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**
- ☒ Mr. Tim Mihalick, Chair
- ☒ Ms. Danita Bye
- ☒ Mr. Jeffry Volk
- ☒ Ms. Sadie Hanson
- ☒ Mr. Michael Linnell, Staff Advisor

**Dr. John Warford, Vice Chair**
- ☒ Dr. Casey Ryan
- ☒ Mr. Kevin Black
- ☒ Mr. Curtis Biller
- ☒ 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 1**
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 stakeholders.

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.