North Dakota State Board of Higher Education
Meeting Minutes
November 16, 2016

The State Board of Higher Education met on Wednesday, November 16th, at 8:30 a.m. CT, Bismarck State College, National Energy Center of Excellence, 1200 Schafer Street, Room 335.

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

Members participating:
- Ms. Kathleen Neset, Chair
- Mr. Greg Stemen
- Dr. Kevin Melicher
- Mr. Mike Ness
- Dr. Ernst Pijning, Faculty Adviser
- Ms. Kari Reichert
- Mr. Nick Hacker
- Mr. Nick Evans
- Mr. Andy Wakeford, Staff Adviser

Chancellor present: Dr. Mark Hagerott

Institution Presidents present:
- Dr. Doug Darling, President, LRSC
- Dr. Jerry Migler, Dean, DCB
- Dr. Dean Bresciani, President, NDSU
- Mr. Mark Kennedy, President, UND
- Dr. Larry C. Skogen, President, BSC
- Dr. Steve Shirley, President, MiSU
- Dr. Tisa Mason, President, VCSU
- Dr. Tom Mitzel, President, DSU
- Dr. John Miller, Interim President, WSC
- Dr. John Richman, President, NDSCS
- Dr. Keith Stenehjem, Executive VPAA, MaSU

NDUS senior staff participating:
- Dr. Lisa Feldner, Chief of Staff
- Dr. Richard Rothaus, Vice Chancellor for Academic and Student Affairs
- Ms. Tammy Dolan, Chief Financial Officer
- Ms. Linda Donlin, Vice Chancellor for Strategic Engagement
- Ms. Kristie Hetzler, Executive Assistant to the State Board of Higher Education

Others Participating:
- Mr. Nick Vaughn, Attorney General’s office

1. Agenda
Melicher moved, Hacker seconded, to approve the agenda.

2. Executive Session
Hacker move, Morton seconded, to enter Executive Session to (1) consider the reappointment of and any new contract terms for NDSU President Dean Bresciani and (2) limit the executive session to voting board members, nonvoting advisors, Chancellor, Chancellor's Senior Staff, and board counsel.

The legal authority for closing this portion of the meeting is North Dakota Century Code section 15-10-17(1)(a).

Reconvene to take action regarding the reappointment of and any new contract terms for NDSU President Dean Bresciani.

Evans, Stemen, Ness, Melicher, Morton, Hacker, Reichert, and Neset voted yes.

Executive session began at 8:36 a.m. CT.

Members Participating:
- Ms. Kathleen Neset, Chair
- Mr. Don Morton, Vice Chair
- Dr. Kevin Melicher
- Mr. Andy Wakeford, Staff Adviser
- Dr. Ernst Pijning, Faculty Adviser
- Mr. Greg Stemen
- Mr. Nick Hacker
- Ms. Kari Reichert
- Mr. Nick Evans
- Mr. Mike Ness

Others Participating:
- Dr. Mark Hagerott, NDUS Office
- Dr. Lisa Feldner, NDUS Office
- Dr. Richard Rothaus, NDUS Office
- Ms. Tammy Dolan, NDUS Office
- Ms. Linda Donlin, NDUS Office
- Ms. Kristie Hetzler, NDUS Office
- Mr. Nick Vaughn, Attorney General’s office

Break 10:04 – 10:16 a.m. CT.

Executive session adjourned and reconvened in an open meeting at 12:47 p.m. CT.

Melicher moved, Hacker seconded, to extend the contract of North Dakota State University President, Dr. Dean Bresciani contract terms to June 30, 2018.

Evans, Stemen, Ness, Melicher, Hacker, Reichert, and Neset voted yes, Morton voted no.

Morton and Hacker departed at 12:45 p.m. CT.
Board Policy

3. First Reading, Policy 608.2 – NDUS Employees – Non-renewal and Dismissals
   Stemen moved, Melicher seconded, to approve first reading of policy 608.2, agenda item 3.
   Evans, Stemen, Melicher, Reichert, and Neset voted yes. (Ness inaudible).

4. First Reading, Policy 611.10 – Employee Responsibility and Activities: Theft, Fraud, Abuse and Waste
   Melicher moved, Evans seconded, to approve first reading and waive the second reading of policy 611.10, agenda item 4.
   Evans, Stemen, Melicher, Reichert, and Neset voted yes. (Ness inaudible).

5. Second Reading, Policy HR 24 – Reduction in Force
   Stemen moved, Evans seconded, to approve second reading of policy HR 24, agenda item 5.
   Evans, Stemen, Melicher, Reichert, and Neset voted yes. (Ness inaudible).

6. Second Reading, Policy 506.1 – Immunizations
   Evans moved, Stemen seconded, to approve second reading of policy 506.1, agenda item 6.
   Evans, Stemen, Ness, Melicher, Reichert, and Neset voted yes.

7. Second Reading, Policy 508.1 – STEM Loan
   Evans moved, Ness seconded, to approve second reading of policy 508.1, agenda item 7.
   Evans, Stemen, Ness, Melicher, Reichert, and Neset voted yes.

Hacker reconvened to the meeting at 4:40 p.m. CT.

System Reports

8. Faculty Sick Leave
   Chancellor Hagerott informed the Board he created a taskforce to work on the faculty sick leave policy due to its complexity. The campuses currently have their own policy and the taskforce is working on a system wide policy and will bring their recommendation to the Board at a future meeting.
SBHE Budget, Finance, and Facilities Committee

9. Authorize NDSU to proceed with Various Sundry Projects to be funded from the remaining $3.5 million one-time 2015-17 deferred maintenance funding included in HB1003, Section 2. One-Time Funding N Effect on Base Budget – Report to Sixty-Fifth Legislative Assembly. Also, authorize the use of excess funds previously transferred from the 2015-17 NDUS Office deferred maintenance pool to NDSU’s capital assets line item as per HB1003 (2015), Section 25. System-wide Funding Pools – Transfer Authority – Legislative Management Report as a result of project savings for completion of the additional sundry maintenance projects.

10. Authorize NDSU to proceed with the Dolve Hall partial renovation and HVAC update project at an estimated cost of $870,000 funded from the 2015-17 extra-ordinary repair funds.

Hacker moved, Stemen seconded, to approve the SBHE Budget, Finance, and Facilities Committee recommendations, agenda items 9 and 10.

Evans, Stemen, Ness, Hacker, Melicher, Reichert, and Neset voted yes.

SBHE Academic and Student Affairs Committee

Stage II-New Program(s):

11. Mayville State University is dedicated to excellence in teaching, service, and scholarship in dynamic, inclusive and supportive learning environments that are individually focused. We offer quality undergraduate and master’s programs enriched with practical experiences to prepare all learners for a global economy.

Evans moved, Melicher seconded, to approve the SBHE Academic and Student Affairs Committee recommendation, agenda item 11.

Evans, Stemen, Ness, Hacker, Melicher, Reichert, and Neset voted yes.

12. NDSCS Capital Project

President Richman proposed a new expansion project into Cass County to address workforce needs. The previous models were expansion, this current model is a collaboration effort that partners with K-12 and the business industry. Previous models had some or full state funding needs; the current model is not calling for any state funds. He requested the Board give him authorization to begin fund raising in the private sector.

Board members had an in-depth conversation about the pros and cons. Members agreed the project is a great and innovative project, however, they requested some reassurance with an MOU, or something similar, that no state funds will be requested in the future for any portion of the project.

Melicher moved, Evans seconded, to approve NDSCS to begin fund raising for the capital project, noted, that it will not have a financial impact on the SBHE and/or the State.
Melicher moved to amend his original motion to include requesting an MOU that addresses future financial implications.

Melicher withdrew his motion to amend.

Discussion regarding absent Board members took place as it relates to their opportunity to vote on a project of its magnitude.

Melicher withdrew the motion to approve NDSCS to begin fund raising, Evans seconded.

Evans moved, Hacker seconded, to table approving fund raising to begin for a NDSCS project.


Representative Beadle addressed the Board during public comment.

Meeting adjourned at 3:50 p.m. CT.

Approved December 14, 2016.