

**HOUSE CONCURRENT RESOLUTION NO. 3046**

Introduced by

Representatives Carlson, Belter, Delzer, Vigesaa

1 A concurrent resolution directing the Legislative Management to study public higher education  
2 in North Dakota for the purpose of developing and implementing a governance model that  
3 articulates the roles and functions of the State Board of Higher Education, the commissioner of  
4 higher education, and the presidents of each institution of higher education under the control of  
5 the board.

6 **WHEREAS**, subsection 1 of Section 6 of Article VIII of the Constitution of North Dakota  
7 provides that the State Board of Higher Education is created for the "control and administration"  
8 of the state's educational institutions; and

9 **WHEREAS**, subsection 6 of Section 6 of Article VIII of the Constitution of North Dakota  
10 provides that the State Board of Higher Education shall have "full authority over the institutions  
11 under its control"; and

12 **WHEREAS**, subsection 7 of Section 6 of Article VIII of the Constitution of North Dakota  
13 provides that the State Board of Higher Education shall appoint a commissioner of higher  
14 education who "shall be responsible to the State Board of Higher Education" and who "shall be  
15 the chief executive officer of said State Board of Higher Education, and shall perform such  
16 duties as shall be prescribed by the board"; and

17 **WHEREAS**, the North Dakota University System includes \$1.2 billion in annual revenues,  
18 \$1.5 billion in assets, and an immeasurable obligation to be accountable to the people of this  
19 state; and

20 **WHEREAS**, accountability is achievable only if there is a clear delineation between  
21 governance and management responsibilities;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**  
23 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

24 That the Legislative Management study public higher education in North Dakota for the  
25 purpose of developing and implementing a governance model that articulates:

- 1       • The role and function of the State Board of Higher Education, and that of its chairman  
2       and other members, including the board's objectives and the monitoring  
3       responsibilities necessary to ensure that its objectives are achieved;
- 4       • The role and function of the commissioner of higher education, including the  
5       commissioner's relationship with the board, the commissioner's responsibility for  
6       implementing the board's objectives, and for meeting the board's expectations  
7       regarding organizational performance; and
- 8       • The role and function of each institution's president, including the authority and  
9       responsibility to supervise and direct the efficient operation of the institution, to execute  
10      all directives from the commissioner of higher education, and to report directly to the  
11      commissioner regarding the operation and management of the institution, and the  
12      execution of the directives; and

13       **BE IT FURTHER RESOLVED**, that the Legislative Management may contract with a  
14      consultant for assistance in meeting the directives of this study; and

15       **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and  
16      recommendations, together with any legislation required to implement the recommendations, to  
17      the Sixty-fifth Legislative Assembly.