

### **North Dakota State Board of Higher Education**

Meeting Minutes  
January 30, 2025

The State Board of Higher Education met on Thursday, January 30, 2025, at 8:30 a.m. CT., Bismarck State College, Advanced Technology Center, Room 301, Bismarck, ND, 58501.

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** Interim President Sanford, **DCB** Dean Simone, **DSU** Acting President Orton, **LRSC** President Darling, Mr. Lloyd Halvorson, **MaSU** President Van Horn, **MISU** Dr. Shirley, **NDSCS** President Flanigan, **NDSU** President Cook, Mr. David Bertolini, **UND** President Armacost, Mr. Peter Johnson, Ms. Karla Stewart, Mr. Kibbon, **VCSU** Mr. Larry Brooks, **WSC** President Hirning, Ms. Deborah Halvorson.

System Office/Guests

**NDUS** Chancellor Hagerott, VC Lisa Johnson, VC David Krebsbach, VC Jerry Rostad, Mr. Mark Gorenflo, Dr. Jen Weber, Ms. Tammy Dolan, Ms. Jane Grinde, Ms. Claire Gunwall, Mr. Chris Pieske, Ms. Bethany Kadrmas, Ms. Caitlin Magilke, Mr. Rick Tonder, Dr. Billie Jo Lorius, Ms. Dina Cashman, **CTS** VC Tom Danford, Mr. Corey Quirk, **Assistant Attorney General** Ms. Rachel Sinness, **Others** Dr. Twyla Baker.

#### 1. **Agenda**

Bye moved, Ryan seconded, to approve the agenda, as presented.  
Approved by consensus.

#### 2. Dr. Twyla Baker, President, Nueta Hidatsa Sahnish College

Dr. Twyla Baker discussed the importance of tribal colleges in North Dakota, their role in providing transfer graduates, and the ongoing efforts to build relationships with other institutions. She highlighted the need for support for non-beneficiary students and the potential for partnerships with NDUS in AI and CTE offerings.

#### **Board Consent**

Member Volk requested UND items eleven and twelve be removed from the Consent Agenda and placed under Board Action as individual items:

3. December 5, 2024, [Meeting Minutes](#)
4. December 10, 2024, Special [Meeting Minutes](#)
5. December 20, 2024, Special [Meeting Minutes](#)
6. January 9, 2025, Special [Meeting Minutes](#)
7. January 10, 2025, Special [Meeting Minutes](#)
8. January 17, 2025, Special [Meeting Minutes](#)

SBHE Budget and Finance Committee

9. [DCB 2023-25 CBF Tier III Request](#)
10. [UND Name Education Northwest](#)
11. ~~UND Purchase Bronson Center~~ REMOVED FROM CONSENT AGENDA, placed after item 18 as a Board Action item.
12. ~~UND Flight Operations Construction Project~~ REMOVED FROM CONSENT AGENDA, placed after item 18 as a Board Action item.
13. [NDSU Seim Hall Renovation](#)

SBHE ASAC Committee

14. Institution Organization Notice
  - [North Dakota State University](#)
    - i. Peltier Institute for Advancement in Agriculture Technology
15. [Tenure Recommendations](#)
16. Reconfirm DSU Acting President

Bye moved, Campbell seconded to approve consent agenda items 3 – 10 and 13 – 16.  
Bye, Volk, Eriksrud, Black, Campbell, Biller, Ryan, and Mihalick voted yes. Motion passed 8-0.

### **Board Business**

17. Tenure Policies/Legislative Update

#### [Summary of Tenure Policy Edits](#)

- a. Policy 605.3 [Nonrenewal, Termination or Dismissal of Faculty](#)  
VC Johnson reviewed Policy 605.3, highlighting edited section 1(a)(i-ii) and deleted section 1(a)(iii) of Policy 605.3.

Black moved, Bye seconded to approve edited sections 1 - 3 of Policy 605.3, as presented.

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

VC Johnson continued the review of Policy 605.3, highlighting added section 4.

Ryan moved, Biller seconded to approve added section 4 of Policy 605.3, as presented.

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

VC Johnson continued the review of Policy 605.3, highlighting edited section 5(b), edited section 5(c), edited section 6, and edited section 7.

Ryan moved that "moral turpitude" be removed from the proposed edited section 7 of Policy 605.3. The motion failed for a lack of a second.

Biller moved, Ryan seconded to approve the edit to section 7 of Policy 605.3 that the board not include moral turpitude and add under current subsection (f) "violations of SBHE policy or institutional policy, including the Code of Conduct, provided that for violations of institutional policy the institution must notify the faculty member in writing that violations construed ground for dismissal" and seek to strengthen the Code of Conduct Policy.

Campbell, Biller, Ryan, and Eriksrud voted yes. Black, Volk, Bye, and Mihalick voted no. Motion failed 4-4.

Black moved, Volk seconded to add "moral turpitude" to the proposed edited section 7.

Volk, Black, and Bye voted yes. Campbell, Eriksrud, Ryan, Biller, and Mihalick voted no. Motion failed 3 – 5.

VC Johnson continued the review of Policy 605.3, highlighting edited section 7(a), edited section 7(c), and edited section 8.

Black moved, Ryan seconded to approve the remaining edits of Policy 605.3, as presented.

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

b. Policy 605.4 [Hearings and Appeals](#)

VC Johnson reviewed Policy 605.4, highlighting the insertion of section 1, moved from Policy 605.3, and edited section 6.

Black moved, Ryan seconded to approve edited section 6 of Policy 605.4.

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

VC Johnson continued the review of Policy 605.4, highlighting the deletion of section 7. Chris Pieske reviewed updated section 8.

Black moved, Ryan seconded to approve the remaining edits of Policy 605.4, as presented, including the removal of “or gave the decision inadequate consideration” from section 1.

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

c. Policy 605.5 [Mediation](#)

VC Johnson reviewed Policy 605.5, highlighting edited section 2, edited section 2(b), edited section 3(a-c), edited section 4, and edited section 5.

Black moved, Bye seconded to approve remaining edits of 605.5, as presented, with the elimination of “The cost of mediation shall be equally divided by the parties” in edited section 5.

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

d. VC Johnson provided an update on HB 1437 which would eliminate tenure at community colleges. The SBHE members and presidents discussed the potential impact on hiring, constitutional infringement, and the progress currently being made on tenure policies.

Ryan moved, Black seconded the SBHE oppose HB 1437 based on constitutional infringement, that the SBHE has made progress within the last year and has clear plans in the near future to address the matter at two-year campuses.

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

18. [Presidential Search Timeline](#)

Chancellor Hagerott reviewed the recommended search timing for presidential searches at Bismarck State College, Lake Region State College, and the Chancellor Search.

Campbell suggested the BSC search with an academic cycle, by moving it out to align with the Lake Region State College search timeline.

Volk suggested the removal of the Chancellor Search from the proposed timeline until roles and responsibilities have been determined for the position.

Bye moved, Ryan seconded to approve the Presidential Search Timeline, as presented.

Volk moved, Black seconded to amend the motion to remove AGB search from the Presidential Search Timeline. After discussion, Black withdrew his second, and the motion failed for lack of a second.

Black moved, Volk seconded to bifurcate "approve a plan to hire search consultants for each search" from the Presidential Search Timeline.

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

Black moved, Campbell seconded motion to amend motion that the Chancellor Search be "to be determined" and to adjust the presidential search for Bismarck State College to align with the presidential search timeline for Lake Region State College.

Eriksrud, Campbell, Volk, Black, Biller, and Mihalick voted yes. Ryan and Bye voted no. Motion passed 6 - 2.

Black moved, Volk seconded motion that the Chancellor Search be "to be determined" and to adjust the presidential search for Bismarck State College to align with the presidential search timeline for Lake Region State College.

Campbell, Black, Biller, Volk, Eriksrud, and Mihalick voted yes. Bye and Ryan voted no. Motion passed 6 - 2.

Volk moved to amend motion to remove AGB as the search consultant for the presidential searches. The motion failed for a lack of a second.

Volk moved, Black seconded, to amend motion to go through an RFP process to select a search firm.

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

Volk moved, Black seconded, to go through an RFP process to select a search firm.

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

Items 11 and 12 pulled from consent agenda

### **UND Purchase Bronson Center**

#### [UND Purchase Bronson Center](#)

Volk stated that when BFC reviewed the agenda item, it was given a conditional approval which was not brought forward with the agenda item. "Provided the university does not need legislative approval to purchase a building, the committee recommended approval of the purchase." Rachel Sinness confirmed legislative approval is not needed for the Bronsen Center purchase.

Volk moved, Biller seconded, approval of agenda item 11.

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

### **UND Flight Operations Construction Project**

#### [UND Flight Operations Construction Project](#)

Volk stated that when BFC reviewed the agenda item, it was given a conditional approval contingent on the lease being extended.

Volk moved, Black seconded, approval of the agenda item, contingent on the lease being extended from 4 years to 2029.

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

### **SBHE Policy**

1st Readings:

Mr. Chris Pieske reviewed amendments to the following policies, items 19 – 22:

19. HR Policy 3 - Qualifications for Employment
20. HR Policy 7 - Sick Leave
21. Policy 603.2 - Equal Employment Opportunity
22. Policy 909 - Real Property Leases

Volk moved, Ryan seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> reading, and approve for final adoption SBHE [HR Policy 3](#) and Policy [603.2](#), as presented.

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

Ryan moved, Campbell seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> reading, and approve for final adoption SBHE [HR Policy 7](#), as presented.

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

Ryan moved, Eriksrud seconded, to approve 1<sup>st</sup> reading, waive 2<sup>nd</sup> reading, and approve for final adoption SBHE Policy [909](#), as presented.

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

### **SBHE Policy**

2nd Readings:

VC Johnson reviewed amendments to the following policies, items 23 – 25:

23. Policy 350.2 Work Force Training Boards

Biller moved, Campbell seconded, to approve for final adoption SBHE Policy [350.2](#), as presented.

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

24. Policy 469 College Credit in High School

Volk moved, Campbell seconded, to approve for final adoption SBHE Policy [469](#), as presented.

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

25. Policy 805.1 Tuition

Ryan moved, Volk seconded, to approve for final adoption SBHE Policy [805.1](#), as presented.

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

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

26. SBHE Academic and Student Affairs Committee by Mr. Curtis Biller.

- ASAC Institution [Survey](#)

27. SBHE Budget and Finance Committee by Mr. Kevin Black.

28. SBHE Audit Committee by Mr. Jeffrey Volk.

29. SBHE Research and Governance Committee by Dr. Casey Ryan and Ms. Danita Bye.

- [CTS Annual Report](#)

30. SBHE RFP Ad-Hoc Committee by Dr. Casey Ryan and Mr. Jeffrey Volk.

### **Chancellor Report**

31. Legislative Update

Ms. Dolan provided a recap of the last week's activity.

32. SBHE Retreat

Chancellor Hagerott discussed moving the SBHE Retreat scheduled for May 28 to the day before the regularly scheduled SBHE June meeting, June 25 to allow adequate preparation following the conclusion of the legislative session.

33. Challenge Grant Allocation

The SBHE discussed the allocation of \$50 million for challenge grant funds currently being considered by the legislature. Vice Chancellor Krebsbach reported the foundations have not arrived at a consensus at this time on allocation of such funds. Member Volk proposed a tiered allocation model, suggesting \$1 million for smaller institutions, \$2 million for the next tier, \$3 million for the larger non-research institutions, and \$16 million for each of the research institutions. The SBHE members and presidents discussed the proposed allocation of funds and the potential impacts on smaller institutions. The board agreed to continue discussions to refine such allocation.

### **Other Reports**

34. NDSA by Mr. Max Eriksrud.

35. CCF by Dr. Lisa Montplaisir.

36. Staff Senate by Mr. Michael Linnell.

37. [NDUS Institution Accreditation Notification](#) by VC Johnson.

38. Public Comment

President Darling called attention to HB 1365 and HB 1588, concerning firearms on campus. The SBHE members expressed concerns about the potential impact of these bills.

### **Adjourn**

Chair Mihalick adjourned the meeting at 2:29 p.m. CT.

Approved February 27, 2025.