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North Dakota State Board of Higher Education

Meeting Minutes
May 28, 2026
Action Items

The State Board of Higher Education met on May 28, 2026, at 8:30 a.m., CT., via Teams.

Roll Call

SBHE Members

☒ Mr. Kevin Black, Chair
☒ Mr. DJ Campbell, Vice Chair
☒ Mr. Max Eriksrud
☒ Mr. Curtis Biller
☒ Ms. Michelle Kommer
☒ Mr. Tim Mihalick
☐ Mr. Pat Sogard
☒ Ms. Danita Bye
☒ Dr. Lisa Montplaisir, Faculty Advisor
☒ Ms. Anna Kinney, Staff Advisor

Institutions

BSC: President Kalk, **DCB:** Dean Gorder, **DSU:** President Molander**, LRSC:** President Simone, **MaSU:** President Van Horn**,** Ms. Amber Hill, **MiSU:** President Shirley, **NDSCS:** President Flanigan**, NDSU:** President Stewart, Ms. Stephanie Wawers, Mr. Denver Tolliver, **UND:** President Armacost, Mr. Brian Larson, Dr. Eric Link, Ms. Karla Mongeon-Stewart**, VCSU:** Interim President Burgad, **WSC:** President Hirning.

System Office/Guests

NDUS: Commissioner Sanford, Ms. Christina Pieske, Ms. Bethany Kadrmas, Dr. Billie Jo Lorius, Mr. Chris Pieske, Mr. Dustin Walcker, Mr. Eric Jensen, Ms. Claire Gunwall, DC Lisa Johnson, Mr. Cory Wigdahl, Ms. Jane Grinde, Ms. Sharon Schwartzbauer, DC David Krebsbach, Dr. Jennifer Weber, DC Meredith Larson, **CTS:** Mr. Corey Quirk, **Assistant Attorney General:** Mr. Shaun McNamara, **Clifton Larson Allen, LLP:** Ms. Folashade Abiola-Banjac.

Call to Order

1. **#** Agenda
   Campbell moved, Bye seconded to approve the agenda with the flexibility to move items around as needed due to scheduling.
   Motion passed unanimously by voice vote. Sogard was absent.

System Spotlight

2. Spotlight on Open Educational Resources (OER)

Board Consent (3 – 12)

3. March 30, 2026, Special Meeting Minutes
4. March 31, 2026, Special Meeting Minutes
5. April 29, 2026, Retreat Meeting Minutes
6. April 30, 2026, Meeting Minutes

SBHE Budget and Finance Committee

7. UND
    a. Replace Flight Ops Fiber Optic Cable
    b. Harrington Hall Renovations
    c. Law School Renovations
8. NDSU
    a. MHA Tuition Rate Request

SBHA Policy
1st read

9. Policy 611.2 Employee Responsibility and Activities: Intellectual Property

1st read, waive 2nd read

10. Policy and Procedure 1203.1 Digital Accessibility

2nd read

11. Policy 611.6 Confidential Proprietary Information
12. Policy 611.8 Employee Responsibility and Activities: Research on Human Subjects
    Biller moved, Campbell seconded to approve the consent agenda, items 3-12. Motion passed, 7-0. Sogard was absent.

Board Business

13. Executive Session
    Move to **(1)** enter Executive Session to discuss the working papers of the Chief Compliance Officer, investigatory work product, and the investigation of financial circumstances at Dickinson State University, and **(2)** limit executive session to board members, the commissioner, chief operating officer, chief compliance officer, designated investigators from Clifton Larson Allen LLP, and board counsel. The legal authority for closing this portion of the meeting is North Dakota Century Code sections 15-10-44.3, 44-04-18.1(6), 44-04-19.1(3) and (7), and 44-04-19.2.

    Mihalick moved, Biller seconded to **(1)** enter Executive Session to discuss the working papers of the Chief Compliance Officer, investigatory work product, and the investigation of financial circumstances at Dickinson State University, and **(2)** limit executive session to board members, the commissioner, chief operating officer, chief compliance officer, designated investigators from Clifton Larson Allen LLP, and board counsel. The legal authority for closing this portion of the meeting is North Dakota Century Code sections 15-10-44.3, 44-04-18.1(6), 44-04-19.1(3) and (7), and 44-04-19.2.

    Biller, Bye, Campbell, Eriksrud, Kommer, Mihalick and Black voted yes. Sogard was absent.
    Motion passed, 7-0.

Executive Session began at 10:08 a.m., CT.

Present
SBHE Members

☒ Mr. Kevin Black, Chair
☒ Mr. DJ Campbell, Vice Chair
☒ Mr. Max Eriksrud
☒ Mr. Curtis Biller
☒ Ms. Michelle Kommer
☒ Mr. Tim Mihalick
☐ Mr. Pat Sogard
☒ Ms. Danita Bye
☒ Dr. Lisa Montplaisir, Faculty Advisor
☒ Ms. Anna Kinney, Staff Advisor

Other Present: Commissioner Sanford, Ms. Christina Pieske, Mr. Chris Pieske, Ms. Folashade Abiola-Banjac, DC Meredith Larson, Ms. Karla Mongeon-Stewart, Mr. Shaun McNamara.

Executive Session ended at 11:12 a.m., CT.

Open Session reconvened at 11:26 a.m., CT.

Chair Black reported that the Board was given a thorough update on the financial situation at DSU. A full report is being prepared and will hopefully be ready sometime in July.

14. 2027-29 Upper Great Plains Transportation Institute Budget
Mr. Tolliver presented the Upper Great Plains Transportation Institute's budget request, outlining the base budget, contingency considerations, supplemental requests, and the importance of state funds. He explained the base general fund budget of $5,585,493, with a contingency scenario involving a $166,000 reduction. He described the special fund appropriation as primarily grants and contracts from the North Dakota DOT and other agencies, with federal funds being variable based on grant procurement. Mr. Tolliver outlined a supplemental budget request of $200,000, developed by the Institute's 19-member advisory council, to fund a county road and township classification and prioritization study. This study aims to create a system similar to the state highway classification, benefiting DOT, the legislature, and counties, especially for planning and trucking industry needs.
Mihalick moved, Biller seconded to approve the budget as presented. Motion passed, 7-0. Sogard was absent.

15. Reconstruct Ray Richards Golf Course
Mr. Larson presented the UND request for authorization to reconstruct the Ray Richards Golf Course, clarifying the project's scope, funding sources, and separation from potential P3 developments. Chair Black touched on repeated outreach from a local business owner and further clarified the separation from any potential P3 projects.
Biller moved, Mihalick seconded to approve UND's request to reconstruct the Ray Richards Golf Course.
Motion passed, 7-0. Sogard was absent.

16. Approval of Assignment of Institution Finance Staff to Higher Education Funding Review Committee study, as directed in SB2003.

a. Ms. Joann Kitchens
Commissioner Sanford explained that Ms. Rebecca Collins needs to be replaced and that Ms. Joann Kitchens volunteered to fill that role.
Bye moved, Biller seconded to approve the assignment of Ms. Joann Kitchens to the Higher Education Funding Review Committee.
Motion passed, 7-0. Sogard was absent.

Representative Reports/Updates/Discussions

17. Staff Senate
Kinney reported on the State Staff Senate's planning for an in-person June meeting, professional development initiatives, staff awards, and a working group on tuition waivers and staff benefits.

18. CCF
Dr. Montplaisir summarized the CCF's recent discussions on post-tenure review, low enrollment programs, workload, data protection in the context of AI, and academic calendar alignment with student employment opportunities.

19. NDSA
Eriksrud explained that there had not been an NDSA meeting since the last SBHE meeting. The executive team will likely be meeting during the summer to come up with the schedule for meetings. He also stated that there will soon be a new student representative on the SBHE.

SBHE Committee Reports/Updates/Discussions

20. SBHE Academic and Student Affairs Committee
Biller reported to the board on the ASAC's recent actions, including the approval of new academic programs, termination of low-producing programs, and the development of a policy for reviewing program productivity, with input from faculty and plans to exclude certificates from initial review. Biller also provided an update on the EPSCoR data asset mapping project, which assessed STEM research capacity and collaboration opportunities across North Dakota's higher education institutions, including tribal colleges and private universities, with the goal of enhancing federal and state funding prospects and strategic planning.

21. SBHE Budget and Finance Committee
Mihalick reported on the BFC's discussions regarding the biennial operating and capital budgets, including a proposal to fund facilities study, utilization study and deferred maintenance study, with plans to finalize recommendations at the next board meeting.

22. SBHE Audit Committee
Mihalick reported that there was an executive session to review the audit for LRSC and that everything was fine.

23. SBHE Governance Committee
    a. SBHE Assessment Survey

Mr. Pieske presented the results of the annual board assessment survey, which included feedback from board members, presidents, and executive staff, identifying strengths in leadership and responsiveness, and highlighting areas for improvement in strategic planning, goal setting, and role clarity.

b. Dual Credit Accessibility- Dashboard
DC Larson presented a new data dashboard to the board and governance committee, providing detailed insights into dual credit course access, participation, intensity, and adoption across North Dakota high schools, and discussed next steps for policy review and K-12 engagement.

Chair Report

24. Campus and System Approach to AI
Kinney delivered an in-depth presentation to the board on systemwide approaches to AI in higher education, benchmarking other states, outlining best practices, legislative trends, faculty and student concerns, and recommending the formation of a cross-campus task force to guide policy and strategic planning.

25. Updates from Chair Black
Chair Black welcomed President Stewart to his first SBHE meeting. Chair Black also asked for as much to be taken care of in June and in time for the June SBHE meeting as possible. Then, the July SBHE meeting could be canceled. He congratulated all the graduates and brought attention to all involved in the spring commencements and thanked board members for participating and representing the board.

Commissioner Report

26. Spring Graduations
DC Larson shared updates on spring graduation accomplishments, including a press release, significant growth in high school headcount, and board member participation in commencement speeches, with special recognition of several members' contributions.

28. Updates from Commissioner Sanford
Commissioner Sanford praised Anna Kinney for her presentation on AI. He then provided updates on legislative committee activities, including the formula committee's bill draft discussions, low enrollment initiatives, dual credit cost analysis, and upcoming strategic planning reports, with ongoing work expected in June. Finally, he announced that the system office will be temporarily remote due to Capitol building window replacements and discussed potential future relocation within the building, with details to be finalized after the legislative session.

Other

29. Public Comments
There were no public comments.

Adjourn

Chair Black adjourned the meeting at 12:07 p.m., CT.