposed amendments to Policy 830.1 and noted the changes are time sensitive; she requested waiving first reading.

Ryan moved, Black seconded, to approve waiving first reading and approve second reading of SBHE [Policy 830.1](#), Student Payment.

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

15. **1st Reading, Policy 703.2, Benefits**

Bye moved, Ryan seconded, to approve waiving first reading and approve second reading of SBHE [Policy 703.2](#), Benefits.

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

16. **1st Reading, Policy 603.1, Harassment and Discrimination**

Mr. Pieske reviewed the proposed amendments to [Policy 603.1](#), Harassment and Discrimination and the request to delete Policy 520. On April 19, 2024, the Department of Education issued new regulations to implement Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education. The new regulations go into effect August 1, 2024. Policy 520 conflicts with some aspects of the new Title IX regulations. The amendments simplify the policy and make it clear that campuses are to comply with all state and federal laws related to harassment and

discrimination, making Policy 520 duplicative. This revised policy could remain in effect regardless of how Title IX and other federal laws are changed in the future.

Warford moved, Ryan seconded, to approve first reading of [SBHE Policy 603.1](#) Harassment and Discrimination and deletion of Policy 520, as presented.

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

17. 2nd Reading, Policy 311, Public Records

The Board discussed and RGC Committee Co-Chair Bye stated the committee will review the records retention component at their June meeting.

Volk moved, Warford seconded, to approve second reading of [Policy 311](#), Public Records.

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

18. 2nd Reading, Policy 340.1, State Forester

Rye moved, Warford seconded, to approve 2nd reading of [Policy 340.1](#), State Forester.

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

19. 2nd Reading, Policy 404, Collaborative Applicant

Ryan moved, Warford seconded, to approve second reading of [Policy 404](#), Collaborative Applicant.

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

20. 2nd Reading, Policy 461, Digital Literacy

Biller moved, Ryan seconded, to approve second reading of [Policy 461](#), Digital Literacy.

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

21. NDSCS Mission Statement

President Flanigan proposed a change to [NDSCS's Mission Statement](#); he explained the request and process that involved extensive collaboration and reflection among faculty, staff, students, and other external stake holders.

Ryan moved, Biller seconded, to approve [NDSCS's](#) Mission Statement request. Volk, Hanson, Biller, Warford, Black, Ryan, and Chair Mihalick voted yes. Motion passed 8 – 0.

22. Nomination of Board Chair, Vice Chair, and Executive Secretary - Effective July 1, 2024, ([Policy 310.1](#))

Mr. Tim Mihalick was nominated to continue as Board Chair through June 30, 2025. Casey moved, Warford seconded, to approve Tim Mihalick as Board Chair. Volk, Hanson, Biller, Warford, Black, Ryan, and Chair Mihalick voted yes. Motion passed 8 – 0.

Ms. Danita Bye was nominated as Vice Chair through June 30, 2025. Warford moved, Casey seconded, to approve Danita Bye as Vice Chair. Biller, Warford, Volk, Hanson, Black, Ryan, and Chair Mihalick voted yes. Motion passed 8 – 0.

Ms. Bethany Kadrmas was nominated to continue as Board Secretary through June 30, 2025. Casey moved, Hanson seconded, to approve Bethany Kadrmas as Board Secretary. Ryan, Volk, Hanson, Biller, Warford, Black, and Chair Mihalick voted yes. Motion passed 8 – 0.

SBHE Committee Reports/Updates

23. SBHE Academic and Student Affairs Committee
The committee's working groups continue to address current academic and student affairs topics.
24. SBHE Research and Governance Committee
Committee Co-chair Bye explained the process that took place for the Board's annual Self-assessment and the next steps for the updated Executive Summary approved under the Board's consent agenda.
25. SBHE Budget and Finance Committee
The committee will be holding a special meeting to discuss capital projects; more information will be provided at a future meeting.
26. SBHE Audit Committee
The committee is currently working on the annual audit plan that will be approved at a future Board meeting.
27. Post-Tenure Ad Hoc Committee
The committee will meet be meeting prior to the June Board meeting and a report will be provided.
28. WICHE Report
Ms. Danita Bye attended a Western Interstate Commission for Higher Education conference and provided a brief update to the Board.
29. MHEC Report
Chair Mihalick will be attending the Midwestern Higher Education Compact meeting in June and will provide an update at the next Board meeting.

Chancellor Report

30. [2024 Affordability Report](#) provided by Ms. Brenda Zastoupil.
31. FAFSA Completion Update provided by Chancellor Hagerott.
32. SBHE Retreat Follow-Up provided by Chancellor Hagerott.

33. Presidential Evaluations Update provided by VC Jerry Rostad.
34. IT Director Search Update provided by VC Jerry Rostad.

Other Reports and Updates

35. NDSA report provided by Ms. Sadie Hanson.
36. CCF report provided by Dr. Lisa Montplaisir.
37. Staff Senate report provided by Mr. Michael Linnell.
38. Public Comment – no public comment.
39. Assessment of Meeting and Future Agenda Items
40. Motion to Adjourn
Ryan moved, Warford seconded, to adjourn at 11:00 a.m. CT.

Approved June 25, 2024.