

NDSU Faculty Senate Minutes
December 9, 2019

I. Call to order

Dr. Gillam called meeting to order at 3:01 pm

II. Attendance

Sarah Boonstoppel in for Holly Hassel

Karla Haug in for Shannon Harringer

Anne Denton in for Changhui Yan

Christina Hargiss in for Tom DeSutter

III. Adoption of Agenda

Motion: Move to approve with amendment (Rogers/ McCourt)

Discussion on agenda to add resolution to new business

Vote on motion passes with 92% approval

33 YES (Aldrich-Wolfe; Aly Ahmed; Asa; Asperin; Baranko; Creese; Dahms; Del Rio Mendoza; DeSutter; Dorfmeister; Hassel; Jackson; Johnson; Jones; Larson; Lepper; Limb; Liu; McCourt; Nelson; O'Rourke; Overton; Pemstein; Pieri; Reindl; Rodgers; Sassi; Tian; Ungar; Werremeyer; Woods; Yan; Zhao); 2 NO (Daigh; Lyman); 1 ABSTAIN (Riggins)

IV. Approval of previous meeting minutes from November 18th, 2019 with changes regarding notes to pharmacy search being delayed and not suspended (Pieri/ Lyman) – vote approved

V. Announcements

a. Dean Bresciani, President

- i. Campus update will be coming soon with update regarding the provost search with input from senate taken into account

b. Ken Grafton, Interim Provost

- i. Stepping back with new interim Provost Dr. Margaret Fitzgerald coming in January 2

c. Carlos Hawley, Faculty Senate President-Elect

- i. No announcement

d. Elizabeth Cronin, Staff Senate President

- i. No announcements

e. Joe Vollmer, Student Government

- i. Second monthly newsletter just went out and a new mural is complete in office with student art from across campus
- ii. Commencement closet came together with regalia available through application process to utilize garments
- iii. Finance code committee is reviewing the finance code and looking at funding code for student organizations, more information will be coming out soon
- iv. Safe spiritual space was recently implemented down in Barry Hall from 8-5, and they are currently looking into something on the main campus, Nancy Erickson in Barry Hall spearheaded the effort
- v. Will not meet again until end of January, Wish everyone a happy holidays

VI. Committee reports:

- a. Faculty Senate Budget Committee, Don Miller
 - i. Budget survey results will be discussed later this week in committee, there was a good response rate with around 60 pages including a summary and resolution
 - ii. Provost ad hoc budget committee has met twice and the senate survey was sent to provost budget committee, the provost ad hoc committee agreed it would be very helpful and will look at making recommendations for possible changes
 - iii. Ad hoc budget committee will have one more meeting on December 19
- b. Summer School Committee, Katie Lyman
 - i. Dr. Lyman gave a history of the committee's inception with Dr. Grafton asking Dr. Secor-Turner to form the committee and Dr. Lyman volunteered to chair
 - ii. The committee has met several times and had contact via email, the committee will meet one more time before the end of the semester with a more formal approach in spring semester by starting to implement ideas previously shared. The approach will have to be an interface between budget, faculty, and administration to make sure it is a part of the overall budget model, not just summer school.
 - iii. There are some concerns over campus that will still take feedback on the budget and curriculum design.
 1. Rodgers: question to summarize concerns
 2. Lyman: Some of the concerns are dealing with class enrollment size for meeting minimums for that course to make it useful as well as looking at lowering enrollment, but also from departments to look at what is offered. There is a need for chairs, faculty, and staff to look at what offerings are out there and why. Need to think critically and see how they all effect each other. Additional concerns voiced are with extra fees for summer school or online but currently there are no extra fees, it is the same as fall/ spring, and there is a need to be on same page to communicate that. The committee is working with the registrar to look at yearlong, not just semester by semester so students can plan ahead long range.
 3. McCourt: question on basis of enrollment criteria
 4. Lyman: Currently there is a minimum enrollment that comes down to budget and it depends on who's teaching and how many students enrolled with undergrad versus graduate level. If there are concerns on budget breakdowns of courses a good contact is either Melissa lamp or Jody Dewald in the Provost office, who also have information regarding formulas for sharing of tuition dollars with the departments.
 5. Sassi: Question on distance and continued Education Classes, and if there is anything to incentivize CEU courses for teachers in summer? Or they will go to other institutions – are DCE courses considered or is it just non DCE courses?
 6. Lyman: The intent is that we want summer school and offerings to expand, however departments need to look at what offering and when,

is it profit generating and need to look at can we pay the instructor and is there students enrolling, also looking at online offerings

- c. Native American ad hoc committee, Bob Pieri
 - i. The committee has met a couple of times, and has an established six members. The committee has a meeting planned this week with the president. Will report more next month, but happy with the survey results showing a key finding that many wanting more diversity maintained
 - ii. McCourt: question on if there is a way to leverage support for research, specifically with an NIH initiative that is currently at UND that NDSU has not seen that includes a liaison with native populations.
 - iii. Pieri: Looking at more cooperation between UND and NDSU has been something discussed to look more at. The main charter for the committee is what is in resolution that passed previously and are looking at incorporating more into what is going on in the region.

VII. Consent agenda

- a. UCC report
- b. Motion to approve (Johnson/ Mendoza). Motion approved

VIII. Unfinished business

- a. None

IX. New business

- a. Policy 151: Anti-Bullying Policy
 - i. Motion to approve (Reindl/ Johnson)
 - 1. This is the first time seeing the new modified languages
 - 2. Question on section 2.5 with the language of "those involved in bullying are encouraged to consider information resolution". Looking for clarification of what this means, is if for the person bullying or being bullied? Suggested to get rid of the first sentence and start with the "Resources are available..." and in the second sentence take out the word however.
 - 3. Motion to suggest amendment made (Wolfe/ D. Johnson), vote approved with 95% yes
35 YES (Aldrich-Wolfe; Aly Ahmed; Andrianova; Asa; Asperin; Baranko; Creese; Dahms; Daigh; Del Rio Mendoza; DeSutter; Dorfmeister; Hassel; Hawley; Jackson; Johnson; Larson; Lepper; Limb; Liu; Lyman; McCourt; Nelson; O'Rourke; Overton; Pemstein; Pieri; Reindl; Rodgers; Sassi; Tian; Ungar; Woods; Yan; Zhao); 2 NO (Jackson; Werremeyer); 0 ABSTAIN
 - 4. Motion on Policy 151 as amended, approved with 95% yes
36 YES (Aldrich-Wolfe; Aly Ahmed; Andrianova; Asa; Asperin; Baranko; Creese; Dahms; Daigh; Del Rio Mendoza; DeSutter; Dorfmeister; Hassel; Hawley; Johnson; Jones; Larson; Limb; Liu; Lyman; McCourt; Nelson; O'Rourke; Overton; Pemstein; Pieri; Reindl; Riggins; Rodgers; Sassi; Tian; Ungar; Werremeyer; Woods; Yan; Zhao); 1 NO (Lepper); 1 ABSTAIN (Jackson)

- b. Faculty senate bylaws revisions are the same from the November meeting related to adding the general education committee with the amendment for equal representation from each college to represent on committee
 - i. Motion to Approve (Jones/ Mendoza) - vote with 95% approval
 36 YES (Aldrich-Wolfe; Aly Ahmed; Andrianova; Asa; Asperin; Baranko; Creese; Dahms; Daigh; Del Rio Mendoza; DeSutter; Hassel; Hawley; Jackson; Johnson; Jones; Lepper; Limb; Liu; Lyman; McCourt; Nelson; O'Rourke; Overton; Pemstein; Pieri; Reindl; Riggins; Rodgers; Sassi; Tian; Ungar; Woods; Yan; Zhao);
 2 NO (Dorfmeister; Larson); 0 ABSTAIN
- c. Budget Resolution
 - i. Motion to Enter into executive session (McCourt/ Johnson)
 1. Discussion: Lyman: by asking visitors to leave we may be asking those with important feedback may be needed. Question asked if the chair of the Committee is a senator, to which he is not.
 2. Johnson: There is concern that there is an understanding for transparency and with other in the room that make decisions on positions may limit the ability of some to voice their opinion.
 3. Pieri: A question on how an executive session can be called with, stating that anyone can call the order and needs a majority vote with votes in executive session will not be recorded
 4. New Motion to hold off the executive session to allow all those involved for discussion and hold the vote in executive session (Pieri/ Lyman).
 Vote on amendment to motion: of 64% yes, 36% no, motion passes.
 23 YES (Aly Ahmed; Andrianova; Asperin; Dahms; Daigh; Del Rio Mendoza; DeSutter; Dorfmeister; Jackson; Larson; Liu; Lyman; Nelson; Overton; Pieri; Reindl; Riggins; Sassi; Tian; Ungar; Werremeyer; Woods; Yan); 13 NO (Aldrich-Wolfe; Asa; Baranko; Creese; Hassel; Hawley; Johnson; Jones; Lepper; Limb; McCourt; O'Rourke; Rodgers); 0 ABSTAIN
 Vote on motion is 85% yes, 9% no, motion passes.
 29 YES (Aldrich-Wolfe; Aly Ahmed; Andrianova; Asa; Baranko; Creese; Dahms; Del Rio Mendoza; DeSutter; Hassel; Hawley; Johnson; Larson; Lepper; Limb; Liu; Lyman; McCourt; Nelson; O'Rourke; Overton; Pieri; Reindl; Riggins; Rodgers; Sassi; Tian; Ungar; Yan); 3 NO (Daigh; Dorfmeister; Jackson); 2 ABSTAIN (Asperin; Werremeyer)
 - ii. Motion to pass the Ad Hoc Budget resolution (McCourt/ Rodgers)
 1. Discussion on Resolution: McCourt: There is a desire to have a role to play in budget discussions for transparency, the committee is a standing committee of faculty senate as a liaison between faculty senate and administration with respects to budgetary issues, request to make sure the committee plays its rightful role in the current situation in order to an affirmation of shared governance. Grieves: The purpose of shared governance and reason for support is in time of budget crisis, the voice

of faculty senate to be heard by administration, and those voices are elected by faculty

2. Riggins: Question as to why would the ad hoc committee need to be resolved for standing committee to go forward. Response from Hawley: there needs to be a compelling reason to bypass the standing committee and there does not seem to be one here. Selekwa: the committee has met two times, with the agenda in order to get a big picture for next years to come, charged with 4 items: to go through proposals and go through if they are common items across proposals and identify them; identify ways to improve spending and model with other universities on coping with budget cuts. The title of ad hoc is misleading, not going through the budget, just looking at what can be done in the future to improve budget in coming 20 years, has nothing to do with overall senate budget committee
3. Selekwa: the committee has met two times, with the goal of getting a big picture for years to come, charged with 4 items: to go through proposals and identify common items across proposals; identify ways to improve spending and look at models used by other universities on coping with budget cuts. The title of ad hoc is misleading, not going through the budget, just looking at what can be done in the future to improve budget in coming 20 years, has nothing to do with overall senate budget committee
4. Asa: suggest that this may need to be addressed with the new provost to be resolved in order for more stability on campus
5. McCourt: The issue is not if ad hoc committee is doing a good job or not, the resolution is to affirm the role of the standing FS budget committee and what it is charged to do, which is the same thing that the ad hoc committee is being asked to do
6. Denton: We should ask administration why the ad hoc committee was formed
7. Grafton: Supports the concept of faculty senate going into executive session, the ad hoc committee that was formed was to help identify common themes, opportunities for growth, improved efficiencies and possibly reassignments, and the idea to look at it more long term perspectives with budget concerns. There have been multiple enrollment declines, need to deal with short term and long term issues. The ad hoc committee not only includes faculty, but also administration/ deans/ chairs, but does not include non-academic unites. The ad hoc committee does look at all areas, not just academic unites. This is just the first step to get an understanding of what colleges and support areas provide if we have to look at 10% cuts. Some ideas are very specific, some general. Each unit provided very different input, also very sensitive information, including specific position that can lead to fear. Once processed by the ad hoc

committee, the summarized information then will go to the Senate executive committee and faculty budget committee. Don Miller, the chair of faculty senate committee also serves as chair to ad hoc committee, as well as Dr. Secor-Turner is serving on the committee.

8. Pieri: words on page of the resolution are that the provosts advisory committee should be immediately resolved. This seems to be the senate telling the provost what to do and with shared governance we should not be one telling administration what to do.
9. Gillam: resolutions are non-binding- even if this passed, they are a suggestion, not a mandate to the upper administration
10. Hargiss: agree that we are requesting dissolving, and it looks like a demand, we need to consider all other minds and ideas, the ideas are still being brought to other groups and those are ideas that may be helpful. Suggest opening up to those other ideas
11. Hawley: the chronology of events was that the provost refused to work with budget committee and opened the door to ad hoc committee
12. Grafton: feels like it is getting into personal attacks and the reason to him stepping down was a lot of friction with the budget committee, it has put the president in a difficult situation and he knows that the budget have to deal with in the upcoming years is going to be difficult. But if I can't work with budget committee, I am not doing my job, but don't like personal attacks
13. McCourt: Asked provost on what issues led to the friction between himself and the budget committee
14. Grafton: was in a meeting weeks ago that was very disruptive and didn't generate positive discussion. It was more of an interrogation of issues, where there were guests present from finance to talk about budget and they never got to their input. Based on aggressive questions and answers, I felt it was not in his best interest and the budget committee to work together at this time. This was after a two hour discussion about budget situations that may impact positions and department. This information is very sensitive, and need to be talked about but carefully.
15. Jones: is the charge of the new ad hoc committee different than the senate committee?
16. Grafton: My understanding of senate committee is it is there for input, and the charge of the ad hoc committee to look into possible resolutions, there may be some overlap but the ad hoc information would still be presented to senate executive committee and senate budget committee
17. Grafton: Thanked everyone for time
18. Lyman: we are in a trying time and we need understand that words on paper may be different than words spoken and the idea that we are not attacking people is not true. We need to ask the faculty to consider if

we played a role in the issue at hand, I am saddened by what has happened, and we need to think how we are going to get through this together, we need staff, students and administration to work together. We have sent a message just with this discussion to lose an interim to require us to have another interim provost. Think about what role we have and not just blame administrators, I am representing my constituents

19. Motion to postpone the resolution and encourage all to ask their constituents is this the message we want to send (Lyman/ Jones)
20. Denton: postponing would allow for new provost to have input and may affect how viewing the vote
21. Vote to accept the motion to postpone discussion until January meeting
 - a. 69% yes, 31% no – vote approved to postpone discussion
25 YES (Aly Ahmed; Andrianova; Asa; Asperin; Baranko; Dahms; Daigh; Del Rio Mendoza; DeSutter; Dorfmeister; Jackson; Larson; Liu; Lyman; Nelson; O'Rourke; Overton; Pieri; Reindl; Riggins; Tian; Ungar; Yan; Zhao): 11 NO (Aldrich-Wolfe; Creese; Hassel; Hawley; Johnson; Lepper; McCourt; Rodgers; Sassi; Werremeyer; Woods): 0 ABSTAIN
 - iii. Provost search process: the President came to executive meeting to update on the search process, following the executive meeting a survey was sent out for feedback. The results are in regarding the search process, but if you would still like to comment, please complete the survey soon or provide feedback to Molly, Erin or Carlos

x. **Announcements:** Gilliam: Reminder that the health center does not give sick notices

XI. Adjourn

- a. Motion to Adjourn (Pieri/ Johnson) approved
- b. Adjourned at 4:30

North Dakota State University

Policy Manual

SECTION 151 CODE OF CONDUCT

SOURCE: State Policy Manual, Section 308.1
State Policy Manual, Section 611.4
NDSU President

1. Introduction and Application.

This Code of Conduct establishes minimum standards for all NDSU employees. NDSU is committed to uphold the highest ethical and professional standards. All NDSU employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct.

NDSU supports an environment that is free of discrimination, ~~of~~ harassment, and bullying. All NDSU employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of NDSU, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or NDSU Policy 155 Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law, as outlined in NDSU Policy 162: Sexual Harassment, Gender-based Harassment, Sexual Misconduct and Title IX, SBHE Policy 603.1, or NDSU Policy 100 Equal Opportunity and Non-Discrimination Policy is prohibited.

All NDSU personnel are subject to the rules and policies of the North Dakota State Board of Higher Education, NDSU, and their respective department or unit. NDSU expects all University personnel to be aware of, and comply with, NDSU's policies and procedures that apply to them, and requires those reporting to them to do the same. Employees are expected to uphold the values of honesty, respect, integrity, and trust.

NDSU requires all employees to act professionally in their interactions with others including:

- A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit,
- B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance.)
- C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and
- D. Making good faith efforts to resolve differences constructively.

- 2.1 For purposes of this policy, bullying is defined as:
- 2.1.1 Conduct directed at another that is severe, pervasive, or persistent;
 - 2.1.2 Is of a nature that would cause a reasonable person in the targets's position substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities; and
 - 2.1.3 Actually does cause the target substantial emotional distress and undermines the target's ability to work, study, or participate in the target's regular life activities.
- 2.2 Bullying by electronic means is prohibited under NDSU Policy 158 and N.D.C.C. 12.1-17.07.
- 2.3 It is not bullying when a supervisor, or peer acting in an evaluative capacity, notes unsatisfactory performance or misconduct; institutes proceedings for workplace sanctions, nonrenewal, or dismissal for cause; provides feedback regarding work behavior or performance; or engages in discretionary actions related to the evaluative capacity, so long as the actions are made in accordance with the appropriate criteria and are not a clear abuse of discretion. A target of bullying does not have to be a member of a protected class listed in NDSU Policy 100.
- 2.4 NDSU values and promotes freedom of expression and inquiry as provided under applicable law. Nothing in this policy is intended to limit or restrict a person's First Amendment rights or rights to academic freedom; however, such rights do not include the right to engage in workplace bullying.
- 2.5 Those involved in bullying are encouraged to consider informal methods of resolution. Resources to assist with an informal resolution are available through the Office of the Ombuds. However, if informal resolution is not feasible or any party wishes to follow the formal process, suspected violations should be reported to the impacted party's immediate supervisor and to the NDSU Equity Office, 701.231.7708 or ndsu.eoaa@ndsu.edu. In the case the immediate supervisor is involved in the suspected violation, the violation should be reported to the next level of supervisor.

3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of NDSU. All employees must comply with applicable federal and state laws. Employees may not unlawfully use their position or the knowledge gained as a result of their position for private or personal advantage. All employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy or NDSU policy is encouraged to communicate with a superior or appropriate administrative official at NDSU..

3.1 Conflict of Interest – Contracts.

An employee of NDSU authorized to sell or lease any property or make any contract in the employee's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

Pursuant to N.D.C.C. Section 48-02-12, employees may not have any interest in a public construction or repair contract.

An employee may not have an interest in any contract involving the expenditure of public or institutional funds entered into by NDSU unless:

- a. *N.D.C.C. Sections 12.1-13-03 and 48-02-12 do not apply; and*

- b. *The contract is approved by the NDSU President or designee or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.*

All employees involved in projects receiving federal funds shall consult applicable federal laws and regulations and comply with conflict of interest rules which may govern federal grants or other sponsored agreements.

An employee who violates this policy is subject to dismissal or other disciplinary action.

Employees of NDSU authorized (including delegated authority) by Policy 712 to enter into contracts on behalf of the University must sign the North Dakota State University Conflict of Interest Disclosure Statement. All other employees will be provided notice about this Policy but need only sign the statement if they have a conflict. Notices and collection of statements shall be administered by the Purchasing Office.

Employees have an obligation to act in the best interests of NDSU. Any direct or indirect personal or financial interest which could create a conflict of interest or the appearance of a conflict of interest in any agreement, transaction or relationship must be disclosed by the employee by completing and signing the North Dakota State University Conflict of Interest Disclosure Statement and submitting it to the employee's supervisor. This includes but is not limited to the disclosure of privately owned assets being used or otherwise commingled with state assets and participation in any foundation, business or public entity which may create a conflict with an employee's obligations to NDSU. See also NDSU Policy 152: External Professional Activities.

4. Outside Activities and Employment.

Employees share responsibility for good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to NDSU and is encouraged. However, employees must comply with applicable federal and state laws, policies in Section 611 of the SBHE Manual and NDSU related policies. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving NDSU of their best efforts in fulfilling their job duties or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in NDSU's best interest.

5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

Excluding *de minimus* contributions, such as purchase of a meal at reasonable value as part of a conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, employees may not accept favor of any person or organization with whom or with which NDSU has, or is likely to have, business dealings. Similarly, employees may not accept any other preferential treatment under circumstances that because of their position with NDSU, the preferential treatment may influence or be perceived as influencing their official conduct. Employees may not receive payment or compensation of any kind from any source for NDSU duties and responsibilities, except as authorized under applicable law or NDUS and NDSU pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

6. NDSU Funds and Other Assets

Employees who have access to NDSU funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDSU procedure manuals or other explanatory materials. Any person who has

information concerning possible fraud or dishonesty shall immediately report such information to a superior or appropriate administrative official at NDSU. .

Employees responsible for spending or approving expenditure of NDSU funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of NDSU to ensure that good value is received for every expenditure. NDSU funds and all other assets are for NDSU purposes only and not for personal use or benefit. NDSU or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or NDSU policy.

7. NDSU Records and Communications.

Accurate and reliable records of many kinds are necessary to meet NDUS NDSU legal and financial obligations and to manage the affairs of the NDUSNDSU. NDUS NDSU books and records must reflect in an accurate and timely manner all business transactions. Employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and statements, or false advertising, deceptive marketing practices, or other misleading representations.

8. Dealing with Outside People and Organizations.

NDSU employees must take care to separate their personal roles from their NDSU positions when communicating on matters not involving NDSU business. They may not use NDSU identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve NDSU business, employees may not represent that they speak for the NDSU, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDSU, including public officials, employees must take care not to compromise the integrity or damage the reputation of NDSU

9. Prompt Communications.

In all matters involving communication with NDSU students, customers, suppliers, government authorities, the public and others, employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

10. Privacy, Confidentiality and Open Records.

Employees must at all times comply with applicable laws, regulations and SBHE and NDSU policies concerning privacy, confidential records, access to open records and records retention.

11. ~~Reporting Suspected Violations; Procedures for Investigating Reports.~~

Employees shall report suspected violations of this Code to their superior, or appropriate administrative official at NDSU. In cases that involve the employee's superior, suspected violations shall be reported to the superior's supervisor or designee. Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. Investigations may be conducted by, or in conjunction with, the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. Investigations shall occur using procedures and best practices developed by the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. All employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.

~~11.1 In addition, the Suspected violations of this policy related to fraud should be reported utilizing the -NDSU maintains a fraud hotline and suspected violations may be reported by use of that hotline.~~

~~11.2 Any employee who makes a report in good faith shall be protected against retaliation of any kind; any employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline.~~

~~11.3 Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.~~

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~~Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. All employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.~~

Institution Codes.

The NDUS office and each NDUS institution shall adopt and implement a Code of Conduct consistent with this Code and Committee of Sponsoring Organization of the Treadway Commission (COSO) Standards. NDUS office and institution codes shall include:

- a. A Statement of the organization's values;
- b. The people or groups of people affected;
- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;
- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated.

NDSU requires that each new employee reviews the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are require to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy

NDSU Policy 110: Employment of Relatives

NDSU Policy 100.1: Nondiscrimination of the Basis of Disabilities and Reasonable Accommodation

NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure

NDSU Policy 151.1: External Activities and Conflicts of Interest

NDSU Policy 152: External Professional Activities

NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and

Employees

[NDSU Policy 160: Political Activities and Voting Rights of University Employees](#)
[NDSU Policy 161: Fitness for Duty](#)
[NDSU Policy 162: Sexual Harassment Policy](#)
[NDSU Policy 162.1: Consensual Relationships](#)
[NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud](#)
[NDSU Policy 169.1: Employee Misuse of Property Reports -- Protections](#)
[NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility](#)
[NDSU Policy 323: Selection of Textbooks and other Curricular Materials](#)
[NDSU Policy 326: Academic Misconduct](#)
[NDSU Policy 345: Research Involving Human Subjects](#)
[NDSU Policy 340.1: Coursepacks](#)
[NDSU Policy 400: Purchasing - General Policies](#)
[NDSU Policy 406: Surplus Property](#)
[NDSU Policy 505: Property, Plant and Equipment](#)
[NDSU Policy 700: Services and Facilities Usage](#)
[NDSU Policy 700.1: Use of University Name](#)
[NDSU Policy 700.2: Taking Equipment Off-Campus](#)
[NDSU Policy 700.3: Personal Use of State Property](#)
[NDSU Policy 710.1: Web Advisory Board](#)
[NDSU Policy 712: Contract Review](#)
[NDSU Policy 718: Public/Open/Restricted Records](#)
[NDSU Policy 823: Financial Conflict of Interest – Public Health Service Sponsored Research](#)
[NDUS Policy 603.3: Nepotism](#)
[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)
[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)
[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)
[NDUS Policy 803.1: Purchasing Procedures](#)
[Conflict of Interest Form](#)
[NDSU Consulting Authorization Request Form](#)
[NDSU Fraud Hotline](#)
[AAUP Statement of Professional Ethics](#)
[NDSU Research Foundation](#)
[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)
[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)
[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY:

New	July 1990
Amended	November 1996
Amended	June 2000
Amended	October 2001
Amended	December 2002
Housekeeping	August 2009
Amended	March, 25, 2011
Housekeeping	June 24, 2011
Housekeeping	August 18, 2011
Housekeeping	February 1, 2012
Housekeeping	November 19, 2012
Amended	May 6, 2014
Amended	December 2, 2016

NDSU Faculty Senate Bylaws

Article I: Faculty Senate Membership

Section 1.

Each representation unit shall have one elected Faculty Senator (hereto within referred to as "Senator") for every fifteen eligible faculty members (see Constitution Article 3, Section 1), or major fraction thereof, assigned to the representation unit as of October 1 of the previous academic year. Faculty members, regardless of their location (*e.g.*, Agriculture Experimental Station and the NDSU Extension Service), shall be counted in and vote with their assigned representation unit.

Section 2.

Members of representation units, including senior lecturers, assistant/associate/full professors of practice, assistant/associate/full professor of research, assistant/associate/full professors, chairs/heads/or their equivalents, assistant/associate deans, and deans shall be eligible to vote for representatives.

Section 3.

The following are considered representation units for the purposes of determining Senate (hereto within referred to as "Senate") seats:

1. College of Agriculture, Food Systems, and Natural Resources
2. College of Arts, Humanities, and Social Sciences
3. College of Business
4. College of Engineering
5. College of Human Development and Education
6. College of Health Professions
7. College of Science and Mathematics

Section 4.

The Senate President (hereto within referred to as "President") with the assistance of the Senate Secretary (hereto within referred to as "Secretary") will stagger Senate terms so that approximately one-third of the Senators from each representation unit are elected each year. Each unit shall hold a meeting to elect the necessary Senators by April 15 of each year for the term to begin in May of that year.

Section 5.

Terms of office shall begin on the Tuesday following Spring Commencement. The term of office of an elected Senator shall be three years. Senators cannot be reelected for consecutive terms.

Section 6.

If a Senator must vacate her/his seat, the vacancy shall be filled by a special election within the unit from which she/he was elected. The term of a member under these circumstances shall commence immediately and shall be for the duration of the absence or unexpired term of the regularly elected member.

Section 7.

A Senator may be removed from office by way of a two-third majority vote at a regular Senate meeting, followed by a two-third majority vote at the next meeting. This action may never be part of a consent agenda. In the event a Senator is removed, the President will inform the relevant academic unit to elect another Senator before the Senate meets in its next regular meeting.

Section 8.

All Senators are expected to:

1. Attend all Senate meetings. If unable to attend the meeting, the Senator must find a competent substitute (who is not already a Senator) to act as her/his proxy at the meeting. Said proxy will have all rights and privileges accorded a regular Senator. The Senator must provide signed notification of the substitution to the Secretary prior to start of the meeting.
2. Prepare for Senate meetings, including reading the agenda and all attachments prior to the meeting.
3. Participate in meetings, as long as doing so advances the business of the Senate.
4. Disseminate Senate information to their individual representation units.
5. Gather opinions and other information from their representation units concerning Senate activity.
6. Show proper decorum during meetings.

Article II: Organization and Faculty Senate Operation

Section 1.

Administrative officers of the Senate consist of the President, the President-Elect, and the Immediate Past President.

Section 2.

The President-Elect shall be elected for a one-year term by the Senate at the last meeting of the academic year. The President-Elect will be elected from the roster of current or former Faculty/University Senators.

Section 3.

At the end of the term, the President will assume the role of the Immediate Past President, and the President-Elect will succeed the President for a one-year term of office. In the event the outgoing President is unable or unwilling to serve as the Immediate Past President, the President will appoint another past Faculty/University Senate President as a replacement for the position of Immediate Past President.

Section 4.

During their respective terms the President-Elect, the President, and the Immediate Past President will not represent their representation units in the Senate.

Section 5.

The authority of the President-Elect, the President, and the Immediate Past President will be terminated before the end of its term if she/he loses eligibility, voluntarily resigns with eligibility or is removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President, President-Elect or Immediate Past President by the Senate requires a two-third vote at a regular Senate meeting, followed by a two-third vote at a special meeting of the Senate convened in not more than two weeks after the first meeting. The second meeting will be convened and presided by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete her/his term as a Senator.
3. In the event that the authority of the President is terminated, but the President-Elect is still in good standing, the President-Elect will assume the role of President to finish the term left by the removed President and then she/he will start her/his originally elected term.
 - a. The removed President will not serve as Immediate Past President.
 - b. The assumed President may wish to appoint one of the Senators to assist in the duties of the President-Elect. This appointment does not necessarily imply automatic elevation to the full position of President-Elect at the end of the term.
4. In the event that the authority of the President-Elect is terminated, the Senate will vote to replace the President-Elect at the next regular meeting of the Senate. These actions may never be part of a consent agenda.
5. In the event the authority of the Immediate Past President is terminated, the President will appoint the most recent eligible Past President to serve in that capacity.
6. In the event that the authority of both the President and the President-Elect is terminated at the same time:

- a. If the authority of the Immediate Past President is still in good standing, then she/he will convene and preside the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
- b. If the authority of the Immediate Past President is also terminated, then a Special Returning Officer appointed by the Senate will convene and preside over the election of the President and the President-Elect in not more than two weeks. Article II, Section 5.5 will then be used to fill the position of the Immediate Past President.

Section 6.

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Senate in consultation with the Senate Executive Committee.
3. Serve on the Senate Coordinating Council.
4. Chair the Senate Executive Committee.
5. Introduce the President at the State of the University Address.
6. Appoint committee members, as outlined in Articles IV and V.
7. Coordinate the dissemination of information relating to Senate activities.
8. Represent the Senate on administrative councils.
9. Provide the Secretary and the incoming President with an annual report summarizing the Senate activities for the preceding year.
10. Moderate the official faculty listserv.

Section 7.

Duties of the President-Elect shall include the following:

1. Assist the President in executing the duties of the office.
2. Serve as President during any absence by the President.
3. Serve on the Executive Committee.
4. Serve on the Senate Coordinating Council.
5. Represent the Senate to the Staff Senate and the Student Government.

Section 8.

Duties of the Immediate Past President shall include the following:

1. Advise the President and the President-Elect regarding past practices and other matters for the maintenance of continuity from one administration to the next.
2. Preside over regular Senate meetings in the absence of both the President and the President-Elect.
3. Serve on the Executive Committee.
4. Undertake duties outlined in Article II, Section 9.2-9.4 in the absence of the Secretary at a Faculty Senate meeting.

Section 9.

The administrative role of Secretary shall be appointed by Office of the Provost; the Secretary is not a voting member of the Senate. The duties of the Secretary shall include:

1. Acquire the agenda and related attachments, if any, from the President, then prepare and

disseminate the agenda in accordance with Article II, Section 13.

2. Maintain a current roster of Senators and record attendance to confirm a quorum.
3. Collect and read the member substitution authorizations at the meeting.
4. Record and prepare meeting minutes.
5. Disseminate meeting minutes according to Article II, Section 16.
6. Schedule a room for all Senate meetings.
7. Maintain a permanent record of Senate minutes.
8. Maintain a permanent record of annual reports submitted by the President and Chairs of Senate committees.
9. Maintain records of standing committee membership.
10. Prepare updated versions of the Constitution for distribution.
11. Archive all past versions of Constitutions and Bylaws.
12. Verify the eligibility of Senators and committee members.
- ~~13. Perform other appropriate tasks as assigned by the President in consultation with Office of the Provost.~~

Section 10.

Regular meetings of the Senate shall be held at 3:00 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or State holiday, or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 11.

Special meetings may be called by the President or on petition of one-third of the membership of the Senate.

Section 12.

Meetings of the Senate shall be open to the public; however, debate on some of the agenda items may be deemed closed at the discretion of the Senate. For closure to occur, a motion to enter executive session must be made and seconded, and a majority vote must be achieved. If the motion is approved, all non-Senators will be asked to leave except the Secretary and Parliamentarian; the Senate can also exempt some invited guests to stay in the executive session. At each Senate meeting the University President, Provost, Student Body President, and Staff Senate President will be invited to make announcements. The President may allow other non-Senators to speak and/or provide reports. However, only Senators may make motions and only Senators may vote on motions before the Senate.

Section 13.

Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President or a Senator may ask the Parliamentarian for a ruling. There is no term limit for Parliamentarian.

Section 14.

The primary business of the Senate is to review, propose, and approve of policy with respect to the

following matters:

1. Academic freedom, including rights and responsibilities.
2. All curricular matters, including establishment, dissolution, and substantial changes to degree programs.
3. Research and scholarship.
4. Admissions standards and prerequisites.
5. Requirements for regular certificates and degrees.
6. Regulations regarding attendance, examinations, grading, scholastic standing, and honors.
7. Teaching quality.
8. Professional standards and criteria for positions accorded academic rank.
9. Policies and procedures for promotion, tenure, and evaluation.
10. And other academic matters.

The agenda for each regular meeting shall be posted to the Senate website at least one week before each meeting. Any member of the Senate may request of the President that an item be placed on the agenda. The order of business for Senate meetings shall be as follows:

1. Adoption of the agenda.
2. Approval of the previous meeting minutes.
3. Announcements.
4. Committee and other reports.
5. Consent agenda.
6. Unfinished business.
7. New business.
8. Adjournment.

At the October meeting, the primary order of business will be planning and prioritizing Senate goals for the academic year. The order of business for this meeting will be as follows:

1. Adoption of the agenda.
2. Approval of the previous meeting minutes.
3. Announcements.
4. Consent agenda.
5. Planning and prioritizing Senate action for the year.
6. Adjournment.

The President, in consultation with the Executive Committee, may add an urgent piece of new or committee business to this meeting if the timing is critical.

Section 15.

A quorum of at least 55 percent of the total voting membership of the Senate shall be present in order to conduct Senate business.

Section 16.

The minutes of the meeting shall be posted to the Senate website by the Secretary within one week after the meeting.

Article III: Faculty Senate Committees

Section 1.

Duties of standing committees include:

1. Selecting a chair who will serve as a liaison to the Senate.
2. Initiating and reviewing policy and policy changes in their areas of responsibility.
3. Providing their recommendations to the Senate for action.
4. Consulting with and providing advice to the Administration, students, and staff when requested to do so.
5. Promptly and responsively discharging their duties.

Section 2.

The Senate shall confirm the membership of all standing committees, except the Standing Committee on Faculty Rights.

Section 3.

Committees shall determine their own procedural rules. However, no committee shall conduct business without a majority of members present. Each committee will keep such records as necessary to conduct business. In addition, every Senate Committee (except Academic Integrity, Conflict of Interest Advisory, Executive, Faculty Rights, and Grade Appeals) will make an oral report of progress to the Senate at the President's request. Committees will also submit a written report at the end of the academic year.

Section 4.

Individual representation units will determine their own methods for selecting members of standing committees consistent with Articles IV and V. Unit representatives shall be faculty members as defined by the Senate's Constitution, unless otherwise specified under the committee description. Such membership shall be presented to the Senate at the first meeting of each academic year. Committee members will serve two-year terms for at most four consecutive years, unless otherwise specified under the committee description. Committee service begins and ends at the last Senate meeting of the spring semester, unless otherwise specified.

Section 5.

After the Senate has approved membership in the standing committees, each committee will meet and elect a chair, who will communicate all committee business to the Senate. The Senate Executive Committee has the right to remove the chair of a standing committee and seek a replacement from the standing committee membership if the chair is not effectively performing their duties.

Section 6.

All Senate committee action is subject to review and approval by the Senate.

Section 7.

The Senate may create special committees as it deems necessary. Such committees shall be discharged upon the completion of their assigned duties. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Special committees shall be commissioned by a majority vote of the full Senate.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Integrity

1. Voting membership (seven members):
 - a. One tenured faculty member from each representation unit.
 - i. Full professor is preferred.
 - ii. An associate professor may be appointed.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
 - c. No designation about non-consecutive terms.
4. Committee responsibilities:
 - a. Provide investigative assistance on cases involving academic misconduct as described in Policy 326.
 - b. Select panels composed of three persons competent to investigate allegations. Such panels may include members from outside the University.
 - c. Review and recommend policies pertaining to academic integrity.

Section 2. Budget

1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
2. Non-voting membership (two members):
 - a. Non-voting members shall consist of the Provost (or designee) and Vice President for Finance and Administration (or designee).
3. Terms and limits:
 - a. Three-year term
 - b. Limit of two consecutive terms (six years).
 - c. Terms shall be staggered, so that new members have at least one year to become familiar with the committee and its work.
 - d. Unless by necessity, no more than one third of the committee may be in their first year of service to the committee.
 - e. To maintain continuity within ongoing budgetary discussions, the outgoing Chair of the committee will continue to serve for at least the year following their term.
 - i. If the outgoing Chair is no longer the representative of an academic unit, they will serve in a non-voting, advisory capacity.
 - ii. If the outgoing Chair is reappointed/re-elected to represent their academic unit, then they will return to normal committee membership.
4. Committee responsibilities:

- a. Become familiar with the University budget process.
- b. Develop a set of guiding principles which align with strategic priorities, with the intent of informing University budget decisions from a faculty perspective.
- c. Solicit input regarding the budget process from a wide range of faculty and on an ongoing basis.
- d. Serve as a resource for the Provost in budget matters.
- e. Act as a conduit of information between faculty and Administration for budget discussions and decisions.

Section 3. Conflict of Interest Advisory

- 1. Voting membership (five members):
 - a. Five tenured faculty members.
 - b. These faculty members are recommended by the Executive Committee and appointed by the President.
 - c. No two committee members may have primary appointments in the same representation unit.
 - d. In the event that a member of the committee recuses her/himself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement, first considering those who have previously served on the committee.
- 2. Non-voting membership:
 - a. There are no non-voting members for this committee.
- 3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
- 4. Committee responsibilities:
 - a. Serve as an advisory body to the Administration on the issue of conflict of interest.
 - b. Initiate and review policies concerning conflict of interest and make recommendations regarding such policy to the Senate.
 - c. Hear and rule on appeals of decisions in conflict of interest cases.
 - d. Act in accordance with procedures approved by the Senate, specifically Policy 151.1.

Section 4. Council of College Faculties

- 1. Voting membership (three members):
 - a. Three faculty members elected to staggered three-year terms.
 - b. The faculty shall elect each spring by secure electronic ballot a faculty member to serve.
- 2. Non-voting membership:
 - a. There are no non-voting members for this committee.
- 3. Terms and limits:
 - a. Three-year term.
 - b. No restriction on consecutive terms.
- 4. Responsibilities:
 - a. All responsibilities and procedures are determined by the Constitution and Bylaws of the Council of College Faculties.

Section 5. Equity and Diversity

1. Voting membership (six members):
 - a. Five faculty members.
 - b. One faculty representative from the Commission on the Status of Women Faculty
 - i. Recommended by the Executive Committee. The Executive Committee shall strive for representation from diverse groups.
 - ii. Appointed by the President.
2. Non-voting membership (one member):
 - a. Vice Provost for Faculty Affairs and Equity.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
4. Committee responsibilities:
 - a. Review, revise, and propose policies to ensure that rights and considerations of diverse groups or faculty are included in NDSU policy, practices, and procedures.
 - b. In particular, the committee will explore and identify ways that NDSU can be more inclusive for diverse faculty including women, people of color, LGBTQ (lesbian, gay, bisexual, transgender, and/or queer) people.

Section 6. Executive Committee

1. Voting membership (ten members):
 - a. One Senator from each representation unit.
 - b. The President.
 - c. The Immediate Past President.
 - d. The President-Elect.
2. Non-voting membership (five members):
 - a. One faculty representative of the Graduate School, designated by the Dean of the Graduate School
 - b. One faculty representative of the Provost's Office, designated by the Provost.
 - c. One faculty representative from the Commission on the Status of Women Faculty.
 - d. The Secretary.
 - e. The Parliamentarian.
3. Terms and limits:
 - a. One year starting immediately following the regular May Senate meeting.
4. Committee responsibilities:
 - a. Meet and organize for the academic year during the first week of the fall semester.
 - b. Delegate tasks to Senate committees
 - c. Review the progress of Senate committees.
 - d. Set the agenda for upcoming Senate meetings.
 - e. Interpret, when necessary, provisions of the Constitution and the Bylaws.

Section 7. Faculty Affairs

1. Voting membership (seven members):
 - a. One faculty member from each representation unit.
2. Non-voting membership (two members):
 - a. One faculty representative from the Commission on the Status of Women Faculty
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive years (two terms).
 - c. No designation about consecutive terms.
4. Committee responsibilities include:
 - a. Review policies and procedures relating to faculty affairs such as academic freedom, promotion, tenure, and evaluation, teaching, and service.
 - b. Review and recommend revisions to the personnel sections of the Faculty Handbook concerning faculty affairs.
 - c. Review the Ombudsperson's annual report and perform an annual interview and written evaluation of the Ombudsperson and office (to be submitted to the Ombudsperson and Provost at the end of each fall semester). The review and evaluation shall be conducted by a subcommittee comprised of at least three faculty members with broad college representation who do not possess any actual or perceived conflict of interest with the Ombudsperson's Office.

Section 9. Faculty Rights

1. Voting membership (five members):
 - a. Five members, each from different representation units.
 - i. Restricted to tenured full professors who do not hold an administrative appointment in an academic or non-academic unit.
 - ii. Elected by the faculty each spring by secure electronic ballot.
 - b. In the event that a member of the committee recuses her/himself from the committee for a particular case or is recused by committee vote, the committee will appoint a replacement to serve for that case.
 - i. The replacement will preferably be a faculty member who has previously served on the committee.
 - ii. Broad representation, while a worthwhile goal, is not always achievable. However, the replacement member should be from a different representation unit than the other four members, if reasonably possible.
 - iii. Members sitting on an appeal shall complete that appeal even if the member's term expires while the appeal is pending.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Five-year term.
 - b. Begins and ends on August 15.

- c. No consecutive term limit has been set.
- 4. Committee responsibilities:
 - a. Responsibilities and procedures are determined by directives of the North Dakota State Board of Higher Education.

Section 10. General Education Committee

- 1. Voting membership (10 members):
 - 1. One faculty member from each of the following Colleges: Agriculture, Food Systems, and Natural Resources; Business; Engineering; ~~and Health Professions; Arts, Humanities and Social Sciences; Human Sciences and Education; Science and Mathematics~~
 - 1. Each representative College shall also select an alternate faculty member to serve in case of recusal or absence.
 - ~~Two faculty members from each of the following Colleges: Arts, Humanities and Social Sciences; Human Sciences and Education; Science and Mathematics~~
 - 2. One undergraduate student, appointed by the Student Government.
 - 3. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
- 2. Non-voting membership (four members):
 - 1. Director of Assessment and Accreditation
 - 2. One representative of the Registrar's Office, designated by the Registrar,
 - 3. One representative of the Libraries, designated by the Dean of Libraries,
 - 4. One representative from Institutional Research, designated by Institutional Research.
- 3. Terms and limits:
 - 1. Three-year terms
 - 2. No consecutive terms for voting members. No restriction for non-voting members.
 - 3. Terms shall be staggered so that no more than one-third of the members are new.
- 4. Committee responsibilities:
 - 1. Review new general education courses to ensure and validate that the general education outcomes are being met.
 - 2. Complete the revalidation of courses and experiences on a periodic, five-year timeline to ensure that general education outcomes are being met. The course revalidation should be staggered to review approximately 20% of the general education courses each year.
 - 3. Review General Education Appeal petitions.
 - 4. Develop and maintain a plan for assessment of General Education Program-level learning outcomes.
 - 5. Conduct periodic assessment of students' attainment of general education learning outcomes.
 - 6. Develop a university policy governing the policy and procedures for general education revalidation
 - 7. Perform other appropriate duties as assigned by the Senate.
 - 8. Selecting two representatives and one alternate for the North Dakota General Education Council.

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Section 101. Grade Appeals Board

1. Committee purpose:
 - a. To provide an avenue for students to challenge any grade they believe to have been unfairly assigned.
2. Voting membership (twelve members; ten alternates):
 - a. One faculty member and one alternate from each representation unit.
 - i. These faculty are elected by their representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. Three students and three student alternates selected by the Student Government.
 - i. Students should be full-time students.
 - ii. Students should have a minimum 2.00 cumulative grade point average.
 - iii. Students should be of junior standing.
 - d. One representative from the Provost's Office, who will also serve as Board Chair
3. Non-voting membership:
4. Terms and limits:
 - a. Three-year term.
 - b. No consecutive term-limit has been designated.
5. Committee responsibilities:
 - a. Hear charges of inequitable or prejudiced academic evaluations and provide redress for improper evaluation.
 - b. Act in accordance with procedures approved by the Senate, specifically Policy 337.

Section 112. Program Review

1. Voting membership (eleven members):
 - a. One tenured faculty member from each representation unit.
 - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. One faculty representative of the Provost's Office, designated by the Provost.
 - d. Two students selected by the Student Government.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Four-year term.
 - b. Limit of two consecutive terms.
4. Committee responsibilities:
 - a. Develop criteria and procedures for review of academic programs.
 - b. Perform a continuing review of graduate and undergraduate academic programs with regard to such factors as mission, need, quality, cost, and contribution to other programs.

- c. Address concerns and make recommendation to the Senate regarding duplication of programs and courses.
- d. Recommend policies for University support to individual programs.
- e. Coordinate the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

Section 13.3. Research and Consulting

- 1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
- 2. Non-voting membership (one member):
 - a. One representative of the Vice President for Research and Creative Activities, designated by the Vice President for Research and Creative Activities.
- 3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
- 4. Committee responsibilities:
 - a. Initiate and review policies related to University research and consulting issues and make recommendation for consideration of said policy to the Faculty Senate.
 - b. Review research development programs and provide technical and funding reviews for faculty proposals submitted to the development programs.

Section 13.4. Technology and Instructional Services

- 1. Voting membership (eight members):
 - a. One faculty member from each representation unit.
 - b. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
- 2. Non-voting membership (one member):
 - a. Three representatives from Information Technology (IT) Division.
 - b. One student representative appointed by Student government
- 3. Terms and limits:
 - a. Two-year term.
 - b. Limit of four consecutive terms.
- 4. Committee responsibilities:
 - a. An annual review of IT support services to the NDSU teaching and research communities.
 - b. Make recommendations for Senate approval of any changes proposed by the IT Division regarding policy, implementation procedures, or classroom and instructional technologies.
 - c. Formulate recommendations regarding needs of the faculty that are unmet by the IT Division.
 - d. Serve as the liaison between the Senate and the IT Division's administration.

Section 145. University Curriculum

1. Voting membership (ten members):
 - a. One tenured faculty member from each representation unit.
 - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.
 - b. One tenured faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - c. Two students, one graduate and one undergraduate, appointed by the Student Government.
 - d. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
2. Non-voting membership (~~three~~ two members):
 - a. One representative of the Provost's Office, designated by the Provost.
 - b. One representative of the Registrar's Office, designated by the Registrar.
 - ~~c. One representative of the Libraries, designated by the Dean of Libraries.~~
3. Terms and limits:
 - a. Four-year term.
 - b. No consecutive terms for voting members. No restriction for non-voting members.
 - c. Terms shall be staggered, so that no more than one-third of the members are new.
4. Committee responsibilities:
 - a. Develop criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
 - b. Coordinate and recommend actions on proposals for curriculum and course changes that have been received from the colleges.
 - ~~c. Oversee the general education program, including:
 - i. Validation/revalidation of courses and experiences to ensure that general education outcomes are met.
 - ii. Coordination of periodic assessment of students' attainment of intended student outcomes in general education.~~
 - ~~d. c.~~ Request the formation of an *ad hoc* Senate committee(s) to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed.
 - ~~e. d.~~ Perform other appropriate duties as assigned by the Senate.

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. Voting membership (six members):
 - a. One representative of the Faculty Senate as appointed by the Faculty Senate President.
 - b. One representative of the Staff Senate as appointed by the Staff Senate President.
 - c. One representative of Student Government appointed in accordance with the Student Government Code..
 - d. Faculty Senate President.
 - e. Staff Senate President.
 - f. Student Body President.
2. Non-voting membership (three members):
 - a. Vice President for Finance and Administration (or designee).
 - b. Two representatives from Office of the Provost to facilitate meetings and maintain records
 - i. The council may decide to invite policy initiators to the meetings as non-voting members to explain policy changes.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Review policy to determine first whether it is ready to bring to any of the Senates or whether it should be returned to the policy makers for clarification and revision.
 - b. Coordinate the distribution of policies to the appropriate Senate body consistent with the Faculty Senate, Staff Senate, and Student Government constitutions.
 - c. Send policies that have been voted on to appropriate channels at NDSU for final approval.
 - d. Serve in a liaison capacity regarding the Faculty Senate, Staff Senate, Student Government, and Administration.

Section 2. Campus Space & Facilities

1. Voting membership (seventeen members):
 - a. One faculty member from each representation unit.
 - b. Three staff members, appointed by the Staff Senate.
 - c. Three student members (graduate, undergraduate, and on-campus), appointed by the Student Government.
 - d. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - e. Provost (or designee).
 - f. Registrar.
 - g. Vice President for Finance and Administration (or designee).
2. Non-voting membership (four members):

- a. Director of Facilities Management.
 - b. Chair of the Department of Architecture and Landscape Architecture.
 - c. Assistant to the Director of the North Dakota Agricultural Experiment Station.
 - d. One representative of the Libraries, designated by the Dean of Libraries.
3. Terms and limits:
- a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
- a. Provide for the systematic development and review of the “Campus Master Plan” and Guidelines for Campus Development.
 - b. Recommend policies and procedures to meet the current and future needs for all physical facilities and review changes in University space allocation, including classrooms and laboratories.
 - c. Review proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.
 - d. Recommend policies for site location for new buildings and for overall landscaping.
 - e. Recommend traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.
 - f. Recommend plans for sidewalks, streets, and parking lots.

Section 3. Library

1. Voting membership (thirteen members):
- a. One faculty member from each representation unit.
 - b. Two students (one undergraduate and one graduate), appointed by the Student Government.
 - c. One staff member, appointed by the Staff Senate.
 - d. One representative from Information Technology Services
 - e. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - f. Dean of Libraries.
2. Non-voting membership:
- a. There are no non-voting members for this committee.
3. Terms and limits:
- a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
- a. Formulate policy recommendations for the NDSU Libraries.

Section 4. University Athletics

1. Committee purpose:
- a. The University Athletics Committee serves as the NDSU Athletics Advisory Board, as described in the constitution of the National Collegiate Athletics Association (NCAA).
2. Voting membership (sixteen members):
- a. One faculty member from each representation unit.
 - b. Two students.

- c. Student Body Vice President.
 - d. President of the Student-Athletes Advisory Council.
 - e. Two representatives of the Staff Senate.
 - f. Director of Intercollegiate Athletics.
 - g. Senior Women's Administrator.
 - h. Faculty Athletics Representative.
3. Non-voting membership:
 - a. There are no non-voting members for this committee.
 4. Terms and limits:
 5. Committee responsibilities:
 - a. Promote compliance with principles of conduct as defined by the NCAA.
 - b. Act as the Board of Appeals for athletic grievances.
 - c. Initiate and review policies concerning University athletics and make recommendations for consideration of said policy to the Senate. Such areas of concern include guidelines for athletic schedules, guidelines for participation in postseason activities, awards for excellence in athletics, and eligibility of athletes.
 - d. Review upcoming issues at intercollegiate conference meetings and recommend institutional positions.
 - e. Review the budget of the athletic programs prior to its approval by the University President.
 - f. Stimulate interest in athletic events throughout the University community.

Section 6. University Assessment

1. Voting membership (seventeen members):
 - a. One faculty member from each representation unit.
 - b. One representative from the General Education Committee.
 - c. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - d. Provost (or designee).
 - e. Two students (one undergraduate and one graduate), appointed by Student Government.
 - f. One representative from the Division of Student Affairs and Enrollment Management.
 - g. One representative from the NDSU Extension Service.
 - h. One representative from the Office of Institutional, Research and Analysis.
 - i. One representative from Distance and Continuing Education.
 - j. Director of the Office of Accreditation and Assessment.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:

- a. Periodic review of the assessment of student learning in undergraduate and graduate academic programs, within the units in the Division of Student Affairs and Enrollment Management and in the NDSU Extension Service.
- b. Develop procedures for annual reporting of assessment activities by departments and other academic units, units in the Division of Student Affairs and Enrollment Management, and the NDSU Extension Service on their assessment activities.
- c. Provide feedback and assistance to departments and other academic units on their assessment activities.
- d. Provide a yearly summary of assessment activities to the Senate, the Provost, the Vice President for Agriculture and University Extension, and the Director of the NDSU Extension Service.

Article VI: Amending the Bylaws

Section 1.

Amendments to the bylaws may be proposed by the Senate or by a petition signed by twenty-five percent of the Faculty. At a meeting of the Senate where the amendment is proposed, a vote will be cast to determine whether to consider the amendment at the next regular Senate meeting. If two-third of the votes cast are in favor of the bylaws change, it will be added to the agenda for the next regular meeting of the Senate.

Section 2.

The Secretary of the Senate will distribute the proposed amendment to all members of the faculty no later than nine days after the Senate votes to consider the amendment at their next regular meeting.

Section 3.

At the next regular meeting of the Senate, if approved by two-third of the ballots cast, the change will be submitted to the University President.

Section 4.

When approved by the University President, the changes shall become effective immediately.

**University Curriculum Committee
For Faculty Senate Meeting on December 9, 2019**

New Programs
new minor – Banking
new certificate – New Institutional Social Science

Program Changes
Accounting minor – removing the junior or senior standing requirement.
Anthropology – B.S./B.A.: changing their minimum grade requirement for the courses in the Core Requirements.
Business Administration minor - removing the junior or senior standing requirement.
Logistics Management minor - removing the junior or senior standing requirement.
Management Information Systems minor - removing the junior or senior standing requirement.

General Education Recommendations
ANTH 205, Human Origins – recommended for approval for Social and Behavioral Sciences and Cultural Diversity
ANTH 206, Introduction to Cultural Anthropology: Peoples of the World – recommended for approval for Social and Behavioral Sciences and Cultural Diversity
FREN 360, Studies in Language and Style – recommended for approval for the Communications category
POLS 220, International Politics – revalidation for Social and Behavioral Sciences and Global Perspectives

New Courses			
Subject	No.	Title	Effective Term
BUSN	380	Business Analytics: Business Problem Solving with Spreadsheets	Fall 2020
CE	474/674	Groundwater Sustainability Design	Spring 2020
ECON	675	Health Economics	Spring 2021
ENVE	111	Introduction to Environmental Engineering	Fall 2020
ENVE	211	Analysis and Design Methods for Environmental Engineers	Spring 2021
PAG	454	Applications of Precision Agriculture	Spring 2020

Course Changes								
From:				To:				
Subject	No.	Title	Crs.	Dept	No.	Title	Crs.	Effective Term
ENGR	722	Academic Writing in the Engineering Disciplines	2	ENGR	722	Academic Writing in the Engineering Disciplines	3	Spring 2020
MUSC	357	Marching Band/Jazz Methods and Techniques	2	MUSC	357	Marching Band Methods and Techniques	1	Fall 2020
MUSC	735	Classroom Pedagogy	3	MUSC	735	Music Theory Pedagogy I	3	Spring 2020
MUSC	736	Music Theory Pedagogy	3	MUSC	736	Music Theory Pedagogy II	3	Spring 2020
SAFE	440/640	Hazard Analysis Critical Control Point (HAACP) and Food Safety Systems	2	ANSC	440/640	Hazard Analysis Critical Control Point (HAACP) and Food Safety Systems	2	Spring 2020

Changes in Prerequisites/Co-Requisites/Course Descriptions				
Subject	No.	Title	Prerequisite/Co-requisite/Description Change	Effective Term
ACCT	415	Advanced Accounting	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
ACCT	418	Tax Accounting I	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
ACCT	425	Government and Not-For-Profit Accounting	Prereq: remove junior or senior standing as a prerequisite.	Spring 2020
GERM	312	German Conversation and Composition II	Prereq: GERM 311 or equivalent	Spring 2020
MUSC	357	Marching Band Methods and Techniques	Desc: This course is intended to assist in developing the skills and knowledge essential for the successful administration and implementation of a sports band (marching and pep bands) program within the public school context.	Fall 2020
MUSC	735	Music Theory Pedagogy I	Desc: Organization, goals, and procedures for teaching music theory and ear training to undergraduates, with an emphasis on ear training. Topics include: choice and sequencing of topics, pacing of courses, supplementary materials, educational philosophies, and the relevance of theory, ear training, and analysis to performance.	Spring 2020

Changes in Prerequisites/Co-Requisites/Course Descriptions (continued)				
MUSC	736	Music Theory Pedagogy II	Desc: Organization, goals, and procedures for teaching music theory and ear training to undergraduates, with an emphasis on written theory. Topics include: choice and sequencing of topics, pacing of courses, supplementary materials, educational philosophies, and the relevance of theory, ear training, and analysis to performance.	Spring 2020
PSYC	653	Organizational Psychology	Desc: Survey of topics related to application of psychology to organizational settings. Emphasis on the theoretical bases of the individual (leadership, decision making) (motivation, satisfaction) and social (influence, workgroup) (leadership, work group) factors involved in work behavior.	Spring 2020

New Special Topics Courses – FYI only			
Subject	No.	Title	Effective Term
ANSC	796	Introduction to R Programming in Quantitative Genetics (approved for Spring 2020 semester only)	Spring 2020
CPM	796	Polymeric Materials Design	Spring 2020

**Faculty Senate Resolution Regarding the Ad Hoc Budget Committee Formed by
the Interim Provost at North Dakota State University**

9 December, 2019

Authored by Kent Rodgers, Mark McCourt, Carlos Hawley, Warren Christensen, Jessica Jensen, Tim Greives, David Wittrock, Daniel Pemstein, Holly Hassel, and Bruce Maylath

Whereas, the principle of shared governance is based on transparency and open communication, and is foundational to the Faculty Senate mission at NDSU (Faculty Senate Constitution, Article 1, Section 1);

Whereas, the Faculty Senate Constitution states that “The Faculty Senate will also review, recommend, and participate in the formulation and exercise of policy with regard to: ... b. The allocation of institutional resources” (Article 2, Section 2);

Whereas, the Faculty Senate maintains a Standing Budget Committee, which is comprised of one faculty member from each academic college and one faculty representative of the Graduate School;

Whereas, the Faculty Senate bylaws stipulate the following responsibilities of the Standing Budget Committee:

- a) become familiar with the University budget process,
- b) develop a set of guiding principles which align with strategic priorities, with the intent of informing University budget decisions from a faculty perspective,
- c) solicit input regarding the budget process from a wide range of faculty and on an ongoing basis,
- d) serve as a resource for the Provost in budget matters, and
- e) act as a conduit of information between faculty and Administration for budget discussions and decisions;

Whereas, the Faculty Senate Budget Committee affects the primary shared-governance mechanism through which faculty can provide representative input and recommendations on important budgetary matters, such as recent and ongoing budget cuts;

Whereas, in October 2019, Interim Provost Grafton requested that all deans conduct a 90% budget exercise to identify priorities that could guide a 10% budget cut in the current and near-term fiscal years, in anticipation of continuing austerity at NDSU;

Whereas, in November 2019, Interim Provost Grafton created a new ad hoc Budget Committee, which included only the chair of the Faculty Senate Budget Committee among its members, to review and aggregate the 90% budget submissions from the academic units via a non-transparent process;

Whereas, the use of an ad hoc Budget Committee effectively circumvents opportunity for meaningful input and recommendations by the Faculty Senate Budget Committee, thereby circumventing the ideals of shared governance;

Whereas, the recent NDSU Strategic Planning Survey revealed lack of transparency to be among NDSU's major weaknesses; now, therefore, be it

Resolved that, in the interest of meaningful shared governance, the NDSU Faculty Senate requests the immediate dissolution of the Provost's ad Hoc Budget Committee, and reassignment of its charge to the Faculty Senate Standing Budget Committee.