The State Board of Higher Education met January 13, 2011, by conference call. The call originated in the North Dakota University System office on the 10th floor of the Capitol. The board president called the meeting to order at 4:03 p.m. CT.

Members present:

Mr. Jon Backes, President 
Mr. Grant Shaft, Vice-President 
Ms. Melissa Bonner 
Mr. Richie Smith 
Dr. John Girard, faculty representative

Mr. Claus Lembke 
Ms. Kirsten Diederich 
Mr. Duaine Espegard 
Mr. Mike Haugen

Staff members present:

Mr. William Goetz, Chancellor 
Dr. Marsha Krotseng, Vice Chancellor for Strategic Planning/Executive Director of CTEC 
Dr. Michel Hillman, Vice Chancellor for Academic & Student Affairs 
Ms. Laura Glatt, Vice Chancellor for Administrative Affairs 
Mr. Pat Seaworth, General Counsel 
Ms. Debra Anderson, Public Affairs & Marketing Director 
Mr. Randall Thursby, Chief Information Officer 
Ms. Cynthia Wagner-Goulet, Assistant General Counsel 
Ms. Marietta Kemmet, Secretary

Presidents and campus dean participating:

Dr. Larry Skogen, BSC 
Dr. Gary Hagen, MaSU 
Dr. Dean Bresciani, NDSU 
Dr. Ken Grosz, DCB 
Mr. Justin Maddison for Dr. Ray Nadolny, WSC

Dr. Richard McCallum, DSU 
Dr. Robert Kelley, UND 
Dr. Steve Shirley, VCSU 
Dr. John Richman, NDSCS 
Dr. Mike Bower, LRSC
Discussion on proposed legislation

Mr. Seaworth reviewed the most current bill tracking list and the Chancellor’s recommended position on select bills.

It was moved by Lembke, seconded by Espegard to have Mr. Shaft testify at any hearing(s) held on bills concerning the Fighting Sioux nickname, with a focus on the timeline of actions leading to the Board’s decision to retire the logo and nickname. Lembke, Smith, Haugen, Diederich, Bonner, Espegard, Shaft, and Backes voted aye. The motion carried.

Members discussed HB 1231, which requires the president of UND notify the EERC director of intent to occupy the old Engelstad arena or surrounding land and prohibits use for a period of time if the EERC director objects. SBHE members commented that the bill circumvents the appropriate chain of command at the campus level.

It was moved by Espegard, seconded by Haugen to oppose HB 1231. Diederich, Smith, Haugen, Bonner, Lembke, Espegard, Shaft, and Backes voted aye. The Chancellor asked for direction from the Board as to who should testify. President Backes felt the Chancellor, possibly Mr. Seaworth, and also UND personnel should testify.

Mr. Seaworth reviewed HB 1213, which requires NDUS Staff Senate representation on the SBHE. He reminded SBHE members that the SBHE considered this request last year and declined to take action. No action was taken adopting a position on this bill.

Mr. Seaworth reported on a request made at the Chancellor’s Cabinet for system support of a bill to exempt coaching positions from the veteran’s preference law. He said there are currently a number of exemptions in place and it would make sense for coaching positions to also be exempt.

It was moved by Haugen, seconded by Smith to support legislation exempting coaching positions from the veteran’s preference law. Bonner, Espegard, Diederich, Haugen, Smith, Shaft, and Backes voted aye; Lembke voted nay. The motion carried.
Approve restoration to 2011-13 Executive Budget Recommendation

Chancellor Goetz presented two items relating to the capital construction projects not fully funded in the Executive Budget Recommendation. The first relates to the NDUS/UND Joint Information Technology Facility. The governor’s budget recommendation was $11.2 million, the Board request was for $17.6 million. The project has since been re-evaluated and a revised request of $14.3 million is submitted for SBHE consideration. The Chancellor said that while there is a reduction in space, it will still result in a very functional facility to meet the needs. There were questions on the office space configuration and the end result of the new design. Mr. Thursby said it meets the requirements of the data center at a two-tier level and will allow consolidation of NDUS staff in a single location. However, it will not permit UND to locate all UND IT staff in a single location.

**It was moved** by Mr. Espegard, seconded by Smith to support an amendment to HB 1003 seeking an increase in funding from $11.2 to $14.3 million in state general funds for the IT facility. Smith, Diederich, Espegard, Lembke, Bonner, Shaft, and Backes, voted aye; Haugen voted nay. The motion carried.

Chancellor Goetz explained that the SBHE originally requested $10.83 million in the budget for the VCSU Rhoades Science Center renovation/addition; however, the Executive Budget Recommendation includes $7.971 million. After further evaluation and discussion with VCSU officials, the Chancellor recommended the Board continue to support the original funding request of $10.83 million. In response to a question, Dr. Shirley said the evaluation conducted by the office of Office of Management Budget did not take into account recently increasing enrollments, the classroom types needed, the laboratory facilities needed, and the expanding role in the science area.

**It was moved** by Espegard, seconded by Smith to support an amendment to HB 1003 to increase funding for the VCSU Rhoades Science Center from $7.791 million to $10.83 million in state general funds. Diederich, Haugen, Lembke, Espegard, Bonner, Smith, Shaft, and Backes voted aye. The motion carried. President Backes suggested an executive summary be prepared by Valley City State University to fully illustrate to legislators the need for the increased funding.

**It was moved** by Smith, seconded by Diederich to ratify the Chancellor’s recommendations, with respect to support or opposition on the legislation, as set forth in the materials provided and discussed
It was moved by Smith, seconded by Diederich to ratify the Chancellor’s recommendations, with respect to support or opposition on the legislation, as set forth in the materials provided and discussed during today’s Board meeting. Haugen, Espegard, Smith, Diederich, Lembke, Bonner, Shaft, and Backes voted aye. The motion carried.

Chancellor Goetz reviewed the schedule for campus hearings before the appropriation committee the week of January 17 and the System office on January 24th. The Chancellor asked the campus officials to let Terry know if they are intending to participate in these hearings. President Backes urged board members to attend the hearings as much as their schedules will allow.

The meeting adjourned at 5:54 p.m.

Executive Secretary

President

Date

3/1/11