

NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION

**10th Floor, State Capitol
600 East Boulevard Ave., Dept. 215
Bismarck, ND 58501
701-328-2960**

SBHE RESOLUTION 2020-04

**A RESOLUTION REGARDING THE USE OF FACE COVERINGS ON NDUS CAMPUSES
DURING THE COVID-19 PANDEMIC**

WHEREAS, the State Board of Higher Education is the governing board for the North Dakota State University System pursuant to Article VIII, Section 6 of the North Dakota Constitution and Chapter 15-10 of the North Dakota Century Code;

WHEREAS, in light of the ongoing COVID-19 pandemic and attendant public health emergency, all NDUS institutions transitioned in-person courses to online in order to protect the health and safety of NDUS students, faculty, and staff;

WHEREAS, the NDUS and institutions have assembled extensive scientific and epidemiological information and advice, including as part of the North Dakota Smart Restart initiative, and plan to resume in-person education for the fall 2020 semester;

WHEREAS, during the meeting held on May 29, 2020, the SBHE passed a resolution in support of the NDUS institutions resuming in-person, on-campus education during the Fall 2020 semester, and to the extent possible, the Summer 2020 semester, but noting the continued importance of the health and safety of NDUS employees and students;

NOW, THEREFORE, IT IS RESOLVED:

1. That the SBHE strongly encourages all NDUS institutions to implement policies or procedures, as appropriate, to require or expect the use of face coverings in appropriate situations.
2. That the SBHE has received and reviewed the best available medical advice regarding potential provisions of an institutional face covering policy, which are attached to this Resolution as Exhibit A, which institutions may adopt in their discretion.
3. That the SBHE hereby empowers and supports institution Presidents and the Chancellor to continue to make such decisions and prepare such procedures as they deem necessary to carry this Resolution into effect, within the bounds of SBHE Policies, NDUS Procedures, and state and federal law.

Dated: 7/29/2020

Nick Hacker

Nick Hacker, Chair
State Board of Higher Education

ATTESTATION

I, Terry Meyer, the duly elected Executive Secretary of the State Board of Higher Education, do hereby certify that the SBHE in a meeting held on July 23, 2020, approved the foregoing resolution with the votes of Members Neset, Louters, Bye, Solberg, Ryan, Wetch, and Hacker in support, Members N/A opposed, and Members N/A not present or not voting.

Terry Meyer

Terry Meyer, Executive Secretary
State Board of Higher Education

EXHIBIT A to SBHE RESOLUTION 2020-04

The following are potential provisions which may be included in an institutional face covering policy, based on the best available medical advice.

Institutions may consider requiring face coverings to be worn by students, faculty, staff, and campus visitors:

- a. When in a classroom or other instructional space, or when attending an event held indoors;
- b. When in an indoor common space (e.g. lounges, hallways, elevators, study areas, bathrooms, etc.) used by other individuals, regardless of whether others are present at the time;
- c. When interacting in person with others;
- d. In dining centers, except when eating or drinking;
- e. When riding in a campus shuttle, bus, or van with one or more additional persons;
- f. By employees when representing the campus in an official capacity at events held both on- and off-campus; or
- g. When participating in a campus tour.

Face coverings need not be worn:

- a. While outdoors, if an appropriate distance from others is maintained, typically six feet;
- b. When alone or with a roommate in a private residence hall room, apartment, office, or workspace;
- c. While exercising, practicing, or competing in sports;
- d. While playing a musical instrument, singing, performing in a theatre production, or engaging in other academic approved exceptions; or
- e. While participating in programs, events, and experiences granted exceptions by an institution President.