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North Dakota State Board of Higher Education March 27, 2025, Meeting Minutes

The State Board of Higher Education met on March 27, 2025, at 8:00 a.m. MT. (9:00 a.m. CT), Dickinson State University, Student Center Ballroom, Dickinson, ND 58601.

Chair Mihalick called the meeting to order at 8:00 a.m. MT.

Roll Call

SBHE Members

- | | |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Mr. Tim Mihalick, Chair | <input checked="" type="checkbox"/> Ms. Danita Bye, Vice Chair (via teams) |
| <input checked="" type="checkbox"/> Mr. Kevin Black | <input checked="" type="checkbox"/> Dr. Casey Ryan (via teams) |
| <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 (via teams) | <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor |

Institutions

BSC Interim President Sanford, **DCB** Dean Simone, **DSU** Acting President Orton, **LRSC** Mr. Lloyd Halvorson, **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 David Krebsbach (intermittently), VC Jerry Rostad, Mr. Mark Gorenflo, Ms. Tammy Dolan (intermittently), Ms. Jane Grinde, **CTS** VC Tom Danford, Mr. Corey Quirk, **Assistant Attorney General** Ms. Meredith Larson.

1. Agenda

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

Member Volk proposed two additions to the agenda:

- a. Remove the RFP Statement of Work from tabled status (tabled by the Board on February 27, 2025).

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

- b. Hold an executive session to consider current leadership position(s) and work product.

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

2. Dickinson State University President Interviews

The Board interviewed the finalists for the position of Dickinson State University President:

- [Jeff Borden](#)
- [Scott Molander](#)
- [Carmen Simone](#)
- [Jodi Washington](#)

3. Executive Session 12:10 p.m. MT

Black moved, Ryan seconded, to move to enter Executive Session to (1) consider the appointment of, and contract terms for, the next President of Dickinson State University; (2) to discuss negotiating strategy and provide negotiating instructions to its counsel and/or negotiators related to the same; and (3) limit the executive session to voting board members, nonvoting advisors, the chancellor, invited NDUSO staff, board counsel, AGB consultants, and co-chairs of the presidential search committee.

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

Executive session began at 12:20 p.m. MT.

Present:

SBHE Members

- | | |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Mr. Tim Mihalick, Chair | <input checked="" type="checkbox"/> Ms. Danita Bye, Vice Chair (via teams) |
| <input checked="" type="checkbox"/> Mr. Kevin Black | <input checked="" type="checkbox"/> Dr. Casey Ryan (via teams) |
| <input checked="" type="checkbox"/> Mr. Jeffry 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 (via teams) | <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor |

Search committee co-chair, Mr. Ty Orton, search committee member, WSC President Hirning, AG Assistant/Board Counsel, Ms. Meredith Larson, Chancellor Hagerott, AGB Consultants, Mr. Jim McCormick and Ms. Janice Fitzgerald, NDUSO VC of Strategic Engagement, Mr. Jerry Rostad, NDUSO Chief of Staff, Mr. Mark Gorenflo, SBHE Executive Assistant, Ms. Kristie Hetzler were in attendance for the entire session. BSC Interim President Brent Sanford entered from 1:40-1:45 p.m. MT via Teams.

Executive Session adjourned at 2:10 p.m. MT.

Reconvened in open meeting at 2:25 p.m. MT.

4. SBHE action regarding the Dickinson State University Presidency

Volk moved, Black seconded, to approve the form of the employment contract for the President's position at Dickinson State University and to offer the position job to Scott Molander.

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

Board Consent

5. Reconfirm Mr. Ty Orton as Acting President for Dickinson State University
6. February 14, 2025, Special [Meeting Minutes](#)

7. February 21, 2025, Special [Meeting Minutes](#)
8. February 27, 2025, [Meeting Minutes](#)
9. March 7, 2025, Special [Meeting Minutes](#)
10. March 14, 2025, Special [Meeting Minutes](#)

SBHE Budget and Finance Committee

11. [2025-26 Housing, Food, and Fee Rates](#)

SBHE Academic and Student Affairs Committee

12. [Tenure Recommendations](#)

SBHE Audit Committee

13. [Updated FY 25 NDUS Internal Audit](#)
14. [Annual NDUS Internal Audit Executive Survey](#)
15. [Annual Compliance Office Executive Survey](#)

SBHE Research and Governance Committee

16. SBHE Self-Assessment [Timeline](#) and [Instrument](#)
17. [Institution Revisions to Tenure and Post Tenure](#)

Ryan moved, Biller seconded, to approve consent agenda items 5 – 17.

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

18. Honorary Degrees

Vice Chancellor Johnson outlined the institution's process and Board Policy 409 that outlines the necessary criteria regarding the award of an Honorary Degree. The three nominees presented to the Board met the stated criteria in Policy 409, and Chancellor Hagerott recommends approval to grant all three individuals Honorary Degrees, as presented.

Biller moved, Eriksrud seconded, to approve Honorary Degrees, as presented.

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

19. NDSCS Land Lease to City of Wahpeton for Recreation Center

Volk moved, Bye seconded, to support in principle the [land lease](#) with the City of Wahpeton, subject to approval of the funding by the city and approval of the terms of the sale or of the lease

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

20. [SBHE/NDUS Support for Career Innovation Center](#)

Biller moved, Ryan seconded, to approve supporting the NDSCS Career Innovation Center in Fargo.

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

Amendment/addition to agenda – RFP for Executive Search:
Member Volk retracted his motion to bring the RFP off the table due to time constraints of today's meeting. He requested that it remained tabled until the Board's next meeting; Board members had no concerns tabling at this time.

1st Reading of SBHE Policies:

21. Policy 308.1 Officer and Employee Code of Conduct

Mr. Chris Pieske provided an overview of proposed changes to Policy 308.1

Biller moved, Campbell seconded, to approve the first reading of [Policy 308.1](#), as presented.

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

22. Policy 308.4 Conflict of Interest

Mr. Chris Pieske provided an overview of proposed changes to Policy 308.4.

Black moved, Volk seconded, to approve first reading of [Policy 308.4](#), as presented.

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

Mr. Chris Pieske provided an overview of proposed changes to the following 900 Policies:

23. [Policy 902.5](#) Construction Process-Architects, Engineers and Construction Managers

24. [Policy 902.11](#) Fire and Tornado Coverage

25. [Policy 902.12](#) Building Names

26. [Policy 903](#) Sale, Removal, or Alteration of Buildings

27. [Policy 905](#) Special Assessments

28. [Policy 914](#) Easements

Ryan moved to approve first reading and waive second reading for policies 902.5 - Construction Process-Architects, Engineers and Construction Managers, 902.11 - Fire and Tornado Coverage, 902.12 - Building Names, 903 - Sale, Removal, or Alteration of Buildings, 905 - Special Assessments, and 914 – Easements.

Member Volk suggested the Board discuss having a couple amendments to 902.11 and 902.12. He recommended developing a consistent method for valuing infrastructure to ensure accurate and fair insurance coverage in Policy 902.11 and that Policy 902.12 include a time frame after an employee leaves an institution before naming a building after them. A common practice is to have a waiting period, such as three to five years, to ensure that any potential issues arise before making such a decision. Chancellor

Hagerott agreed and indicated he supported the additional recommendations made by member Volk.

Ryan amended his motion, Bye seconded, to approve first reading and waive second readings for policies 902.5, 903, and 914, as presented, and further to send Policies 902.11 and 902.12, back to the SBHE Budget and Finance Committee to consider member Volk's recommendations.

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

29. Policy 401.1 Academic Freedom

VC Lisa Johnson reviewed proposed amendments to Policy 401.1, Academic Freedom. The proposed amendments were suggested following previous Board discussions regarding tenure/post-tenure review and other related Board policies. The updated language ensures faculty members have the freedom to pursue scholarly work without fear of adverse employment actions provided their speech meets the criteria outlined in Policy 401.1. The policy includes language to address unacceptable circumstances, such as being too broadly construed, comprising a disproportionate amount of classroom instruction, or creating a hostile educational environment in violation of law or policy.

Volk moved, Eriksrud seconded, to approve first reading of [Policy 401.1](#), as presented.

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

2nd Readings:

30. Policy 409 Degrees Offered

VC Lisa Johnson provided background information on the request to amend Policy 409, Degrees Offered. The policy lists the degree and the NDUS institutions that are authorized by the board to offer specific degrees. Last month, the Board discussed NDSCS's request to be added to the list of institutions to offer a Bachelor of Applied Science. The Board summary provides additional background information and identifies the lack of unanimous support in the review process. Johnson stated the dissenting campus votes revolved around concerns about the Board's approach to deviations from current campus mission, not specifically NDSCS's request. However, she offered open discussion for the Presidents and/or other campus representatives to speak on their behalf. If the Board approves second reading and final adoption today, it authorizes NDSCS's request to offer a Bachelor of Applied Science (BAS) degree.

31. Policy 506 Immunizations

VC Lisa Johnson explained that the proposed amendments originated from the health services staff of the University of North Dakota and North Dakota State University. The proposed amendment requires each institution to establish procedures for testing and tuberculosis (TB) screening of international students from high-burden countries for TB as classified by the World Health Organization.

Volk moved, Eriksrud seconded, to approve second reading and final adoption of [Policy 409](#) Degrees Offered and [Policy 506](#), Immunizations, as presented.

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

SBHE Committee Reports/Updates/Discussions

32. SBHE Academic and Student Affairs Committee by Mr. Curtis Biller.
33. SBHE Budget and Finance Committee by Mr. Kevin Black.
34. SBHE Audit Committee by Mr. Jeffry Volk.
35. SBHE Research and Governance Committee by Dr. Casey Ryan/Ms. Danita Bye, including a [summary page](#) reviewed by the committee regarding the Tenure/Post-tenure Report.

Chancellor Report

36. Legislative Update by Chancellor Hagerott.
37. Envision 2035 update by Chancellor Hagerott.
38. DeepSeek Block Update by Chancellor Hagerott.
39. 2025 Board Retreat by VC Jerry Rostad; he requested Board members and/or Presidents send him input for the agenda for the Board's upcoming retreat.

Other Reports

40. NDSA by Mr. Max Eriksrud; he stated the ND Student Association has recognized Chancellor Hagerott with the Student Advocacy Award.
41. CCF by Dr. Lisa Montplaisir.
42. Staff Senate by Mr. Michael Linnell.
43. Public Comment – no public comment.

The meeting adjourned at 3:30 p.m. MT.

Approved April 30, 2025.