

## NORTH DAKOTA LEGISLATIVE MANAGEMENT

### Minutes of the

## HIGHER EDUCATION COMMITTEE

Tuesday, February 2, 2016

Prairie Rose Room, Memorial Union, North Dakota State University, Fargo, North Dakota

Wednesday, February 3, 2016

Atrium, North Dakota State University Alumni Center, Fargo, North Dakota

Representative Mark Sanford, Chairman, called the meeting to order at 1:00 p.m. on Tuesday, February 2, 2016.

**Members present:** Representatives Mark Sanford, Thomas Beadle, Lois Delmore, Dennis Johnson, Matthew M. Klein, Bob Martinson, Lisa Meier, David Monson, Kylie Oversen, Mike Schatz, Cynthia Schreiber Beck, Roscoe Streyle; Senators Tim Flakoll, Carolyn C. Nelson, Larry J. Robinson

**Members absent:** Representatives Tracy Boe, Mark A. Dosch, Kathy Hawken, Richard G. Holman; Senators Ray Holmberg, Karen K. Krebsbach, David O'Connell

**Others present:** Blair Thoreson, State Representative, Fargo  
See [Appendix A](#) for additional persons present.

**It was moved by Senator Robinson, seconded by Senator Nelson, and carried on a voice vote that the minutes of the November 17-18, 2015, meeting be approved as distributed.**

Chairman Sanford announced the next committee meeting is tentatively scheduled for April 18-19, 2016, in Minot.

### HIGHER EDUCATION STUDY Campus Security Funding

Ms. Tammy Dolan, Chief Financial Officer, North Dakota University System, presented information ([Appendix B](#)) regarding recent state appropriations for campus security and emergency preparedness. She said the Legislative Assembly appropriated \$3 million from the general fund for a 2015-17 biennium campus security funding pool. She said the funds have been transferred to University System institutions proportionally based on total estimated costs at each institution to address surveillance, card access, and lighting needs. She said funding was also appropriated during the 2009-11 and 2013-15 bienniums to install security equipment and for additional security coverage at institutions.

In response to a question from Chairman Sanford, Ms. Dolan said a portion of security funding appropriated to institutions has been used to provide 24/7 security coverage. She said four institutions currently have 24/7 security coverage.

In response to a question from Senator Nelson, Ms. Dolan said institutions are responsible for security coverage at all campus facilities, including facilities located away from the main campus.

In response to a question from Representative Delmore, Ms. Dolan said each institution has procedures in place to respond to security issues. She said some institutions provide additional victim support through counseling and other services.

In response to a question from Representative Monson, Ms. Dolan said each institution is preparing a plan to address reductions in appropriations recently ordered by the Governor. She said each institution has the flexibility to determine the specific areas to reduce. She said most institutions have made student safety and security a priority and will work to minimize the impacts to students.

In response to a question from Representative Meier, Ms. Dolan said she will provide the committee with information regarding the total amount of funding used for student safety and security at each institution.

In response to a question from Representative Sanford, Ms. Dolan said federal regulations require each institution to prepare an annual report on student safety and security which includes campus crime statistics.

In response to a question from Senator Flakoll, Ms. Dolan said the number of security cameras at each campus varies based on institution facilities and campus security coverage. She said she will provide the committee with information regarding the use of security cameras at each institution.

### **North Dakota State University Student Safety Initiatives**

Mr. Mike Borr, Director, University Police and Safety Office, North Dakota State University, presented information ([Appendix C](#)) to the committee regarding campus student safety initiatives. He said North Dakota State University (NDSU) is committed to maintaining a safe and secure campus through evaluating trends and technology, reviewing enhancement to training and programs, and implementing solutions consistent with the campus vision for safety and security. He said the campus implemented a safety escort service in the early 1990s to assist students traveling on campus. He said the program is still in service and the institution has been working with students to enhance the service.

Ms. Hilary Brodeur, Student, North Dakota State University, said campus officials worked with student government leaders to identify potential security issues on campus. She said the efforts led to the implementation of the Pathlight smartphone application that allows students to quickly contact campus police. She said the application also includes a feature to allow students to request to be monitored as they move about the campus.

Mr. Borr and Ms. Brodeur provided a demonstration of the Pathlight application. The application allows students to notify campus police of their current location and their intended destination. The application monitors the progress of the student while traveling to their destination and notifies campus police if a student does not arrive at their destination within a set amount of time.

In response to a question from Representative Delmore, Mr. Borr said approximately 400 students have downloaded the Pathlight application. He said the campus also uses a separate notification system to alert students to any emergency situations on campus.

In response to a question from Representative Klein, Mr. Borr said any data collected by the Pathlight application is only stored for a limited amount of time. He said the stored data is only accessed if there is a situation that requires investigation.

In response to a question from Representative Beadle, Mr. Borr said new students are notified of the Pathlight application during orientation sessions and at other times. He said most students feel safe on campus which may result in fewer students using the application.

### **Campus Police Jurisdiction Issues**

Dr. Lisa Feldner, Interim Chief of Staff, University System, presented an update ([Appendix D](#)) on campus police jurisdiction issues. She said in *Korschel v. Levi*, the North Dakota Supreme Court found that a NDSU police officer did not have sufficient authority to initiate a police stop and arrest an individual off of the campus. She said the decision does not affect campus police jurisdiction on campus, but does affect the use of joint powers agreements to enable campus police to provide law enforcement services in areas near a campus.

Dr. Feldner said campus police are still authorized to assist other law enforcement agencies off of a campus in certain situations. She said North Dakota Century Code Section 15-10-17 could be amended to clarify the use of joint powers agreements which would authorize campus police to continually exercise law enforcement activities in areas adjacent to a campus.

Dr. Feldner also noted that her written testimony contained a statement from a representative of the University of North Dakota (UND) regarding campus police jurisdiction issues.

In response to a question from Senator Nelson, Dr. Feldner said city police departments generally have jurisdiction in residential areas located near a campus.

Senator Nelson said many students reside in apartments and houses near a campus and travel frequently between their residence and the campus. She said it may be beneficial for campus police to be able to respond to any incident as the student travels to and from campus.

Chairman Sanford asked Dr. Feldner to provide the committee with any recommended statutory changes that are needed to address campus police jurisdiction issues.

In response to a question from Representative Delmore, Mr. Noah Brisbin, Assistant Attorney General, Attorney General's office, said several institutions have agreements with local police departments. He said cooperation is needed from all affected entities, including local law enforcement agencies, to resolve any issues regarding the jurisdiction of campus police.

### **Campus Sexual Assault Policies, Procedures, Supports, and Services**

Dr. Feldner presented a report ([Appendix E](#)) pursuant to 2015 House Concurrent Resolution No. 3052 regarding campus sexual assault policies, procedures, supports, and services available at University System institutions. She said University System institutions are updating policies detailing what constitutes sexual assault. She said new students are required to attend awareness and prevention programs to identify potential sexual assaults, to learn how to intervene as a bystander, and how to report sexual assaults to institution officials. She said institution employees are also receiving training on responsibilities to observe, prevent, and report sexual assault.

Dr. Feldner said University System institutions have a variety of resources for students and employees affected by sexual assault. She said there are reporting structures and institutional processes that allow institutions to investigate and hold individuals accountable for sexual misconduct. She said services provided to victims include campus escorts, the issuance of no-contact orders, adjustment of the individuals' campus housing or class schedules, and confidential counseling and academic support services.

Chairman Sanford said institutions may view sexual assault incidents as a blemish on the institution and may wish to not properly review and respond to incidents.

In response to a question from Representative Oversen, Dr. Feldner said she will provide the committee with future updates regarding the continued development of institution sexual assault policies.

In response to a question from Representative Klein, Mr. Brisbin said no-contact orders are issued as limited restraining orders to prohibit contact between individuals involved in a sexual assault incident. He said no-contact orders may be issued as a result of a campus disciplinary process or may be issued on a temporary basis while an alleged sexual assault incident is being investigated.

Representative Oversen said one criticism of higher education institutions is that campus sexual assault incidents are often investigated internally without involving a full criminal investigation.

Mr. Brisbin said the criminal justice system is used to investigate sexual assault incidents as warranted. He said federal Title IX provisions require campuses to investigate campus sexual assault incidents.

In response to a question from Senator Flakoll, Mr. Brisbin said academic and student affairs officers within the University System communicate among each other regarding academic and nonacademic instances of misconduct of students transferring to a new institution. However, he said the types of information shared with another institution may be limited due to federal student privacy laws.

In response to a question from Representative Schreiber Beck, Mr. Brisbin said each institution determines the types of sexual assault training and awareness to provide to students. He said some institutions may focus on educating students about the potential ramifications of perpetrating a sexual assault incident or filing a false report regarding an incident.

### **Student and Student Organization Disciplinary Procedures**

Dr. Feldner provided a report to the committee ([Appendix F](#)) pursuant to 2015 Senate Bill No. 2150 regarding procedures for students and student organization disciplinary procedures. She said State Board of Higher Education policy 514 was updated to allow advocates to fully participate on students' behalf in suspension or expulsion proceedings and to allow the right to an appeal on various grounds for at least 1 year. She said the policy provides a balance between ensuring a nondiscriminatory environment for campus stakeholders and providing procedural due process that ensures fair treatment of students and students organizations involved in campus disciplinary proceedings.

In response to a question from Representative Schatz, Mr. Brisbin said students have the right to appeal a decision in a nonacademic conduct hearing process for at least 1 year following the outcome. He said the appeals process allows for the introduction of newly discovered evidence relating to the incident.

### **Student Journalist Freedom of Expression**

Dr. Feldner provided a report to the committee ([Appendix G](#)) regarding student journalist freedom of expression rights as provided in Section 15-10-55. She said University System institutions have reported that student

journalism programs allow students' freedom of expression. She said institutions report that students are considered professional working journalists and have been for several years.

### **North Dakota State University Research**

Dr. Kelly A. Rusch, Vice President for Research and Creative Activity, North Dakota State University, and Dr. Maricelis Acevedo, Assistant Professor of Plant Pathology, North Dakota State University, presented information ([Appendix H](#)) regarding the research activities of the institution. Dr. Rusch said the institution's strategic vision is based on the following three components: creating educational opportunities that support student access and success; research, creative works, and discovery focused on grand challenges; and outreach and engagement that creates better lives for North Dakotans.

Dr. Rusch provided an overview of various research activities at the institution. She said one research project involves data mining to find hidden connections from large document collections in multiple domains. She said activities are also focusing on unmanned aerial research, including how it can be used in precision agriculture applications. She also reviewed research projects involving drug and antibiotic delivery and nanotechnology. She said the institution hosts the Center for Computationally Assisted Science and Technology which in part supports the research of the institution.

Dr. Acevedo provided an overview of her research activities relating to wheat rust disease. She said wheat rust disease is historically one of the most devastating diseases to affect wheat crops. She said her research is focusing on how plant genetics can be used to develop a plant resistant to the disease.

Dr. Rusch said the institution utilizes private sector partnerships to increase the research portfolio of the institution. She said from fiscal year 2001 through fiscal year 2015, the institution had 296 different private sector partners. She said licensing income from research activities has increased from \$1,930,120 in fiscal year 2011 to \$2,514,564 in fiscal year 2015.

In response to a question from Representative Streyle, Dr. Rusch said the institution collaborates with UND on several research activities. However, she said the missions of the institutions generally lead to different research focuses. She said in an area such as unmanned aerial vehicles, UND focuses more on flight operations of the vehicles while NDSU focuses more on the use of the vehicles in agriculture activities.

In response to a question from Representative Streyle regarding the Center for Computationally Assisted Science and Technology, Dr. Rusch said the center was established on the campus of NDSU prior to the construction of the University System joint information technology facility. She said funding for the center was from federal sources and the federal requirements were for the center to be located at NDSU.

In response to a question from Senator Robinson, Dr. Rusch said over 100 graduate students are conducting research on 70 major projects at the institution. She said several thousand students are performing undergraduate research at the institution.

In response to a question from Representative Beadle, Dr. Rusch said the institution receives a portion of royalty payments resulting from intellectual property developed at the institution. She said the percentage of royalties received by the institution varies based on each project.

### **Comments by Interested Persons**

Mr. Craig Whitney, President, Fargo Moorhead West Fargo Chamber of Commerce, provided comments to the committee. He said NDSU and North Dakota State College of Science are critical in helping address workforce needs of the Fargo area. He said there are over 6,500 job openings in the Fargo area and an additional 30,000 jobs are anticipated to become available in the next 4 years. He said the local higher education institutions are playing a significant role in helping to expand the local economy.

Mr. Whitney submitted a letter and report ([Appendix I](#)) for review by the committee.

Mr. James Gartin, President, Fargo Moorhead Economic Development Corporation, provided comments to the committee. He said NDSU and the State College of Science are two of the most critical components for the long-term success of the area. He said the institutions have contributed to developing multiple marketplace sectors that help the economy of the area.

### **Committee Tour**

Mr. Mike Ellingson, Director of Facilities Management, North Dakota State University, led the committee on a tour of selected campus facilities. The committee toured Dunbar Hall which contains several laboratories. The

committee also toured the new Science, Technology, Engineering, and Mathematics (STEM) building. The 2013 Legislative Assembly appropriated \$29.6 million from the general fund for the STEM building project.

The committee recessed at 5:00 p.m. and reconvened at 8:30 a.m. on Wednesday, February 3, 2016.

### **JOINT MEETING WITH THE STATE BOARD OF HIGHER EDUCATION**

Chairman Sanford announced the committee is meeting jointly with the State Board of Higher Education. The following members of the State Board of Higher Education were in attendance:

- Ms. Kathleen Neset, President, Tioga
- Mr. Don Morton, Vice-President, Fargo
- Mr. Nick Hacker, Bismarck
- Mr. Brett Johnson, Grand Forks
- Dr. Kevin Melicher, Fargo
- Mr. Mike Ness, Hazen
- Ms. Kari Reichert, Bismarck
- Mr. Greg Stemen, Fort Ransom

Also in attendance were Emma Tufte, Staff Adviser to the State Board of Higher Education, Valley City, and Dr. Eric Murphy, Faculty Adviser to the State Board of Higher Education, Grand Forks.

Chairman Sanford recognized Ms. Neset who called the meeting of the State Board of Higher Education to order. Ms. Neset said the joint meeting demonstrates a new collaboration between the State Board of Higher Education and Legislative Assembly to provide a better higher education system for the state. She said the State Board of Higher Education is developing strategies to direct the future of the University System.

Chairman Sanford thanked the University System staff for efforts in organizing the meeting and for information that has been provided to the committee.

### **NDChoose Program**

Mr. Chris Erickson, Communications Specialist, North Dakota University System, provided an overview ([Appendix J](#)) of the NDChoose program. He said the program provides information to high school students regarding University System institutions and programs. He said the program uses various contact methods that supplement individual campus recruitment efforts. He said students and schools are mailed informational materials and additional resources are made available through online and social media sites.

In response to a question from Ms. Neset, Mr. Erickson said higher education institutions have the ability to survey new students to determine how students learned about the institution.

In response to a question from Senator Flakoll, Mr. Erickson said informational postcards are mailed to all public school students and to students enrolled at private schools that participate in the program.

In response to a question from Dr. Melicher, Mr. Erickson said the program first distributes materials to students when they are in 8<sup>th</sup> grade. He said additional contact is made during a student's sophomore, junior, and senior years of high school.

### **Free Application for Federal Student Aid**

Ms. Laurie Weber, Financial Aid Director, Minot State University, provided an overview ([Appendix K](#)) of the Free Application for Federal Student Aid (FAFSA) and the financial aid process for higher education students. She said the FAFSA is free to complete and is the single application for all forms of federal student financial aid as well as the North Dakota state grant program. She said students must complete the application every year and the application can be completed online.

Ms. Weber said the FAFSA application requires users to enter information such as student income, parent or guardian income, asset levels, and family size. She said the information is used to determine an expected family contribution for the student. She said the expected family contribution is subtracted from the estimated cost of attendance to determine student financial need. She said federal student financial assistance programs include federal Pell grants, subsidized and unsubsidized student loans, and campus-based aid, such as work study.

In response to a question from Representative Delmore, Ms. Weber said information regarding parent income and assets is needed to process the FAFSA application for most students. She said a student may not be eligible to receive all types of federal financial aid without parents providing the student with the needed information.

In response to a question from Chairman Sanford, Ms. Weber said a student can file an appeal for unusual or recent changes in family situations that may affect the ability of a student or their family to provide financial support for the student's education.

Representative Monson said the recent downturn in oil and gas exploration activities may result in former oilfield workers applying to attend a higher education institution. He said there may be several instances of an applicant having a significant change in income or other financial resources to pay for college.

Ms. Weber said every potential student may submit a FAFSA application. She said a student needs to report income amounts from the most recent tax returns available. However, she said the student can file an appeal if income levels have changed due to situations such as losing employment.

In response to a question from Ms. Tufte, Ms. Weber said changes are being made to FAFSA application procedures to allow families to use 2-year prior income data for the FAFSA application. She said this change will allow families to file the FAFSA application earlier and be able to better estimate needed family contributions.

Dr. Mark Hagerott, Chancellor, North Dakota University System, said the University System has established a Bakken U scholarship program to assist displaced oilfield workers who wish to enroll at eligible institutions. He said four institutions in the western part of the state are participating in the program.

### Student Affordability

Ms. Dolan presented information regarding the University System's 2014-15 Student Affordability Report ([Appendix L](#)). She said the report compares tuition, fee, room, and board rates at institutions in the state to regional states. She said on average, educational costs at 4-year institutions are less than the regional average while educational costs at 2-year institutions are more than the regional average.

Senator Flakoll said the regional comparison includes states such as New Mexico and Arizona. He said most North Dakota students who enroll at an out-of-state institution do so at an institution in a neighboring state. He said it may be more appropriate to focus comparisons on the states and individual institutions where most North Dakota students are enrolling.

### State Student Financial Assistance Programs

Ms. Dolan presented an overview ([Appendix M](#)) of state student financial assistance programs. She provided the following detail regarding the programs:

Program	Description	Award Amount	2015-17 Biennium General Fund Appropriations
Student Financial Assistance Grants	Needs-based grants awarded to students based on FAFSA information	Maximum grant of \$975 per semester	\$25,634,276
Scholars Program	Scholarships awarded to the top-ranked high school graduates based on ACT scores	Full amount of tuition	\$2,113,584
Academic and Career and Technical Education Scholarship Program	Scholarships awarded to resident students who achieve certain academic standards in high school	\$750 per semester	\$14,054,677
Indian Scholarship Program	Merit or needs-based scholarships awarded to students who are enrolled members of a federally recognized Indian tribe	Up to \$2,000 per academic year	\$649,267
Professional student exchange program	Secures admission opportunities and reduces tuition costs for North Dakota students who enroll in veterinary medicine, dentistry, and optometry programs at certain out-of-state institutions	The amount of tuition reduced varies by program	\$3,809,708

Program	Description	Award Amount	2015-17 Biennium General Fund Appropriations
Education Incentive Programs	Provides student loan forgiveness through the teacher shortage loan forgiveness program and STEM occupations loan forgiveness program	Provides \$1,500 of student loan repayment per year, up to a maximum of 4 years.	\$3,349,000

In response to a question from Chairman Sanford, Ms. Dolan said excess funding appropriated for a student financial assistance program may remain at the end of a biennium due to fewer students qualifying for a program than originally estimated. She said any excess funding is continued into future years and used for the respective program.

In response to a question from Dr. Melicher, Ms. Dolan said the maximum amount of the student financial assistance grant is \$975 per semester. She said the maximum amount is set in statute but the State Board of Higher Education has the authority to provide a lesser grant award in order to provide more students with grants.

In response to a question from Representative Streyle, Ms. Brenda Zastoupil, Director of Financial Aid, North Dakota University System, said an estimated cost of attendance is set for each type of public, private, and tribal institution in the state. She said any student that qualifies for a grant will receive the full-grant amount based on the cost of attendance at the institution the student is attending. She said a partial grant may be awarded to students enrolled on a part-time basis.

In response to a question from Dr. Murphy, Ms. Zastoupil said the state grant program is a needs-based financial aid program while the academic and career and technical education scholarship program is a merit-based financial aid program.

In response to a question from Senator Nelson, Ms. Zastoupil said institutions issue a 1098-T form to students that details tuition and related educational expenses paid by a student.

Chairman Sanford said there have been significant increases in funding for student financial aid programs in the last 10 years. However, he said, there is concern that the increased financial aid is not keeping pace with tuition increases.

Ms. Dolan said that in addition to the state financial assistance programs, there are several institutional scholarship programs that provide student financial assistance. She said most of the scholarships are funded by foundations or donors for various purposes, such as athletic or fine arts scholarships. She said approximately \$22.8 million of institutional scholarships were awarded in the 2014-2015 academic year.

Chairman Sanford said the committee will receive information at a future meeting regarding the higher education challenge grant program, including funding awarded for scholarship purposes.

Ms. Neset said the challenge grant program has been very successful and has had positive impacts on institutions. She said several new scholarships have been created as a result of the program.

Senator Flakoll suggested the committee receive information at a future meeting regarding potential uses for the foundation aid stabilization fund if voters approve a ballot measure in November 2016 to expand the uses of the fund.

### Student Debt

Ms. Dolan presented information regarding student debt issues and Bank of North Dakota student loan programs ([Appendix N](#)). She said the average debt level for graduates of North Dakota public colleges is \$27,704 compared to the national average of \$28,950. She said in the past 5 years, institutions have recorded a decrease in the number and amount of student loans obtained by students.

Ms. Dolan said the Bank of North Dakota created the Dakota Education Alternative Loan (DEAL) and DEAL One loan consolidation programs to assist college graduates with student loan debt. She said the Bank also provides matching grants for qualifying contributions to a child's 529 college savings plan.

Dr. Melicher said it is important for families to be aware of the various student financial assistance programs prior to a student enrolling at an institution.

### Student Success Measures

Dr. Richard Rothaus, Interim Vice Chancellor for Academic and Student Affairs, North Dakota University System, presented information ([Appendix O](#)) regarding student success measures. He said retention rates at research institutions and 2-year colleges are near the national average while retention rates at 4-year regional universities are below the national average. He said graduation rates at research institutions and 4-year regional universities are generally below the national average while graduation rates at 2-year institutions are above the national average.

In response to a question from Representative Delmore, Dr. Rothaus said the federal Integrated Postsecondary Education Data System (IPEDS) does not monitor the success of students who transfer to another higher education institution to complete a program. He said the University System is using various data programs to monitor the success of transfer students.

Senator Flakoll said data programs other than IPEDS may better serve the University System in monitoring student success. He said a key aspect of a higher education system is the ability for students to transfer to another institution within the system to complete a program.

Dr. Murphy said predictive analytics reporting data may be useful in monitoring student success.

Senator Nelson said the University System encourages students to first attend a community college and then transfer to a 4-year institution to complete a program. However, she said, for reporting purposes, the 2-year institution does not receive credit for successful transfer students. She said statistical reports should be structured to give credit to institutions that achieve system priorities.

Dr. Rothaus said the University System has one of the best transfer processes in the country. He said the system has worked to allow students to easily transfer credits to a new institution.

Dr. Melicher said additional efforts should be made to improve on time graduation rates. He said the data regarding the time students need to graduate make it appear that completing a 4-year degree in 5 or 6 years has become common.

Dr. Rothaus said part of the reason for reduced on time graduation rates is the result of encouraging more individuals to attend college but not enhancing supports needed for the new student proficiency levels.

Representative Streyle said the minimum number of credits needed in order to receive financial aid should be increased to match expected completion times.

In response to a question from Representative Streyle, Dr. Rothaus said there currently is not a system-level mechanism to monitor the impact of class scheduling on the amount of time needed for a student to complete a program. He said predictive analytics reporting will help identify negative impacts to student completion times resulting from course scheduling.

Chairman Sanford said the committee will receive information at a future meeting regarding the University System campus master plan and space utilization study.

### Tuition Waivers

Chairman Sanford distributed a document ([Appendix P](#)) detailing the number and amount of tuition waivers awarded at each University System institution during the 2014-15 academic year. He said the report indicates some institutions are awarding a high-dollar amount of tuition waivers in relation to their annual general fund appropriation for operations. He said the use of tuition waivers has caused some concern among members of the Legislative Assembly.

Representative Streyle said some types of tuition waivers, such as graduate assistant waivers, are a common practice in higher education and represent a form of compensation for services provided. However, he questioned whether the amount of waivers provided for other purposes, such as international students' waivers, is appropriate.

Mr. Morton said using tuition waivers to attract international students to the state helps address workforce issues.

Dr. Murphy said waivers for graduate and teaching assistants are essential for high-ranking research institutions and should be viewed separately from other types of waivers. He said there is also an economic benefit to local communities when an institution recruits additional students to the institution.

Ms. Reichert said cultural diversity is an important part of the higher education experience. She said a number of international students who enroll at University System institutions remain in the state following college.

Ms. Neset said it is important to recognize the impact of international students on graduate programs at institutions and on the workforce of the state. However, she said, members of the public also have concerns about the cost of the waivers and why similar benefits are not being provided to resident students.

Representative Streyle said there are also questions about the fairness of waivers. He said other students have increased costs to offset the costs associated with providing waivers.

Senator Flakoll suggested the committee receive information regarding costs paid by international students for items, such as room, board, and fees.

Dr. Melicher said many international students are having a significant impact on the state through the research being conducted by the students.

Representative Oversen said there is an intangible value to the educational experience by having a diverse student body. She suggested the committee receive information regarding educational costs covered by each type of waiver. She said students receiving a waiver may still pay for a portion of educational costs, such as room, board, and fees.

Mr. Morton said federal immigration rules further complicate the issues of attracting and retaining international students in the state.

Dr. Hagerott said the University System is studying tuition policies at institutions and can provide updates to the committee in the future.

### **Historical Funding Levels and Tuition Rate Increases**

The Legislative Council staff reviewed a memorandum entitled [North Dakota University System Tuition Rate Increases, State Operations Funding, and State Facilities Funding](#). The Legislative Council staff said the memorandum provides a historical perspective on state appropriations and the potential correlation between higher education funding levels and tuition rate increases at institutions.

Chairman Sanford distributed a document ([Appendix Q](#)) detailing historical state rankings for higher education revenues as reported by the State Higher Education Executive Officers Association. He said in fiscal year 1999, the state was ranked 39<sup>th</sup> in tuition revenue per full-time equivalent (FTE) student and 45<sup>th</sup> in educational appropriations per FTE student. He said in 2014, the state was ranked 20<sup>th</sup> in tuition revenue per FTE student and 8<sup>th</sup> in educational appropriation per FTE student. He said the rankings indicate the state has made large investments in higher education over the past 15 years.

### **University System Personnel**

Chairman Sanford distributed a document ([Appendix R](#)) detailing increases in University System personnel since 2007. He said the total number of University System instructional employee FTE positions increased by 378.59 between 2007 and 2014. He said the total number of noninstructional FTE positions increased by 751.40 during the same time period.

In response to a question from Senator Nelson, the Legislative Council staff said all University System employees are part of a broadband employee classification system unless specifically exempted. He said institution employees exempted from the broadband system include faculty, coaches, presidents, provosts, vice presidents, and other positions specifically exempted by an institution president.

Senator Flakoll suggested the committee receive information regarding how adjunct faculty are classified at institutions.

Chairman Sanford said the Higher Education Committee was assigned a study of higher education administrative costs. He said the Legislative Council staff is working with University System office personnel to gather data regarding the number of administrators at each institution.

### COMMENTS BY INTERESTED PERSONS

Mr. Rodney Howe, Hettinger, provided comments to the committee. He expressed support for the president of NDSU. He said newspaper headlines are focusing on small issues involving the president, such as the cost of a plane ticket. He said there is little mention of the successes of the president, such as overcoming institution budget issues when he was first hired. He said the focus of the institution needs to be on the students and growing the economy of the state.

Mr. Prakash Mathew, Fargo, provided comments to the committee. He said he was part of a team that recently traveled to India with the president of NDSU. He said the team visited 20 higher education institutions in 8 days to create relationships and partnerships. He said the goal of the trip was to advance the institution and the state on international matters. He said the trip was a success and will be beneficial to the state.

### OTHER BUSINESS

Ms. Neset said the information received during the joint meeting will be beneficial to the State Board of Higher Education as it reviews areas where improvements and efficiencies can be made. She thanked Chairman Sanford for organizing the joint meeting and invited legislators to attend future board meetings and provide comments.

Chairman Sanford thanked members of the committee and the board for attending the joint meeting.

No further business appearing, Chairman Sanford adjourned the joint meeting at 12:10 p.m.

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Brady A. Larson  
Assistant Legislative Budget Analyst and Auditor

ATTACH:18