

## BOARD OF HIGHER EDUCATION SELECTION COMMITTEE

This memorandum provides information on the Board of Higher Education Selection Committee and on the application process for members of the State Board of Higher Education.

### BOARD OF HIGHER EDUCATION SELECTION COMMITTEE

Article VIII, Section 6, of the Constitution of North Dakota provides that the committee to select nominations for the State Board of Higher Education consists of the president of the North Dakota Education Association, the Chief Justice of the Supreme Court, the Superintendent of Public Instruction, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The committee, with approval of four of the five members, forwards three names to the Governor for the selection of a nomination. All selections by the governor are subject to the consent of a majority of the members-elect of the Senate. In the event any nomination made by the Governor is not consented to and confirmed by the Senate, the Governor shall again nominate a candidate selected from a new list. The nomination shall be submitted to the Senate for confirmation and the proceedings shall continue until an appointee has been confirmed by the Senate or the session of the Legislative Assembly has adjourned. If a term expires or a vacancy occurs when the Legislative Assembly is not in session, the Governor may appoint from a list selected as provided a member who shall serve until the opening of the next session of the Legislative Assembly, at which time the appointment must be certified to the Senate for confirmation. If the appointee is not confirmed by the 30th legislative day of the session, the office shall be deemed vacant and the Governor shall nominate

another candidate for the office. If the Legislative Assembly is in session at any time within six months prior to the date of the expiration of the term of any member, the Governor shall nominate a successor from the selected list, within the first 30 days of the session. Upon confirmation by the Senate, the successor shall take office at the expiration of the incumbent's term. No person who has been nominated and whose nomination the Senate has failed to confirm is eligible for an interim appointment.

There are no statutory references regarding who is to serve as chairman of the nominating committee. However, according to representatives of the Department of Public Instruction, the Superintendent of Public Instruction has served as chairman for at least the past twenty years.

### APPLICATION PROCESS

When a vacancy on the State Board of Higher Education occurs or is about to occur, the North Dakota University System office notifies the Superintendent of Public Instruction who issues a press release seeking applicants for the open position. Interested persons are required to submit to the Superintendent a completed application, three references, and a resume. The Superintendent compiles all applications received and calls a meeting of the Board of Higher Education Selection Committee to begin the selection process outlined by the constitution.

The application form used by the selection committee and additional information sent to persons interested in applying for board positions is attached as an [appendix](#).

ATTACH:1