ND State Board of Higher Education
Minutes – April 12, 2012

The State Board of Higher Education met Thursday, April 12, 2012, at 9:30 a.m. CT, in Room 220 of Stevens Hall, Williston State College, 1410 University Avenue, Williston, ND.

Members present:
Mr. Grant Shaft, President, by phone  Mr. Claus Lembke
Mr. Duaine Espegard, Vice-President, by phone  Mr. Mike Haugen
Dr. Terry Hjelmstad  Dr. Kirsten Diederich
Mr. Robert Vallie, Student Member  Dr. John Girard, Faculty Adviser
Ms. Janice Hoffarth, Staff Senate Adviser

Members absent:
Mr. Richie Smith

Staff members present:
Mr. William G. Goetz, Chancellor
Ms. Cynthia Wagner Goulet, Assistant General Counsel
Ms. Laura Glatt, Vice Chancellor for Administrative Affairs
Dr. Michel Hillman, Vice Chancellor for Academic & Student Affairs
Mr. Randall Thursby, Chief Information Officer
Mr. Bill Eggert, Director of Internal Audit and Risk Assessment, by phone
Dr. Marsha Krotosn, Vice Chancellor for Strategic Planning/Exec. Director of CTEC, by phone
Ms. Erika Lorenz, Secretary

Presidents/Dean participating:
Dr. Larry Skogen, BSC  Dr. Gary Hagen, MaSU
Dr. Mike Bower, LRSC  Dr. David Fuller, MiSU
Dr. Ken Grosz, DCB  Dr. Dean Bresciani, NDSU
Dr. D.C. Coston, DSU  Dr. John Richman, NDSCS
Dr. Joshua Wynne for Dr. Robert Kelley, UND
Dr. Steve Shirley, VCSU
Dr. Raymond Nadolny, WSC

CALL TO ORDER

Board President’s Report
Mr. Shaft said three out of the five North Dakota Supreme Court justices voted to accept original jurisdiction and rule on the constitutional issues regarding the UND nickname and logo. However, constitutional issues require a super majority of four out of five justices agreeing. Because there were not four justices willing to address the constitutional issues at this time, the logo/nickname matter will proceed to the referendum ballot in June. Mr. Shaft said the SBHE retreat will be held at the University of Mary on May 15th and 16th. He said the SBHE will not act on the NDUS budget until after July 1st when Dr. Shirvani has taken office. The Office of Management and Budget has agreed to a one month extension for budget submission.

- Update on Oversight Committee
  Mr. Shaft said the Oversight committee has received updates from staff on initiatives.

- Approve lecture/content capture system plan
Mr. Thursby said currently there is partial licensing across the NDUS at some campuses for the storage of lecture/content capture. He said to license across the entire system, for four times the storage capacity, would mean a savings of $257,243 annually. He said upon SBHE approval a fully functioning system would be available by July for the Fall 2012 semester. In the initial year the cost will be paid from those sources, both select campuses and SITS, that are currently expending resources in support of lecture capture systems. In the future, a cost allocation methodology will need to be developed to fairly distribute the cost across all campuses.

**It was moved** by Hjelmstad, seconded by Diederich, to approve the system-wide solution in the Fall 2012. Haugen, Hjelmstad, Diederich, Lembke, Vallie, Espegard, and Shaft voted aye. Smith was absent. The motion carried.

- **Update on Performance Funding Task Force**
  Dr. Krotseng reported on the Task Force history and charge. She said the Task Force strongly recommends using more than one measure for an unfunded pilot phase for performance funding beginning in FY2013. This will offer a broader focus than a single measure, recognize various types of student success, and provide a better, more comprehensive evaluation of the model.

  Three measures are recommended for the pilot phase for all institutions include: Retention: Fall to Spring Retention at the institution where the student initially enrolled; Fall to Fall Retention at any institution within the NDUS; and Completion: Number of students awarded degrees between July 1 and June 30 of each year. Dr. Krotseng said the Task Force recommends giving equal weight to the three measures. A final report of the Task Force is available and includes the rationale underlying these recommendations, details concerning the definitions, and possible future considerations such as greater emphasis (weight) for certain student populations (e.g. at-risk students). She said it is recommended that the NDUS proceed with an unfunded pilot initiative beginning in FY2013 to fine-tune a performance funding process that will be implemented during the 2015-17 biennium.

  In response to a question from Mr. Vallie regarding retention and completion, Dr. Krotseng said the Task Force felt the measures were appropriate for all institutions and there were no specific concerns about the measures but it is imperative that data definitions, standards, timeframes, and reporting practices and procedures be consistent across all eleven institutions if this process is to be successful. Chancellor Goetz said an executive summary will be submitted to the Interim Higher Education Committee.

  **It was moved** by Vallie, seconded by Diederich, to approve the three recommended performance funding measures and proceed with an unfunded, pilot phase beginning in FY 2013. Lembke, Haugen, Diederich, Vallie, Hjelmstad, Espegard, and Shaft voted aye. The motion carried.

- **Update on Student Fees Task Force**
  Dr. Diederich presented an overview of the Student Fees Task Force meetings. The Task Force is recommending passage of the NDSU Phase I tuition model change. Representatives Skarphol and Dosch attended the April 9th Task Force meeting and provided input on transparency, generation of fees and intended usage, consistency, and affordability. Dr. Diederich said a change to the fee policy to prohibit the accumulation of excess fees may be beneficial. She has recommended that the Task Force delay any action until Dr. Shirvani starts in July. A full report will be given to the SBHE in May.
• **Update on Employee Tuition Waiver Task Force**

Dr. Hillman said previously the Council of College Faculties (CCF), the State Staff Senate, and ND Student Association recommended extension of employee tuition waivers to self-supported courses. A Task Force appointed by the Chancellor has developed the following options: Replace existing policy with a new benefitted employee tuition waiver policy where employees are responsible for 20%, employing campus 40%, and delivering campus waive or discount 40% of tuition for both state-supported and self-supported degree credit courses; or, an addition to existing policy, which provides for a full waiver of up to three state support courses per year, and a new benefitted employee tuition waiver model for self-support courses assuming all employees are responsible for 1/3 of tuition, employing campus responsible for 1/3 of tuition, and the delivering campus responsible for 1/3 of tuition. An implementation date of July 1, 2013, is targeted for the new policy. Dr. Hillman said expanding the tuition waiver policy will help employees gain greater access to professional development at a more desirable cost. He said there will be a final report and recommendation presented at to the SBHE at the May meeting.

In response to a question from Dr. Girard regarding identifying self-supporting courses, Dr. Hillman said it can be difficult as self-supported courses are not readily identifiable. Dr. Girard and Ms. Hoffarth expressed concern regarding employees no longer having access to state-supported classes where tuition is fully waived.

• **Process for appointment of interim LRSC president**

Mr. Shaft said he would like the authorization to appoint an interim president for LRSC. The action would then be ratified at the next SBHE meeting. A new president could then be chosen after Dr. Shirvani takes office.

It was moved by Lembke, seconded by Hjelmstad, to authorize Mr. Shaft to appoint an interim LRSC president. Diederich, Haugen, Vallie, Lembke, Hjelmstad, Espegard, and Shaft voted aye. The motion carried.

• **Ratify SBHE president’s agreement regarding contract terms for Dr. Shirvani**

Mr. Shaft reported Dr. Shirvani will be paid for spending one week per month in North Dakota in April, May, and June.

In response to questions from Mr. Vallie, Mr. Shaft explained academic appointments are common practice to retain academic standing and that Chancellor Goetz’s salary range was established within the current matrix and Dr. Shirvani’s salary is within the current salary matrix. The intent is to pay the new Chancellor more than the highest paid president in recognition of greater responsibility.

It was moved by Lembke, seconded by Hjelmstad, to ratify the contract negotiated by the SBHE president for Dr. Shirvani including: $349,000 (on an annual basis) plus retirement plan contributions, participation in the state health plan and other benefits provided by law and policy and subject to payroll deductions, paid twice monthly in equal installments during the term of appointment; subject also to annual review and adjustment as provided by law and policy from July 1, 2012 through June 30, 2015; use of a state fleet vehicle or reimbursement at established state rates for use of a personal vehicle in connection with duties and responsibilities; reimbursement for one round trip to North Dakota for Dr. Shirvani and his spouse prior to his
start date; spending one week each month during April, May and June 2012 in North Dakota for which a separate consulting contract will be drawn up, preparation of annual objectives, consistent with the NDUS strategic plan and Board objectives, by which performance may be measured for the twelve-month period beginning July 1, 2012 and ending June 30, 2013, and appointments as Professor of Architectural Engineering, UND Department of Civil Engineering; and Professor of Architectural Engineering, NDSU Department of Civil Engineering. Hjelmstad, Diederich, Haugen, Lembke, Espegard, and Shaft voted aye. Vallie voted no. The motion carried.

Chancellor’s Report
Chancellor Goetz thanked President Nadolny and his staff for their work and welcomed Dr. Shirvani to the NDUS. He said a quarter of students in the NDUS are 25 years old or older and the number of graduating high school students is now less than the number of non-traditional students. He said more than half of NDUS graduates remained in North Dakota for at least one year after graduation.

Chancellor Goetz highlighted the major concerns facing campuses impacted by the energy industry including safety, staff turnover, wage inflation, housing, child care, transportation, academic availability, and business/industry expectations. He said there are business and industry concerns regarding the inability to provide enough sufficiently trained workers and training for the oil industry to meet industry demands. He said in order to meet industry demands a fresh approach to delivering training may be needed. He said a $5 million appropriation is being requested to establish an energy impact fund to address impacts of the energy industry within higher education.

North Dakota Student Association (NDSA) Report
Mr. William Woodworth, NDSA President, reported NDSA held elections at its last meeting. Jennifer Vetter will be serving on the Student Affairs Council; Jacob Gap will serve on the Technology Affairs Council; Erin Poletsky and Patricia Lopez will serve on the NDUS Consortium for Alcohol and Drug Abuse. NDSA has delayed submission of its recommendation for the SBHE Student Member until the May meeting.

Council of College Faculties (CCF) Report
Dr. Girard said he believes it is more important to compare median faculty salaries as opposed to average faculty salaries and how the cost of living affects net compensation increases.

Staff Senate Report
Ms. Hoffarth reported the Staff Senate is very interested in the tuition waiver discussion. She said the Staff Senate by-laws have been changed to allow for an earlier election which will allow the new Staff Senate Adviser to attend the SBHE retreat in May.


MAJOR POLICY DISCUSSIONS & SPECIAL REPORTS
Presentation by Online Dakota Information Network (ODIN) Library Services and Collaboration
Mr. Wilbur Stolt, Director UND Libraries, Mr. Hulen Bivens, North Dakota State Librarian, and Mr. Tim Dirks, Chairman ODIN Advisory Committee presented an overview of the ODIN system and its
benefits to students and member libraries including interlibrary loans, ease of locating materials, tutoring programs, and enhanced programs and services.

In response to a question from Dr. Diederich regarding accessing collections like the Theodore Roosevelt Collection at DSU, Mr. Stolt responded that the intent is to be able to access that collection when it becomes available.

In response to a question from Mr. Haugen regarding the physical collections vs. electronic databases, Mr. Stolt said students are still very interested in the library as a place to study as well as finding information. Mr. Dirks said the library system also provides access to technology for the portion of society that does not have home access. Mr. Bivens noted that librarians help patrons determine the validity of information found on-line.

SBHE approve 2013-15 biennial budget request
- Chancellor opening comments and presentation of Chancellor recommendations
  Ms. Glatt said the requirements for campus requests are intended to meet state workforce needs and to have a 10% reallocation match. MaSU, LRSC, WSC, and MiSU did not submit requests due to an inability to meet the required 10% match, and suggested the SBHE may want to further consider this matter.

She said in 2001 Governor Hoeven directed all state entities to develop a business continuity/disaster recovery plan. The Higher Education Opportunity Act of 2008 requires institutions to have annual emergency management tests which include response and recovery. Campuses are in various stages of implementation and emergency plans must be unique to the institution and the local emergency services available. Three new positions, and training funds, are being requested: one at UND, one at NDSU, and one in the System Office for a total of $605,000. In addition, there is a request for 24/7 campus security personnel at campuses other than NDSU and UND.

Ms. Glatt presented an overview of the request for assessment of current status and planning for replacement of primary heating/cooling systems at institutions. External expertise is needed to accomplish this initiative.

She said $1.6 million increased funding for student financial aid includes new funding for graduate student awards under the Indian Scholarship. A 2011 biennial budget request for mental health services on campuses went unfunded by the legislature. Dr. Hillman said the Mental Health initiative would have assured availability of minimal mental health services on campuses. Ms. Glatt explained the $19.3 million cost to continue for the biennium.

- Presentation of UND School of Medicine and Health Sciences (SOMHS) request
  Mr. Dave Molmen, UND SOMHS Advisory Council Chairman, presented the UND SOMHS workforce plan including training and retaining more health care professionals in the state and reducing the disease burden in North Dakota. He said additional slots for more students and constructing a new building will be necessary to meet the state’s needs.

Dr. Joshua Wynne, Vice President of Health Sciences and Dean of the UND SOMHS, said a modified workforce plan was developed and funded by the legislature in 2011. The UND SOMHS Advisory Council has again approved the full healthcare workforce plan as presented to the SBHE. Dr. Wynne said the plan includes retention of health care professionals, the expansion of student
enrollment and disease reduction programs. Dr. Wynne pointed out there is a long lead time for students to graduate to clinical practice. He said additional space is required to meet the needs of the expanded program as current facilities have been found to be inadequate. UND’s first priority capital project request is a new facility for UND SOMHS.

In response to a question from Dr. Girard regarding obtaining physicians in North Dakota if the plan is not approved, Mr. Molmen said the only other option is to recruit outside the state. North Dakota’s aging demographics presents a particular challenge as currently the state has an approximate short fall of 150 physicians to meet current needs.

- **UND**
  - Mr. Wilbur Stolt, Director UND Libraries, presented the UND request for a new Bachelor of Science in Aeronautics and Mechanical Engineering.

- **Presentation of State Board for Agriculture Research Education (SBARE) request**
  - Dr. Dean Bresciani, Mr. Rodney Howe, and Dr. Ken Grafton presented the SBARE request including permanent operating funds to offset reduced oil revenue, a crops initiative related to enhancing crop development and protection efforts, enhancing research capacity at the Research Extension Centers (REC), a livestock initiative related to improving livestock productivity and protection, Risk management and trade in domestic and global markets, and sustaining water, air, and land quality to maintain and improve North Dakota’s agriculture.

- **Presentation of Upper Great Plains Transportation Institute (UGPTI) request**
  - Dr. Dean Bresciani and Dr. Denver Tolliver presented the Upper Great Plains Transportation Institute request regarding match funds for the University Transportation Centers (UTC) program. Dr. Tolliver said UGPTI is also seeking funding for center/program directors and funding to renew the agriculture freight transportation program.

- **Presentation of Northern Crops Institute (NCI) request**
  - Dr. Dean Bresciani and Mr. Mark Weber, NCI Director, presented the NCI request to enhance and update a feed mill and funding for two positions.

- **Presentation of State Forest Service request**
  - Dr. Larry Kotchman, State Forester, and Dr. Dean Bresciani presented the State Forest Service priority requests regarding forest health surveys and forest restoration initiatives due to flood damage and lack of tree replacement by land owners.

- **BSC**
  - Dr. Skogen presented the BSC priority requests including an internship and apprenticeship program to formalize relationships with relevant employers, a Teaching and Learning Center to support faculty and instructional staff, a student recruitment and retention position, a compliance/internal audit officer position, and mobile computing to improve access and increase flexibility.

- **NDSU**
  - Dr. Bresciani noted campus concerns regarding the 10% reallocation match requirement and presented an overview of NDSU’s requests including a collaborative library effort between UND and NDSU, global ambassadors to promote NDSU and recruit students through standard admission processes, a collaborative program between UGPTI, NDSU, and DSU in transportation and logistics which would establish a program at DSU to provide technical training programs benefiting oil, gas and manufacturing industries, a research compliance review and management officer, and an energy specialist position to provide support for utilities efficiencies.

- **NDSCS**
  - Dr. Richman presented the NDSCS request for $348,000 to increase diesel technician instructional staff and custodial staff for the Bisek Hall addition.
• **DSU**
  Dr. D.C. Coston and Sharon Kilzer, Theodore Roosevelt Center Project Manager, presented the DSU request regarding funding for the Theodore Roosevelt Center.

• **VCSU**
  Dr. Shirley presented VCSU’s priority request of Efolio. Efolio is an on-line, electronic portfolio system designed to assist students in assessing learning and would be available to employers to review student skill sets for possible employment. He said the Higher Learning Commission has requested a report assessing student learning be available in 2014.

• **DCB**
  Dr. Grosz presented the DCB request for an expanded EMT program; a new program in Fire Science Technology; the development of remedial courses in math, science, and English; and providing services for student retention and graduation.

**Approve NDSU proposed tuition model Phase I**
Dr. Bresciani presented a brief overview of the proposed Phase I NDSU tuition model. He said full-time students would be defined as taking 15 credit hours or more and part-time students would be charged 105% of the full-time student rate. He said the proposed tuition model would be helpful to students and parents trying to calculate tuition. Chancellor Goetz said guidance will be needed for progress to be made on tuition and fees and all institutions will need to consider next steps. Mr. Vallie said NDSU Student Government supports the proposed tuition model change. He suggested that the proposed model could possibly be used by other institutions. Dr. Diederich said the Student Fees Task Force recognizes this model will not be used by all institutions.

**It was moved** by Espegard, seconded by Vallie, to approve the NDSU proposed tuition model Phase I. Diederich, Haugen, Lembke, Hjelmstad, Vallie, Espegard, and Shaft voted aye. The motion carried.

**Comments on DSU Performance Audit**
Dr. Coston said work continues on the issues brought forward by the NDUS internal audit. He said in an effort to improve communications at DSU, the NDUS internal audit and the State Auditor’s Office (SAO) performance audit were presented to faculty, staff and students before they were presented to the public. Dr. Coston said there have been significant changes in the leadership at DSU as well as reorganizations in the areas of enrollment, marketing and financial aid. Ties have been severed with all international student recruiting organizations.

Dr. Coston said the auditor’s recommendation to make changes to the tuition rates for out-of-state students will need SBHE approval. If DSU were to charge non-resident students 150% of the resident rate, and simultaneously eliminate waivers, DSU would have collected an additional $170,000 in tuition. DSU has delayed issuing financial aid for the upcoming year and now needs to move ahead and plan department budgets. Personnel who are currently used to process paperwork regarding tuition waivers can then be used for other duties which would address some of the other deficiencies noted in the audit. Mr. Shaft said action will be taken at the May SBHE meeting.

Mr. Haugen noted that the audit process has been ongoing over the last year and many findings are being corrected. Chancellor Goetz said the Chancellor’s Cabinet has expressed concern regarding audit processes and terminology contained in the performance audit. The SAO has agreed to meet with the Chancellor’s Cabinet in May to discuss concerns.
Dr. Coston said DSU will need assistance from the NDUS Office to craft offers to students that conform to the auditor’s recommendations. Chancellor Goetz said the NDUS Office will provide whatever assistance is needed by DSU. Mr. Shaft suggested that a proposal on non-resident tuition rates be developed in consultation with the system office and that Dr. Coston get the information to the SBHE. A special meeting could possibly be called if action is necessary before the May SBHE meeting.

Presentation on WSC request for a new program offering a B.A.S. in Applied Management
Chancellor Goetz said the WSC request will be on the May SBHE agenda for action.
Dr. Hillman said the WSC B.A.S. degree will be the first request of its kind for WSC. The request includes three tracks: one provided by MaSU, the second by BSC, and the third by WSC. He said the request will require 21 additional courses to be implemented and a bachelor’s or upper division undergraduate tuition rate will need to be decided by the SBHE. Dr. Hillman said the demand for supervisory personnel in the Williston area will continue to grow and it will be important to support the needs of the community through WSC.

President Nadolny said the WSC request for a B.A.S. has precedent as the SBHE previously authorized BSC to offer a B.A.S. He said the request is not a mission change according to WSC’s accrediting body and is part of the college’s strategic plan. He said no additional allocation of state dollars would be needed to implement the request. The degree has been requested by industry to the campus and NDUS Office. WSC is attempting to meet the demand of industry by utilizing current resources.

In response to a question from Mr. Lembke regarding faculty, Dr. Nadolny said instructors identified for the program, outside identified tracks, will be local, distance education, and faculty already housed on campus. He said that partnering with another institution has been difficult in the past because a cost sharing model is not in place.

In response to a question from Dr. Diederich regarding duplication, Dr. Nadolny said the request from students surveyed was very specific about the need for a face-to-face program. As the energy industry continues to grow and mature, the need for educated, supervisory personnel will continue to grow.

In response to a question from Dr. Girard regarding tenure track faculty, Dr. Nadolny said two faculty members would be tenure track. Dr. Girard expressed concern regarding the trend, system-wide to rely on part-time faculty rather than full-time, tenure track faculty.

Chancellor Goetz said he recommends the WSC B.A.S. degree move forward. He said the NDUS needs to take a fresh look at programs offered, delivery methods, parent and student expectations, and need. He said, in the past, the SBHE had also approved advanced degrees at VCSU and BSC. Chancellor Goetz said industry leaders have made it clear there will be a need for supervisory personnel and the NDUS must meet that need.

**BOARD BUSINESS**

**Budget, Audit, and Finance Committee Report**

*Approve State Grant Advisory Board Recommendations*

*It was moved* by Hjelmstad, seconded by Diederich, to approve the State Grant Advisory Board Recommendations regarding the use of varying budgets for academic year 2012-13, (i.e. $23,677 for private institutions; $17,835 for NDSU/UND; $15,375 for four-year institutions; and $12,710 for two-year institutions, including tribal colleges) and for the annual State Grant award amount to remain at
$1,500 per student, and to change the definition of an eligible student for the State Grant program to include part time students. Lembke, Haugen, Diederich, Vallie, Hjelmstad, Espegard, and Shaft voted aye. The motion carried.

Mr. Espegard said the accounting manual has been completed. He thanked Ms. Robin Putnam, NDUS Director of Financial Reporting, and campus staff who worked on the project for their work. He said BAFC recommended the 2013-15 biennial budget guidelines be moved forward and the NDUS Internal Audit Staff Plan will be presented for approval at the May SBHE meeting.

Board Policy Manual Revisions

It was moved by Hjelmstad, seconded by Vallie to approve the introduction and first reading of Policies 350.1 State Board of Agricultural Research and Education, 350.3 School of Medicine and Health Sciences Advisory Board, 1901.5 Data Element Dictionary - Data Quality and Integrity, 906 Emergency Preparedness and Management: Continuity of Operations; Security, and 305.1 College and University Presidents’ Authority and Responsibilities. Hjelmstad, Haugen, Vallie, Lembke, Diederich, Espegard, and Shaft voted aye. The motion carried.

It was moved by Lembke, seconded by Diederich to waive the second meeting requirement and approve the introduction and final adoption of Policies HR Policy 6.4 – Annual Leave, HR Policy 22.7 – Family (FMLA) Leave, 804 Leasing Policy, 804.1 Tax Exempt Bond Issues and Lease Purchase Financing, 902 Definitions, 902.1 Construction Process-Legislative Approval; List of Funding Requests, 902.3 Requests for Construction, Renovation & Remodeling; Change, and Orders; Changes in Project Scope or Size, and 909 Real Property Leases, effective immediately. Diederich, Hjelmstad, Lembke, Haugen, Espegard, and Shaft voted aye. Vallie voted no. The motion carried.

It was moved by Vallie, seconded by Lembke, to approve the second reading and final adoption of Policy 807.1 Mobile Phones and Other Mobile Computing Devices; Restrictions on Use of State Phones, effective immediately. Hjelmstad, Haugen, Vallie, Lembke, Diederich, Espegard, and Shaft voted aye. The motion carried.

In response to a question from Mr. Lembke regarding whether a foundation can provide day-to-day management of a directed gift to an institution under Policy 809.2, Ms. Wagner Goulet said neither 809.2 nor 810 address foundations nor change the way institutions and foundations do business. Ms. Glatt said the policy changes have to do with funds gifted to the institutions which under state law must be deposited in the Bank of North Dakota. Ms. Wagner Goulet said further information will be provided later to the SBHE on the day-to-day management question raised.

It was moved by Lembke, seconded by Vallie, to postpone second reading of Policy 809.2 Gift Funds and Policy 810 Deposit of Funds; Investments to the May meeting. Diederich, Haugen, Lembke, Hjelmstad, Vallie, Espegard, and Shaft voted aye. The motion carried.

Consent Agendas

It was moved by Vallie, seconded by Diederich, to approve the following Financial and Facility Consent Agenda items:

- Approve BSC request to proceed with construction of the addition to and renovation of the Student Union at an estimated cost of $7.5 million, to be funded $7.0 million from revenue bond proceeds and $500,000 in auxiliary reserve funds; and, request approval of the Resolution Approving the Issuance of Not to Exceed $7,000,000 State Board of Higher
Education of the State of North Dakota, Bismarck State College, Auxiliary Facilities Revenue Bonds; also, approve BSC request for an overall increase in the college fee in the Fall 2013 from $11 to $15.50 in support of the project and exemption from limitation on mandatory fee increase.

- Approve DCB request to develop campus land for the construction of a child care center by the Bottineau Economic Development Corporation (EDC) and approve of the terms of a lease agreement between DCB and the EDC; also, approve assignment of lease by EDC as required for the purpose of securing financing for construction costs, subject to legal counsel review and chancellor approval.
- Approve NDSU request to approve a capital/major operating lease agreement between NDSU and the NDSU Research Technology Park.
- Approve NDSU request to 1) Approve the issuance of University Facilities Revenue Refunding Bonds (NDSU Development Foundation – Barry Hall Project and Klai Hall Project) by the City of Fargo at a proposed interest rate not to exceed 4.5%. The approximate final date upon which the principal amount of the obligation will mature or become payable is December 1, 2036; and 2) Approve a lease agreement and other related documents between NDSU and the NDSU Development Foundation for the transaction.
- Approve NDSU request to proceed with the reconstruction of parking lots at an estimated cost of $3,200,000 to be funded from parking lot local funds.
- Approve NDSU request to proceed with the replacement of the roof on Music Education building at an estimated cost of $500,000 to be funded from 2011-2013 extraordinary repair funds.
- Approve NDSU request to proceed with the replacement of underground cast iron water mains and clay tile sanitary sewer mains at an estimated cost of $600,000 to be funded from 2011-2013 extraordinary repair funds and utility sales local account.
- Approve NDSU and UND joint MPH program request to charge Minnesota residents in accordance with the ND/MN Reciprocity Agreement. NDSU and UND are not requesting a rate change for the North Dakota Residents nor for the Contiguous/MSEP/All Other Non-Residents.
- Approve UND School of Law request to enroll non-UND law students to its summer program in Moss, Norway: adopt a flat-rate tuition structure that is appropriately higher than the flat-rate tuition structure approved for UND law students (proposed non-UND law student tuition of $4,600 for the 4-credit program and $6,300 for the 6-credit program, with annual increases at the approved rate for the institution) for the next five years with reassessment of tuition rates in the 2016-17 academic year in light of instructional costs and student enrollment.
- Approve WSC request for authorization to enter into lease agreement with the WSC Foundation to enable the construction by the Foundation or other private entity of apartment units on the WSC campus to provide housing for WSC employees and employees of other state and local government entities and local hospital and clinic employees, and approve terms of lease agreement between WSC and the WSC Foundation.

Haugen, Hjelmstad, Diederich, Lembke, Vallie, Espegard, and Shaft voted aye. The motion carried.

It was moved by Vallie, seconded by Lembke, to approve the resolution regarding chancellor authority to sign documents related to refunding of North Dakota Building Authority Bonds. Lembke, Haugen, Diederich, Vallie, Hjelmstad, Espegard, and Shaft voted aye. The motion carried.
It was moved by Lembke, seconded by Vallie, to approve the UND request to offer a M.S. in Nutrition to be offered both traditionally and at a distance. Hjelmstad, Haugen, Vallie, Lembke, Diederich, Espegard, and Shaft voted aye. The motion carried.

Personnel Consent Agenda

- Approve UND request to award honorary doctorates for B. John Barry, former U.S. Senator Kent Conrad, and Dr. Mary Wakefield.

It was moved by Diederich, seconded by Lembke, to approve the UND requests to award honorary doctorate degrees to B. John Barry, U.S. Senator Kent Conrad, and Dr. Mary Wakefield. Vallie, Hjelmstad, Diederich, Haugen, Lembke, Espegard, and Shaft voted aye. The motion carried.

Approve tenure report

It was moved by Lembke, seconded by Vallie, to approve the tenure report. Diederich, Hjelmstad, Lembke, Haugen, Vallie, Espegard, and Shaft voted aye. The motion carried.

Dr. Girard expressed concern regarding the continuing decrease in tenured faculty and tenure track faculty and the trend of increasing reliance on part-time faculty.

Approve tenure requests

It was moved by Vallie, seconded by Diederich, to approve tenure requests. Diederich, Haugen, Lembke, Hjelmstad, Vallie, Espegard, and Shaft voted aye. The motion carried.

The meeting adjourned at 4:50 p.m.

Executive Secretary

President

May 16, 2012

Date