



North Dakota Legislative Council

Prepared for the Higher Education Institutions Committee
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HIGHER EDUCATION GOVERNANCE

This memorandum provides information regarding the governance and administration of higher education in the state. Section 6 of Article VIII of the Constitution of North Dakota establishes the State Board of Higher Education (SBHE) to control and administer state higher educational institutions, including:

- The state university and school of mines at Grand Forks;
- The state agricultural college and experiment station at Fargo;
- The school of science at Wahpeton;
- The state normal schools and teachers colleges at Valley City, Mayville, Minot, and Dickinson;
- The school of forestry at Bottineau; and
- Other state institutions of higher education, as may be established.

The SBHE has constitutional authority over the institutions to prescribe, limit, or modify the courses offered and to organize the work of each institution. North Dakota Century Code Section 15-10-01.2 provides the institutions of higher education under the control of the SBHE are a unified system of higher education, as established by the board, and are designated as the North Dakota University System.

Governance History

As originally enacted in 1889, the constitution required a school of forestry in McHenry, Ward, Bottineau, or Rolette County, and educational institutions in Grand Forks, Fargo, Valley City, Mayville, Ellendale, and Wahpeton. Constitutional amendments were later approved requiring a state normal school in Minot (1910), placement of the school of forestry in Bottineau (1914), and a state normal school in Dickinson (1916).

In 1919, the Legislative Assembly authorized a new Board of Administration with governing authority over higher education. The Governor appointed three voting members to the board and the Superintendent of Public Instruction and the Commissioner of Agriculture and Labor served as ex officio members. In 1937, the board fired the President and certain faculty members at the North Dakota Agricultural College and the Director of the Experiment Station and Extension Service, leading to the revocation of the college's accreditation. In 1938, an initiated measure to amend the constitution was approved by the voters to create the SBHE.

Enabling legislation for the establishment of junior colleges in the state was adopted by the 1931 Legislative Assembly. Junior colleges were established at Bismarck in 1939 and at Devils Lake in 1941. While subject to certain standards and criteria of the SBHE, their establishment depended upon approval of the local communities and the institutions were governed primarily by a local board until their control was legislatively transferred to the SBHE in 1983.

In 1986, a Bush Foundation study of higher education in the state recommended the state create a cohesive system with a shared vision for higher education. In response, the SBHE created the State University of North Dakota, however, the 1987 Legislative Assembly gave university status to the state's

four normal schools and made the community college in Devils Lake a branch of the University of North Dakota (UND), resulting in the undoing of the State University of North Dakota.

In 1990, the SBHE established the University System and changed the title of the chief executive officer from commissioner to chancellor. The board noted the system was created to use the diverse collective capacity of the campuses to serve citizens where they lived and provide administrative efficiency where it made sense.

In 1997, a second Bush Foundation study of higher education in the state recommended the state enhance the leadership position of the SBHE, resolve the issue of the number of institutions in the state, and empower campus leaders. In 1998, voters rejected a constitutional amendment measure to remove campus names, locations, and missions from the constitution. In 1999, the Legislative Assembly established the higher education roundtable, recommendations from which led to lump sum campus budgets, defined accountability reporting, independent campuses in Devils Lake and Williston, and a recommitment to a unified higher education system.

SHARED SERVICES AND ADMINISTRATION

Williston

In 1956, voters rejected a measure to amend the constitution to establish a trade school in Williston. In the spring of 1957, UND began offering courses worth up to 18 credit-hours at Williston High School. In the fall of that year, UND established the Williston Extension Center as a 2-year liberal arts center. The center provided UND coursework taught by working professionals from the Williston area in Williston Public Schools classrooms. The center's purpose was to provide higher educational opportunities to individuals in the area who were unable to relocate after high school or who wished to complete previously begun higher educational studies. The SBHE voted in January 1999 to transition the higher education institution at Williston from a branch of UND to an independent college and to rename it Williston State College (WSC).

Ellendale

During the late 1950s and early 1960s, the SBHE considered several recommendations to operate the Ellendale State Teachers College as a branch of UND due to low enrollment. When the President of Ellendale College resigned in 1965, the SBHE voted to operate the institution as an extension center of UND amid concerns regarding the ability of Ellendale to achieve accreditation on its own. In addition to changing its name, the institution began operating as a 2-year rather than a 4-year college.

In 1971, the Legislative Assembly adopted House Concurrent Resolution No. 3045 to remove the constitutional status of the Ellendale branch of UND and passed House Bill No. 1001, which included a statement of intent that the campus cease operations. Factors reported for the decision included high per student costs and destruction by fire of approximately 80 percent of the campus's classroom space. The college at Ellendale closed in July 1971 and North Dakota voters approved removal of the institution from the constitution in 1972.

Devils Lake

In May 1985, the SBHE directed the President of the North Dakota State School of Science (NDSSS) to review the administration and programs at Lake Region Community College (LRCC) and provide recommendations to the board. In June 1985, the SBHE placed LRCC under the administration of the NDSSS for the 1985-87 biennium. Financial problems for LRCC were reportedly a factor in the decision and the NDSSS President recommended cuts to administrative, faculty, and support positions.

The NDSSS President served as temporarily administrator of LRCC until his retirement in 1987. That same year, a citizens committee advocated for changing the name of LRCC to UND-Lake Region as the community college was closer geographically to UND than to NDSSS and the largest group of transfer students from LRCC went to UND. The 1987 Legislative Assembly approved House Bill No. 1003, which renamed the Devils Lake junior college as the University of North Dakota-Lake Region and placed it under the administrative supervision of UND. The SBHE voted in January 1999 to transition the higher

education institution at Devils Lake from a branch of UND to an independent college and to rename it Lake Region State College.

Bottineau

In 1969, the Legislative Assembly passed Senate Bill No. 159 to authorize the SBHE to make the State School of Forestry at Bottineau a branch of NDSU. Supporters of the merger stated it would increase economic, administrative, and academic efficiencies and the largest group of transfer students from Bottineau continued their education at NDSU. In August 1969, the SBHE voted to change the name of the State School of Forestry at Bottineau to NDSU-Bottineau Branch and Institute of Forestry.

In March 1996, an SBHE subcommittee issued a report showing decreasing enrollment at the college as well as a declining population in the surrounding counties and recommended the Bottineau institution shift its focus from liberal arts courses to vocational and career offerings. Additional concerns about the college included aging facilities, heavy reliance on state revenues and tuition for operations costs, and a high number of students leaving the school prior to their 2nd year of enrollment. The board discussed maintaining Bottineau's affiliation with NDSU or placing it under the administration of Bismarck State College or Minot State University (MiSU). In April 1996, the SBHE voted to place NDSU-Bottineau under the administration of MiSU. Supporters of the change noted many of the students at Bottineau were from the Minot area, the greatest number of transfer students from Bottineau continued their education at MiSU, and MiSU's administration of the college might assist with regional recruitment efforts.

Mayville and Valley City

In 1985, a task force was appointed by the Governor to consider alternative uses for Mayville State University (MaSU), including as a specialized mathematics and science high school for gifted students from North Dakota and Minnesota and as a site for providing intensive training courses for teachers. Proponents of these proposals cited factors such as MaSU's size and its potential redundancy due to the institution's short distance from the state's two major universities as reasons to alter the mission of the institution. However, these ideas failed to garner public support and the task force was disbanded by the end of the year.

In 1987, the Legislative Assembly considered and failed to adopt two resolutions relating to closing MaSU. In 1989, the Legislative Assembly considered and failed to adopt a resolution to close NDSU-Bottineau, MaSU, and Valley City State University (VCSU). The following year, the SBHE rejected a proposal to transform MaSU and VCSU from 4-year higher education institutions to 2-year junior colleges. In November 1990, a special legislative committee reported the SBHE had adopted changes to create focused missions for MaSU, Dickinson State University, and VCSU based on the board's 7-year higher education plan.

In December 1992, the SBHE met to consider shared administration of NDSU and North Dakota State College of Science as well as shared administration of MaSU and VCSU. Reasons provided for combining administration of the pairs of schools were increased efficiency as well as responding to perceived political interference on the part of the Legislative Assembly in the state's higher education system. The MaSU President resigned that month and the board voted in favor of joint administration of MaSU and VCSU, with geographical proximity, tighter budgets, and increased political stability cited as considerations for the change.

In 2002, the SBHE voted to provide for separate administration of the two universities following the advice of consultants who also recommended continuation of the schools as 4-year universities, tuition increases, expanded recruitment efforts, and differentiated course offerings.

Other Shared Services and Collaborations

University System institutions reported multiple collaborative efforts and shared services to the Appropriations Committees during the 2025 legislative session, including:

- Dakota College at Bottineau is an affiliate institution of MiSU and operates under the administration of the MiSU President. Shared services include classroom and office space, accounting and payroll services, and human resources support.
- VCSU and Dakota College at Bottineau collaborate to offer 1-year practical nursing and 2-year associate degree nursing programs on the VCSU campus.
- VCSU and NDSU collaborate to offer students dual degrees in human development and family science and elementary education.
- NDSU assists MaSU with payroll and employee benefits administration.
- MaSU provides nursing program administrator support to Dickinson State University to support the programs through an administrative and faculty transition.
- MaSU provides secondary education licensure programs on the WSC campus.
- UND assists WSC with payroll, bank reconciliations, and procurement.
- NDSU and UND collaborate to provide biomedical engineering graduate degrees.
- NDSU and UND also collaborate on multiple research projects.