

North Dakota State Board of Higher Education

April 30, 2025, Meeting Minutes

The State Board of Higher Education met on Wednesday, April 30, 2025, at 8:30 a.m. CT., via Teams.

Chair Mihalick called the meeting to order at 8:30 a.m. CT. and welcomed Interim Chancellor Sanford on his first day in his new role.

Board Chair Mihalick provided a public statement regarding the current criminal investigation of former North Dakota Senator, Mr. Ray Holmberg:

"Over the weekend, records were released to the media from the Ray Holmberg investigation. The State Board of Higher Education (SBHE) learned, at the same time as the public, that individuals previously affiliated with our institutions or Board may have had a connection to the criminal investigation of former Senator Holmberg. Immediately upon learning of this information, the SBHE, in conjunction with our institutional leaders, began an internal review of records to determine if there were any violations of policy or law or a failure to report misconduct. We intend to be proactive and diligent, and the scope of our internal review will be comprehensive. This will take time, but we will be transparent with any findings that may result from the internal review. Our number one priority is the safety of our campus communities. We encourage anyone who has information pertaining to misconduct or a failure to report misconduct perpetrated by an SBHE member or North Dakota University (NDUS) employee, to make a report to an institution's Title IX office, or the NDUS Office of Compliance and Ethics."

University of North Dakota President, Dr. Andy Armacost, stated he appreciates and echoes the comments from Board Chair Mihalick. He went on to state: "Yesterday, I, President Armacost, sent a letter to the UND campus about the Holmberg case and what we learned from last Friday's public release of documents. The following are key points of that letter:

- We are sickened by the criminal actions of Holmberg and by any inaction of those who had direct information about his criminal behavior.
- We offered a wide array of support resources that students, faculty, and staff members will find helpful for anyone impacted by this case, including the ability to report concerns related to this case or any other.
- The university will continue to monitor new information that comes forward through authoritative sources, through direct reports to the university, through the press, or through any other source, and we will take appropriate actions based upon the facts we learn.
- Finally, let me state that our hearts break for anyone who has been impacted by this case, whether in Grand Forks, across the state, or around the globe."

Roll Call

SBHE Members

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| <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 |

Institutions

BSC Interim President Leingang, **DCB** Dean Simone, **DSU** Acting President Orton, **LRSC** President Darling, Mr. Lloyd Halvorson, **MaSU** President Van Horn, **MiSU** President Shirley, **NDSCS** President Flanigan, **NDSU** President Cook, **UND** President Armacost, Ms. Karin Hegstad, Mr. Bruce Bollinger, **VCSU** President LaFave, **WSC** President Hirning.

System Office/Guests

NDUS Interim Chancellor Sanford, VC Lisa Johnson, VC David Krebsbach, VC Jerry Rostad, Mr. Mark Gorenflo, Ms. Tammy Dolan, Ms. Jane Grinde, **CTS** VC Tom Danford, Mr. Corey Quirk, **Assistant Attorney General** Ms. Meredith Larson. NDSU Ag Dr. Greg Lardy.

1. Agenda

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

Board Consent

2. Reconfirm Mr. Ty Orton as Acting President for Dickinson State University
3. March 21, 2025, Special [Meeting Minutes](#)
4. March 27, 2025, [Meeting Minutes](#)
5. April 11, 2025, Special [Meeting Minutes](#)
6. April 14, 2025, Special [Meeting Minutes](#)

SBHE Budget and Finance Committee

7. [NDUS Retirement Plans](#) - Authorize the SBHE Chair, who serves as the Plan Administrator for NDUS retirement plans, to move forward with contract negotiations for the TIAA/HUB RetirePlus Pro/My Track project and to authorize the Chair to execute the required documents or contracts following review and approval by legal counsel
8. [NDSU Program Fee Increase](#) (TAP program) - Authorize fee rate increase for the 2025-26 academic year for the Transition and Access
9. [NDSU Tuition Exemption Request MN-WI-IL](#) – moved to individual Board action
10. [NDSCS Tech Center Renaming](#)
11. [Minnesota/North Dakota Reciprocity MOU](#)

SBHE Academic and Student Affairs Committee

12. [UND Institution Organization](#) – Center for Engineering Education Research
13. [Tenure and Faculty Appointments](#)

Member Eriksrud requested to remove item nine, [NDSU Tuition Exemption Request MN-WI-IL](#) from the consent agenda; there was no opposition.

Eriksrud moved, Campbell seconded, to approve the amended consent agenda, items

2 – 8, and 10 – 13; further, move item 9, the NDSU Tuition Exemption Request MN-WI-IL, to Board action.

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

14. Nominations for the State Board of Agricultural Research and Education (SBARE). SBARE is a statutory board (NDCC 15-12.1-14), which is responsible for budgeting and policymaking associated with the North Dakota Agricultural Experiment Station and North Dakota State University Extension. Individuals are nominated to serve on SBARE by the ND Ag Coalition and NDSU Extension's multicounty program units. Dr. Greg Lardy presented the following nominees to serve on SBARE:
- a. Mr. Scott [Huso](#)
 - b. Mr. Jason [Schmidt](#)

Volk moved, Biller seconded, to approve Mr. Scott Huso and Mr. Jason Schmidt to serve a four-year term on SBARE, beginning July 1, 2025.

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

NDSU Tuition Exemption Request MN-WI-IL (item nine originally on consent agenda) Member Eriksrud raised concerns approving this type of [tuition waiver](#) for only NDSU; he noted several NDUS institutions are demographically challenged and compete with bordering states for students. He inquired whether the Board should consider a systemwide policy, exemption, or exception.

Board members that serve on the SBHE Budget and Finance Committee explained that NDSU's tuition exemption was reviewed and discussed at their April meeting, the committee unanimously recommended approval. The second proposed action included in NDSU's request, is a temporary (one-year) exception for Minnesota students who failed to apply for reciprocity on time due to late notification of policy changes. This exception aims to minimize enrollment impacts during the transition.

The Board discussed the timeline and process for submitting annual tuition rates, including exemption requests. All NDUS institutions were given the same opportunity to submit a similar tuition exemption request; they are also given permission to submit other tuition exemption requests for specific programs and/or other unforeseen challenges that are campus specific.

University of North Dakota President Armacost, stated that the second proposed action goes beyond setting tuition rates; he expressed interest in receiving the same temporary exception and flexibility, noting the other institutions would benefit from it as well.

Member Ryan moved, Bye seconded, to send NDSU's request back to the Budget and Finance Committee for further discussion and to consider inclusion of other NDUS institutions, if desired.

North Dakota State University President Cook stated that there is an urgency to the one-year temporary exception request, as noted in the documentation linked to the agenda. Delaying approval could have a negative impact on fall student enrollments.

Board member Black informed the other institutions that if they wish to submit a separate proposal, the BFC Committee will review and discuss at their May meeting.

Members Ryan and Bye withdrew their motion.

Volk moved, Ryan seconded, to approve [NDSU's Tuition Exemption Request MN-WI-IL](#), as presented.

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

1st Reading of SBHE Policies:

15. Policy 902.11, Fire and Tornado Coverage

VC Krebsbach provided an overview of proposed changes to Policy 902.11, Fire and Tornado Coverage and stated that the NDUS Administrative Affairs Council will continue to work through the Board's recommendation. Member Volk provided a summary of the discussions during the SBHE BFC Committee meeting, stating that the inconsistent valuation and tracking of state assets, buildings, and infrastructure could impact how and at what level repair funds are requested and/or appropriated at future legislative sessions. Chair Mihalick requested VC Krebsbach and institution VPs create a document with property valuations compared to actuals, at a future BFC meeting.

Ryan moved, Volk seconded, to approve the first reading, waive second reading, and final adoption of [Policy 902.11](#), as presented.

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

16. Policy 902.12, Building Names

VC Krebsbach provided an overview of proposed changes to Policy 902.12, Building Names. The Board discussed the unanimously approved recommendations from the SBHE Budget and Finance Committee, which adds a 10-year wait period after the end of employment before proposing to name a building after a former employee. They also discussed reducing it to 5 years and if the wait period should include elected officials and others, not just NDUS employees.

Mr. Pieske explained that the policy language in subsection three is guidance, not mandatory, allowing flexibility in naming buildings after individuals sooner if desired. Ms. Larson added that if the Board approves the policy as it is today, the Board can always suspend their policy to consider any extraordinary circumstances.

Volk moved, Biller seconded, to approve the first reading, waive second reading, and final adoption of [Policy 902.12](#), as presented.

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

2nd Readings:

17. Policy 401.1 [Academic Freedom](#)

VC Johnson stated that Policy 401.1, Academic Freedom, was reviewed by various councils and committees with no additional recommended edits from first reading; however, recently, concerns were raised about edits to subsection four. Mr. Pieske explained the recent concerns and/or questions he's received were about student rights and the process of reporting potential violations. The Board discussed the location of the student information and when or how students access that information. SBHE Student member, Mr. Eriksrud, acknowledged the information is in student manuals; however, he questioned how many students read their manuals from front to back. He recommended adding the information to the students' course syllabi, which is often looked at by students. Mr. Pieske responded that there would be a new direction for the Board to take, similar to a systemwide mandate, whereas the Board expects each institution to follow best practices and what works on their individual campuses; Mr. Eriksrud agreed.

The Board continued to discuss the proposed amendments thoroughly, including, but not limited to the following:

- Discipline or adverse employment action if a substantial portion or disproportionate amount of classroom instruction time is misused or if it creates a hostile educational environment, and/or violates law or policy.
- Additional protections institutions can provide classroom speech and faculty speech in instruction-related activities, such as mentoring, advising, and other similar activities.
- Making student rights information accessible to all students.
- Reporting and enforcement, with the process involving reporting to instructors, chairs, and higher education authorities as outlined in campus policies and student handbooks.

Biller moved, Campbell seconded, to approve the second reading and final adoption of [Policy 401.1](#), as presented.

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

18. Policy 308.1 Officer and Employee Code of Conduct

Mr. Chris Pieske provided an overview of proposed changes to [Policy 308.1](#), Officer and Employee Code of Conduct.

Biller moved, Campbell seconded, to approve the second reading and final adoption of Policy 308.1, as presented.

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

19. Policy 308.4 Conflict of Interest

Mr. Chris Pieske provided an overview of proposed changes to [Policy 308.4](#), Conflict of Interest.

Biller moved, Campbell seconded, to approve the second reading and final adoption of Policy 308.4, as presented.

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

SBHE Committee Reports/Updates/Discussions

20. SBHE Academic and Student Affairs Committee

Mr. Curtis Biller stated the approved Center for Engineering Education at the University of North Dakota will enhance outreach to the K12 students, encouraging them to pursue engineering courses/programs, and will be funded through the University of North Dakota.

21. SBHE Budget and Finance Committee

Mr. Kevin Black noted that the BFC will be holding a special meeting that focuses on the financial reporting currently provided by the North Dakota University System Office.

Chancellor Report

The upcoming 2025 board retreat, legislative updates, and tenure and post-tenure reform, items 22, 23, and 24, were discussed. The Board emphasized the importance of continuing progress on tenure reform. The Board noted the legislative study on the funding formula that was added in SB 2003; currently the Board has not been asked to participate. The Board requested the system office make the request to have at least one Board member be added as a member to that study. It would add tremendous value to the process; the system office staff agreed.

Interim Chancellor Sanford stated he's in the process of scheduling campus visits to each of the NDUS institutions and their communities to understand their needs and gather feedback.

22. 2025 Board Retreat

23. Legislative Update

24. Tenure and Post-tenure Reform Update

Other Reports

25. North Dakota Student Association (NDSA)

Mr. Eriksrud provided an update on the recent NDSA meeting, highlighting the election of new leadership and the selection of three student candidates for the SBHE student member position, noting he is one of the three candidates. All candidates will be interviewed by the governor who will appoint one to serve a one-year term.

26. Council of College Faculty (CCF)

Dr. Montplaisir provided an update on the CCF. The council has been discussing concerns about the tenure bill and the creation of culminating committees in that bill. She also mentioned the recent elections for CCF officers; Dr. Montplaisir announced she

will be serving on the State Board of Higher Education as the faculty advisor for another term beginning on July 1, 2025.

27. Staff Senate

Mr. Michael Linnell provided an update on the State Staff Senate. The senate has been discussing transitions on campuses, the implementation of staff emeritus policies, and the planning of an in-person retreat.

28. Public Comment – there was no public comment.

Chair Mihalick adjourned the meeting at 9:55 a.m. CT.

Approved May 29, 2025.