

North Dakota State Board of Higher Education

September 24, 2024, Meeting Minutes

The State Board of Higher Education met on Tuesday, September 24, 2024, at 8:30 a.m. CT., University of North Dakota, Memorial Union, Henry Family Ballroom/Room 220, Grand Forks, ND 58102.

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

Roll Call

SBHE Members

- | | |
|--|---|
| <input checked="" type="checkbox"/> Mr. Tim Mihalick, Chair | <input checked="" type="checkbox"/> Ms. Danita Bye, Vice Chair |
| <input checked="" type="checkbox"/> Mr. Kevin Black | <input checked="" type="checkbox"/> Dr. Casey Ryan |
| <input checked="" type="checkbox"/> Mr. Jeffrey Volk | <input checked="" type="checkbox"/> Mr. Curtis Biller |
| <input checked="" type="checkbox"/> Mr. Max Eriksrud | <input checked="" type="checkbox"/> Mr. DJ Campbell |
| <input checked="" type="checkbox"/> Mr. Michael Linnell, Staff Advisor | <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor |

Institutions

BSC President Jensen, **DCB** Dean Simone, **DSU** Mr. Les Weitstock, **LRSC** President Darling, **MaSU** President Van Horn, **MiSU** President Shirley, **NDSCS** President Flanigan, **NDSU** President Cook, Dr. Colleen Fitzgerald, **UND** President Armacost, Dr. Scott Snyder, **VCSU** President LaFave, **WSC** President Hirning.

System Office/Guests

NDUS Chancellor Hagerott, VC Lisa Johnson, VC David Krebsbach, VC Jerry Rostad, Mr. Mark Gorenflo, **CTS** VC Tom Dansford, Mr. Corey Quirk, **Assistant Attorney General** Ms. Meredith Larson, **Complete College America** Dr. Brandon Protas.

Presentations to the Board

1. [Complete College America](#) Dr. Brandon Protas.
2. [EPSCoR](#) by Dr. Colleen Fitzgerald, NDSU VP of Research and Dr. Scott Snyder UND VP of Research.
3. [Fiduciary Training](#) by Ms. Angie Mirrione, HUB International, provided the Board fiduciary training.

President Armacost welcomed the Board members and provided some campus highlights.

4. **Agenda**

Member Volk requested to add an item regarding governance as it relates to the Chancellor's position/term ending December 31, 2025. He asked that the full board begin discussions about the roles and responsibility for the position take place before the search process begins.

Board action following Complete College America

Black moved, Biller seconded, to approve the NDUS system joining the Complete College America (CCA) alliance.

Approved by consensus.

Board Consent (items 5 -11)

5. [July 31, 2024](#), Meeting Minutes

SBHE Academic and Student Affairs Committee

6. [Tenure Request](#)

SBHE Budget and Finance Committee

7. [DSU Woods Hall and Ag Building Bond Increase](#)
8. WSC Tier II and Tier III [Transfer of Capital Building Funds](#)
9. [MaSU transfer of Tier II and Tier III](#) Capital Building Funds
10. [DCB Transfer of Tier II Capital Building Funds](#)

Ryan moved, Campbell seconded to approve consent agenda items.

Member Volk requested an amendment to Member Ryan's motion, removing item 11, the retirement oversight plan recommendations to ensure all Board members have the information and an opportunity to provide input on details that HUB representatives provided to the SBHE Budget and Finance Committee.

Members Ryan and Campbell amended motion to approve consent agenda items 5 – 10; item 11 moved to an individual action item.

Approved by consensus.

AGENDA ITEM 11, REMOVED FROM CONSENT AGENDA.

11. NDUS Retirement Plan Recommendations

- a. [Revenue Credit Distribution](#)
- b. [Fees and Contracts](#)

Volk moved, Ryan seconded to approve the NDUS Retirement Plan Recommendations

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

12. Executive Session – Appointment of DSU Interim President (10:15 a.m. CT.)

Ryan moved, seconded, enter executive session to consider finalist(s) for the Dickinson State University interim presidency and/or contract terms. The executive session shall be limited to members of the SBHE, invited NDUS office staff, and NDUS legal counsel.

The legal authority for closing this portion of the meeting is North Dakota Century Code sections 15-10-17(1)(d), 44-04-19.1(9), and 44-04-19.2.

Executive session began at 10:20a.m. CT.

Present:

SBHE Members

Mr. Tim Mihalick, Chair

Mr. Kevin Black

Mr. Jeffry Volk

Mr. Max Eriksrud

Mr. Michael Linnell, Staff Advisor

Ms. Danita Bye, Vice Chair

Dr. Casey Ryan

Mr. Curtis Biller

Mr. DJ Campbell

Dr. Lisa Montplaisir, Faculty Advisor

Others:

Chancellor Hagerott, VC Jerry Rostad, Mr. Mark Gorenflo, Ms. Jane Grinde, Ms. Kristie Hetzler, Ms. Bethany Kadrmas, and Ms. Meredith Larson, ND Assistant Attorney General.

Executive session adjourned at 11:00 a.m. CT.

Reconvene in open meeting.

Bye moved, Ryan seconded, to close the Interim Presidential search for Dickinson State College and re-appoint Mr. Ty Orton as Acting President until the next Board meeting, consistent with SBHE Policy 601.2.

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

13. Dickinson State University Presidential Search

Mr. Mark Gorenflo proposed a [process and timeline](#) for a permanent Dickinson State University President; the search process is laid out in [SBHE Policy 601.1](#) and NDUS [NDUS Procedure 601.1](#). The Board will create a search committee and give the chancellor the authority to appoint members. Additionally, the Board will identify one Board member to serve on the search committee. The Board may also retain the services of a consultant to assist the search committee.

Member Volk requested the search committee consider all available options for search consultants, regardless if the system has utilized a specific consultant in previous searches.

Chair Mihalick stated that Vice Chair Bye has volunteered to serve on the DSU search committee.

Ryan moved, Black seconded, to authorize Chancellor Mark Hagerott, in consultation with Dickinson State University and the SBHE Chair, to begin the process of obtaining a consultant to assist with the search for the next President of DSU. Further, the Board approved Vice Chair Bye to serve as the Board representative on the DSU Search Committee.

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

14. **Chancellor's Goals**

SBHE Policy 304.1 states that the Board shall annually evaluate the Chancellor and Policy 604.2 states the performance review of the Chancellor shall be based upon a statement of [goals](#) for the year of evaluation. Chancellor Hagerott informed the Board that he has completed Presidential goals and formulated his 2024-25 goals to encompass the Presidential goals. His goals were provided to the Board members prior to the meeting to allow time for review and input. The policy does require Board approval; the 2024-25 Chancellor's goals are included in the agenda materials.

Member Black asked Chancellor Hagerott what his plan is over the next fifteen months to address enrollment and graduation for students that are going to contribute to our workforce needs in areas such as nursing and teaching, more specifically in head count and/or credit hours. He further inquired about what are the most actionable items in the Chancellor's goals from now until January 1, 2026. He stated that North Dakota's industry is agriculture and oil and gas, those program needs are up there with nursing and teaching. He asked what the most actionable items over the next fifteen months, and what does the system and/or the Board need to provide to accelerate growth in those programs areas? Lastly, Member Black asked how the system will work to strengthen partnerships with industry, noting it will be an area of interest at the upcoming legislative session.

Chancellor Hagerott stated that his approach has been to frame the challenges and support the University system with a strategy of resilience. Each institution is unique as far as their programs they offer, the market they serve, and the size of their campus and community. He further informed the Board that there are a variety of factors for each institution when it comes down to student enrollment, programs offered, and retaining faculty and staff. He recommends letting the local economy indicators and feedback go to the individual campuses so they can adapt at a local level to their microeconomies. His role as Chancellor provides top support on strategic initiatives like Envision 2035, and organizing the Board's strategic plan.

Member Volk stated concerns that the chancellor's goals weren't measurable as presented; Member Bye spoke in favor of the goals, as presented. Chancellor Hagerott stated the system has made notable strides in various areas and that his role is different than a campus president; he oversees the system of eleven institutions working together to reduce barriers to innovation. He noted resources that were provided to support expansion of several programs, such as cybersecurity.

Ryan moved, Eriksrud seconded, to approve the [Chancellor's goals](#), as presented.

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

15. **SBARE Budget Request (Updated)**

Dr. Greg Lardy provided the Board with an [updated SBARE budget request](#); the original request was presented and approved at the June Board meeting, but didn't include the Northern Crops Institute budget request because the information was not available

at that time. The agenda materials have been updated to include the Northern Crops Institute budget request for consideration.

Volk moved, Ryan seconded, to approve the SBARE Budget request, as presented.

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

Added agenda item – Chancellor Search

Member Volk recommended the Board discuss the chancellor search timeline, clarify the roles and responsibilities of the Presidents, Chancellor, and Board, and set clear expectations prior to engaging in a chancellor search. New leadership is going to require discussions amongst the Board, across the state, and with both internal and external stakeholders about the change in leadership at the system office and higher education. He explained that in the past, previous Board members had assembled similar study groups and/or implemented robust processes. There are many recommendations from a report that was completed ten years ago that remain unimplemented. He suggested that current Board members seize the opportunity to revisit those ideas, consider the different dynamics in higher education today, and start conversations amongst current Board members and their vision on how the system functions. He also recommended hiring an independent consultant to lead these discussions, ensuring all voices are heard and feedback is captured for the board's consideration. He noted the time it will take, but it will prepare the Board for the Chancellor search, and it ensures the Board has done their due diligence in selecting new leadership in higher education.

Member Ryan stated the Board needs to maintain their independence as a fourth branch of government while working with the governor and legislators. It's important to balance different legislative opinions, but it is the Board's authority and decision to select a leader for the higher education system, with keeping the focus on what's best for the state, workforce, and students.

Chair Mihalick thanked both members for their perspectives and noted their comments are timely. He stated that he targeted October 1 to start reviewing past searches and committee makeup; the Board will need to the process moving.

VC Krebsbach presented amendments to the following policies for 1st readings, items 16 – 21:

16. **HR Policy 12** [Overtime](#)
17. **HR Policy 21** [Leave Without Pay](#)
18. **Policy 701.1** [Leave Without Pay](#)
19. **Policy 840** [Contract Review](#)
20. **Policy 917** [Smoke-Free Facilities](#)

21. **Policy 1914 [Centers of Excellence](#)**

The Board discussed and determined that the amendments are minor and don't have a significant impact on current operations.

Ryan moved, Biller seconded, to approve 1st reading, waive 2nd reading, and approve final adoption of policies HR12, HR21, SBHE Policies 701.1, 840, 917, and 1914, as presented.

Campbell, Black, Volk, Bye, Ryan, Biller, Eriksrud and Mihalick voted yes. Motion passed 8-0.

22. **Reading Policy 1901.2 Computing Facilities**

Mr. Chris Pieske provided information regarding the proposal to delete [Policy 1901.2](#), Computing Facilities. The review was completed in consultation with CTS and the CIO Council, with no concerns. The details in this policy and procedure are contained in other 1200 series policies.

Biller moved, Ryan seconded, to approve 1st reading, waive 2nd reading and final approval to delete SBHE Policy 1901.2, as presented.

Campbell, Black, Volk, Bye, Ryan, Biller, Eriksrud and Mihalick voted yes. Motion passed 8-0.

Mr. Pieske reviewed amendments to the following SBHE Policies 1202.2, Incident Response and 1202.3, Data Privacy:

23. **Policy 1202.2, Incident Response**

And,

24. **Policy 1202.3, Data Privacy**

Black moved, Campbell seconded, to approve 1st reading, waive 2nd reading, and approve final adoption of SBHE Policies [1901.2](#) and [1202.3](#), as presented.

Campbell, Black, Volk, Bye, Ryan, Biller, Eriksrud and Mihalick voted yes. Motion passed 8-0.

SBHE Committee Reports/Updates/Discussion

25. SBHE Academic and Student Affairs Committee update by Mr. Biller.

26. SBHE Budget and Finance Committee update by Mr. Black.

27. SBHE Audit Committee report on Mr. Volk.

28. NDUS Retirement Oversight Committee update by Mr. Volk and Mr. Black.

29. SBHE Research and Governance Committee update by Co-chairs Dr. Ryan and Ms. Bye.

30. SBHE Ad Hoc Post Tenure Review Committee update by Dr. Casey Ryan; he provided an overview of the process the ad hoc committee took to complete their review and suggested edits to their final report. The report went to the SBHE Research and Governance Committee (RGC) and RGC had no additional amendments to the final report. The Board discussed and VC Johnson confirmed that eight policies and one procedure have been identified and referenced to the ad hoc committee, as those

policies and the procedure directly relate to tenure. They will be worked through normal policy channels if and when the final report is approved by the Board.

Chancellor's Report

31. Census Data Report by Dr. Jen Weber; her report identified an increase in enrollment across the NDUS institutions. The growth could be attributed to the increased number of undergraduates and new freshmen. She stated that the data just came in yesterday, so today's report is preliminary; she will provide additional information to Board at their next meeting. The Board discussed the Minnesota promise program, what NDUS institutions are doing to remain competitive, and the need to work with legislators for additional resources.
32. Envision 2035 Update by VC Rostad and Chancellor Hagerott.
33. Legislative Preparations by Chancellor Hagerott.

Other Reports:

34. NDSA by Mr. Max Eriksrud.
35. CCF by Dr. Lisa Montplaisir.
36. Staff Senate by Mr. Michael Linnell.

President LaFave promoted the artificial intelligence (AI) conference at VCSU, highlighting collaboration across NDUS and other state departments, showcasing a commitment to advancing AI education and workforce development.

37. Public Comment – no public comment.
38. Assessment of Meeting and Future Agenda Items
39. Motion to Adjourn
 - Roll call

The meeting was adjourned at 1:00 p.m. CT.

Approved October 24, 2024.