

**ND STATE BOARD OF HIGHER EDUCATION**  
Minutes—September 17-18, 2008  
Valley City State University

The State Board of Higher Education (SBHE) met September 17 and September 18, 2008, on the Valley City State University campus in the Student Union. The Board president called the meeting to order at 4:00 p.m. CT on September 17.

Members participating:

Mr. Richie Smith, president	Mr. Mike Haugen
Mr. Jon Backes, vice president	Ms. Pam Kostelecky
Ms. Sue Andrews	Mr. Grant Shaft
Ms. Haylee Cripe	Dr. Jon Jackson, faculty advisor
Mr. Duaine Espegard	

Presidents, campus deans, and campus representatives participating:

Dr. Larry Skogen, BSC	Dr. John Richman, NDSCS
Dr. Dick McCallum, DSU	Dr. Joe Chapman, NDSU
Dr. Mike Bower, LRSC	Dr. Robert Kelley, UND
Dr. Gary Hagen, MaSU	Dr. Steve Shirley, VCSU
Dr. David Fuller, MiSU	Dr. Joe McCann, WSC
Dr. Ken Grosz, MiSU-BC	

Staff members participating:

Mr. William G. Goetz, chancellor  
Dr. Michel Hillman, vice chancellor for academic & student affairs  
Ms. Laura Glatt, vice chancellor for administrative affairs  
Dr. Marsha Krotseng, vice chancellor for strategic planning/executive director of CTEC  
Ms. Debra Anderson, public affairs director  
Ms. Gina Padilla, secretary

**POLICY DISCUSSION**

The SBHE discussed the current NDUS long-term finance plan and the new funding model under consideration by the interim legislative higher education committee. The Chancellor sought input regarding topics and formats for future SBHE policy discussions.

The meeting was recessed at 5:35 p.m.

The meeting reconvened at 7:30 am on September 18 for breakfast and a presentation by VCSU officials, followed by the regular business agenda of the Board beginning at 9:15 a.m. on September 18. Mr. Haugen, Ms. Kostelecky, Ms. Cripe and Dr. Jackson joined the meeting on September 18.

## MINUTES

**It was moved** by Kostelecky, seconded by Andrews to approve the minutes of the June 12, 2008, June 19, 2008 and July 16-17, 2008, meetings. Andrews, Cripe, Espeguard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

## BOARD PRESIDENT'S REPORT

Chancellor Goetz reported on the Williston State College presidential search. President Smith reported that the WSC presidential search position profile, timeline and addition of Wayne Biberdorf to the search committee are being presented to the SBHE for approval.

**It was moved** by Backes, seconded by Haugen, to approve the position profile, timeline and addition of Wayne Biberdorf to the search committee for the WSC presidential search. Andrews, Cripe, Espeguard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

Mr. Smith commented on the potential budget impact of the constitutional and statutory ballot measures to be considered as part of the general election. He indicated the SBHE would discuss this in more detail at a future meeting.

## CHANCELLOR'S REPORT

Chancellor Goetz reported:

- Student and employee sign-up for Notifind, the emergency notification system, began on September 8, 2008.
- The University System purchased software called Wimba, which enhances the delivery of online courses through use of interactive technologies such as voice, video, instant messaging and podcasting. Wimba is being used to facilitate group meetings.
- Seven Centers of Excellence projects approved by the board September 11, 2008, received Emergency Commission approval to move forward for Budget Section consideration on September 25. The Chancellor thanked the board members who served on the Centers of Excellence Commission.
- The state of North Dakota recently received \$330,000 in federal funds through the College Access Challenge Grant program. Governor Hoeven designated the University System with

responsibility for administering this grant, which is designed to increase the number of low-income students prepared to enter and succeed in postsecondary education.

- The University System is entering into an articulation agreement with Wyoming community colleges. This agreement will provide all Wyoming community college students seamless transfer of Associate of Arts and Associate of Science degrees to NDUS colleges and universities.
- NDUS officials provided information to the Interim IT Committee August 27, 2008. Topics covered include the status of large IT projects, the 2009-11 IT-related budget request items and the Northern Tier Network.
- The NDUS Arts and Humanities Summit will be held at Bismarck State College on October 9-10, 2008. Sponsored in part by SBHE funding, this biennial event celebrates the arts and humanities. The two-day celebration features 40 events with speakers, artists, musicians, philosophers, historians and humanists.
- He has completed five regional visits with legislators and legislative candidates. These visits have been combined with meetings with economic development boards and editorial boards.
- Representative Svedjan has called an October 8, 2008 meeting of the Roundtable on Higher Education. The roundtable will include representation from the SBHE, campus presidents, faculty and students with a total of about 60 participants.

The SBHE recognized David Klein from VCSU for his work as the NDUS project manager for the implementation of Notifind.

### **NORTH DAKOTA STUDENT ASSOCIATION REPORT**

Mr. Frank Michael, NDSA President, reported:

- The NDSA will set legislative goals at the year's first meeting at NDSU on September 19, 2008.
- Campus student participation in NDSA meetings has been increasing and all of the NDUS campuses should be represented this year.

### **COUNCIL OF COLLEGE FACULTIES REPORT**

Dr. Jackson reported:

- CCF and SBHE will hold their annual joint meeting with the SBHE on November 6, 2008 in Williston.
- Faculty have been working on the Arts and Humanities summit to be held at BSC.
- The CCF is planning to have focused discussions on reporting faculty accountability.

## BOARD BUSINESS

### Board Policy Manual Revisions

#### *SBHE Policy 601.1 – Presidential search and screening committee*

Mr. Seaworth described the changes presented in Policy 601.1. Mr. Shaft asked that the second to the last line be amended to change “its” to “the board’s”. **It was moved** by Shaft, seconded by Andrews, to approve the introduction and first reading of SBHE Policy 601.1 as amended. Andrews, Cripe, Espesgard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried. Exhibit A.

#### *SBHE Policy 1902 – Emergency notification systems*

Mr. Seaworth provided an overview of the changes to Policy 1902. **It was moved** by Backes, seconded by Shaft, to approve the introduction and first reading of Policy 1902. In response to a question from Dr. Jackson, Ms. Glatt stated that the information gathered by the Notifind system is kept separate from the directory information in ConnectND. In response to a question from Mr. Haugen, Ms. Glatt described some of the security steps taken for the Notifind system information. Andrews, Cripe, Espesgard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried. Exhibit A.

**It was moved** by Espesgard and seconded by Andrews to adopt the following policies on second reading and final passage:

- *SBHE Policy 403.7 – Common General Education Requirement and Transfer of General Education Credits*
- *SBHE Policy 902.1 – Construction Process – Legislative Approval; List of Funding Requests*
- *SBHE Policy 902.3 – Requests for Construction, Renovation and Remodeling; Change orders; Changes in Project Scope or Sizes*
- *SBHE Policy 902.5 – Construction Process – Architects and Engineers*
- *SBHE Human Resource Policy 20 – Leave*

Andrews, Cripe, Espesgard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried. Exhibit A.

### Budget, Audit, and Finance Committee recommendations

Mr. Backes summarized the actions of the BAFC at the July and September meetings. Mr. Backes reported that in the future the committee intends to hear draft audit reports in executive session, as permitted by state law.

**It was moved** by Backes and seconded by Kostelecky to approve the following BAFC recommendations.

- *Approve campus responses to the 2007 operational audit reports*
- *Approve UND and NDSU 07-09 deficiency appropriation requests*
- *Approve 2009-11 funding changes for the Education Incentive Program to award funds in 07-09 consistent with the Chancellor's recommendation thereby depleting 07-09 program funds, and to reallocate new 09-11 funding originally targeted at new counselor slots and increasing the amount of the award to funding additional new applicants in 09-11.*

Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

### Consent Agendas

#### *Academic Consent Agenda*

**It was moved** by Andrews and seconded by Cripe to approve the following academic requests:

- *Bismarck State College's request to change the program title Commercial Art to Graphic Design and Communication*
- *Dickinson State University's request to change the title of the Office of Extended Campus to Office of Extended Learning*
- *Dickinson State University's request to terminate elementary and secondary minor programs in American history and European history*
- *Dickinson State University's request to offer the Entrepreneurial Leadership Program Certificate through distance education on an ongoing basis*
- *North Dakota State College of Science's request to offer a program certificate, diploma and A.A.S. program in Microelectronic Technology through a combination of on-campus, distance education and courses available at the Skills and Technology Training Center in Fargo*
- *North Dakota State University's request to establish the Center for Disaster Studies and Emergency Management*
- *North Dakota State University's request to offer the Doctor of Philosophy with a major in Science, Technology, Engineering, Mathematics Education (STEM)*
- *North Dakota State University's request to offer a Bachelor of Science (B.S.), Master of Science (M.S.), and Doctor of Philosophy (Ph.D.) in Range Science*
- *North Dakota State University's request to offer a Ph.D. in English Practical Writing*
- *North Dakota State University's request to offer a Master of Science and Master of Arts degree in Anthropology*
- *North Dakota State University's request to offer a Manufacturing Engineering minor*
- *North Dakota State University's request to offer a Natural Resource Management minor*
- *North Dakota State University's request to offer a program certificate in Animal Health Management*

- *North Dakota State University's request to offer a Neuroscience minor*
- *University of North Dakota's request to offer a Social Work major at a distance*
- *University of North Dakota's request to offer a Social Science major at a distance*
- *University of North Dakota's request to offer a General Studies major at a distance*
- *University of North Dakota's request to change the name of the Department of Art to the Department of Art and Design*
- *University of North Dakota's request to add the Department of Entrepreneurship*
- *University of North Dakota's request to terminate its Vocational Marketing Education B.S. Ed.*
- *University of North Dakota's request to establish the Center for Petroleum Engineering*
- *University of North Dakota's request to offer an Ethics minor*
- *University of North Dakota's request to offer a Leadership minor*
- *University of North Dakota's request to offer a certificate in Writing and Editing*
- *University of North Dakota's request to offer a Reading Education M.Ed. at a distance*
- *University of North Dakota's request to offer a Master of Science in Applied Economics at a distance*
- *University of North Dakota's request to offer a Ph.D. in Scientific Computing*
- *University of North Dakota's request to offer a Ph. D. in Nursing to be offered at a distance on an ongoing basis*
- *University of North Dakota's request to offer the B.A. and B.S with a major in Psychology via distance education on an ongoing basis*
- *University of North Dakota's request to establish Financial Services Institute*
- *Valley City State University's request to offer its B.S. Ed. in Elementary Education through distance education on an ongoing basis*
- *Williston State College's request to offer an associate of applied science degree and certificate in mental health/addiction technician at a distance*
- *Williston State College's request to offer a certificate program in Petroleum Production Technology*

Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

#### *Financial and Facility Consent Agenda*

- *Approve appointment of representatives to the State Grant Advisory Board*  
Chancellor Goetz said Dave Hanson, Shirley Hanson, Laurie Running Hawk and Penny Wilson were recommended to be appointed to fill the vacancies on the Student Financial Assistance Program Advisory Board.

**It was moved** by Kostelecky, seconded by Haugen, to approve the appointments of Dave Hanson, Shirley Hanson, Laurie Running Hawk and Penny Wilson to the Student Financial Assistance Program Advisory Board. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

- *Ratify Chancellor's action to spend \$4,675 from 05-07 Operations Pool Carryover for the purchase of "Shots Fired on Campus" DVDs.*

Ms. Glatt stated that this is the second set in a series of DVD's that were purchased for the campuses. This set is focused on training students to respond to a crisis on campus.

**It was moved** by Cripe, seconded by Espegard, to ratify the Chancellor's action to spend \$4,675 from 05-07 Operations Pool Carryover for the purchase of "Shots Fired on Campus" DVDs. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

- *Approve Minot State University's request for authority to proceed with a variety of projects related to the replacement of chiller units on various campus buildings with a total estimated cost of \$458,826.*

**It was moved** by Haugen, seconded by Backes, to approve the Minot State University request for authority to proceed with a variety of projects related to the replacement of chiller units on various campus buildings with a total estimated cost of \$458,826. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

- *Approve North Dakota State University's request for authorization to proceed with the removal of the Engineering Quonset on the NDSU campus.*

**It was moved** by Andrews and seconded by Backes to approve North Dakota State University's request for authorization to proceed with the removal of the Engineering Quonset on the NDSU campus. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

- *Approve North Dakota State University's request for authorization to change the funding source of the previously approved \$230,000 NDSU single mode fiber optic cable – phase 1 project from 2007-2009 capital improvement projects appropriation to telecommunications local repair and replacement funds.*

**It was moved** by Espegard, seconded by Kostelecky, to approve North Dakota State University's request for authorization to change the funding source of the previously approved \$230,000 NDSU single mode fiber optic cable – phase 1 project from 2007-2009 capital improvement projects appropriation to telecommunications local repair and replacement funds. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

#### *Personnel Consent Agenda*

- *Approve tenure recommendation for Dr. Tim O. Peterson, Professor and Associate Dean, College of Business, NDSU, effective October 1, 2008.*

**It was moved** by Espegard, seconded by Andrews, to approve the tenure recommendation for Dr. Tim O. Peterson, Professor and Associate Dean, College of Business, NDSU, effective October 1, 2008. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

- *Approve elimination of 403(b) hardship provision and continue to provide loan provision through TIAA-CREF only.*

Ms. Glatt stated that this has been reviewed with the human resource officers, the finance officers, the cabinet, and CCF and there is unanimous recommendation to move forward with the recommendation of eliminating the 403(b) hardship provision and continue to provide loan provisions through TIAA-CREF only.

**It was moved** by Espegard and seconded by Andrews to approve the elimination of 403(b) hardship provision and continue to provide loan provision through TIAA-CREF only. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

## MAJOR POLICY DISCUSSIONS & SPECIAL REPORTS

### Discuss 2008 Joint Boards Issues

Dr. Hillman provided an overview of the Joint Boards agenda for the September 23, 2008 meeting. Dr. Hillman said the agenda items are tied to the SBHE objectives and moving the objectives forward.

### Approve SBHE objectives for 2008-09

Mr. Smith explained that the SBHE objectives are the objectives developed at the SBHE retreat. **It was moved** by Andrews, seconded by Backes, to approve the SBHE objectives for 2008-09. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

### Approve presidents' objectives for 2008-09

Chancellor Goetz updated the board on the process used for outlining the presidents' objectives and how the objectives are used.

**It was moved** by Espegard, seconded by Kostelecky, to approve the presidents' objectives for 2008-09. Mr. Espegard suggested in future years more emphasis be placed on addressing whether goals have been met and progress has been made. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

### Approve chancellor's objectives for 2008-09

Mr. Smith said he reviewed the objectives with the chancellor. **It was moved** by Kostelecky, seconded by Andrews to approve the chancellor's objectives for 2008-09. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

### Approve annual business plans for Workforce Training

Dr. Krotseng reviewed the process for approving the annual business plans for the Workforce Training Quadrants. **It was moved** by Haugen, seconded by Backes to approve the annual



business plans for Workforce Training. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

Progress report on FY08 campus alignment plans

Dr. Krotseng said common themes that reoccur in the campus alignment plan reports are collaboration, partnerships, technology, research, grant information, international education, quality initiatives, employees, and students. Dr. Krotseng provided an overview of some of the specific student-focused activities being implemented by the institutions.

Mr. Smith asked that each campus provide a one page bulleted summary of their achievements in response to the Roundtable for the October 8, 2008 Roundtable meeting.

Approve FY09 campus alignment plans

Dr. Krotseng provided an overview of the FY09 campus alignment plans. **It was moved** by Haugen, seconded by Andrews to approve the FY09 campus alignment plans. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

Approve FY09 IT Strategic Plan

Ms. Glatt and Rich Lehn presented the update on the IT Strategic Plan and goals. Ms. Glatt said once the plan is approved, it would be forwarded to the state IT department and to the legislature for approval. **It was moved** by Shaft, seconded by Haugen to approve the FY09 IT Strategic Plan. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

Approve recommended 2009-11 STEM Initiative Funding Proposals

Chancellor Goetz provided the background for the 2009-11 STEM Initiative Funding Proposals and how the proposals were reviewed. Chancellor Goetz said these proposals will be submitted to OMB and the Governor for consideration in the executive budget.

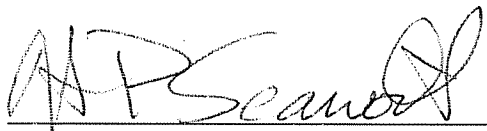
**It was moved** by Espegard, seconded by Backes, to approve the recommended 2009-11 STEM Initiative Funding Proposals. Andrews, Cripe, Espegard, Haugen, Kostelecky, Shaft, Backes, and Smith voted aye. The motion carried.

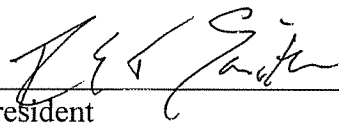
## PUBLIC COMMENT

Mr. Haugen mentioned that while on a trip to Washington, D.C., he was impressed to hear industry leaders and officials discuss how they have worked with the NDUS institutions and NDUS graduates.

Mr. Gordon Caldis addressed the board concerning his stance on the NCAA/UND Sioux logo dispute.

The meeting adjourned at 12:03 p.m.

  
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Executive Secretary

  
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President

November 6, 2008  
Date

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** ACADEMIC AFFAIRS

**EFFECTIVE:** February 22, 2002

**Section:** 403.7 Common General Education Requirement and Transfer of General Education Credits

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1. The following common general education requirement applies to all Associate of Arts, Associate of Science and Bachelor's degrees, except the BAS degree at University System institutions:

<b>General Education Area</b>	<b>Minimum Required Lower Division Semester Hours</b>
Communications	9
Arts & Humanities	6
Social Sciences	6
Mathematics, Science & Technology	9
Institutional Specific	6
<b>Total</b>	<hr/> <b>36</b>

2. Within the stipulated general education areas, each institution shall indicate in its catalog and other student advisement materials the institution's courses approved for general education. University System institutions may establish program and institution specific general education requirements in addition to the requirement stated in subsection 1.
3. General education courses accepted by any University System institution count upon transfer toward the general education requirement at all institutions in one of the following ways:
- A. A student is deemed to have completed the lower division general education requirement of the institution to which the courses are transferred if the general education course work meets the general education requirement of the institution from which the student transfers and satisfies the common general education requirement stated in subsection 1. Students completing Associate in Science and Associate in Arts degrees at system campuses meet the lower division general education requirements identified in subsection 1.
- B. Receiving institutions may also choose to grant general education requirement completion by combining the transferred general education courses from multiple institutions, based on the requirements listed above in subsection 1.
- B.C. In all other cases, general education courses from the areas in subsection 1 apply to the appropriate general education requirement of the institution to which the courses are transferred and the number of credits required to complete the general education requirement in each area is determined by the policies of the institution to which the courses are transferred; or

C.D. Pursuant to guidelines established by the Chancellor for the acceptance of Advanced Placement and College Level Examination Program scores for academic credit.

4. Articulation agreements between the North Dakota University System and other institutions may enable the transfer of general education credits as a completed unit pursuant to guidelines established by the Chancellor.

**HISTORY:** New policy. SBHE Minutes, June 18-19, 1998, page 6903.  
Amendment SBHE Minutes, May 30, 2001.  
Amendment SBHE Minutes, February 21-22, 2002.

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** PERSONNEL

**EFFECTIVE:** August 3, 2007

**Section:** 601.1 Presidential Search and Screening Committee

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1. To assist in filling any presidential vacancy, the Board president in consultation with the Chancellor shall recommend the membership of an institutional presidential search and screening committee and a committee chairperson to the Board. The committee shall include representatives of students, faculty and staff. The Board may, in lieu of appointing a separate search committee, act as the search and screening committee.
2. The Board may, subject to availability of funds, retain the services of a consultant to assist the committee or the Board in its work. The institutions shall pay all costs for the consultant, search committee and other search activities, excluding costs incurred by Board members or the Chancellor.
3. A presidential search and screening committee shall serve as an advisory body to the Board. The committee shall forward to ~~the Board~~ and recommend for Board consideration the names of three or more qualified candidates ~~and the Board shall appoint the president~~. The Board may reject candidates forwarded to it for consideration by the committee and consider candidates not recommended to it by the committee. If a committee forwards fewer than three candidates for consideration, the Board shall reject the committee's recommendation and may direct the committee to reconsider and forward three names, add one or more candidates to the names forwarded by the committee, or approve the board's own candidates for consideration. The Board shall appoint the president.
4. A presidential search and screening committee shall assume responsibility for the conduct of the search including advertising the opening, soliciting nominations and applications, narrowing the field of candidates, and the conduct of campus visits by candidates. Each search committee shall develop a recommended search time line and a recommended position profile that includes a description of the position and qualifications. The committee chairperson shall submit the documents to the Board for Board review and approval. The committee, acting through its chairperson, shall work in a cooperative manner with the Board president and Chancellor in carrying out its responsibilities.
5. A committee may divide itself into sub-committees for the purpose of conducting its work under the direction of its chairperson.
6. The chairperson of the committee shall be responsible for media relations on matters relative to the search and screening process. However, the announcement of a final appointment is the sole responsibility of the Board.

**HISTORY:** SBHE Minutes, February 18-19, 1982, page 5003.

Amendment SBHE Minutes, May 24-25, 1990, page 6003.

Amendment SBHE Minutes, May 21, 1998, page 6889.

Amendment SBHE Minutes, November 18-19, 1999.

Amendment SBHE Minutes, September 27-28, 2001.

Amendment SBHE Minutes, December 18, 2002.

Amendment SBHE Minutes, August 3, 2007.

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NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL

SUBJECT: FACILITIES

EFFECTIVE: February 19, 2004

Section: 902.1 Construction Process-Legislative Approval; List of Funding Requests

1. All buildings and other improvements shall be constructed within the limits of the State appropriations, bond issues, or other specific allocations of funds made by the State Board of Higher Education. An institution may not significantly change or expand a project the Board or the legislature has specifically authorized, except with Board and, when required according to NDCC § ~~48-02-20~~ 48-01.2-25 legislative approval.
2. The Board shall authorize all requests for state or federal legislative appropriations and all other fund sources for new building construction, major renovations, or major building additions. This includes authorization to proceed with a fund raising campaign. Institutions shall apprise the Chancellor of plans for new building construction, major renovations, or building additions.
3. In conjunction with biennial budget preparation, each campus shall submit to the Chancellor a prioritized list of projects that are defined below in subparagraphs a and b, consistent with the goals and strategies set forth in the campus master plan. The project descriptions shall include the total estimated cost, including cost of construction (both internal and external), demolition, equipment and furnishing of the building, addition, renovation or other improvement. The project descriptions shall also include estimates of current and future costs and funding sources of operating costs and all other improvements directly related to or necessitated by the requested improvements. The Chancellor, in consultation with the campuses, shall submit a prioritized list of system projects to the Board for their consideration. The Board shall approve a rank order list of funding requests for major capital projects from all fund sources listed in categories defined in subparagraphs a and b.
  - a. (1) Major renovations to existing facilities.  
(2) Major renovations to existing infrastructure, including technology upgrading.
  - b. New construction and additions to existing facilities, including the cost of renovating existing facilities that are made necessary by an addition or new construction.

Major capital project priorities shall be consistent with the following categories, which are listed in order of priority (except that a and b have equal priority):

- a. Projects to meet life, health and safety requirements.
- b. Projects that are necessary to comply with local, state, or federal law or requirements.
- c. Projects that preserve current assets.

- d. Projects that represent new strategic investments through the enhancement of current assets or the creation of new assets.
4. The Board shall use the following criteria to determine a rank order of projects listed. These criteria are not weighted, but shall be considered in their totality when determining rank order of priorities.
    - a. Project addresses current life, health and safety issues.
    - b. Project addresses compliance with local, state or federal law or requirements.
    - c. Project corrects significant deferred maintenance.
    - d. Project addresses a critical maintenance need defined by those which must be addressed, and which, if neglected, could result in substantial damage to the structural integrity of the building.
    - e. Project meets a compelling programmatic justification consistent with campus mission and strategic goals.
    - f. Project has been partially funded by the legislature in a previous biennium, but is not yet complete.
    - g. Project is highly rated by campus and is supported by significant outside funding.
    - h. Space will be used to advance a specific program or activity that is a high priority of the state.
    - i. Project addresses an urgent infrastructure need.
    - j. Project is consistent with campus master plan and institutional priorities.
    - k. Project is necessary based on clearly demonstrated condition of existing space.

REFERENCE: N.D.C.C. Section 15-10-12.1; NDCC Section 48-01.2-25

HISTORY: New Policy. SBHE Minutes, January 12-13, 1984, page 5200.  
Amendment SBHE Minutes, December 7, 1989, page 5915.  
Amendment SBHE Minutes, January 20, 1994, page 6430.  
Amendment SBHE Minutes, December 21, 1995, page 6603.  
Amendment SBHE Minutes, December 20, 1996, page 6711.  
Amendment SBHE Minutes, April 4, 2000.  
Amendment SBHE Minutes, February 19, 2004.



**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** GOVERNANCE AND  
ORGANIZATION

**EFFECTIVE:** November 21, 2002

**Section:** Section: 902.3 Requests for Construction, Renovation and Remodeling;  
Change Orders; Changes in Project Scope or Size

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1. Authorization to proceed with an improvement for which the cost exceeds ~~\$100,000 and all requests for new buildings~~ \$250,000 must be approved by the Board. Required requests for authority to proceed shall include:
  - a. A project description;
  - b. Estimated total cost of the project (including architect and engineer fees, work completed by institutional staff and billed to the project and all other costs), and source(s) of funds and completion date; and
  - c. An explanation of how the project coincides with or deviates from the campus facilities master plan and the biennial budget.
2. Projects shall be contracted from competitive bids when required by N.D.C.C. ch. ~~48-01.1~~ 48-01.2.
3. The contract sum and contract time may be changed only by change order. Change orders may not be utilized to substantially increase the scope or size of the project or to evade competitive bidding laws or policies. A "change order" means a written order to the contractor signed by the owner and architect and issued after execution of the contract, authorizing a change in the work or an adjustment in the contract sum or contract time.
4. An institution may not significantly change or expand a project the Board or the legislature has specifically authorized, except with Board and, when required under NDCC § ~~48-02-20~~ 48-01.2-25, legislative approval. The Chancellor is delegated to act for the Board and approve a request for a significant change or expansion if a delay in approving the request pending Board action will result in a significant delay in project completion or additional cost increases.
5. The Chancellor may establish procedures implementing this policy.

REFERENCE: N.D.C.C. chapter 48-01.2

**HISTORY:**

SBHE Minutes, July 15-16, 1982, page 5063.

Amendment SBHE Minutes, May 24, 1990, page 6002.

Amendment SBHE Minutes, April 23, 1992, page 6235.

Amendment SBHE Minutes, January 20, 1994, page 6430.

Amendment. SBHE Minutes, February 20, 1998, page 6841.

Amendment SBHE Minutes, April 4, 2000.

Amendment SBHE Minutes, November 21, 2002.

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** FACILITIES

**EFFECTIVE:** November 21, 2002

**Section:** 902.5 Construction Process - Architects and Engineers

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1. Institutions shall procure plans and specifications for public improvements from a licensed architect or registered professional engineer when required by N.D.C.C. ch. ~~48-01.1~~ 48-01.2. Plans or specifications of buildings to be used in connection with farm or agricultural research at the North Dakota Agricultural Experiment Station may be procured from a registered professional engineer employed by the Experiment Station.
2. Drawings and specifications for construction of public works involving an estimated cost in excess of \$100,000 shall be prepared by a registered professional engineer in accordance with N.D.C.C. Section 43-19.1-28.
3. All firms selected shall be hired in accordance with North Dakota Century Code ch. 54-44.7. The Board delegates to the institutions the authority to select architects, engineers, construction managers or land surveyors.
4. Architects shall not draw specifications leaving any portion of a building incomplete or unfinished, nor prepare any deduct alternate which postpones the completion of any work on the building or the building site, without express approval of the Board.
5. The Chancellor may adopt procedures implementing this policy.

**REFERENCES:** NDCC ch. 48-01.2; NDCC ch. 54-44.7

**HISTORY:** Replaces Article VII, Section 1(G-3), Section 4 A, and Section 5(A), 7/81.  
SBHE Minutes, January 12-13, 1984, page 5200.  
Amendment SBHE Minutes, November 8-9, 1990, page 6059.  
Amendment SBHE Minutes, January 20, 1994, page 6430.  
Amendment SBHE Minutes, September 19, 1997, page 6796.  
Amendment SBHE Minutes, November 21, 2002.

**NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION  
POLICY MANUAL**

**SUBJECT:** MISCELLANEOUS

**EFFECTIVE:** April 3, 2008

**Section:** 1902 Emergency Notification Systems

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1. Effective with the beginning of the fall 2008 semester, each institution and the NDUS office shall have in place an emergency notification system. An “emergency notification system” means a system established for the purpose of and dedicated to enabling institution or system officials to quickly contact or send messages to employees and students in event of an emergency. An “emergency” means a situation that poses an immediate threat to the health or safety of someone in the institution or system community or significantly disrupts institution or system programs and activities.
2. All NDUS employees, including student employees, ~~shall~~ must participate in the emergency notification system. Participation means employees shall submit emergency notification information and update that information as provided in the institution’s or system’s emergency notification system policy and procedures.
3. Students other than student employees shall be notified of their opportunity to participate in the emergency notification system unless they “opt-out.” ~~Students shall submit emergency notification information and have an opportunity to “opt-out” and encouraged to do so~~ during registration or as otherwise provided under an institution’s emergency notification system policy or procedures. All student employees, including undergraduate and graduate student employees, must participate in the emergency notification system.
4. Employee emergency notification telephone numbers or other emergency notification information is exempt from the state’s open records laws as provided in Policy 1912 and may be released only as provided in that policy. Student emergency notification information, or contact information such as phone numbers or email addresses submitted for purposes of participation in an emergency notification system, shall be excluded from directory information and is therefore confidential as provided under the Family Educational Rights and Privacy Act (FERPA). However, if a student phone number or email or other address submitted for the purpose of participation in an emergency notification system is also contained in other institution records used for other purposes, the information contained in the other institution records is directory information and not confidential, unless a student has exercised the student’s right to refuse to permit disclosure of directory information.
5. Each institution shall adopt an emergency notification system policy and implementing procedures including:
  - a. Statement that employee, including student employee, participation is mandatory;
  - b. Provision for student participation ~~and “opt-out;”~~

- c. Restrictions on use only for an emergency as defined in this policy and authorized tests, which must be conducted at least once each semester;
  - d. Policy governing student use of cell phones in class, including a provision permitting instructors to require students to turn cell phones off in class only if the instructor has a registered cell phone or other phone or other means of receiving emergency messages in use at all times students are required to turn their cell phones off;
  - e. Procedures governing updates and refreshing data, including a requirement that data be refreshed at least once each semester;
  - f. Identification of officials authorized to activate the system;
  - g. Instructions to employees and students for reporting emergency situations or incidents, including offices and telephone numbers of designated officials to whom emergency situations or incidents should be reported;
  - h. Guidelines regarding notice to or contacts with media;
  - i. Procedures for additional notifications as appropriate depending on circumstances.
6. Institution policy and procedures, including all updates or revisions, shall be filed with the system office.
  7. The chancellor shall adopt an emergency notification procedure for the NDUS office, including a system for notifying office employees of an emergency specific to the office and for notifying key institution employees or designated institution emergency contacts as necessary or appropriate.
  8. Subject to review and approval of the NDUS CIO, institutions may contract with a vendor or vendors for provision of emergency notification systems. If warranted based on consideration of administrative efficiencies and cost, the chancellor may require a single, uniform system for all institutions.

**REFERENCE:**

**HISTORY:** New Policy. SBHE Minutes, April 3, 2008.

# NORTH DAKOTA UNIVERSITY SYSTEM HUMAN RESOURCES POLICY MANUAL

## **20. LEAVE**

**20.1 - *Funeral Leave*** - An approved absence from work, with pay, of up to twenty-four working hours, may be provided to an employee to attend or make arrangements for a funeral, as a result of a death in the employee's family, or in the family of an employee's spouse.

**20.1.1** - Family means husband, wife, son, daughter, father, mother, stepparents, brother, sister, grandparents, grandchildren, stepchildren, foster parents, foster children, brother-in-law, sister-in-law, daughter-in-law, and son-in-law.

**20.1.2** - Funeral leave for employees working less than forty hours per week will be prorated.

**20.2 - *Jury Duty*** - An employee shall be allowed leave with pay for jury or other legal duty when subpoenaed for such service. Any compensation received for such duty may be retained by the employee.

**20.2.1** - When an employee is called as a witness on behalf of the State, and the employee's institution reimburses the employee for mileage, sustenance and room (which it may do), no witness fee or mileage may be claimed by said employee, no time shall be deducted for the absence of such employee, and such employee shall be deemed to be performing duties or services for the State.

**20.2.2** - When an employee is called as a witness when the institution is not a party to the action and the institution does not reimburse such employee for mileage, sustenance, and room, the employee may collect witness fees and mileage from the proper party if the employee is on authorized leave.

**20.2.3** - An employee who is personally interested in or a party to a criminal or civil action or who voluntarily appears as a witness must charge their absence against earned annual leave or request leave without pay.

**20.3 - *Military Leave*** - An employee who is a member of the National Guard or Armed Forces Reserves shall be granted military leave annually in accordance with Sections 37-01-25 and 37-01-25.1 of the North Dakota Century Code which provides:

**20.3.1** - Military leave with pay shall be granted to all state employees up to a maximum of twenty work days for those employees who have been employed continuously for a period of ninety days or more immediately preceding the leave.

**20.3.2** - In addition, any military leave of absence necessitated by a full or partial mobilization of the reserve or national guard forces of the United States of America, or

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emergency state active duty, shall be without loss of pay for the first thirty days less any other military leave which may have been granted during the calendar year.

**20.3.3** - If leave is required for weekend, daily or hourly periods of drill for military training on a day on which the employee is scheduled to work, the employee must be given the option of time off with a concurrent loss of pay for the period missed, or must be given an opportunity to reschedule the work period so the reserve or national guard weekend, daily, or hourly drill or period of training occurs during time off from work without loss of status or efficiency rating.

**20.3.4** – Employees are also covered under the federal Uniformed Services Employment and Reemployment Rights Act, 38 USC § 4301 et.seq., which provides that members of the uniformed services are entitled to leave without pay and to reemployment rights upon return to civilian employment. The time requirements for reporting back to work after completion of service vary depending upon the length of the leave, and can be found at 38 USC § 4312.

**20.4** - ~~*Storm Days Institution Closures* - Official closing of the institution during periods of severe weather will be announced over local radio stations and when necessary, by department heads. Return to normal working conditions shall be announced in the same manner.~~ An institution or part of an institution may be closed due to severe weather or other emergency reason justifying closure. The action shall be communicated to employees, students and other interested persons through local media or other reasonable means. Only employees designated by the department head may be required to work during the period when the institution is officially closed. All other regular employees shall be granted leave with pay for hours which they would normally work during a ~~storm period closure, except employees not scheduled to work during the closure because of a previous arrangement.~~ If an employee is not scheduled to work because of a previous arrangement, including annual or sick leave, the employee is not entitled to ~~storm pay~~ the additional paid leave. All employees properly authorized to work shall receive additional pay for hours worked during the official closing.

**20.4.1** - When the institution remains open ~~during inclement weather~~, employees unable to report to work shall notify their supervisor and take annual leave or leave without pay.

**20.5** - *Conferences or Convention Leave* - Two days per year may be allowed for employee organization conference/convention leave. Attendance is limited to three institutional officers, any state officers on campus, one delegate at large, and one delegate for each fifty members. If the conference/convention is held on a working day, the delegates will be paid as usual. If it is not a working day there will be no reimbursement. Leave may be denied if the employee's absence would unduly disrupt the operations or services of the institution.

**20.6** - *Leave Sharing Program* - All non-temporary, non-probationary employees with over six months of continuous service with the State are eligible to receive shared leave pursuant to the following conditions:

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- a) The appropriate campus official has determined that the employee meets the criteria described in this section.
- b) The employee has abided by University System policies regarding the use of sick leave.
- c) The employee's use of shared leave, including both annual and sick leave, does not exceed four months in any twelve month period.

**20.6.1** - Employees may donate leave to other state employees pursuant to the following conditions:

a) Annual Leave Donations --

1. The receiving employee has exhausted or will exhaust, all annual leave, sick leave, and compensatory time off due to an illness, injury, impairment, or physical or mental condition, that is of an extraordinary or severe nature, and that involves the employee, a relative of the employee, or a household member of the employee.
  - "relative of the employee" is limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee.
  - "household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This includes foster children and legal wards even if they do not live in the household.
  - "extraordinary or severe" means serious, extreme, or life threatening. It does not include conditions associated with normal pregnancy.
2. The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment.
3. The donating employee donates leave in full hour increments and retains a leave balance of at least forty hours.

b) Sick Leave Donations --

1. The receiving employee has exhausted, or will exhaust, all annual leave, sick leave, and compensatory leave due to an illness, injury, impairment, or physical or mental condition, that is of an extraordinary or severe nature.
2. The condition has caused, or is likely to cause, the receiving employee to go on leave without pay or terminate employment.
3. The employee may not donate more than five percent of the employee's accrued leave hours, and all leave must be donated in full hour increments.

**20.6.2** - The institution shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the employee's condition.

**20.6.3** - Donated leave is transferable between employees in different state entities.

**20.6.4** - One hour of donated leave must be regarded as one hour of shared leave for the recipient.



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**20.6.5** - Any donated leave may only be used by the recipient for the purposes specified within this policy and is not payable in cash.

**20.6.6** - All forms of paid leave available for use by the recipient must be used prior to using shared leave.

**20.6.7** - Any shared leave not used by the recipient during each occurrence as determined by the institution may be retained by the recipient.

**20.6.8** - All donated leave must be given voluntarily. No employee may be coerced, threatened, intimidated, or financially induced into donating leave for purposes of the leave sharing program.

**History:**

Amend. Sec. 20.2.2, 20.3.1, 20.3.2, 20.3.3, 20.3.4, 20.4, 20.5 SBHE Minutes, June 20-21, 1991, pg 6143.

Amend. Sec. 20.6 SBHE Minutes, June 24, 1993, pg 6374.

Amend. Sec. 20.1, 20.1.1, 20.1.2, 20.2.1, 20.2.3, 20.3, 20.3.2, 20.3.4, 20.4, 20.5, 20.6, 20.6.1 SBHE Minutes, March 20, 1997, pg 6744.

Amend. Sec. 20.3.4 SBHE Minutes, April 17, 1998, pg 6874.

Amend. Sec. 20.4 SBHE Minutes, November 18-19, 1999.

Amend. Sec. 20.1.1 SBHE Minutes, April 26-27, 2001.

Amend. Sec. 20.4, SBHE Minutes, June 15, 2006.