North Dakota State Board of Higher Education
Minutes of the April 28, 2014, Meeting with Representatives of the Higher Learning Commission
State Capitol, Bismarck, ND

Board Chair Diederich called the meeting to order at 3:45 p.m. CST.

Members present:

Dr. Kirsten Diederich, Board Chair
Mr. Grant Shaft
Mr. Duaine Espegard
Dr. Doug Munski, Faculty Advisor
Ms. Kathleen Neset

Dr. Terry Hjelmstad, Vice Chair
Ms. Janice Hoffarth, Staff Advisor
Mr. Don Morton
Mr. Devin Hoffarth
Ms. Kari Reichert

Representatives of the Higher Learning Commission present:

Dr. John W. Marr, Jr.
Dr. Harry J. Berman
Ms. Karen L. Solinski

Dr. Lynne E. Olson
Dr. David W. Wantz

The meeting was open to the public and notices were posted at the Fort Totten Room and the University System office on the tenth floor of the Capitol.

After the introductions, the purpose of the meeting was explained. In April 2013, Dr. Ellen Chaffee sent a letter to the Higher Learning Commission (HLC) concerning the State Board of Higher Education (SBHE). Specifically, the initial paragraph of Dr. Chaffee’s letter stated:

I write to request a Higher Learning Commission investigation and consideration of sanction based on violations of the HLC governance criteria by the North Dakota State Board of Higher Education, which governs all public institutions of higher education in the state. Actions of the board and its chancellor prompt this request. There is no complaint against any of the HLC-accredited institutions themselves.
After receiving the letter, the HLC requested written responses from the SBHE. After considering the written responses, the HLC scheduled an advisory visit for representatives of the HLC to meet personally with the members of the SBHE, the chancellor, the chancellor’s senior staff, selected legislators and others.

The HLC team initially met with all members of the SBHE, when the HLC team addressed at least the following issues:

- The SBHE’s relationship with the institution presidents and the need for greater cooperation and collaboration. The board members responded that the relationship continues to improve and that the presidents are expected to attend all board meetings and invited to address issues before the board. Also, the chancellor has re-established the Roles and Responsibilities Task Force to revisit the relationships among the SBHE, the chancellor, and the presidents.

- The SBHE’s relationship with the legislature. The board members responded that there has been a lack of communication and trust between the board and the legislature. The best evidence of the poor relationship was the legislature’s approval of HCR 3047 (now Constitutional Measure 3), which will, if approved by the voters on November 4, replace the SBHE and chancellor with a full-time three-member commission of higher education.

- The lack of board training for new and continuing board members. The board members responded that the first in a series of board training sessions was initiated on April 24 at the board meeting at DSU, a board retreat is planned for July 30-31 (which will include a training session on July 30), and additional training sessions are planned during 2014. Leadership professionals provided by the Association of Governing Boards (AGB) provided the training on April 24 and will be providing the training later in 2014.

- Confusion concerning the board’s strategic plan and the lack of monitoring implementation of the plan. The board members responded that Connie Spryngcynatyk, the former executive director of the North Dakota League of Cities, had been hired through October 2014 to coordinate updating the strategic plan and to establish measurable objectives that can be continually monitored by the SBHE. The goal is to adopt the updated strategic plan at the board meeting in October 2014.

- The autonomy of the SBHE. The individual board members responded with their views of board autonomy in the context of legislative funding, legislative oversight, and influence of many stakeholders.

- The concept of shared governance in a university system. The board members responded by explaining that a student is a voting board member and that the faculty and employees are represented by statutory advisors to the board.

Later, the HLC team requested to meet with the SBHE members in smaller groups to continue discussing the issues listed above.
The SBHE did not approve any motions during the meeting. Instead, the board members focused on responding to questions from the HLC team members.

The meeting adjourned about 6:00 p.m.

Drafted by Murray G. Sagsveen, NDUS Chief of Staff
September 29, 2014
Subject to revision before final adoption by the SBHE

Approved on October 2, 2014, by the State Board of Higher Education.