

North Dakota Board of Higher Education
September 26, 2019, Meeting Minutes

The State Board of Higher Education met on Thursday, September 26th, at 8:30 a.m. CT., at Lake Region State College, 1801 College Drive North, Devils Lake, ND, 58301.

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

SBHE Members participating:

Mr. Nick Hacker, Chair	Dr. Casey Ryan, Vice Chair
Mr. Don Morton	Mr. Kaleb Dschaak
Ms. Jill Louters	Mr. Tim Mihalick
Ms. Kathleen Nese	Ms. Retha Mattern, Staff Adviser
Dr. Debora Dragseth, Faculty Adviser	

Chancellor present: Dr. Mark Hagerott

Institution Representatives Present:

Dr. Jerry Migler, Dean, DCB
Dr. Tom Mitzel, President, DSU
Dr. Brian Van Horn, President, MaSU
Dr. Larry C. Skogen, BSC
Dr. Alan LaFave, President, VCSU
Dr. Steve Shirley, President, MiSU
Dr. Joshua Wynne, Interim President, UND
Ms. Kim Wray, WSC
Dr. Doug Darling, President, LRSC
Dr. John Richman, President, NDSCS
Dr. Dean Bresciani, President, NDSU

NDUS Senior Staff Participating:

Ms. Lisa Johnson, VC of Academic and Student Affairs
Mr. Phil Wisecup, VC Strategic Engagement
Mr. Darin King, VC of IT/CIO
Ms. Billie Jo Lorus, Director of Communications and Media Relations
Ms. Kristie Hetzler, Executive Assistant to the State Board of Higher Education
Ms. Terry Meyer, Chief of Staff
Ms. Jane Grinde, Director of Human Resources
Mr. David Krebsbach, Director of Finance
Dr. Jen Weber, Director of Institutional Data and Reporting
Ms. Laura Schratt, Chief Audit Executive
Ms. Karol Riedman, Compliance Officer

Others Participating:

Mr. Eric Olson, Attorney General's Office
Dr. Cynthia Lindquist, President of Cankdeska Cikana Community College
Mr. Mark Schill, Praxis Strategy Group

1. Agenda

Ryan moved, Morton seconded, to approve the agenda.

Dschaak, Ryan, Louters, Neseť, Mihalick, Morton, and Hacker voted yes.

2. Meeting Minutes

- [June 26, 2019](#)
- [June 27, 2019](#)
- [July 11, 2019](#)

Ryan moved, Morton seconded, to approve June 26, June 27, and July 11, 2019, meeting minutes.

Louters, Neseť, Dschaak, Ryan, Mihalick, Morton, and Hacker voted yes.

Consent Agenda (items 3 -9)

SBHE Budget and Finance Committee

3. [UND-SMHS transfer of \\$1,947,714](#) from the operations line of UND to the operations line of the SMHS, as provided in 2019 House Bill 1003 (Section 22), for the 2019-21 biennium.
4. UND to raise funds for the replacement of [UND's Flight Operations building](#) and corresponding site work at the Grand Forks Airport.
5. NDSU to increase the special fund authority for the [Ag Products Development Center](#) from \$6,000,000 to \$20,000,000 as per SB2297.
6. DCB, acting through the DCB Foundation, to proceed with a [formal fundraising campaign](#) of up to \$3,300,000 to renovate the Old Main building into a Center for Rural Health Education.

SBHE Academic and Student Affairs Committee

7. [VCSU Tenure](#) Request

SBHE Audit Committee

8. [Compliance plan](#)

SBHE Governance Committee

9. SBHE [Self-Evaluation](#)

Ryan moved, Mihalick seconded, to approve consent agenda, items 3 -9.

Neseť, Dschaak, Louters, Ryan, Mihalick, Morton, and Hacker voted yes.

10. 2020 Draft SBHE Meeting Calendar

Mihalick moved, Ryan seconded, to approve the proposed [2020 meeting schedule](#).

Ryan, Louters, Neseť, Dschaak, Mihalick, Morton, and Hacker voted yes.

11. NDUS Strategic Plan Amendments

Mr. Phil Wisecup reviewed proposed amendments to the [NDUS Strategic Plan](#).

Ryan moved, Louters seconded, to approve the amended NDUS Strategic Plan.

Mihalick, Louters, Neseť, Dschaak, Ryan, Morton, and Hacker voted yes.

12. BSC Presidential Search/Board Member Appointment

Chair Hacker stated BSC has indicated their preference to conduct an internal search. President Skogen explained BSC would like to move forward with an internal search with BSC's Human Resource Chief, Ms. Rita Lindgren, as the lead. She has been successful in two previous NDUS presidential searches and has agreed to the task, if approved by the Board.

Ryan moved, Dschaak seconded, to approve BSC conducting an internal Presidential search and to appoint Mr. Tim Mihalick as co-chair of the search committee.

Louters, Ryan, Mihalick, Neset, Dschaak Morton, and Hacker voted yes.

13. Chancellor's 2019-2020 goals

Mr. Nick Hacker informed the Board he has worked with the Chancellor and received input on the system office senior staff regarding the [Chancellor's 2019-2020 goals](#).

Ryan moved, Dschaak seconded, to approve the Chancellor's 2019-2020 goals and authorize the Board Chair to amend throughout the period, as necessary .

Ryan, Mihalick, Louters, Neset, Dschaak Morton, and Hacker voted yes.

14. NDSU Honorary Degree

Ms. Lisa Johnson presented a proposal for an honorary degree from NDSU. She explained all criteria as been met to award the degree and approved by President Bresciani.

Neset moved, Mihalick seconded, to award an Honorary Doctoral Degree (Doctor of Science) to Dr. Berdell Funke.

Neset, Dschaak, Louters, Ryan, Mihalick, Morton, and Hacker voted yes.

15. Naming of the UND College of Business & Public Administration

UND Interim President, Dr. Wynne presented a proposal to rename the UND College of Business and Public Administration to [Nistler](#) College of Business & Public Administration.

Ryan moved, Mihalick seconded, to approve the UND naming of Nistler College of Business & Public Administration.

Louters, Ryan, Mihalick, Neset, Dschaak, Morton, and Hacker voted yes.

16. Policy 804.1 Tax Exempt Bond Issues and Lease Purchase Financing

Mr. David Krebsbach requested [policy 804.1](#) be removed from the agenda for consideration to allow additional time for review and possible amendments.

Mihalick moved, Morton seconded, to table policy 804.1.

Dschaak, Ryan, Louters, Neset, Mihalick, Morton, and Hacker voted yes.

Ms. Lisa Johnson reviewed proposed amendments for 1st reading of the following polcies (items 17-20):

17. Policy 307.1 Institutional Organization Notice and Approval

And;

18. Policy 511 Student Criminal History Background Checks

And;

19. **Policy 605.1 Academic Freedom and Tenure: Academic Appointments**

And;

20. **Policy 918 Alcoholic Beverages**

Louters moved, Ryan seconded, to approve the 1st reading of policies [307.1](#), [511](#), [605.1](#), and [918](#), (items 17-20).

Ryan, Louters, Neset, Dschaak, Mihalick, Morton, and Hacker voted yes.

21. **HR 20 Other Paid Leave**

Ms. Jane Grinde reviewed proposed amendments for 2nd reading of [HR Policy 20](#).

Ryan moved, Neset seconded, to approve the 2nd reading and final adoption of HR Policy 20.

Dschaak, Louters, Neset, Ryan, Mihalick, Morton, and Hacker voted yes.

22. **HR 22 Family (FMLA) Leave**

Ms. Jane Grinde reviewed proposed amendments for 2nd reading of [HR Policy 22](#). SBHE Staff Adviser, Ms. Mattern, explained staff at multiple campuses have discussed the proposed policy amendments several times. Many expressed concerns that new parents using the federal FMLA policy as maternity/paternity leave allowance to recover from the birthing process and to care for and bond with a new child would exhaust all of their paid leave available to them before they return to work. She noted staff have already experienced several years of no pay raises, multiple cuts to staff numbers through RIFs, early retirements and buyouts, and the past increase of two percent, already have a negative impact on staff moral. Staff Senate proposed the Board consider including language that allows employees the option of reserving up to 80 hours of leave for those that have previously earned and if the employee chooses to retain leave. The reserved leave would allow needed sick leave to be available for well baby and other follow-up visits as needed once their FMLA leave has been exhausted.

Neset moved, seconded, to table HR Policy 22.

Ryan, Mihalick, Louters, Neset, Dschaak Morton, and Hacker voted yes.

The system office will re-circle the amended policy through the NDUS councils for additional feedback and return to the Board for consideration at a future meeting.

23. **Policy 804 Equipment and Personal Property Leases**

Mr. David Krebsbach reviewed proposed amendments for 2nd reading of [policy 804](#).

Mihalick moved, Ryan seconded, to approve 2nd reading and final adoption of Policy 804.

Louters, Dschaak, Mihalick, Neset, Ryan, Morton, and Hacker voted yes.

24. **Policy 810 Deposit of Funds; Investments; Endowment and Gift Funds**

Mr. David Krebsbach reviewed proposed amendments for 2nd reading of [policy 810](#)

Mihalick moved, Ryan seconded, to approve 2nd reading and final adoption of Policy 810.

Dschaak, Louters, Neset, Ryan, Mihalick, Morton, and Hacker voted yes.

25. Policy 308.1, Officer and Employee Code of Conduct

Mr. Eric Olson reviewed proposed amendments for 2nd reading of [policy 308.1](#).

Ryan moved, Morton seconded, to approve 2nd reading and final adoption of Policy 308.1.

Neset, Ryan, Louters, Dschaak, Mihalick, Morton, and Hacker voted yes.

26. Trends and Talent in the North Dakota Economy Presentation

Mr. Mark Schill from the Praxis Strategy Group, presented trends and talent in the North Dakota economy.

27. Cankdeska Cikana Campus Update

Dr. Cynthia Lindquist, President of Cankdeska Cikana Community College, gave an update on the [North Dakota Association of Tribal Colleges \(NDATC\)](#). Five tribal colleges operate in North Dakota:

- Nueta Hidatsa Sahnish College (formally Fort Berthold Community College) (New Town)
- Turtle Mountain Community College (Belcourt)
- Cankdeska Cikana Community College (Fort Totten)
- United Tribes Technical College (Bismarck)
- Sitting Bull College (Fort Yates)

28. SBHE Research Committee Report

Dr. Casey Ryan provided a status update on the SBHE Research Committee.

29. SBHE Audit Committee Report

Ms. Kathleen Neset provided a status update on the SBHE Audit Committee.

30. SBHE Governance Report

Mr. Nick Hacker provided a status update on the SBHE Governance Committee.

31. UND Presidential Search

Dr. Casey Ryan provided a status update on the UND Presidential Search.

32. Lake Region State College Campus Update

President Darling presented their earn and learn program. It organizes classroom and work-based learning around the knowledge and skills that specific occupations demand, and it offers deeper and more extensive on-the-job training. He explained it creates a clear pathway to employment through a structured work-based learning program and builds interpersonal and technical skill sets through a sophisticated workplace experience. The program helps prepare workers and encourages them to stay in North Dakota long term.

33. NDSCS Action Plan

Chancellor Hagerott informed the Board progress is continuing with the NDSCS plan to address the State Auditor's recommendations.

34. Presidential Goals

Chancellor Hagerott provided a status update on presidential goals.

35. Chancellor's Cabinet Studies

Chancellor Hagerott explained his tentative timeline for the studies to be presented to the Board is as follows:

- Present Digital Programs and Math Pathways studies – January 2020 SBHE meeting
- Substantive recommendations for consideration – March/April 2020 SBHE meeting
- Final report – June Retreat.

The Chancellor also explained he will work with the Presidents regarding legacy fund monies for research, workforce at the community college level, and workforce/teacher education at the regional colleges.

36. Joint Boards Meeting

Ms. Lisa Johnson announced the annual [Joint Boards Meeting](#) will take place October 7, 2019, in Bismarck. Chair Hacker, Ms. Louters, and Dr. Dragseth have indicated they will be attending. She indicated all Board members are invited to participate.

37. Fall Enrollment

Dr. Jen Weber presented the [fall enrollment numbers](#) that were released on Monday.

38. North Dakota Student Association Report (NDSA)

Mr. Kaleb Dschaak reported NDSA has not recently met.

39. Council of College Faculties Report (CCF)

Dr. Debora Dragseth reported the new CCF officers for the 2019-2020 academic year are as follows:

- Kenneth Hellevang (NDSU) – CCF president
- Betsy Bannier (LRSC) – Vice President and faculty representative on AAC
- Jeff Hart (NDSCS) – Treasurer/parliamentarian and faculty representative on SAC
- Elizabeth Legerski (UND) – Secretary

40. Staff Senate Report

Ms. Retha Mattern stated one of the topics discussed at the SBHE retreat in June was the issue of recruiting and retaining employees. In order to achieve the goals of meeting the state's workforce needs, we need to ensure that we are meeting our own workforce needs. We are in a global competition for talent and need to retain those employees we have spent the effort, time, and money in recruiting, hiring, and training.

The meeting adjourned at 1:55 p.m. CT.

Approved December 3, 2019.