

Meeting Agenda

October 10, 2022

- I. Call to Order.
- II. Attendance.
- III. Adoption of the Agenda.
- IV. Approval of Meeting Minutes from September 12, 2022.
- V. Announcements.
 1. David Cook, President
 2. Margaret Fitzgerald, Provost
 3. Anastassiya Andrianova, Faculty Senate President
 4. Florin Salajan, Faculty Senate Past-President
 5. Warren Christensen, Faculty Senate President-Elect
 6. Fred Hudson, Staff Senate President
 7. Christian Walth, Student Body President
 8. Phil Hunt, Registrar
- VI. Committee and Other Reports.
 1. UCC committee report
- VII. Consent Agenda.
 1. UCC Report
 2. Policy 710
 3. Policy 803
 4. Confirmation of FS Standing Committees
- VIII. Planning and Prioritizing Senate Action for the Year.
 1. Budget reductions and strategic planning
 2. Equity, diversity, and inclusion
 3. Internationalization and global engagement
 4. Faculty retention and well-being
 5. Student retention
- IX. Unfinished Business.
- X. General Order.
 1. Policy 352
- XI. New Business.
 1. Proposal to form an ad-hoc committee on program overlap and course duplication
 2. Policy 129

3. Policy 151

4. Policy 156

5. Policy 333

XII. Adjournment.

Meeting Minutes

September 12, 2022

- XIII. Call to Order: 3.00pm.
- XIV. Attendance: See Appendix 1.
- XV. Adoption of the Agenda.
 - 1. Motion to approve: Smith/Wood
 - i. Approved unanimously.
- XVI. Approval of Meeting Minutes from May 9, 2022.
 - 1. Approved by unanimous consent.
- XVII. Announcements.
 - 1. David Cook, President
 - i. Starting to meet everyone, have not met everyone yet, and would like the opportunity to meet.
 - ii. Gave a sense of priorities and to get feedback. After touring the state, is building on the Strategic Plan. Has talked to all Colleges and many departments.
 - a. Retention. We have to think about enrollment and retention as a priority. We have a real situation in front of us in terms of enrollment and financial outlook. The funding formula is based on the student credit-hour production, which was welcomed by our institution while enrollment was growing, as we were getting revenue. Then, enrollments dropped and we have a budget shortfall the next budget biennium, plus we will be down in enrollments for the next two-three years. We also get a cash cut if the enrollments are down. This is why we have to do something about it and we have many opportunities, and charged Registrar Hunt to lead the retention efforts for students. Retention is important and we want our students to be successful and keep the students that are here.
 - b. R1 status. Helps with supporting the faculty, has moved the VP for RCA under his direction.
 - c. Wellness. Met with people and groups, and wellness has come up many times. His predecessor had the President's

Council for Campus Wellbeing, and he likes that idea. He wants the council to “carry more water” as the students’ mental health issues are not going away. He met with advisors today and received feedback on taking actions that do not cost a lot of money. Thought about parental leave and how that can be supported. Intends to advocate for wage increases that are not baked into tuition revenue.

- d. Diversity, Inclusion and Respect. Has asked Registrar Hunt to co-chair the council with VP Bilen-Green. Goal is to go out to communities to have conversations and agree to disagree on diversity and inclusion.
 - e. Land-grant status. The state loves the institution and we have lots of resources that allow us to do better. Share ideas, suggestions, and feedback on the President’s website (https://www.ndsu.edu/president/share_your_ideas/).
- iii. Request from Sen. Selekwa: Engineering is in trouble, as it does not have enough space for students. Part of engineering is student activities, designing projects. They do not have enough space to store materials for lab activities. Students are doing well in competitions and asks the President to create more building space for engineering students to conduct their activities. Pres. Cook, happy to speak to that issue. A process at the state level allows us to raise funds for capital projects. We have real challenges, as engineering enrollments are dropping, so we have to figure out how to present that in Bismarck. We need to match about \$20-25 million for the engineering building, and we have to reach out to donors, rather than ask for money in Bismarck. It is a hard sell in Bismarck, but confident we can work out a plan.
 - iv. Question from Sen. McGrath: Do you have any insights on the Incentive-based Budget Model to grow enrollment. Put the responsibility on Deans and Provost, when generating revenue around courses, but the idea of incentivization is to use that money to support students who need it most. The idea is to put the academic leaders at the helm in leading that model; plan will be completed about 90% in the next 30-60 days.
2. Margaret Fitzgerald, Provost
- i. Will be doing listening sessions with Faculty Senators: October 24, 3:00-4:00pm in MU Meadowlark; October 27, 3:00-4:00pm in MU Nueta. This is an opportunity to discuss matters of concern, post-

Senate meetings, elaborate on things on the agenda, etc. It's like office hours with the Provost.

3. Anastassiya Andrianova, Faculty Senate President
 - i. Welcomed all Senators. She is fourth English faculty, second international woman, and first Ukrainian to serve as FS President. Welcomed new Senators by name.
 - ii. Decorum and titles. This is a formal meeting: address Senate members by title and last name. Review these rules and procedures in the new Faculty Senate Handbook on the FS website (https://www.ndsu.edu/facultysenate/about_faculty_senate/faculty_senator_handbook/).
 - iii. Inauguration. Save the date: Friday, September 30, 10:00am in Festival Concert Hall. Hopes to see all Senators to welcome Pres. Cook to our community. Program is 45 minutes, followed by a 30-minute reception; business attire.
 - iv. Faculty Senator Handbook is now available on the Faculty Senate website. It is a living document, revised periodically.
 - v. Next meeting, in October, is set aside for planning our priorities for the year. Please gather feedback from your constituents, reach out to executive committee members.
 - vi. Senate Secretary. Have not filled this position yet. Reach out to constituents to apply for this university-level service position. Any faculty is eligible but cannot be current Senator.
4. Florin Salajan, Faculty Senate Past-President
 - i. Welcomed back new and returning Senators.
5. Warren Christensen, Faculty Senate President-Elect
 - i. No announcements.
6. Fred Hudson, Staff Senate President
 - i. Introduced himself. Works in communications in RCA. Having spent the past couple of years in unusual circumstances, he appreciates the shared governance model and hopes to see that continuing.
 - ii. Remote work. Initiated a survey on remote work in the Staff Senate that has helped HR develop good practices/guidelines for remote work. Created an ad hoc committee and requested input from staff and faculty administrators, via survey. Received about 700 responses. Respondents wanted some flexibility, maybe about one day per week or a few days per month. Presented the information to Pres. Cook, who was surprised we did not have a

policy on this, and asked the Staff Senate to talk to faculty, students, HR, etc. HR Director Genkinger was charged for coming up with practices, talked with Student Government and Faculty Senate Execs for ideas on how to move forward. Approached it with a common-sense attitude, practical view. If flexibility is possible, extend that to staff, with reasonable checks and balances, based in part on trust that staff are doing their work. Keeping in mind are notions of inclusivity and common-sense. Also recognized that certain jobs cannot be done remotely and will not force those individuals to do those jobs remotely. Happy to share the quantitative and qualitative results. 82% of respondents indicated working remotely is important for continued work at the university. Retention of staff is key. At this point, getting closer to implementing this practice, still allowing for some time for people to provide input. The goal for rollout is October 1, open to comments and suggestions.

- iii. Question from Sen. McGrath: to relay this information to unit faculty, how will this be sent? Pres. Hudson clarified it would come from the HR Director.

7. Christian Walth, Student Body President

- i. Exciting to see so many people in the room. Shared an overview of the Student Government: Student Senate, Student Court, Executive Branch: 12 executive representatives.
- ii. For the first time, Student Government has filled almost all positions, needs two representatives from HP – asked faculty in HP for assistance with identifying two more students.
- iii. Will be doing wheelchair softball to raise awareness about disabled students. Higher Education day, hosted by SG, inviting legislators to speak with students, tentatively scheduled for after Election Day. Events for diversity and equity on campus.
- iv. If FS needs help from students, feel free to let SG know.
- v. Request from Sen. Selekwa: we have to sensitize key political leaders in Bismarck to lend more support for building spaces for engineering students. Response from Pres. Walth: will reach out to legislators and would love to work with Engineering Student Senators and happy to work with FS on this.

8. Phil Hunt, Registrar

- i. Welcomed everyone back. Annual FERPA training is live, the deadline is October 17, information on how to access is in the

emails he sent out. If not finding it, feel free to request it again. It is not a policing task, feel free to email him or his staff to assist you with that.

- ii. Question from Sen Arnold: Curious about new scheduling system, has difficulty working with it, and the delays she experienced. Registrar Hunt clarified that the Registrar's Office is still working with departments to figure out scheduling problems. Classroom scheduling link is available on the resources page on the Registrar's page for faculty's review.
 - iii. Question from Sen. Smith: about your appointment to the Retention Council; how can faculty be involved? Responded he wants to have inclusive representation on the Council on Retention, will reach out to departments for nominations. If Senators have suggestions for nominations, reach out and identify who could serve on the committee. The purpose of the Council is to take feedback and operationalize ideas, develop best practices to improve retention on campus. Sen. Smith specifically suggested that the Registrar reach out to DBER (Discipline-Based Education Research) Faculty given their expertise in teaching practices that improve retention.
9. Kim Anvinson, Director, NDSU Bookstore
- i. Wants to get feedback on the delay issues around the adoption of the new acquisition platform. 3,000 sections had to be redone by bookstore staff which led to delays. Invited questions on what they could do to better serve students on bookstore/textbooks delays.
 - ii. Question from Sen. Gao: Confusion about the time between placing textbook orders and delivery of book orders. Responded the website was not ready, but that issue has been addressed.
 - iii. Comment from Sen. Selekwia: Some adopted books have been used over many years, it should not be required that the faculty re-adopt the book. By default, if you do not hear from the faculty, bookstore should assume the same book is adopted. Responded that this makes the bookstore nervous and needs confirmation because instructors teaching course sections could change, and so could the books they use. Bookstore staff needs responses, communication and confirmation from the faculty on course materials, subscriptions and textbooks.

XVIII. Committee and Other Reports.

XIX. Consent Agenda.

1. UCC Report
 - i. No report. Item was skipped.
 - XX. Unfinished Business.
 1. None.
 - XXI. General Order.
 1. Policy 352
 - i. Motion to approve: Smith/McGrath
 - a. Discussion
 - a. Sen. Smith: concerns regarding research language in 2.2.2.1.3. Individuals who work outside of “local” communities (regional or global) may not be reflected in this language. Committee on 352 open to adopting language to reflect that.
 - i. Motion to amend: Smith/Berg
 1. Discussion
 - a. Add “local/regional/global.”
Friendly amendment to remove “local” from the language (“local community”). Question whether to change singular “community” to plural “communities.”
 - i. Motion passed: 36 AYE; 2 NAY; 0 ABSTAIN - (See Appendix 2. Q1).
- i. Motion to postpone: Roberts/Selekwa
 1. Discussion
 - a. Sen. Danielson asked how does it work if we do not discuss it?
Pres. Andrianova suggested sending comments/feedback to committee on Policy 352 (address to Dan Friesner).
 - i. Motion passed: 37 AYE; 1 NAY; 0 ABSTAIN - (See Appendix 2. Q2).
- XXII. New Business.
 1. None.
- XXIII. Adjournment at 4:29pm: Fellows/Akhmedov
 - i. Passed unanimously.

Appendix 1: Attendance

Last Name	First Name	Substitution	Present
AKHMEDOV	Azer		X
AMIRI	Ali		X
ANDRIANOVA	Anastassiya		X
ARNOLD	Lisa		X
BERG	Eric		X
BRYNJULSON	Rebecca		X
BUMGARNER	Jeff		X
CHOI	Bong-jin		X
CHOI	Juwon		X
CHRISTENSEN	Warren		X
CREESE	John		X
EMANUELSON	Pam	WEBER, C.	X
FELLOWS	Kristen		X
GAO	Jerry		X
HAUG	Karla		X
HERSHBERGER	John		X
HONG	David		X
HUSETH-ZOSEL	Andrea		X
HUSEYNOV	Fariz		X
JEONG	Inbae		X
KILINA	Svetlana		X
KIRKWOOD	Matthew		X
KRYJEVSKAIA	Mila		X
LARSON	Jamee		X
LAW	Quincy		X
LIN	Zhibin		X
MARCH	Raymond		
MATTHEW	Sijo		X
MCGRATH	Ryan		X
NORDSTROM	Onnolee		X
PELTIER	Allison		X
PHILBRICK	Candace		X
RAHMAN	Mukhlesur		X
RAO	Jiajia		
ROBERTS	David		X
ROSS	Darrell		X
SALAJAN	Florin		X
SECOR	Gary		X
SELEKWA	Majura		X

SMITH	Matthew	X
TANGEN	Jodi	X
TRAVERS	Steve	X
VOLD	Jessica	X
WOOD	Scott	X
YAN	Guiping	X
ZHANG	Qi	X

Appendix 2: Voting Record

Session Name	Active Participants	Question Count
09-12-2022 4:21 PM	34	2

Participant	Q1	Q2
AKHMEDOV, Azer	AYE	AYE
BERG, Eric	AYE	AYE
BRYNJULSON, Rebecca	AYE	AYE
BUMGARNER, Jeffrey	AYE	NAY
CHOI, Bong-Jin	AYE	AYE
CHOI, Juwon	AYE	AYE
CHRISTENSEN, Warren	AYE	AYE
CREESE, John	AYE	AYE
FELLOWS, Kristen	AYE	AYE
GAO, Jerry	-	AYE
HAUG, Karla	AYE	AYE
HONG, Yongtao	AYE	AYE
HUSETH-ZOSEL, Andrea	AYE	AYE
HUSEYNOV, Fariz	AYE	AYE
JEONG, Inbae	AYE	AYE
KIRKWOOD, Matthew	AYE	AYE
KRYJEVSKAIA, Mila	AYE	AYE
LARSON, Jamee	AYE	AYE
LAW, Quincy	AYE	AYE
LIN, Zhibin	AYE	AYE
MATHEW, Sijo	AYE	AYE
NORDSTROM, Onnolee	AYE	AYE
PHILBRICK, Candace	AYE	AYE
RAHMAN, Md Mukhlesur	AYE	AYE
ROBERTS, David	AYE	AYE
SALAJAN, Florin	NAY	AYE
SECOR, Gary	AYE	AYE
SELEKWA, Majura	NAY	AYE
SMITH, Matthew	AYE	AYE
TANGEN, Jodi	AYE	AYE
TRAVERS, Steven	AYE	AYE
VOLD, Jessica	AYE	AYE
WEBER, Christina	AYE	AYE

ZHANG, Qi

AYE

AYE

Some Senators were unable to access online voting. Their votes are recorded below:

Q1: AYE: Arnold, Gao, Hershberger, McGrath, Yan; NAY: 0; ABSTAIN: 0.

Q2: AYE: Arnold, Hershberger, McGrath, Yan; NAY: 0; ABSTAIN: 0.

University Curriculum Committee 2021-2022 Annual Report to Faculty Senate

Prepared by Adam Marx, 2021-2022 UCC Chair

Purpose of the University Curriculum Committee (UCC)

According to Faculty Senate bylaws, the UCC has the following responsibilities:

1. Develop criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
2. Coordinate and recommend actions on proposals for curriculum and course changes that have been received from the colleges.
3. 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.
4. Perform other appropriate duties as assigned by the Senate.

Membership Structure of the UCC

The UCC is a campus wide committee with voting representation from each college, including the Graduate School, and non-voting membership from the Registrar's and Provost's offices, respectively. Student membership representing graduate and undergraduate students are also expected, though no members were volunteered for the 21-22 academic year. Additional duties and responsibilities can be found on the UCC website: https://www.ndsu.edu/facultysenate/committees_1/ucc/.

Meeting Structure of the UCC

The committee meets weekly during the spring semester and bi-weekly during the fall. This corresponds to the present March deadline structure for course and program proposals set by Registration and Records (R&R). As a result, the largest volume of reviews takes place in the spring and work in the fall can center more on policy and procedure review, revision, and development. Meetings are typically scheduled for 90 minutes each week and members have assigned duties for proposal reviews. The curricular review agenda is populated and organized by R&R staff while the business agenda is developed by the UCC chair and voting membership. Meetings operate under an efficient structure of Robert's Rules of Order. Most membership attends regular meetings via Zoom but face-to-face attendance is made available with the chair in a Memorial Union space. Meeting minutes are recorded and made available by an R&R staff person each week.

UCC Outputs for 2021-2022

Policy and Procedure Developments for 21-22

University curriculum policy and procedural developments are proposed by UCC membership and non-voting membership. Typically, ad hoc committees are formed to most efficiently work on issues and develop proposals. During the 2021-2022 academic year, the following items were developed or refined as a result of UCC work:

- 1) Procedures for Accelerated Programs of Study (4+1 programs)
 - a. See: https://www.ndsu.edu/facultysenate/committees_1/ucc/resources/#c725243
 - b. The opportunity existed for students or departments to create these types of programs where a Bachelor's and Master's degree could be earned in a given period of time, typically five years. However, no procedures existed for those program plans to be reviewed or developed via the UCC. These procedures now help to streamline the process between collaborating departments as well. Thereby, creating new opportunities for students and departments going forward.
- 2) Editing the Cross-listing courses procedure
 - a. See: https://www.ndsu.edu/facultysenate/committees_1/ucc/resources/#c723046
 - b. As programs have merged as well as departments across campus, there was language in the Cross-listing requirements which provided a minor impediment. The addition of 'programs' to 'departments' helps to ensure there is less restriction of interpretation for programs and departments seeking to cross-list courses.
- 3) Adjusting GPA Requirement for Accelerated Programs
 - a. In collaboration with the Graduate School, the UCC changed the minimum GPA requirement for students from 3.5 to 3.0 to offer better alignment with current Graduate School minimums for degree progression.
 - b. This change offers greater accessibility to these programs for NDSU students as well as greater offerings for NDSU departments. However, individual programs may still choose their own specific GPA requirement above the 3.0 minimum.
- 4) UCC Membership Duties
 - a. Previous to 2021-2022, specific duties and expectations of the UCC membership was not developed specifically or made public.

- b. The UCC chair worked with members to more explicitly detail the work members complete.
 - c. In addition to creating a better system for onboarding new members and member accountability, this set of duties helps members communicate in their own PT&E documentation the service responsibilities they have on the UCC.
 - d. See: https://www.ndsu.edu/facultysenate/committees_1/ucc/
- 5) Addition of FERPA statement to Policy 331.1
 - a. To help ensure adequate communication of student rights, a FERPA acknowledgement was added to Policy 331.1 which needs added to NDSU course syllabi. This language and legal obligation was initiated by the Registrar and enacted by the UCC.
 - b. Accordingly the addition reads in the policy: Family Educational Rights and Privacy Act (FERPA) statement
 - i. The following statement must appear on all syllabi: Your personally identifiable information and educational records as they relate to this course are subject to FERPA.
- 6) Change in Procedure for General Education Course Revalidation Review
 - a. The UCC determined that the current Gen Ed committee completes a thorough vetting of proposals seeking revalidation and therefore the UCC does not need to engage in additional (or redundant) thorough review.
 - b. We changed our review process requirements to allow those types of proposals to fall on our Consent Agenda thereby honoring the work of the Gen Ed committee and making UCC review process more efficient overall.

NDSU Course and Program Review

Faculty and department staff submit course and program changes as well as new program and course proposals through the Course Leaf system. Each of those proposals eventually find there way to the desk of the UCC for final evaluation, review, and approval/denial. Once approved by the UCC, those proposals are placed in the Faculty Senate consent agenda. The following table details the quantity of reviews completed by UCC. The brief list of definitions aid in interpreting the table. Following, denials or rollbacks have been detailed in themes for perspective.

Definitions

- Consent Agenda: these proposals include those which have non-substantive changes and typically do not require much scrutiny for review. Includes programs and courses.
- Review Agenda: these proposals include those with substantive changes and require more in-depth evaluation. Includes programs and courses.

- Substantive and Non-substantive changes: See - https://www.ndsu.edu/facultysenate/committees_1/ucc/course_changes/

Table 1

Curricular Review by UCC for 2021-2022

Consent Agenda Items	145 proposals
Review Agenda Items	352 proposals
Items Rolled Back to Dept.	22 proposals
Items Temporarily Held and Fixed by UCC	21 proposals

Predominant Reasons for Rollback

- Missing letters of support from affected departments
- Incomplete language for course or program agreements
- Issues with syllabi matching between 400/600 courses
- Misalignment with Policy 331.1 requirements
- Missing or Ill-formed objectives
- Lack of response to required proposal information in Course Leaf

Reasons for UCC Hold and Edits

- Edits to align course documents, missing documents, catalog description
- UCC needed to reach out for clarification for understanding intents of changes
- Questions on pre-requisites or language clarity with pre-requisites
- UCC facilitated interdepartmental discussions of proposals (affected depts.)

Highlights

- In total, the **UCC reviewed 497 proposals** which included new courses, course changes, program changes, and new program proposals.
- **Less than 9% of all proposals** presented to the UCC for review were rolled back, denied, or held for editing.
- **UCC Members invested more than 55 hours** each across the 21-22 academic year toward the curricular development of NDSU.
 - o During 21-22, UCC members attended nearly **40 hours** of scheduled meetings to handle the curricular business of NDSU
 - o More difficult to enumerate is the hours which members spent on *ad hoc* committees and hours spent reviewing proposals prior to each weekly meeting. A conservative estimate would be **15 additional hours** of work beyond scheduled regular meetings.

*Submitted June 23, 2022 to the Faculty Senate
By Adam A. Marx, PhD. – 2021-2022 UCC Chair*

**University Curriculum Committee Report
For Faculty Senate Meeting on October 10, 2022**

Program Update			
PhD Program name change. New name: Transportation and Supply Chain. Old name: Transportation and Logistics			
Graduate Certificate Public Health. Adding option for Maternal and Child Health			

New Program			

New Courses			
Subject	No.	Title	Effective Term
POLS	633	Law and Public Policy	Fall 2023
LA	642	Advanced Grading + Drainage	Fall 2023

Course Inactivations			
Subject	No.	Title	Effective Term
BIOL	252	Plant and Animal Diversity	Fall 2023
HDFS	720	Basic Grant Development and Management	Fall 2023
HDFS	729	Professional Seminar in Gerontology	Fall 2023
HDFS	750	Culture and Aging: Global and Multicultural Perspectives	Fall 2023
NURS	801	Theoretical Perspectives of the Discipline	Fall 2023
PHIL	356	Ancient Philosophy	Fall 2023
PHIL	357	Augustine	Fall 2023
PHIL	359	Thomas Aquinas	Fall 2023
PHIL	476	History of Philosophy: Modern Period	Fall 2023
PHIL	487	Aesthetics	Fall 2023

Changes in Course Descriptions and/or Requisites				
Subject	No.	Title	Title/Prerequisite/Co-requisite/Description Change	Effective Term
HDFS	761	New title: Implementation of Community Programs for Older Adults Old title: Application in Gerontology	Study of the applications of gerontology research and theory. This The-course addresses theoretical and practical aspects will provide an overview of community-based efforts to influence the well-being programs, methods and evaluations of services for older adults. Examines literature from gerontological, prevention science, human sciences, and community health approaches. Provides an overview Study of the program development,	Fall 2023

			implementation, evaluation, applications of gerontology research and management of aging-related programs. theory.	
AGEC	346	Applied Risk Analysis	Adding AGECE 339, ECON 341, and STAT 331 as prerequisites. Removing STAT 330 as prerequisite.	Fall 2023
HDFS	New # 726 Old # 682	New title: Family Relationships and Aging Old title: Family Dynamics of Aging	Examination of research and theories on issues related to family dynamics and transitions in mid-to-late life, how they impact adults and their family relationships, and the practices and professional ethics later years from the perspectives of working with diverse older adults and their families. the elderly and the family.	Fall 2023
HDFS	722	New title: Applied Research Methods and Evaluation of Aging Programs Old title: Nutrition, Health and Aging	New course description: This course will familiarize students to applied research methods as they apply to aging programs, such as: needs assessment, formative research, process evaluation, and impact assessment. Students will learn theories and concepts of evidence-informed practice and program evaluation, perform the skills to conduct methodologically sound program evaluation research, and gain practical experience and strategies for application. Study of theories and methods (quantitative and qualitative) in Gerontology.	Fall 2023
ANSC	444	Livestock Muscle Physiology	Removing graduate credit dual listing and changing prefix of prerequisite.	Fall 2023
HDFS	760	New title: Aging Policy and Advocacy Old title: Aging Policy	This course covers the formation, implementation, and impact of various policies and programs focused on providing services and supports for that affect the well-being of the social, financial, and physical well-being of aging persons within their communities. elderly in the United States. A primary focus is placed on addressing challenges and gaps in policies, as well as issues of unmet needs and	Fall 2023

			inequity through advocacy and policy-making.	
PHRM	540	Public Health for Pharmacists	Adding PHRM 480 as a prerequisite with PHRM 353.	Fall 2023
HDFS	723	New title: Foundations in Integrative Aging Studies Old title: Perspectives in Gerontology	This course introduces foundational concepts to Examination of current research, theories and controversies within the interdisciplinary field of gerontology and aging studies, including: gerontology, core theories of aging, how to be critical consumers of aging research, developing writing and other professional skills, and exploring career options in aging.	Fall 2023
PSCI	417	Pharmacogenomics	Adding PSCI 411 with a grade of 'C' or higher and removing Admission to PhrmD/graduate PSCI program.	Fall 2023
PSCI	617	Pharmacogenomics	Adding PSCI 611 as a prerequisite and removed Admission into Pharm Sciences graduate program and/or consent from the Department.	Fall 2023
ENVE	250	Fundamentals of Environmental Engineering	Removing ENVE 211 as a prerequisite.	Fall 2023
PHRM	535	Hematology and Oncology	Removing PSCI 410 as a prerequisite.	Fall 2023
PHRM	580	Pharmacotherapy Capstone	Removing PHRM 535 and adding PHRM 545L as prerequisites.	Spring 2024
PHIL	451	New title: Skepticism and the Possibility of Knowledge Old title: Epistemology	A detailed study of the philosophical analyses analysis of skepticism, the nature and possibility of knowledge, and knowledge and associated concepts.	Fall 2023

General Education Changes/Revalidations				
Subject	No.	Title	Action	Category

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion. Gender-inclusive language should be used in revised and new policies submitted to SCC.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to nds.scc@nds.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name: 710 Computer and Electronic Communications Facilities

Effect of policy addition or change: Explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s):

1. Changed the policy name to use contemporary nomenclature
2. Added 2 new items to the beginning of the document that clarify working relationships
3. Added a third new item to the beginning of the document that indicated department specific needs are the financial and operational responsibility of the requesting department
4. Modernized language on #3 from the original ("Batch and interactive access...")
5. Added an item following #3 on the original to clarify that cloud services are in scope of the responsibilities of the IT Division

Is this a federal or state mandate: ☐ Yes ☒ No

This policy applies to (check all that apply): ☒ Students ☒ Staff ☒ Faculty ☐ Other (please describe):

Individual/Department/Committee or Organization submitting the policy change: IT Division (Marc Wallman)

Date Submitted to SCC Secretary: 7.18.2022

Email address of the person who should be contacted if revisions are requested:
marc.wallman@nds.edu

NDSU's Strategic Plan Inclusivity and Diversity Goal Checklist*. Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach. Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).			X	
The <i>economic</i> impact on students, staff, faculty, others was considered.	X			
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).			X	
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).			X	
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.		X		
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.			X	
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	x			

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

* The President's Council for Campus Wellbeing is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive and negative—on the communities and the people they affect. In fact, the World Health Organization estimates that the social, economic and environmental factors of a community influence up to 55% of a person's wellbeing. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making.

SECTION 710

~~INFORMATION SYSTEMS AND SERVICES~~ ~~COMPUTER AND ELECTRONIC COMMUNICATIONS~~ FACILITIES

SOURCE: NDSU President

1. In coordination with the North Dakota University System, the Information Technology Division is responsible to design, implement, operate, manage, repair, support, and deprecate all NDSU-provided, common, centralized academic and administrative technologies and related services.
2. In coordination with the Information Technology Division, departments may also design, implement, operate, manage, repair, support, and deprecate academic and administrative technologies and related services on their own.
3. Departments requiring special IT equipment or services that are outside of the standard service offerings of the Information Technology Division must pay for design, installation, maintenance, repair and replacement.
- 1.4. Section 158 and NDUS Policy 1202.1 govern acceptable use of electronic communications devices and provide definitions used in this section.
- 2.5. If someone suspects that another individual has access to their credentials (i.e., UserID and/or password) or has evidence of any other security breach, it should be immediately reported to the NDSU Information Technology Security Officer and supervisor.
6. ~~Batch and interactive a~~Access to the administrative ~~computer~~ systems (e.g. ConnectND) must be authorized by a designated Access Control Officer. To locate the appropriate Access Control Officer for a system, contact the Office of Accounting, Human Resources/Payroll, or Registration and Records (student systems), respectively. Supervisors of users with access to the administrative computer systems are responsible for notifying the appropriate Access Control Officer(s) when the user changes jobs or terminates employment with the University.
- 3.7. In order to protect the data and information systems, the NDSU Vice President for Information Technology (VPIT) reserves the right to establish requirements and procedures for cloud-based information services and data repositories.
- 4.8. In order to protect the campus data networks, the NDSU Vice President for Information Technology (VPIT) reserves the right to establish requirements and procedures for network access, including forms of registration and/or authorization before devices are able to access the network. In the event of imminent threats or network disruption, it may also be necessary to temporarily block specific types of network traffic or to isolate portions of the network. Any device may be removed from the network or have its network access blocked without notice if its connection to the network poses a threat to the network, to the device itself, or to the user(s) of the device. Examples of reasons why a device might be removed from the network, or blocked include, but are not limited to, the following:
 - 4.1.8.1. A device does not meet current device requirements.

4.2.8.2. A device is used for unauthorized uses or by unauthorized users (see Policy Section 158).

4.3.8.3. Network addresses are unauthorized, misappropriated or have been modified to avoid restrictions

4.4.8.4. A device's connection to the network poses a threat to network or data security as a result of improper configuration or other reasons.

5.9. Requests for data and networking services must be made to Enterprise Computing and Infrastructure (ECI). The following procedures apply:

5.1.9.1. Work requests: must be submitted on the Request for Data/Networking Services available on the Web. If you have questions, please contact the IT Help Desk (phone 231-8685 option 1). There is a charge for materials and labor. ECI personnel will provide an estimated cost of the project prior to installation, if requested.

5.2.9.2. All wiring for data circuits, for example Local Area Networks (LAN), in campus buildings must be installed and tested by ECI personnel or with their approval before it can be connected to the campus communications backbone.

5.3.9.3. Departmental (or Building) LANs connected to the Campus Communication backbone must be linked through equipment authorized by ECI.

5.4.9.4. Wireless access points and other radio communications devices, modems, or other remote access devices connected to the campus network must be authorized by ECI.

5.5.9.5. Assignment of network addresses (e.g., Internet Protocol addresses, domain names) is coordinated by ECI. Contact the Help Desk (231-8685 option 1) for more information.

6.10. Physical security of communications infrastructure is managed and controlled by the VPIT.

6.1.10.1. Unauthorized mechanical or electrical alteration of any part of the network infrastructure (e.g. wall jacks, wire closets, wiring, circuits) is prohibited.

6.2.10.2. Access to wiring closets, data centers and other locations with computer or electronic communications equipment shall be limited and strictly controlled.

6.3.10.3. All NDSU employees and all third party contractors are responsible for promoting the physical security of electronic computing devices and network infrastructure at all times.

7.11. The VPIT reserves the right to establish requirements and procedures for connecting servers to the NDSU networks. Servers are integral to many computer systems and networks. They provide, by their nature, special challenges to ensure the confidentiality, integrity, and availability of computer and network resources.

7.1.11.1. A "server" is defined as any device that provides computing service to multiple computers or individuals.

7.2.11.2. All servers on the NDSU networks or operated by NDSU entities must be registered with the Vice President for Information Technology (VPIT).

[7.3.11.3.](#) All servers are subject to established NDUS and NDSU policies, procedures, and standards. See NDUS Policy 1202.1 ,

[7.4.11.4.](#) Servers holding private and/or confidential data, defined in the "NDUS Data Classification and Information Technology Security Standards", are especially critical and must be individually evaluated by the VPIT or designee. The factors to be evaluated can be located on the VPIT Server Registration Page.

HISTORY:

New	July 1990
Amended	February 1993
Amended	June 1996
Amended	March 1998
Amended	October 2004
Amended	October 2007
Amended	June 2008
Housekeeping	March 2010
Housekeeping	April 1, 2011
Housekeeping	June 15, 2018
Amended	November 18, 2019

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion. Gender-inclusive language should be used in revised and new policies submitted to SCC.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to nds.scc@nds.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name: **803 Restricted Gifts vs. Grant Policy**

Effect of policy addition or change: Explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s): **clarification regarding compliance protocols**

Is this a federal or state mandate: ☐ Yes ☒ No

This policy applies to (check all that apply): ☐ Students ☒ Staff ☒ Faculty ☐ Other (please describe):

Individual/Department/Committee or Organization submitting the policy change:

- **Karin Hegstad, Associate VP of Finance**
- **Amy Scott, Assistant Director of Sponsored Programs Administration**

Date Submitted to SCC Secretary: 6/5/2022

Email address of the person who should be contacted if revisions are requested: karin.hegstad@nds.edu or amy.scott@nds.edu

NDSU's Strategic Plan Inclusivity and Diversity Goal Checklist*. Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach. Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).			X	
The <i>economic</i> impact on students, staff, faculty, others was considered.			X	
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).			X	
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).			X	
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).			X	
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy		X		It is not changing practice, just updating for better clarification
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.			X	
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.			X	
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.			X	
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

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North Dakota State University

Policy Manual

SECTION 803

RESTRICTED GIFTS VS. GRANT POLICY

SOURCE: NDSU President

1. Financial support from any external agency will be classified as a grant or contract if any of the following criteria are met (except as specifically noted below in 803.4):
 - 1.1 Any written document has been executed regarding the specific use of the funds beyond a broad programmatic designation, or
 - 1.2 Any technical reports are ~~requires~~ required by the sponsoring agency, or
 - 1.3 A financial report is required by the supporting agency, or
 - 1.4 The work being done has the possibility of producing intellectual property, i.e., patents and copyrights, or
 - 1.5 The work being done requires project-specific approval from IRB, IACUC or IBC
2. Financial support not meeting any of these criteria may be classified as a gift. Gifts will be classified as either restricted or unrestricted.
 - 2.1 For gifts to the Agriculture ~~d~~Division, the Agriculture Budget Office will first review the documentation. If the documentation shows it to be a gift restricted to a program, or more specific restriction, the gift will be classified as restricted and forwarded to the Grant and Contract Accounting Office for deposit in a restricted gift fund. If the gift terms do not meet the restricted gift test, the gift will be considered unrestricted and deposited to an institutional collection fund.
 - 2.2 For non-agriculture related gifts, the Grant and Contract Accounting Office will review and analyze the documentation. If the documentation indicates the gift is restricted to a program, or more specific restriction, it will be classified as restricted and deposited in a restricted gift fund. If the gift terms do not meet the restricted gift test, the gift will be considered unrestricted and deposited in an unrestricted local fund.
3. When gift funds held at the NDSU Development Foundation are scheduled for expenditure in support of the donor's criteria, the necessary funds will be transferred to the University account established for such purpose. The Foundation cannot originate payment for normal University functions since these expenditures belong on University accounts.
4. As an exception to 803.1, any financial support received from an external agency for the support of an undergraduate, for-credit, academic design course project (Capstone or Senior Design) does not need to be routed through Sponsored Program Administration but should be sent directly to Grant and Contract Accounting for deposit into a restricted fund.

Definitions:

- IRB – Institutional Review Board
- IACUC – Institutional Animal Care and Use Committee
- IBC – Institutional Biosafety Committee

HISTORY:

New	July 1990
Amended	April 1992
Amended	August 2007
Amended	October 2009
Amended	June 22, 2015

VII. Consent Agenda.

4. Confirmation of FS Standing Committees

Academic Integrity

Cheryl Wachenheim AFSNR
Elizabeth Crisp Crawford, AHSS (2024)
Jin Li, BUSN (2023)
Kenneth Magel, ENGR
Estelle Leclerc, HP (2023)
Brad Strand, HSE
Dogan Comez, SM

Alternates:

Jo Ann Miller (AHSS)
Andrew Meyer (AHSS)
Justin Wageman (HSE)
Jeanne Frenzel (HP)

Assessment

Rebekah Oliver, AFSNR
Jessica Jensen (Chair), AHSS (2023)
David Hong, BUSN (2024)
Mijia Yang, ENGR (2022)
Rebecca Brynjulson, HP (2023)
Laura Dahl, HSE (2022)
Lisa Montplaisir, SM
Joe Mike Jones, GIS
Emily Berg, Office of Institutional Research and Analysis
Jeff Boyer, Office of the Provost
Vacant, General Education Committee representative
Lilly Bina, Student Government
Vacant, Graduate Student Government representative
Vacant, Student Affairs and Enrollment Management representative
Vacant, Office of Teaching and Learning representative
Vacant, Associate Dean of Libraries for Research and Learning

Athletics

Matt Larsen, Director of Athletics
Colleen Heimstead, Senior Woman Administrator
Jenny Linker, NCAA Faculty Athletics Representative
Travis Hoffman, College of Agriculture, Food Systems & Natural Resources
Sigurd Johnson, College of Arts, Humanities & Social Science
Charles Stevens, College of Business
Ying Huang, College of Engineering
Natasha Petry, College of Health Professionals
Jenny Linker, College of Human Development & Education
Stephanie Day, College of Science & Mathematics
Corey Landowski, Staff Senate
Nate Robideau, Staff Senate
Christian Walth, Student Government
Kelley Johnson, Student-Athlete Advisory Council
Krisanne Mogck, Recording Secretary (non-voting)

Budget Committee

Thomas Peters, AFSNR
Adam Goldwyn, AHSS (2023)
Michael Peterson (Chair), BUSN (2024)
Jacob Glower, ENGR
Anastassiya Andrianova, Faculty Senate President
Fariz Huseynov, GIS
Stefan Vetter, HP (2024)
Shannon David, HSE
Wenfang Sun, SM
Margaret Fitzgerald, Provost, ex-officio
Bruce Bollinger, Vice President for Finance and Administration, ex-officio

Campus Space & Facilities

Alan Zuk, AFSNR
Anthony Flood, AHSS (2023)
Michelle Hong, BUSN (2023)
Ravi Yellavajjala, ENGR
Stefan Vetter, HP (2023)
Marty Douglas, HSE
Indranil SenGupta, SM

Margaret Fitzgerald, Provost
Philip Hunt, Registrar, ex-officio
Bruce Bollinger, Vice President for Finance and Administration, ex-officio
Mike Ellingson, Director of Facilities Management, ex-officio
Michael Strand, Director of the School of Design, ex-officio
Janelle Quam, Assistant to the Director, ND Ag Experiment Station, ex-officio
Jolie Graybill, Dean, NDSU Libraries, ex-officio
Morgan Hovde, Student Government
Vacant, Student Government (three members total)
Jennifer Young, Staff Senate
Ben Bernard, Staff Senate
Vacant, Staff Senate
Vacant, Graduate School faculty representative as designed by Dean of Grad School

Conflict of Interest Advisory

Jessica Striker, SM

Council of College Faculties

Svetlana Kilina, SM
Lisa Montplaisir, SM
Tom Peters, AFSNR

Alternate(s):

Gerald Stokka, AFSNR

Curriculum

Adam Marx (Co-Chair), HSE
Deying Li, AFSNR
Verena Theile, AHSS (2024)
Michael Petersen (Co-Chair), BUSN (2024)
Kelly Rusch, ENGR
Chengwen Sun, HP (2024)
Pinjing Zhao, SM
Derek Lehmberg, GIS
Sri Lalitha, Student Government, graduate
Morgan Hovde, Student Government, undergraduate
Vacant, Student Government
Vacant, Libraries, ex-officio
Jeff Boyer, Provost's Office, ex-officio

Nancy Kasper, Registration & Records, ex-officio
Philip Hunt, Registrar, ex-officio
RaNelle Ingalls, Associate Registrar, ex-officio

Alternates:

Jack Norland, AFSNR
Jeanne Hageman, AHSS
Rajani Ganesh-Pillai, BUSN (2024)
Kenneth Magel, ENGR
Andrea Huseth-Zosel, HP (2026)
Susan Ray-Degges, HSE
Indranil SenGupta and Svetlana Kilina, SM
Svetlana Kilina, SM

Diversity, Equity, & Inclusion

Zubair Malik, ENG
Linda Langley, CSWF
Tracy Barrett, AHSS (2023)
Mary Larson, HP
Seungmin Kang, HSE (serving while Hollie Mackey is on leave)
Diomo Motuba, BUSN (2024)
Indranil SenGupta, CSM
Lei Zhang, AFSNR
Canan Bilen-Green, Vice Provost, Faculty Affairs & Equity
Vacant, Commission on the Status of Women Faculty - recommended by Executive Committee

Executive

Anastassiya Andrianova, Faculty Senate President
Florin Salajan, Faculty Senate Past President
Warren Christensen, Faculty Senate President-Elect
Eric Berg, AFSNR
Jeff Bumgarner, AHSS (2023)
David Hong, BUSN (2023)
Jerry Gao, ENGR
Susan Sell, GIS
Karla Haug, HP (2023)

Ryan McGrath, HSE
Mila Kryjevskaja, SM (2023)
Margaret Fitzgerald, Provost, ex-officio
Laura Parson, Commission on the Status of Women Faculty, ex-officio
Ali Amiri, Parliamentarian, ex-officio
Vacant, Secretary

Faculty Affairs

Glenn Dorsam, AFSNR
Jessica Jensen, AHSS (2023)
Jeff Chen, BUSN (2023)
Lisa Arnold, CSWF
Jordi Estevadeordal, ENGR
Mark Strand, HP (2023)
Sara Crary, HSE
Jeff Johnson (Chair), SM
Vacant, Graduate School faculty representative

Faculty Rights

Tom DeSutter, AFSNR (2021-2026)
Tom Ambrosio, AHSS (2020-2025)
Newell Wright, BUSN (2020-2025; on academic leave in Fall 2022)
Jeanne Frenzel, HP (2021-2026)
Ken Lepper, SM (2021-2026)

General Education

Jack Norland (Co-Chair), AFSNR
Holly Hassel (Co-Chair), AHSS (2023)
Onnolee Nordstrom, BUSN (2023)
Pratap Kotala, ENGR
Karla Haug, HP (2024)
Nicklaus Redenius, HSE
Clayton Hilmert, SM
Jeff Boyer, Director of Assessment & Accreditation
RaNelle Ingalls, Registrar's Office representative
Jolie Graybill, Dean of Libraries
Emily Berg, Office of Institutional Research & Analysis representative
Ray Orsorio, Student Government

Grade Appeals Board

Canan Bilen-Green (Chair), Vice Provost for Faculty and Equity
Zhulu Lin, AFSNR
Jeanne Hageman, AHSS (2023)
Nancy Emerson, BUSN (2024)
Jacob Glower, ENGR
Heidi Eukel, HP (2025)
Jaeha Lee, HSE
Erin Conwell, SM
Vacant, GIS
Rachel Anfinson, Student Government
Mark Rohleder, Student Government
Steven Giddens, Student Government

Alternates:

David Englund, AFSNR
Carol Archbold, AHSS (2023)
Rachel Thompson, BUSN (2024)
G. H. Nazari, ENGR
Heather Fuller, HSE
Anne Eliason, HP (2024)
Zhongyu Yang, SM
Vacant, GIS
Nicholas Ruble (Student Government)

Library

Bob Hearne, AFSNR
Andrew Stark (Chair), AHSS (2023)
Charles Stevens, BUSN (2023)
Danling Wang, ENGR
Estelle Leclerc, HP (2023)
Justin Wageman, HSE
Bakhtiyor Rasulev, SM
Jolie Graybill, Dean of Libraries
Morgan Hovde, Student Government
Matthew Scott Dale, Student Government

Alicia Laferriere, Staff Senate
Vacant, Information Technology
Vacant, GIS

Program Review

Jessica Jensen, AHSS (2023)
Limin Zhang, BUSN (2025)
Mijia Yang, ENGR
Loretta Heuer, HP (2024)
Florin Salajan, HSE
Andrew Croll (Chair), SM
Jeff Boyer, Provost's Office
Tanner Johnson, Student Government
Morgan Hovde, Student Government

Alternates:

Harlene Hatterman-Valenti, AFSNR
Amy Stichman, AHSS (2023)
Joe Mike Jones, BUSN (2023)
Jacob Glower, ENGR
Kelly Buettner-Schmidt, HP (2025)
Jodi Tangen, HSE
Nikita Barabanov, SM

Research & Consulting

Julie Pasche, AFSNR
Nicholas Bauroth, AHSS (2023)
Jeffrey Chen, BUSN (2023)
Ghodrat Karami, ENGR
Sanku Malik, HP (2024)
Kyle Hackney, HSE
Kendra Greenlee, SM
Vacant, Graduate Student
Vacant, VPRCA representative as designed by the Vice President for RCA

Technology and Instructional Services

Anupa Sharma, AFSNR
Melissa Vosen Callens, AHSS (2023)
Supavich (Fone) Pengnate, BUSN (2024)

Ivan Lima (Chair), ENGR

Stefanie Meyer, HP (2023)

Carrie Johnson, HSE

Matthew Smith, SM

Matthew Tri, Student Government

Vacant, Graduate Faculty representative designated by the Dean of the Graduate School

Vacant, three representatives from IT

VIII. Planning and Prioritizing Senate Action for the Year.

1. Budget reductions and strategic planning

Work typically carried out by the Faculty Senate Budget Committee in collaboration with the upper administration to determine the optimal approaches to budget reductions and planning for the academic year, including but not limited to: weighing the value of strategic versus across-the-board cuts; providing feedback and input on Huron findings; and providing feedback and input on the new incentive-based budget model.

VIII. Planning and Prioritizing Senate Action for the Year.

2. Equity, diversity, and inclusion

Work typically carried out by the Faculty Senate's Equity, Diversity, and Inclusion Committee to examine and propose pathways for various diversity initiatives on campus and in the Fargo-Moorhead community, including but not limited to: increasing student recruitment from ND tribal colleges; increasing BIPOC faculty and student recruitment and retention; and developing disability and accessibility initiatives on campus. Coordinate action with the President's Council for Diversity, Inclusion, and Respect and with the Fargo Mayor's Office of Diversity.

VIII. Planning and Prioritizing Senate Action for the Year.

3. Internationalization and global engagement

Work started in AY2021-2022 by the special Faculty Senate ad-hoc committee on internationalization and global engagement to develop a strategic plan for internationalization at NDSU, including: teaching (e.g., new hybrid/online programs; recruitment), research (e.g., transatlantic scholarly partnerships; symposia), and service.

VIII. Planning and Prioritizing Senate Action for the Year.

4. Faculty retention and well-being

With the recent faculty burnout and turnover, exacerbated by COVID, and in line with President Cook's emphasis on campus well-being, examine and propose pathways to improve faculty retention and well-being. Could this priority be aligned with and a charge for an existing standing committee, such as Faculty Affairs? Or should a special ad-hoc committee on faculty retention and well-being be formed? Coordinate action with the President's Council for Campus Well-being.

VIII. Planning and Prioritizing Senate Action for the Year.

5. Student retention

Last year the Faculty Senate voted to add “Innovations to attract, enroll, and retain more students” as a priority for AY2021-2022. With President Cook’s emphasis on student success and the renewed focus on student retention, what efforts and strategies could the Senate consider to help increase student enrollments and retention? Could this priority be aligned with and a charge for existing standing committees, such as DEI, UCC, or General Education? Or should a special ad-hoc committee on student retention be formed? Coordinate action with the President’s Council on Retention and the University Retention Committee.

Policy Change Cover Sheet

This form must be attached to each policy presented. All areas in **red**, including the header, must be completed; if not, it will be sent back to you for completion.



If the changes you are requesting include housekeeping, please submit those changes to ndsucc@ndsucc.edu first so that a clean policy can be presented to the committees.

SECTION: Policy Number and Name: 352 – Promotion, Tenure, and Evaluation

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).
 - Is this a federal or state mandate? ☐ Yes ☒ No
 - Describe change: Language was added to i) include community engaged scholarship as an explicit criterion to satisfy research requirements; ii) align interpretation of PTE guidelines with a candidate's position description; iii) address issues related to PTE clock extensions during pandemics or changes in PTE guidelines during the probationary window; and iv) address the use of emeritus faculty on PTE committees.
 - Matt Hammer rephrased the second paragraph of section 5.2 relating to emeritus faculty serving on PTE committees.
 - The 352 Working Group accepted with AG's edit with relatively minor revisions.
2. This policy change was originated by (individual, office or committee/organization):
 - NDSU Policy 352 Working Group, October 4, 2021
 - Daniel.Friesner@ndsucc.edu

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This portion will be completed by Ann Fredrickson.

Note: Items routed as information by SCC will have date that policy was routed listed below.

3. This policy has been reviewed/passed by the following (include dates of official action):

Senate Coordinating Committee:

Faculty Senate:

Staff Senate:

Student Government:

President's Cabinet:

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsucc@ndsucc.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

North Dakota State University

Policy Manual

SECTION 352

PROMOTION, TENURE AND EVALUATION

SOURCE: NDSU President
NDSU Faculty Senate

1. INTRODUCTION

- 1.1 The promoting of faculty and awarding of tenure, and the prerequisite processes of evaluation and review, are of fundamental importance to the long-term ability of the University to carry out its mission. Promotion recognizes the quality of a faculty member's scholarship and contributions in the areas of teaching, research, and service. Promotion acknowledges that the faculty member's contribution to the university is of increasing value. Tenure assures academic freedom and enhances economic security for faculty members who show promise of sustained contributions in those three areas. Tenure aims to both recognize a candidate's potential long-term value to the institution as evidenced by professional performance and growth and to provide the expectation of continued employment. The decision to award tenure rests on criteria that reflect the potential long-term contribution of the faculty member to the purposes, priorities, and resources of the institution, unit, and program. With the individual autonomy derived from academic freedom and tenure comes the responsibility to create and/or maintain an ethical, respectful, and professional work climate for oneself, one's colleagues, one's students, and others with whom one relates professionally. Failure to meet this responsibility should be noted in periodic reviews of teaching, research, and service and may be addressed through the enforcement of other NDSU policies, such as Policy 151 Code of Conduct and Policy 326 Academic Misconduct. Due to the emphasis on institutional purposes and priorities, tenure recommendations should be reviewed at department, college, and university levels.
- 1.2 From the University's mission flows the expectation that each faculty member will make contributions of high quality to the areas of teaching, research, and service. "Teaching" includes all forms of instruction both on- and off-campus. "Research" includes basic and applied research and other creative activities. "Service" includes public service, service to the University, college, and department, and service to the profession. Because of the University's mission, the quality and quantity of contributions in all three areas will be considered at the times of promotion and tenure. But, because of variations among faculty in strengths and/or responsibilities, faculty members are not expected to exhibit equal levels of accomplishment in all areas. Moreover, disciplines will vary with respect to the kinds of evidence produced in support of quality of contributions.
- 1.3 Colleges and units are responsible for ensuring that promotion and tenure evaluation criteria be aligned with official position descriptions.
- 1.4 The policies and standards of each college should be congruent with the University's mission and its policies on promotion and tenure, and also should reflect the college's unique expectations of its faculty members. The policies and standards of academic units within each college should be consistent with the missions of the University and college and their

policies on promotion and tenure, and also should designate evidence of how faculty in the academic unit meet the expectations of the college and University.

2. UNIVERSITY PROMOTION, TENURE, POST-TENURE, AND EVALUATION: CRITERIA AND EVIDENCE

- 2.1 Promotion and granting tenure are not automatic. In addition to contributions in the areas of teaching, research, and service, consideration may be given to factors such as professional background and experience. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.
- 2.2 The evaluation of a candidate's performance shall be based on the individual's contributions to teaching, research, and service, on- and off- campus, in regional, national, or international activities. Judgments will be based on evidence of both the quality and significance of the candidate's work.

2.2.1 TEACHING

- 2.2.1.1 CRITERIA In the areas of teaching (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:
 - 2.2.1.1.1 the effective delivery of instruction to and the stimulation of learning by students and/or clients;
 - 2.2.1.1.2 the continuous improvement of courses or instructional programs;
 - 2.2.1.1.3 the effective advising and mentoring of undergraduate and/or graduate students.
- 2.2.1.2 EVIDENCE Consistent with NDSU Policy 332 Assessment of Teaching, a candidate demonstrates quality of teaching (encompassing both instruction and advising) by providing evidence and information from multiple sources such as:
 - 2.2.1.2.1 the receipt of awards or special recognition including certification or licensing for teaching;
 - 2.2.1.2.2 student, peer, and client evaluation of course materials, expertise, and ability to communicate knowledge (note that student ratings of instruction, by themselves, are insufficient evidence of teaching effectiveness);
 - 2.2.1.2.3 peer evaluation of an individual's contribution to the improvement of instructional programs through the development and/or implementation of new courses, curricula or innovative teaching methods;
 - 2.2.1.2.4 the dissemination of best practices in teaching;
 - 2.2.1.2.5 evaluation by advisees of the quality of graduate and undergraduate advising.

2.2.2 RESEARCH

2.2.2.1 CRITERIA In the areas of research and creative activities (as defines above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure, and post-tenure review:

2.2.2.1.1 contributions to knowledge, either by discovery or application, resulting from the candidate's research; and/or

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2.2.2.1.2 creative activities and productions that are related to the candidate's discipline; and/or

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2.2.2.1.3 documented evidence of community-engaged scholarship, collaboration, or multi-disciplinary work, and demonstrated beneficial impact on the department/unit, university, local community, and discipline.

2.2.2.2 EVIDENCE A candidate demonstrates quality of research by providing evidence of completed original work (i.e. published/in press, exhibited, or funded) from multiple sources such as:

2.2.2.2.1 dissemination of scholarly or professional papers, and publication of books, book chapters or articles;

2.2.2.2.2 juried or invited presentations or productions in the theater, music, or visual arts, design, and architecture;

2.2.2.2.3 the development and public release of new products or varieties, research techniques, copyrights, and patents or other intellectual property;

2.2.2.2.4 peer evaluation of research by colleagues from an individual's discipline or area of expertise;

2.2.2.2.5 the receipt of awards or special recognition for research;

2.2.2.2.6 the receipt of grants or other competitive awards.

2.2.3 SERVICE

2.2.3.1 CRITERIA In the areas of service (as defined above), the following criteria apply to evaluation of contributions by a candidate for promotion, tenure and post-tenure review:

2.2.3.1.1 contributions to the welfare of the department, college, university, or profession, and/or

2.2.3.1.2 contributions to the public that make use of the faculty member's academic or professional expertise.

- 2.2.3.2 EVIDENCE A candidate demonstrates quality of service by providing evidence and information from multiple sources such as:
- 2.2.3.2.1 the receipt of awards or special recognition for service;
 - 2.2.3.2.2 evaluation of an individual's service contributions by peers, administrators, and constituents;
 - 2.2.3.2.3 active participation in and leadership of societies which have as their primary objective the furtherance of scholarly or professional interests or achievements;
 - 2.2.3.2.4 active participation and leadership in University governance and programs at the department, college, university and system levels;
 - 2.2.3.2.5 contributions to fostering a campus climate that supports and respects faculty, staff, and students who have diverse cultures, backgrounds, and points of view;
 - 2.2.3.2.6 contributions to the management or improvement of administrative procedures or programs;
 - 2.2.3.2.7 contributions to knowledge as editors of scholarly publications, or service on editorial boards, juries, or panels;
 - 2.2.3.2.8 contributions to the operation of public or private organizations, boards, and agencies;
 - 2.2.3.2.9 contributions to NDSU's Land Grant mission.

2.3 The foregoing lists are not exhaustive, and other forms of information and evidence might be produced in support of the quality and significance of the candidate's work. The mission statements and specific promotion and tenure criteria of the individual academic units are important in defining the appropriate forms of evidence in the context of the candidate's discipline and distribution of responsibilities.

3. COLLEGE AND DEPARTMENTAL PROMOTION, TENURE, POST-TENURE, AND EVALUATION CRITERIA

- 3.1. Each academic unit is responsible for refining the University promotion, tenure, post-tenure, and evaluation criteria and applying those criteria within the special context of the unit. Thus, each academic unit will develop specific promotion, tenure, post-tenure, and evaluation criteria and designate the types of evidence to be used for evaluation of progress toward tenure, for renewal, promotion, and tenure decisions, and for post-tenure review. Within the framework of the University's promotion and tenure criteria, each academic unit shall specify the relative emphasis on teaching, research, and service, and the extent to which a faculty member's assigned responsibilities can be allocated among teaching, research, and service. Expectations for faculty in Professor of Practice and Research Professor positions may differ from those for tenure-line faculty.

3.2. A statement of promotion, tenure, post-tenure, and evaluation criteria specific to each college shall be developed by the Promotion, Tenure, and Evaluation (PTE) committee of the college in consultation with the Dean and approved by the faculty of the college. The faculty of each department shall also develop a statement of criteria for promotion, tenure, post-tenure, and evaluation that shall be reviewed and approved by the college PTE committee and the Dean to assure consistency with the college promotion, tenure, post-tenure, and evaluation criteria. The college and departmental statements, and any subsequent changes, shall be reviewed and approved by the Provost assure consistency with University and State Board of Higher Education (SBHE) policies.

3.3. For probationary faculty, and for non-tenure-line faculty at the assistant rank, the basis for review of the candidate's portfolio and any recommendations on promotion and/or tenure shall be the promotion and tenure guidelines and criteria of the academic unit that were provided to the candidate at the time of the candidate's appointment to the position. In the event that a unit or college revises its guidelines and criteria, a candidate may choose to be evaluated based on the criteria in effect at the time of application. The dean or director of the college or equivalent unit has the responsibility to provide to the appointee these documents, as well as a position description, contract, or other document that constitutes a tenure or work plan. Tenured and non-tenure-line candidates for promotion to the rank of full professor may choose to be evaluated by the criteria in effect at the time of the previous promotion, if the application is made within eight years of the previous promotion. Thereafter, candidates shall be evaluated by the criteria in effect at the time of application. Candidates applying for promotion to the rank of full professor more than eight years after the previous promotion may choose to be evaluated based on work completed in the eight years immediately prior to applying rather than on their entire post-promotion record.

3.4. When evaluating candidates for promotion and tenure, PTE committees shall align their applications of the criteria with the candidate's position description.

3.5. Faculty Hired Without Previous, Relevant Experience

For a faculty member without previous academic-relevant experience, eligibility for tenure requires a probationary period of six years. Evaluations for promotion to Associate Professor and granting of tenure will ordinarily be conducted concurrently. However, exceptional academic accomplishments may warrant early promotion prior to the completion of the six years of the probationary period. Petitions for early promotion shall be initiated by department heads/chairs, and not by faculty members themselves.

3.5 Faculty Hired with Previous Relevant Experience

3.5.1 Individuals hired into a tenure-eligible position at a negotiable faculty rank may be hired with tenure and at a rank of Associate Professor or Professor when this is negotiated as a provision of the original contract. Decisions regarding tenure and advanced rank are made using the same process and standards as in the customary promotion and tenure process, although the timeline may be altered. The recommendation proceeds through the regular channels, including the respective Department and College PTE Committees, the Department Chair/Head, College Dean, Provost and President, prior to hire. The process of review is initiated by the Chair/Head of the unit in which the tenure line is housed.

3.5.2 A probationary faculty member with relevant professional/academic experience may be given credit toward tenure and promotion when this is negotiated as a provision in

the original contract. The Department PTE Committee recommends to the Department Chair/Head the maximum number of years of tenure credit offered.

There are two options:

3.5.2.1 Faculty may be hired with one to three years of tenure credit. For each year of tenure credit awarded, one year shall be subtracted from the tenure application deadline. For example, given one year of credit, promotion and tenure application would be due in the fifth year of service; given three years, the application would be due in the third year of service. Faculty accomplishments during the tenure credited years are included as accomplishments in the faculty member's promotion and tenure portfolio. Requirements for promotion and tenure shall be adjusted according to the years at NDSU to maintain productivity at the same rate as that expected for promotion and tenure without tenure credit; for example, if six quality publications are required in the six-year probationary period for promotion and tenure, then one quality publication shall be required for each year the faculty member is at NDSU.

3.5.2.2 Faculty may be allowed the full six-year probationary period with the option of applying for promotion and/or tenure at any time following three years of academic service. How prior work is considered must be specified in the appointment letter.

3.5.2.3 For either option, failure to achieve tenure will lead to a terminal year contract. 3.6 Extensions to Probationary Period, apply in all other cases.

3.5.3 Any exceptions to Section 3.5 must be approved by the President.

3.6 Extension of Probationary Period

At any time during the probationary period but prior to the sixth year (or prior to the year in which the portfolio is due), a faculty member may request an extension of the probationary period not to exceed a total of three years based on institutional, personal or family (pertaining to a child, spouse/partner or parent, as described in NDSU Policy 320) circumstances, personal illness or disability, which, according to reasonable expectations, impede satisfactory progress towards promotion and tenure. Faculty given promotion and tenure credit are also eligible for this extension. Faculty members are encouraged to request probationary period extension as soon as they recognize the need for extension. Written notification to the Provost must be submitted within one year of the beginning of the event for which the extension is requested and approved prior to July 1 of the year in which the tenure/promotion portfolio is due. A faculty member who submits an extension request during the academic year in which they are to undergo third year review must successfully undergo third-year review and renewal before any extension can take effect. The request must be in writing and will be submitted to the Provost who will review the request and will approve or deny the request. Denial of an extension may be appealed under NDSU Policy 350.4, however, appeals will not be granted for requests that are submitted outside the required timeline for extension.

3.6.1 Extension of Probationary Period for Childbirth or Adoption

A probationary faculty member who becomes the parent of a child (or children in case of twins, triplets, etc.) by birth or adoption, prior to the year in which the portfolio is due, will automatically be granted a one-year extension of the probationary period upon written notification to the Provost. While NDSU supports the use of the extension, the probationary faculty member has the option at any time after the birth or adoption to return to the original schedule of review. Any additional extensions beyond the one year (per birth/adoption occurrence, not to exceed three years total extension) must be requested under the provisions of 3.6 above.

3.6.2 Extension of Probationary Period for Personal Illness or Disability

A probationary faculty member who experiences a personal illness or disability may request an extension of his/her probationary appointment. Medical documentation of the personal illness or disability is required. Such documentation shall be collected and housed by the Office of Human Resources/Payroll following guidelines provided in NDSU Policy 168. However, the Office of Human Resources/Payroll shall not make recommendations to the Provost pertaining to probationary period extension requests. The faculty member will grant the Provost access to Human Resources records relevant to the request. The Provost shall maintain strict confidentiality of such documentation. Written notification of the request for an extension, along with supporting documentation, must be provided to the Provost.

3.6.3 Extension of Probationary Period for Institutional Circumstances

A probationary faculty member may be granted an extension of probationary period due to institutional circumstances, such as major disruption of work or faculty's ability to perform their duties beyond the reasonable control (e.g., natural or human-caused disaster, or lab-space unavailability) of the faculty member. Written notification of the request, along with supporting documentation, for an extension must be provided to the Provost.

3.6.4 Procedures for Initiating, Reviewing, and Approving Notifications/Requests for Extension of the Probationary Period

- 3.6.4.1 Notification of extension of the probationary period due to childbirth or adoption may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.
- 3.6.4.2 Request for extension of the probationary period due to personal or family circumstances, personal illness or disability shall be initiated by the faculty member. In the case of requests involving disability or illness, it is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.
- 3.6.4.3 Request for extension of the probationary period due to institutional circumstances may be initiated by the faculty member, the Department Chair/Head, or the Dean of the college.
- 3.6.4.4 Faculty members may inform their Department Chair/Head and/or Dean of the college of their request if they wish to do so, but they are not required to do so.

- 3.6.4.5 Extension of the probationary period requests shall be submitted to the Provost using the Request for Probationary Period Extension form.
- 3.6.4.6 Once an extension of the probationary period request is approved, the faculty member, Department Chair/Head, and the Dean of the college will be notified in writing by the Provost. If the request is denied, the faculty member will be notified in writing by the Provost.

3.6.5 Confidentiality

Individuals involved in the extension of the probationary period process (which may include the supervisor, the Department Chair/Head, the Dean of the college, the Provost, and/or the Office of Human Resources/Payroll) have the responsibility of keeping information pertaining to the request confidential and not sharing such information with individuals not involved in the process. Medical documentation provided by a faculty member requesting extension of the probationary period shall be maintained in a confidential file separate from the employee's official personnel file in the Office of Human Resources/Payroll. Other written documentation and forms pertaining to the request/notification of extension of the probationary period shall be maintained in a confidential file separate from the employee's official personnel file in the Office of the Provost. It is understood that some information provided pursuant to this policy may be subject to disclosure pursuant to North Dakota open records laws.

- 3.6.6 Notwithstanding other extensions, in extraordinary circumstances (e.g., pandemic, building collapse), the Provost may grant a one-year automatic extension of the probationary period to impacted probationary faculty (consistent with Section 3.6) and of the time in rank to impacted associate professors (consistent with Section 3.3). While NDSU supports the use of this extension, faculty have the option at any time to return to the original schedule of review. Extensions granted under this provision are not subject to the three-year cumulative cap on extensions.

- 3.6.7 Granting of an extension does not increase expectations for performance. For instance if the department requires at least five refereed journal articles in the standard six year probationary period, and a faculty member receives an extension of the probationary period, then the department will still only require at least five refereed journal articles for that faculty member's probationary period.

Related Policies and Procedures:

Policy 156. Discrimination, harassment, and retaliation complaint procedures (<http://www.ndsu.edu/fileadmin/policy/156.pdf>)

Policy 168. Reasonable accommodation on the basis of disability - guidelines for employee requests (<http://www.ndsu.edu/fileadmin/policy/168.pdf>)

Policy 320. Faculty obligations and time requirements (<http://www.ndsu.edu/fileadmin/policy/320.pdf>).

- 3.7 As part of its statement on promotion, tenure, post-tenure review, and evaluation, each academic unit shall establish the criteria for promotion and tenure, including early

promotion, and shall establish the minimum timeline for promotion from Associate Professor to Professor.

4. PERIODIC REVIEW

- 4.1 Periodic reviews of faculty serve multiple functions. The reviews assist faculty members in assessing their professional performance, assist the administration in delineating areas to which particular effort should be directed to aid in improving the professional achievement of the faculty members, and contribute to the cumulative base upon which decisions about renewal, promotion, and tenure are made. In addition, periodic reviews may result in changes in responsibilities, modified expectations, and/or altered goals for performance.
- 4.2 The procedures for periodic review that are developed by each academic unit shall be reviewed and approved by the college PTE committee and the Dean.
- 4.3 All full-time faculty will be reviewed annually. Unless college or department procedures provide otherwise, annual reviews of non-tenured faculty shall be conducted so that decisions and notifications can be made in accord with the deadlines listed in Section 350.3.
- 4.4 Probationary faculty hired into tenure-track positions must receive special review during their third year of service to the institution. This third-year review shall recognize and reinforce areas of strength as well as point out areas of weakness that could jeopardize the case for promotion and tenure. Specific formative evaluations shall be provided to help candidates prepare their strongest case for promotion and tenure. Any extension granted prior to the third year review will delay the review by an equal period.
- 4.5 While faculty in Professor of Practice and Research Professor positions are not eligible for tenure, promotion through ranks is encouraged and is based on time in rank and satisfactory evaluations of assigned responsibilities. An application for promotion is initiated via a departmental recommendation and follows the same procedure and submission deadlines as for tenure-line faculty. Faculty in such positions are eligible to apply for promotion from assistant to associate after the completion of five years in rank.
- 4.6 Unless college or department procedures provide otherwise, the department chair or head of the academic unit will be responsible for the conduct of the reviews and the communication of their results. Periodic reviews shall result in a written report to the faculty member being reviewed. The report shall state expectations and goals for the coming review period. For probationary faculty, the report shall include an assessment of the faculty member's progress toward tenure and recommendations for improvement. Should the periodic reviews indicate that a faculty member is not making satisfactory progress toward tenure, the report may include a recommendation for nonrenewal. In making a judgment on satisfactory progress toward tenure, due consideration shall be given to the candidate's academic record, performance of assigned responsibilities, and potential to meet the criteria for promotion and tenure at the end of the probationary period.
- 4.7 Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty. Annual reviews of tenured faculty shall include an evaluation of the faculty member's performance relative to the current position description. For Associate Professors, annual reviews must include specific recommendations to strengthen the case for promotion. Annual reviews of Professors must recognize and reinforce areas of strength, as well as discuss areas of weakness and recommend improvements. Should the annual

reviews indicate that performance of a faculty member is unsatisfactory under the standards for post-tenure review, the report shall include a recommendation for appropriate remedial action.

- 4.8 The faculty member being reviewed shall have 14 days to respond in writing to the written report if the faculty member wishes to do so. The written report, and any written response from the faculty member, shall become part of the faculty member's official personnel file.

5. COMPOSITION OF PTE COMMITTEES

- 5.1 Each college shall have a PTE Committee consisting of at least three faculty members elected by the faculty of the college. The college PTE committee shall be as reflective as possible of the college's breadth of disciplines and fields of expertise. Ordinarily, at least three departments or sub-units of a college will be represented on the committee, and usually no more than one member of the same department may serve on the committee at one time.
- 5.2 Only tenured faculty members who have completed three years of full-time appointment with the University and who have attained the rank of associate professor or above are eligible for service with full voting rights on a college or department PTE Committee. When reviewing applications for promotion of Professors of Practice or Research Professors, PTE committees are encouraged to solicit advisory input from Associate/Full Professors of Practice or Research Professors. If allowed by department and college policies, PTE committees may include representation from Associate/Full Professors of Practice or Research Professors holding terminal degrees. Voting rights for Professors of Practice or Research Professors on applications for promotion shall be determined by the respective colleges or departments. Only in cases where unit policy allows can Professors of Practice or Research Professors who hold positions in the evaluating unit have voting rights on applications for promotion of Professors of Practice or Research Professors, respectively.

In the absence of otherwise qualified individuals within the academic unit, individuals external to their unit, but internal to the institution, including emerita/emeritus faculty, may serve as members of a unit PTE committee, if allowed by unit policy. In such cases, the voting rights of emerita/emeritus faculty on PTE committees shall be the same as their rights consistent with the final title they held prior to retirement.

- 5.3 Prior to commencement of deliberations, the chair of any PTE committee must have received PTE committee training within the last three years, provided through the Office of the Provost. Nonadministrative faculty members who have applied for promotion and/or tenure may not be involved in the review and recommendation process of any candidate. Administrators who have applied for promotion may not be involved in the review and recommendation process of any candidate where there may be an actual or apparent conflict of interest. A candidate may provide input concerning selection of external reviewers if allowed by department and college policies.
- 5.4 The department and college PTE committees' reviews and recommendations are part of a process of peer review. Thus, faculty holding academic administrative appointments, including those with interim status, are not eligible to serve. ("Academic administrative appointment" includes appointments as President, Provost, Vice President or Provost, Associate or Assistant Vice President or Provost, Dean, Associate or Assistant Dean, Department Chair or Head, Associate, Assistant or Vice Chair or Head, and any other

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administrators who supervise and/or evaluate other faculty.) Center or Program Directors who do not supervise and/or evaluate other faculty are eligible to serve.

- 5.5 A college PTE committee member who has voted on the promotion/tenure of a candidate in the department PTE committee shall be recused from the vote by the college PTE committee. In such a case, college policy shall determine whether the committee member may or may not deliberate with the committee on the candidate.
- 5.6 Faculty members, including administrators, who participate in the PTE process shall be recused from deliberations and decisions regarding a candidate if there is a past or current relationship that compromises, or could have the appearance of compromising, a faculty member's judgment with regard to the candidate. The following list, while not exhaustive, illustrates the types of relationships that constitute a conflict of interest:
- A family relationship
 - A marital, life partner or dating/romantic/intimate relationship
 - An advising relationship (e.g., the faculty member having served as the candidate's PhD or postdoctoral advisor)
 - A direct financial interest and/or relationship
 - Any other relationship that would prevent a sound, unbiased decision

Recusal due to a conflict of interest with one candidate does not prevent a faculty member from participating in deliberations and decisions regarding other candidates.

Conflicts of interest must be identified and resolved as soon as they are recognized, but no later than the start of the departmental PTE committee's review of a candidate's portfolio. Conflicts of interest may be identified by the candidate or anyone participating in the PTE review process for that candidate. Any individuals evaluating that candidate may voluntarily recuse themselves from the PTE process. A conflict of interest that would lead to involuntary recusal will be resolved by the Standing Committee on Faculty Rights (SCOFR). In such a case, the PTE process will be suspended until the conflict of interest is resolved. Every effort will be made to complete the review in the same academic year that the portfolio was submitted. If a delay exceeds 60 days, the candidate may request an altered timeline for consideration and approval by the Provost.

6. PTE PROCEDURES

- 6.1 The candidate shall ensure that the electronically submitted portfolio is current, accurate and complete for review at the department level using procedures consistent with department and college policies. The chair or head must forward the electronic portfolio together with the department's recommendations, and an explanation of the basis for them, to the College Dean and the College's PTE Committee according to the PTE Timeline published by the Office of the Provost:
https://www.ndsu.edu/fileadmin/provost/PTE/PTE_Timeline.pdf
- 6.2 In the absence of an approved extension, faculty who do not submit a tenure portfolio during their final probationary year, or who withdraw a submitted tenure portfolio, shall receive a one-year terminal contract for the following year. Only the candidate may withdraw a submitted tenure or promotion portfolio.
- 6.2.1 After the deadline for submission of the portfolio to the Dean's office, as stated on the PTE timeline, the information that may be added to the portfolio is limited to
- a) Recommendations by the evaluating units considering the portfolio at that time;

- b) the candidate's response to those recommendations;
- c) any materials requested by the evaluators.

6.2.2 Candidates may petition the college Dean and PTE committee to add additional materials after the deadline. The Dean and PTE committee must both agree to the addition in order for additional material to be added.

6.2.3 Any additional materials added to the portfolio must pertain to information or material already in the portfolio, such as pending publications or grant proposals.

6.3 Unsolicited individual faculty input is limited to the department level of review.

6.4 Recommendations and any other materials collected as part of the evaluation process at the department, college, and university levels must be added to the candidate's portfolio before being sent forward to the next level of review. At the time that any written materials are added to the candidate's portfolio, copies of the added material must be sent to the candidate for review. The candidate shall have 14 calendar days to respond in writing to the additional materials. Any response from the candidate to such materials must be in writing and must be included in the portfolio for review at the next level.

6.5 Allegations of misconduct discovered after the deadline for submission of the portfolio to the Dean's Office that could be detrimental to a candidate's case (e.g. academic misconduct) shall be handled through the appropriate University policy and mechanisms. In such cases, the PTE process will be suspended by the Provost (or designee). Once the allegations are resolved, the PTE process will resume, using the version of the candidate's portfolio under consideration immediately prior to the allegations. The Provost (or designee) will apprise the PTE committee of any outcomes of a misconduct inquiry or investigation that may impact the evaluation of the portfolio. Any delays in resolving misconduct allegations will not adversely affect the candidate's evaluation. If a delay exceeds 60 days, the candidate may request an altered timeline, consistent with NDSU Policy 352, Section 3.6, for consideration and approval by the Provost (or designee). Once the PTE process resumes, the candidate may update the portfolio.

6.6 Colleges and departments shall document that they have followed all procedures; e.g., by a comprehensive checklist of the steps in the PTE process. The documentation must be included in the portfolio.

6.7 The College PTE Committee and the College Dean shall separately and independently review and evaluate the candidate's portfolio without discussion or communication.

6.8 The college PTE Committee shall prepare a written report, including recommendations and an explanation of the basis for them, that shall be included in the candidate's portfolio. The report and recommendations shall be submitted to the Provost according to the PTE Timeline. A copy shall be sent to the Dean, the chair or head of the academic unit, and the candidate.

6.9 The College Dean shall also prepare a separate written report, including recommendations and an explanation of the basis for them that shall be included in the candidate's portfolio. The Dean shall forward the report and recommendations, and the portfolio of the candidate, to the Provost according to the PTE Timeline. A copy of the Dean's report shall be sent to the College PTE committee, the chair or head of the academic unit, and the candidate.

- 6.10 The Provost shall review the candidate's materials and the recommendations of the Department, College PTE Committee, and College Dean, and shall solicit input from a nonvoting advisory committee consisting of a faculty representative from each College PTE Committee, selected by the Provost with attention to diversity. The Provost shall submit a recommendation to the President in writing, including an explanation of the basis for it, by the deadline established in the PTE guidelines. Copies of the Provost's written recommendation shall be sent to the candidate, the Department Chair/Head, the College Dean, and the Department and College PTE Committees.
- 6.11 When appropriate, the President shall then make the final recommendation to the SBHE for tenure. When appropriate, the President shall notify the candidate of promotion or denial of promotion.
- 6.12 In the case of joint appointments, the primary responsibility for the review rests with the department and the college that hold the majority or plurality of the appointments. Such department or college shall solicit input from the other units holding the remainder of the appointment as appropriate to the allocation of effort. This input from other units which shall be included in the portfolio.
- 6.13 When evaluating faculty participating in interdisciplinary programs, the primary department may solicit input from the director of the interdisciplinary program as appropriate to the allocation of effort.

7. APPEALS

- 7.1. Appeals of periodic reviews are made by requesting a reconsideration by the evaluating party. If not satisfied, the faculty member may initiate the grievance process pursuant to Section 353.
- 7.2. Appeals of nonrenewal and nonpromotion decisions shall be pursuant to Policy 350.3.

8. DOCUMENT RETENTION

Electronic copies of portfolios shall be maintained by the appropriate college for the length of time specified by the university records management policy. Disposal of these documents, as well as filing of archival copies, will also conform to the university records management policy.

HISTORY:

Amended	May 13, 1974
Amended	February 10, 1975
Amended	December 12, 1988
Amended	May 14, 1990
Amended	April 1992
Amended	December 12, 1994 (Effective date July 1, 1995)
Amended	June 1997
Amended	November 2000
Amended	October 2001
Amended	October 2007
Amended	July 2008
Housekeeping	February 14, 2011
Amended	October 11, 2011
Amended	June 19, 2014
Amended	October 19, 2015

Amended	January 27, 2016
Amended	April 11, 2016
Amended	September 8, 2016
Amended	April 12, 2017
Housekeeping	April 19, 2017
Amended	March 29, 2018
Amended	February 27, 2019
Amended	June 18, 2019
Amended	September 23, 2020

XI. New Business.

1. Proposal to form an ad-hoc committee on program overlap and course duplication

Due to the increased incidence of program overlap and course duplications across campus in the proposals submitted to the University Curriculum Committee, the UCC has requested assistance with developing good practices to optimize new program and course proposals and diminish redundancies. Due to the already heavy workload, this has to be done by a specially formed ad-hoc committee on program overlap and course duplication.

The current proposal is to form such a special committee charged with developing good practices for course and program proposals, consisting of:

- Two members of the UCC
- One representative from the Registrar's Office
- One representative from the Graduate Council

MEMORANDUM

To: Faculty Senate

From: Heather Higgins-Dochtermann, Director of Equal Opportunity & Title IX Compliance

Date: September 28, 2022

Regarding: Policies 129, 151, and 156

This memo is to provide information and clarification on why changes to these policies were submitted. It has long been the expectation of all new and full-time employees that the university has required trainings that must be taken. It has always been the expectation that part of an employee's responsibility is to complete these trainings. Not taking required trainings means the employee is not fulfilling their job duties and responsibilities. Many departments took it upon themselves to proactively monitor trainings of their employees. For example, many supervisors require that an employee submit their training completion from Track Training prior to their annual review.

The proposed changes to these policies do not require additional training to be taken, rather the changes provide clarity and transparency to something that already exists. As with any employment requirement, it is best if the requirement is clearly and plainly documented. Putting this language into these policies is doing just that. It is important to see that the proposed language states an employee "may not be eligible for salary adjustments until completion of the training".

To be clear, the Equal Opportunity & Title IX Compliance Office has no role in determining eligibility for salary adjustments for any employee. That is the responsibility of each department's leadership. Our office's role is to provide the training and information on training completion for the Equal Opportunity/Title IX Compliance as well as the Supervisor Supplement: Equal Opportunity/Title IX Compliance trainings.

It should be noted that our office consulted with HR before submitting these proposed changes. Additionally, Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304. If employees do not complete required training such as this, and then NDSU is audited by a state or federal agency, the university could face serious consequences for failing to have a high rate of training compliance for campus.

I would be happy to answer any questions about this topic.

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion. Gender-inclusive language should be used in revised and new policies submitted to SCC.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to nds.scc@nds.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name:

Policy 129: Salary Administration

Effect of policy addition or change: Explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s):

Added Section 2.1.3 that delineates requirements to be eligible for salary adjustments, including completion of required trainings. This change does not require additional training, rather it holds employees accountable to take training already required.

Also updated gendered language to inclusive language.

Is this a federal or state mandate: ☐ Yes ☒ No

This policy applies to (check all that apply): ☒ Students ☒ Staff ☒ Faculty ☐ Other (please describe):

Individual/Department/Committee or Organization submitting the policy change:

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

Email address of the person who should be contacted if revisions are requested:

heather.higginsdocht@nds.edu

NDSU's Strategic Plan Inclusivity and Diversity Goal Checklist*. Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach. Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	x			
The <i>economic</i> impact on students, staff, faculty, others was considered.	x			
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	x			
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	x			
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	x			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	x			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	x			
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	x			

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

* The President's Council for Campus Wellbeing is committed to integrating a "Health in All Policies" approach when current policies are revised and new policies are developed. Why a "Health in All Policies" approach? Policies have health effects—positive and negative—on the communities and the people they affect. In fact, the World Health Organization estimates that the social, economic and environmental factors of a community influence up to 55% of a person's wellbeing. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making.

North Dakota State University

Policy Manual

SECTION 129

SALARY ADMINISTRATION POLICY

SOURCE: NDSU President
NDUS Human Resource Policy Manual, Section 5

1. Philosophy and Objectives

The primary purpose of salary administration at North Dakota State University is to attract and retain well-qualified individuals who can best contribute to the University's stated mission. Decision-makers in the salary administration process will strive to make salary decisions fairly and communicate them effectively. To provide the University with the ability to use its limited resources most effectively, salary administration aims, in priority order, to:

first, be responsive to market influences with consideration for internal equity (see Definitions portion of this policy);

second, recognize different performance levels among employees;

third, acknowledge the basic financial needs of all employees; and

fourth, take into consideration the costs of turnover (for training, research start-up and indirect as well as direct recruitment) and the adverse effects of inadequate salaries on the need for supervision, employee morale and institutional image.

2. Methods and Guidelines

NOTE: The ability to make salary adjustment decisions at the campus level depends on legislative action and State Board of Higher Education (SBHE) guidelines. In years when no campus discretion is authorized, most of the following process will not be applicable.

2.1 Salary adjustments are divided into two main categories:

- a) annual budgeted salary adjustments and
- b) other salary adjustments.

2.1.1 **Annual budgeted salary** adjustments are based on one or more of the types described in Definitions portion of this policy. **When campus-wide salary adjustments are provided by legislative and SBHE action**, the campus decision process is as follows:

- a) President's Office provides any relevant legislative or Board directives regarding salary adjustments after consultation with the NDUS office staff and the Chancellor's Cabinet.
- b) The President and Vice Presidents determine priority needs of the institution that require use of salary dollars (new positions and/or reallocations) based on

information from sources such as deans, directors, department chairs, the Office of Human Resources/Payroll, the Office of the Provost, the President of the Faculty Senate, the President of the Staff Senate, the Program Review Committee, and Planning, Priorities and Resources Committee.

- c) The President and the Vice Presidents establish guidelines, using institutionally recognized market and internal equity data and input from the campus community. They communicate the guidelines to be used in making adjustment decisions, indicating the proportion of salary dollars allocated to each type (see Definitions). These types and proportions are determined according to institutional needs and initiatives whenever campus-wide adjustments are possible.
- d) Once the types and proportions have been determined, the President and Vice Presidents allocate remaining salary adjustment pools to their respective administrative units.
- e) Unit administrators, using the guidelines established by the President and Vice Presidents, allocate the salary pools within their units.
- f) Within the units, each administrator/supervisor develops individual salary adjustment recommendations using performance documentation and other data appropriate to that year's guidelines (institutionally recognized internal equity or market studies, for example).
- g) Unit administrators review and discuss recommendations and documentation for the recommendations (performance documentation, institutionally recognized market or internal equity data) with the administrator/supervisor, adjust the recommendations and/or forward the recommendations to the appropriate vice president.
- h) Prior to recommending the final salary adjustments to the President, each Vice President will consult with the Director of Human Resources/Payroll and/or the Vice Provost for Faculty and Equity to review implications of the recommended adjustments for the campus as a whole and to advise the Vice Presidents on whether there is appropriate documentation for the adjustment, the potential impact on equity generally or whether the proposed adjustment is in compliance with policy.
- i) President presents the budget including salary adjustments to the Chancellor.
- j) Following SBHE approval of the budget, administrators/supervisors, when possible, will inform each employee of ~~their~~ salary for the coming fiscal year and the basis for the salary decision prior to the distribution of the University's annual salary notifications.

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2.1.2 Other salary adjustments job family or band reassignment adjustments (if applicable), promotions, market, internal equity and responsibility adjustments including interim appointments and significant administrative assignments (see Guidelines for Other Salary Adjustments portion of this policy.).

2.1.3 Salary adjustment eligibility requirements include successful completion of probation/evaluation period; satisfactory performance evaluations on or after the previous fiscal year start date with no documented performance concerns; compliance with NDSU Policy 100: Equal Opportunity and Non-Discrimination and NDSU Policy 162: Sexual and Gender-Based Harassment and Sexual Misconduct; and completion of

required trainings (such as Baseline Safety Training, Equal Opportunity/Title IX Training, etc.).

3. Process for Impartial Review of Salary Adjustment Decisions

Current grievance policies are available as a means to provide an impartial review of a salary adjustment decision. An employee who thinks that the decision concerning **their** salary is inappropriate may request a review by choosing one of the following options.

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3.1 The first is based on the type of appointment the individual holds:

- a) **Staff employees:** NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment.
- b) **Faculty:** NDSU Policy Manual, Section 353, Grievances - Faculty. This grievance procedure is available to instructors, assistant, associate and full professors, lecturers and graduate teaching assistants.
- c) **Nonfaculty, nonbanded employees:** NDSU Policy Manual, Section 230, Grievance Procedure for Conditions of Employment. The Staff Personnel Board described in Step 4 will consist of other nonfaculty, nonbanded employees.

3.2 The second is available to **any employee** when **their** salary decision is alleged to have been made on the basis of an employee's age, color, disability, gender expression/identity, genetic information, marital status, national origin, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer: NDSU Policy Manual, Section 156, Equal Opportunity Grievance Procedures.

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4. Distribution and Communication of the Policy

To facilitate the understanding of salary administration at NDSU, this policy will be included in the NDSU Policy Manual, the Faculty Handbook and any employee handbooks prepared by units within the University. In addition, an annual notice about this policy will be published in an appropriate spring issue of the University's staff and faculty newsletter (currently It's Happening at State).

5. Definitions

At NDSU, annual salary adjustments are based on one or more of the following:

- 5.1 **Cost of living adjustment** is an across-the-board amount related to—but not necessarily the same as—the changes in the cost of living (determined by the Consumer Price Index which reflects the changes in the cost of various consumer items during the previous 12 month period). Cost of living adjustments become part of an individual's salary base.
- 5.2 **Internal equity** is a comparison of salaries for similar positions at NDSU (or in the University System and/or State government when there is a limited basis for comparison at NDSU) based on appropriate and relevant data including these factors: **previous related experience** outside the university, a sustained change in **responsibility** that is more or less than what is considered normal for that type of position, **education**, or **responsibility level** within a group of similar positions at NDSU. Internal equity adjustments become part of an individual's base salary.

NOTE: **length of service** is relevant for internal equity ONLY in the context of performance; that is, consideration of performance should override length of service in salary decisions.

- 5.3 **Market or external equity** is the comparison of NDSU salaries with those of other employers in the applicable recruitment area based on bona fide and relevant data. While NDSU may recruit nationally to fill a position, the salary may be established by using institutionally recognized, regional data. Market or external equity adjustments become part of an individual's base salary.
- 5.4 **Performance adjustment** is one based on level of performance identified through documentation, including an established review process. Performance adjustments may be made in one of two ways:
- a) As a one-time payment when performance has been **exceptionally meritorious in the preceding year**. This type of adjustment does not become part of the salary base and is made as a single payment. The source of salary funding may dictate the availability of this option.
 - b) As a range of adjustments based on **sustained** meritorious performance. This type of adjustment becomes a part of the salary base.

6. Guidelines for Other Salary Adjustments

All staff positions are assigned to a salary band. The bands include job families with market levels for each position. (NDUS Human Resource Policy Manual 5.1)

Individual salary adjustments may be made throughout the year for the following reasons:

- 6.1 **Non-broadbanded staff.** When an employee moves from one position to another involving an increased level of responsibility, the employee may receive a salary adjustment appropriate for the new level of responsibility. The adjustment must be consistent with internal equity and market and is subject to approval of the appropriate dean/director, vice president and the President.
- 6.2 The equity adjustments for staff are normally limited to ten percent but may exceed that amount with supportive documentation (NDUS Human Resource Policy Manual 5.1.6).
- 6.2.1 **Equity adjustments.** On a case-by-case basis, significant internal inequities may arise outside the annual salary review process described in 2.1. In these unusual situations, a request for an adjustment may be initiated. Factors generally considered are directly related experience, job performance and level of responsibility. The decision to request an equity adjustment should include consultation with the Office of Human Resources/Payroll and/or the Office of the Provost, whichever is appropriate, and appropriate documentation should accompany the NDSU Change Form 101.
- 6.2.2 **Market adjustments.** A market adjustment is intended to mitigate a documented external inequity using North Dakota University System recognized market data. Market adjustments are normally limited to ten percent but may exceed that amount with supportive documentation and appropriate administrative approval. Market adjustment proposals must consider institutional internal equity.
- 6.3 **Responsibility adjustments** including interim and administrative appointments
- 6.3.1 Adjustments for substantial, documented reassignments or changes in the duties/responsibilities within the same position may be initiated after consultation with the appropriate vice president or president. Documentation should accompany the NDSU Change Form 101.
- 6.3.2 For staff employees, rationale will include changes in the level of responsibility as

documented by a Position Description; and changes in band and/or job family.

6.3.3 Adjustments for interim appointments and administrative assignments are limited to the period for which these assignments are made and do not become part of the salary base. For staff interim appointments, increases should not be given for interim periods of less than thirty days and staff employees may not retain the higher compensation level for more than thirty days after the interim period ceases to exist. (NDUS Human Resource Policy Manual 5.1.3.1).

6.4 The **attainment of a degree or license** does **not** automatically result in a salary adjustment. In some cases an adjustment for market and/or internal equity may be appropriate. Such adjustments should be recommended on the basis of the same type of documentation required for other market or internal equity adjustments.

HISTORY:

New	November 1995
Amended	November 1996
Amended	January 1997
Amended	May 1997
Amended	December 1998
Amended	July 1999
Amended	August 1999
Amended	October 2005
Amended	October 2007
Housekeeping	July 2010
Amended	October 2010
Housekeeping	February 14, 2011
Housekeeping	April 8, 2011
Amended	January 3, 2013
Housekeeping	July 17, 2013
Housekeeping	October 5, 2015
Amended	September 19, 2017

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion. Gender-inclusive language should be used in revised and new policies submitted to SCC.

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Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name:

Policy 151: Code of Conduct

Effect of policy addition or change: Explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s):

Added to Section 2 the expectation that employees complete required trainings in a timely manner, and if this is not done, employees may not be eligible for salary adjustments until completion of the training. This change does not require additional training, rather it holds employees accountable to take training already required.

Other submitted policy changes are to correct an office name and a policy name. Although these changes by themselves would be housekeeping changes, they are being submitted with the Section 2 change so corrections will be done simultaneously.

Is this a federal or state mandate: ☐ Yes ☒ No

This policy applies to (check all that apply): ☒ Students ☒ Staff ☒ Faculty ☐ Other (please describe):

Individual/Department/Committee or Organization submitting the policy change:

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

Email address of the person who should be contacted if revisions are requested:

heather.higginsdocht@ndsu.edu

NDSU’s Strategic Plan Inclusivity and Diversity Goal Checklist*. Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach. Sub- Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	x			
The <i>economic</i> impact on students, staff, faculty, others was considered.	x			
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	x			
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	x			
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	x			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	x			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	x			
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	x			

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

* The President’s Council for Campus Wellbeing is committed to integrating a “Health in All Policies” approach when current policies are revised and new policies are developed. Why a “Health in All Policies” approach? Policies have health effects—positive and negative—on the communities and the people they affect. In fact, the World Health Organization estimates that the social, economic and environmental factors of a community influence up to 55% of a person’s wellbeing. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making.

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, 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, and Sexual Misconduct, SBHE Policy 603.1, or NDSU Policy 100: Equal Opportunity and Non-Discrimination, is prohibited. NDSU Policy 156.1: Title IX Complaint Procedures governs sexual harassment which violates Title IX of the Education Amendments of 1972.

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.

Employees are expected to complete all required training in a timely manner. If employees do not complete their required training, the employee may not be eligible for a salary adjustment until the required training is completed per NDSU Policy 129: Salary Administration.

- 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

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Deleted: and Title IX

Deleted: Policy

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 target'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 Resources to assist with an informal resolution are available through the Office of the Ombuds. 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 [Equal Opportunity and Title IX Compliance](#), Office, 701.231.7708 or ndsueoaa@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.

Deleted: Equity

3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in compliance with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. 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.

4. Outside Activities and Employment.

Employees are encouraged to support the community by participating in religious, charitable, educational, and civic activities. However, employees must comply with applicable federal and state laws, as well as Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. 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.

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 48-01.2-08, 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 48-01.2-08 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.

Employees have an obligation to act in the best interests of NDSU. Employees must comply with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities.

- 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

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 Suspected violations of this policy related to fraud should be reported utilizing the NDSU [fraud 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.

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 required 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
Amended	March 5, 2020
Amended	June 9, 2020
Amended	August 14, 2020
Amended	December 14, 2020

Policy Change Cover Sheet

This form must be completed for each policy presented. All areas in **red** including the header must be filled in or it will be sent back to you for completion. Gender-inclusive language should be used in revised and new policies submitted to SCC.

*If the revisions you are requesting include housekeeping changes, please submit the housekeeping changes first. The SCC Secretary will notify you once the housekeeping changes have been made and you can submit the Policy Change Cover Sheet at that time. Please submit housekeeping changes to nds.scc@nds.edu.

Refer to the [NDSU Senate Coordinating Council process](#) for more information about housekeeping changes.

Policy Number and Name:

Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures

Effect of policy addition or change: Explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s):

Added to Section 10.4 the expectation that employees complete the required Equal Opportunity/Title IX training in a timely manner or will not be eligible for salary adjustments until completion of the training. This change does not require additional training, rather it holds employees accountable to take training already required.

Other submitted policy changes are to correct links and an office name. Although these changes by themselves would be housekeeping changes, they are being submitted with the Section 10.4 change so corrections will be done simultaneously.

Is this a federal or state mandate: ☐ Yes ☒ No

This policy applies to (check all that apply): ☒ Students ☒ Staff ☒ Faculty ☐ Other (please describe):

Individual/Department/Committee or Organization submitting the policy change:

Equal Opportunity and Title IX Compliance Office

Date Submitted to SCC Secretary: May 12, 2022

Email address of the person who should be contacted if revisions are requested:

heather.higginsdocht@ndsu.edu

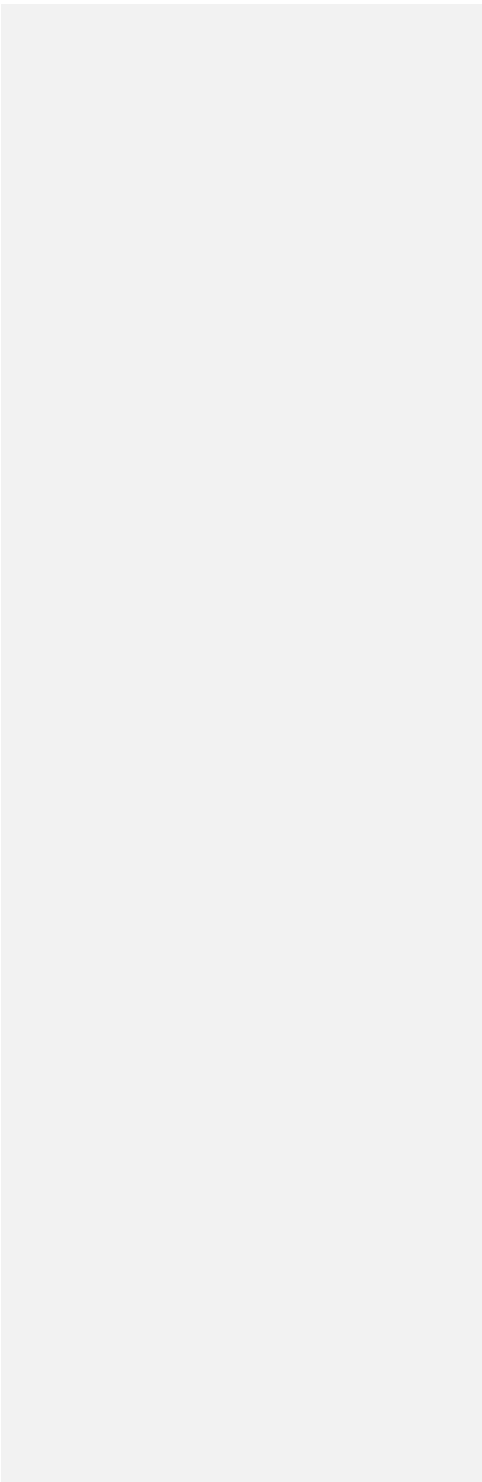
NDSU’s Strategic Plan Inclusivity and Diversity Goal Checklist*. Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach. Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection. **Please address each item in the checklist below:**

Checklist items	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	x			
The <i>economic</i> impact on students, staff, faculty, others was considered.	x			
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	x			
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	x			
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	x			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	x			EOTIX Office consulted with HR. Equal Opportunity/Title IX training is required per Title IX/Violence Against Women Act (VAWA) Section 304.
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	x			
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.	x			
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	x			

The SCC Secretary will keep record of all actions taken on this policy change request on the SCC policy tracking spreadsheet. You will be notified once the policy has been approved and updated or if further revisions are requested.

* The President’s Council for Campus Wellbeing is committed to integrating a “Health in All Policies” approach when current policies are revised and new policies are developed. Why a “Health in All Policies” approach? Policies have health effects—positive and

negative—on the communities and the people they affect. In fact, the World Health Organization estimates that the social, economic and environmental factors of a community influence up to 55% of a person's wellbeing. Health in All Policies (HiAP) is an approach that integrates health into decisions and policy-making.



North Dakota State University

Policy Manual

SECTION 156

DISCRIMINATION, HARASSMENT, AND RETALIATION COMPLAINT PROCEDURES

SOURCE: *NDSU President*

1. INTRODUCTION

- 1.1 North Dakota State University (NDSU) prohibits discrimination in its employment decisions and educational programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, status as a U.S. veteran, or participation in lawful activity off NDSU's premises during nonworking hours which is not in direct conflict with the essential business-related interests of NDSU, or other protected classes as defined by federal, state, or local law. (See [NDSU Section 100, Equal Opportunity and Non-Discrimination Policy](#)).
- 1.2 NDSU is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of its university community. Specifically, NDSU is committed to taking action to:
 - 1) Stop discrimination;
 - 2) Remedy the effects of discrimination;
 - 3) Prevent the recurrence of discrimination; and
 - 4) Educate the university community about their rights and responsibilities regarding discrimination.
- 1.3 NDSU has committed itself to the establishment and adoption of procedures to resolve complaints of discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, including complaints of harassment or retaliation. A central purpose of these complaint procedures is to provide a system at NDSU to conduct adequate, reliable, and impartial investigations of complaints of discrimination. NDSU's primary concern is to enact and implement complaint procedures that encourage reporting of discrimination and that ensure the rights of NDSU students, employees, and all other participants in its educational programs and activities are protected.

2. DEFINITIONS

- 2.1 **Discrimination** – Different or unequal treatment of an individual (or group), based on one or more of the protected classes of the individual (or group), except as where permitted or required by law, that negatively affects their education, employment, or other participation in educational programs or activities.
 - 2.1.1 Protected classes for purposes of these procedures are: age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, status as a U.S.

veteran, or participation in lawful activity off NDSU's premises during nonworking hours, which is not in direct conflict with the essential business-related interests of NDSU. (See [NDSU Section 100, Equal Opportunity and Non-Discrimination Policy](#)).

2.2 **Discrimination complaint** – A complaint alleging discrimination in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, including complaints of harassment or retaliation.

2.3 **Harassment** - A form of discrimination; unwelcome oral, written, graphic, or physical conduct, based on one or more of the protected classes (see 2.1.1) of an individual (or group), that is sufficiently severe, persistent, or pervasive so as to unreasonably interfere with their education, employment, or other participation in educational programs or activities or that creates a working, learning, or educational program or activity environment that a reasonable person would find hostile, intimidating, or abusive. Harassment may include, but is not limited to the following, when a part of conduct that meets the standard set forth above: threats, physical contact or violence, offensive jokes, insults or put-downs, slurs or name calling, vandalism/graffiti, or offensive objects or pictures. Petty slights, annoyances, and isolated incidents (unless very serious) typically do not rise to the level of harassment.

3. FILING A DISCRIMINATION COMPLAINT

3.1 Current or former NDSU students or employees, applicants for admission or employment, or any other participants in NDSU's educational programs or activities, or any group thereof, are encouraged to file a complaint if they believe they have been discriminated against in violation of NDSU's Equal Opportunity and Non-Discrimination Policy, which may include a complaint of harassment or retaliation. A complaint may be filed concerning alleged discriminatory conduct that occurred on NDSU's premises or off campus.

3.1.1 **How to file a discrimination complaint** - A discrimination complaint is initiated by completing a NDSU Discrimination/Harassment/Retaliation Complaint Form (Complaint Form) and filing it with the Equal Opportunity and Title IX Compliance Director. The Complaint Form is available online at https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_then_clicking_on_File_a_Complaint or by contacting the Equal Opportunity and Title IX Compliance Office in Old Main 201, NDSU Main Campus, Fargo, ND 58108, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office is available to assist with completing the Complaint Form as needed.

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The Equal Opportunity and Title IX Compliance Office will investigate all discrimination, harassment, retaliation, and sexual misconduct complaints involving employees utilizing the procedures set forth in this policy and will coordinate the resolution of those complaints.

The Equal Opportunity and Title IX Compliance Office may delegate discrimination, harassment, retaliation, and sexual misconduct complaints to another appropriately trained individual or office as needed if the complaint identifies an alleged violation by a student. The resolution of the complaint, including pre-hearing, hearing and appeals, will be conducted by the Dean of Students Office, in coordination with the Equal Opportunity and Title IX Compliance Office, pursuant to NDSU Policy 601. Additionally, the Equal Opportunity and Title IX Compliance Office may delegate discrimination, harassment, retaliation, and sexual misconduct complaints to Human Resources if the complaint identifies an alleged violation by a staff member.

- 3.1.2 **Deadline for filing a discrimination complaint** - NDSU encourages those who believe they have been discriminated against to file a discrimination complaint as soon as possible.
- 3.1.3 **Confidentiality cannot be guaranteed** - Depending on the nature of the discrimination complaint, NDSU will keep the complaint and its investigation confidential to the extent that it is possible. However, confidentiality cannot be guaranteed under these procedures as NDSU may have an obligation to take specific actions once aware of alleged discriminatory conduct.
- 3.1.4 **Confidential support resources** - If seeking a confidential resource, NDSU students may contact the NDSU Counseling Center at 212 Ceres Hall, NDSU Main Campus, 701-231-7671 and the Student Health Service (Wallman Wellness Center, NDSU Main Campus, 701-231-7331). The Faculty/Staff Assistance Program, as described in [NDSU Section 134](#), is a confidential resource for NDSU employees. Additionally, the Ombudsperson is a confidential resource for NDSU faculty and NDSU graduate students. The Ombudsperson may be contacted at the NDSU Main Library, Lower Level, Room 20C, 701-231-5114, or kristine.paranica@ndsu.edu.
- 3.1.5 **Anonymous reporting** - NDSU students, faculty, and staff may submit an anonymous form to report acts of bias, bigotry, or hate at NDSU. NDSU may be limited in its ability to respond to a report if it is submitted anonymously. Additionally, in very limited circumstances, NDSU may need to take action to learn the identity of an individual who submitted an anonymous report. For more information, see https://www.ndsu.edu/equity/filing_a_report_or_complaint/.

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4. RETALIATION PROHIBITED

- 4.1 NDSU encourages reporting of discrimination and will not discipline any individual (or group) who makes a good faith report of discrimination. Any individual (or group) reporting discrimination or otherwise participating in these procedures is entitled to protection from retaliation as a result of their activity under these procedures. Retaliation may include, but is not limited to, intimidation, harassment, reprisal, or other negative changes in education or employment. Anyone who believes they have been retaliated against for their participation under these procedures is encouraged to file a Complaint Form, which will be processed under these procedures as a separate matter from the originally filed discrimination complaint, if any. Anyone found responsible for retaliation will be subject to disciplinary action, up to and including termination or expulsion.

5. REMEDIAL MEASURES

- 5.1 Upon receipt of a discrimination complaint or as otherwise informed of alleged discrimination under these procedures, NDSU will, where appropriate, take reasonable steps to remedy the harm to those affected by discriminatory conduct. Remedial measures may include, but are not limited to, a no contact directive, a safety plan, residence modifications, academic modifications and support, work schedule and/or location modifications, parking modifications, referral to counseling or other health services, administrative leave, temporary suspension, or any other measure deemed appropriate by NDSU.

6. PRELIMINARY EVALUATION OF DISCRIMINATION COMPLAINT

- 6.1 **Preliminary evaluation determination** - The Equal Opportunity and Title IX Compliance Director will evaluate the discrimination complaint and decide to either: (1) pursue further action; or (2) dismiss the discrimination complaint. A discrimination complaint may be dismissed if: (1) it fails to allege any facts that suggest discrimination, harassment, or retaliation; or (2) an appropriate resolution or remedy has already been achieved. NDSU will not dismiss a complaint because it alleges discriminatory conduct that took place off campus. Rather, in the course of its investigation of the complaint, NDSU will determine whether the alleged off-campus conduct: (1) occurred within the context of an educational program or activity; and/or (2) has created or reasonably may create a hostile educational or work environment.

Unless there are extenuating circumstances, the preliminary evaluation will be completed within 3 business days of receipt of the discrimination complaint and the decision will be provided in writing to the individual (or group) who filed the complaint. If the Equal Opportunity and Title IX Compliance Director requires further information from the individual (or group) who filed the discrimination complaint before making a decision, the decision will be made within 3 business days of receipt of the additional information requested. In the case of a dismissal, the Equal Opportunity and Title IX Compliance Director may provide information or guidance regarding other avenues for support or resolution of the complaint, if appropriate and available.

If the complaint is dismissed, the Reporting Party may submit a request for reconsideration of the complaint within 3 business days of receipt of the preliminary evaluation determination. The Reporting Party may submit additional documentation or information that supplements the original complaint. This may include, but is not limited to, additional evidence or names of witnesses. Complaints resubmitted with no additional information will not be reviewed for reconsideration. Submit all reconsiderations to the Equal Opportunity and Title IX Compliance Director or by contacting the Equal Opportunity and Title IX Compliance Office in Old Main 201, NDSU Main Campus, 701-231-7708, ndsueoaa@ndsu.edu. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist the party with completing a request for reconsideration.

- 6.2 **Notice of action** – If the Equal Opportunity and Title IX Compliance Director determines that further action on a discrimination complaint is warranted, the Equal Opportunity and Title IX Compliance Office will provide written notice to the individual (or group) who filed the discrimination complaint and the individual (or group) against whom the complaint was filed (collectively, the Parties) within 3 business days of the determination made pursuant to 6.1 unless there are extenuating circumstances that delay the proposed timeline. The written notice will include, at a minimum: (1) the names of the Parties; (2) the basis for the discrimination complaint; (3) a statement that retaliation is prohibited; (4) a statement that requested responses or documentation must be provided in a timely manner; and (5) a description of the resolution process, including a copy of the relevant procedures. A modified notice of action may also be provided to an administrator, supervisor, or the Dean of Students Office who has control over the environment in which the alleged discriminatory conduct took place. The intent of the modified notice of action is to preserve confidentiality to the extent possible while also putting the administrator, supervisor, or Dean of Students Office on notice of their responsibility to monitor for retaliation or further discrimination.

7. INFORMAL RESOLUTION

7.1 **Informal resolution defined** - Informal resolution is a process in which the Parties attempt to agree upon the resolution of a discrimination complaint without a comprehensive investigatory and determination process. Unless there are extenuating circumstances, the entire informal resolution process will be completed within 30 calendar days of its initiation.

7.2 **Informal resolution is optional** - When providing the notice of action to the Parties, the **Equal Opportunity and Title IX Compliance** Office may inquire if the Parties are interested in attempting to resolve the discrimination complaint through informal resolution. The Parties will have 3 business days to individually decide if they would like to use informal resolution and should inform the Equal Opportunity and Title IX Compliance Office of their decisions in writing. The informal resolution process will only be used upon mutual agreement of the Parties. Either party may inform the Equal Opportunity and Title IX Compliance Office at any time that they want to discontinue their participation in the informal resolution process and the formal resolution process will commence. The Equal Opportunity and Title IX Compliance Director reserves the right to deny the Parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate as applied to a particular discrimination complaint.

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7.3 **Informal resolution process** - Informal resolution may involve the Equal Opportunity and Title IX Compliance Office, the Dean of Students Office, HR, administrators, supervisors, and/or external moderators working with the Parties to arrive at an appropriate and mutually agreeable resolution of the discrimination complaint. The informal resolution process will not require that the Parties meet face-to-face to resolve the discrimination complaint but may allow it, depending on the nature of the complaint and the power differential between the Parties.

7.4 **Informal resolution agreement** - If the Parties resolve the discrimination complaint through the informal resolution process, the Equal Opportunity and Title IX Compliance Office will draft an informal resolution agreement, which the Parties will sign. A signed copy of the informal resolution agreement will be provided to the Parties, as well as to any administrator, or supervisor provided with a modified notice of action as described in 6.2. There is no available appeal of a signed informal resolution agreement.

8. FORMAL RESOLUTION

8.1 **Formal resolution applicability** - The formal resolution process will commence if: (1) either party elects to use the formal resolution process instead of the informal resolution process; (2) the Parties are unable to mutually agree upon a resolution under the informal resolution process; or (3) the Equal Opportunity and Title IX Compliance Director determines the informal resolution process is inappropriate or inadequate as applied to a particular discrimination complaint.

8.2 **Comprehensive investigation** - A properly trained investigator(s) will conduct a comprehensive investigation under the formal resolution process in an adequate, reliable, and impartial manner. Unless there are extenuating circumstances, including when the Parties are unable to mutually agree upon a resolution under the informal resolution process, a comprehensive investigation will commence within 5 business days of providing the notice of action to the Parties as described in 6.2. A comprehensive investigation will include the following steps, as relevant and available:

- (1) An interview with each of the Parties;
- (2) Interviews with witnesses identified by the Parties or determined otherwise;

- (3) A review of evidence provided by the Parties or collected otherwise; and
- (4) An opportunity for the parties to submit questions of each other and/or the witnesses. Upon receipt of any such questions, the investigators will determine which questions, if any are relevant, and present them to the intended recipient for a response.

Equal opportunity will be given to the Parties to access and present evidence during the investigation. The Parties will be provided with periodic status updates throughout the course of the investigation.

- 8.3 **Investigator(s)** - A staff member(s) in the Equal Opportunity and Title IX Compliance Office may conduct the comprehensive investigation of the discrimination complaint or the Equal Opportunity and Title IX Compliance Director may delegate investigative duties to another properly trained investigator(s). Within 3 business days of notice of the identity of an investigator(s), either party may provide the Equal Opportunity and Title IX Compliance Director with a written request asking that another investigator(s) be assigned if the party believes there is a conflict of interest with the investigator(s). Where appropriate, a new investigator(s) will be assigned and the Equal Opportunity and Title IX Compliance Director will provide the Parties with written notice of the newly assigned investigator(s).
- 8.4 **Responsibilities of the Parties** – Deadlines for completing actions under these procedures will be communicated in writing to the Parties, who must make every effort to comply with the deadlines communicated to them. Timeliness is particularly important under the formal resolution process as determinations may be made based on available information if a party fails to respond in a timely manner to action requested by an investigator(s). In extenuating circumstances, an extension to a deadline may be granted by the Equal Opportunity and Title IX Compliance Director and will be communicated in writing to the Parties.
- 8.5 **Standard of proof** –In all cases, the applicable standard of proof for determining responsibility for an alleged violation is “preponderance of the evidence” – meaning, in order for an individual (or group) against whom a discrimination complaint was filed to be held responsible for discrimination, it must be determined that it is *more likely than not* that the individual (or group) violated NDSU’s Equal Opportunity and Non-Discrimination Policy, which may include harassment or retaliation.

In cases involving an alleged violation by an employee, the determination of responsibility shall be made by the investigator(s).

In cases involving an alleged violation by a student, the determination of responsibility shall be made by the Hearing Officer, consistent with the procedures detailed in NDSU Policy 601.

- 8.6 **Preliminary investigative report** – After an investigator(s) has finished the comprehensive investigation of a discrimination complaint, the investigator(s) will draft a preliminary investigative report.

For complaints involving an alleged violation by a student, the report shall include the findings of the investigation along with a recommendation for dismissal of the complaint or a recommendation of pursuing action. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue action; if such reasonable cause is not present, the complaint shall be dismissed. Reasonable cause is a lower standard than preponderance of the evidence, and shall mean that there are just or legitimate grounds to believe that a violation has occurred.

For all other complaints, the report shall include the findings of the investigation along with a determination whether the individual (or group) against whom the discrimination complaint was filed is responsible for discrimination, including harassment or retaliation.

The report will also include, at a minimum, a summary of the relevant information gathered during interviews and otherwise that informed the preliminary investigation. Unless there are extenuating circumstances, the report will be drafted within 90 calendar days or a reasonable amount of time after initiation of the comprehensive investigation. If the report is not completed within 90 days, the Investigator will notify Parties and communicate the reason for the delay. The report will be provided to the Parties and, if applicable, a Review Committee as determined by the Equal Opportunity and Title IX Compliance Office (see 8.7). The Parties will have 5 business days from receipt of the report to respond to the preliminary investigative report and/or any information found in the report in writing. Parties may request an extension, which may or may not be granted. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist a party with putting its response in writing.

8.7 Review Committee – A Review Committee, at the discretion of the Equal Opportunity and Title IX Compliance Office, may be utilized to provide feedback on the preliminary investigative report. Unless there are extenuating circumstances, a Review Committee will meet within 10 calendar days of issuance of the preliminary investigative report in order to finalize the investigative report. The Review Committee will be comprised of no fewer than 3 properly trained NDSU faculty or staff members that do not have a conflict of interest with the Parties. If a party believes there is a conflict of interest with a member(s) of the Review Committee, the party should follow the procedures and deadline established in 8.3 to dispute the member(s). Prior to meeting, Review Committee members will review the preliminary investigative report and any written response to the report made by the Parties. The Review Committee may ask the investigator(s) who issued the preliminary investigative report to be available during their meeting in order to answer questions related to the investigation and to provide access to documentation in the investigative file as needed. In limited circumstances, the Review Committee may request that the investigator(s) gather additional information if the committee decides it cannot make a recommendation without the additional information. In that case, each party will be provided with the additional information gathered and will have the opportunity to respond to it in writing.

8.8 Final investigative report – Upon completion of any feedback provided by a Review Committee, the preliminary investigation report will become the final investigative report. For complaints involving an alleged violation by a student, the final report shall be provided to the Dean of Students Office along with a recommendation for dismissal of the complaint or a recommendation of pursuing action. If there is reasonable cause to believe that a violation has occurred, the recommendation shall be to pursue action; if such reasonable cause is not present, the complaint shall be dismissed.

The final investigative report for employees will include recommended disciplinary action, if any, in addition to a finding as to whether, discriminatory conduct, including harassment or retaliation, occurred. The final investigative report as well as notice of the right to appeal for employees as afforded in 8.12, will be provided in writing to the Parties.

8.9 Disciplinary action for discriminatory conduct – NDSU does not tolerate discrimination, including harassment or retaliation, and will take appropriate disciplinary action against anyone found responsible for discrimination. Students found responsible for discrimination

under the procedures in Rights and Responsibilities of Community: A Code of Student Conduct (Section 601) will be subject to disciplinary action, up to and including expulsion. Employees found responsible for discrimination under these procedures will be subject to disciplinary action, up to and including termination. The disciplinary action recommended by the Review Committee will depend on the severity of the discriminatory conduct and whether the individual (or group) was previously found responsible for discrimination.

- 8.10 **Imposition of disciplinary action** – If neither party exercises the right to appeal as afforded in 8.12, the Equal Opportunity and Title IX Compliance Director will either: (1) notify any administrator or supervisor provided with a modified notice of action as described in 6.2 that the matter has been resolved without recommended disciplinary action; or (2) provide the final investigative report to the appropriate administrator, supervisor, whether previously provided a modified notice of action as described in 6.2 or otherwise, and consult with the administrator or supervisor regarding imposition of the recommended disciplinary action. If either party exercises the right to appeal, (1) or (2) will be conducted by the Equal Opportunity and Title IX Compliance Director once the appeal process has concluded.

Disciplinary action will be imposed for employees by the appropriate administrator or supervisor on behalf of NDSU. If the administrator or supervisor disagrees with the recommended disciplinary action, the administrator or supervisor must provide a basis for disagreement in writing to the Equal Opportunity and Title IX Compliance Director within 3 business days of receipt of the final investigative report.

- 8.11 **Conclusion of formal resolution** – The formal resolution process shall be carried out using reasonably prompt time frames and without deliberate indifference pursuant to these Procedures and any applicable NDSU policies.

- 8.12 **Appeal of investigative report** – Within 5 business days of receipt of the investigative report either party may appeal the report by completing a NDSU Discrimination Appeal Form (Appeal Form) and filing it with the Equal Opportunity and Title IX Compliance Director. The Appeal Form is available online at [https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_clicking_on_Discrimination/Harassment/Retaliation/Sexual Misconduct Appeal Form](https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_clicking_on_Discrimination/Harassment/Retaliation/Sexual_Misconduct_Appeal_Form) or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Appeal Form can be submitted via email at ndsu.eoaa@ndsu.edu or by bringing it to the Equal Opportunity and Title IX Compliance Office. As needed, the Equal Opportunity and Title IX Compliance Office is available to facilitate finding a resource to assist a party with completing the Appeal Form.

The grounds upon which a party can request an appeal are: (1) the recommended disciplinary action is substantially disproportionate to the findings; (2) procedural error led to an improper investigative report; and/or (3) new evidence that was previously unavailable should be considered as it could have had a significant impact on the investigative report. If an appeal is granted by the Equal Opportunity and Title IX Compliance Director under (3), the Equal Opportunity and Title IX Compliance Director will require that the Review Committee meet again to determine if the investigative report should be altered in light of the new evidence. The party who did not provide the new evidence will have the opportunity to respond to the evidence in writing. If the investigative report is altered under (3), the Parties will be afforded the opportunity to appeal again under (1) and/or (2) within 5 business days of receipt of the altered investigative report. If an appeal is granted under (1) or (2), the Equal Opportunity and Title IX Compliance Director will evaluate the investigative report in an impartial manner in light of the information found in the Appeal Form and will alter or

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reaffirm the investigative report accordingly. Unless there are extenuating circumstances, the appeal process will be completed within 10 business days of submission of the Appeal Form and the results will be provided in writing to the Parties. In cases in which there is a conflict of interest, such as when the grounds for appeal involve action taken by the Equal Opportunity and Title IX Compliance Director, the Vice Provost for Faculty Affairs and Equity will conduct the appeal process.

9. INTERSECTION WITH OTHER RELEVANT NDSU POLICIES

- 9.1 The procedures described above do not eliminate the rights of a party to participate subsequently in pre-disciplinary action review and/or an appeal as afforded elsewhere under NDSU policy. Furthermore, for purposes of these procedures, an appeal process available to the individual (or group) against whom a discrimination complaint was filed must be available to the individual (or group) who filed the discrimination complaint.
- 9.2 **Nonbanded, nonacademic staff** – The applicable policy for nonbanded, nonacademic staff regarding subsequent pre-disciplinary action review and/or an appeal is NDSU [Section 183, Nonrenewal and Dismissal of Nonbanded, Nonacademic Staff](#).
- 9.3 **Regular staff employees** – The applicable policies for regular staff employees regarding subsequent pre-disciplinary action review and/or an appeal are NDSU [Section 220, Staff Job Discipline/Dismissal](#) and NDSU [Section 231, Appeal Procedure for Disciplinary and Reduction in Force Actions](#).
- 9.4 **Faculty** – The applicable policies for faculty regarding subsequent pre-disciplinary action review and/or an appeal are NDSU [Section 350.3, Board Regulations on Nonrenewal, Termination or Dismissal of Faculty](#) and NDSU [Section 350.4, Board Regulations on Hearings and Appeals](#).

10. NOTICE OF MANDATORY REPORTING RESPONSIBILITIES AND TRAINING

- 10.1 It is the responsibility of the entire university community to foster a safe and non-discriminatory learning, living, and working environment. NDSU employees have specific responsibilities when they observe discrimination or receive a report of discrimination. NDSU employees must not dissuade an individual (or group) from providing them with a report of discrimination but should inform the individual (or group) of their mandatory reporting responsibilities as described below.
 - 10.1.1 **Observance of discrimination** – All NDSU employees who observe discrimination, including harassment or retaliation, must document the discrimination and contact the Equal Opportunity and Title IX Compliance Office in accordance with 10.2.
 - 10.1.2 **Report of discrimination** – All NDSU employees who receive a report of discrimination *involving a student*, including harassment or retaliation, must document the report and contact the Equal Opportunity and Title IX Compliance Office in accordance with 10.2. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination *involving employees*, including harassment or retaliation, must document the report and contact the Equal Opportunity and Title IX Compliance Office in accordance with 10.2. The provisions of 10.1.2 do not apply to confidential support resources providing services as described in 3.1.4.

10.2 To comply with 10.1.1 or 10.1.2, NDSU employees must promptly complete and submit an NDSU Discrimination/Harassment/Retaliation Report Form (Report Form) to the Equal Opportunity and Title IX Compliance Director. The Report Form is available online at [https://www.ndsu.edu/equity/filing_a_report_or_complaint/ and clicking on File a Report](https://www.ndsu.edu/equity/filing_a_report_or_complaint/and_clicking_on_File_a_Report) or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office can assist with completing the Report Form as needed. The Equal Opportunity and Title IX Compliance Office is the official university record holder for documentation under these procedures.

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10.3 Upon receipt of a Report Form, NDSU will initiate its discrimination complaint procedures.

10.4 **Mandatory training** - All new NDSU employees must complete in-person equal opportunity and non-discrimination training within 60 days of their employment start date. Additionally, all fulltime employees must complete in-person equal opportunity and non-discrimination training every three years. In addition to mandatory training, employees are encouraged to contact the Equal Opportunity and Title IX Compliance Office with any questions they may have related to equal opportunity and non-discrimination at NDSU, including inquiries regarding their responsibilities as mandatory reporters. [If a new or fulltime employee does not complete this required training, the employee will not be eligible for salary adjustments until this required training is completed per NDSU Policy 129: Salary Administration. Training compliance is tracked by the Equal Opportunity and Title IX Compliance Office. For questions regarding training compliance, please call 701-231-7088 or email \[ndsu.eoaa@ndsu.edu\]\(mailto:ndsu.eoaa@ndsu.edu\).](#)

11. DISCRETIONARY INVESTIGATION

11.1 The Equal Opportunity and Title IX Compliance Office reserves the right to initiate an investigation under these procedures at its discretion in the absence of a discrimination complaint or report of discrimination in order to fulfill NDSU's commitment to taking action to stop discrimination, remedy its effects, and prevent its recurrence.

12. FILING WITH AN EXTERNAL AGENCY

12.1 An individual (or group) also has the right to file a discrimination complaint with one or more of the following external agencies. Please note that these agencies have their own deadlines for filing a discrimination complaint. Please contact the agencies directly for more information about applicable deadlines.

National Science Foundation (NSF)
Phone: 703-292-8020
TTD: 800-281-8749
programcomplaints@nsf.gov
https://nsf.gov/pubs/policydocs/pappg20_1/pappg_11.jsp#XIA

National Institutes of Health (NIH)
Phone: 301-480-6701
TTY: 301-402-9612
granteeharassment@nih.gov
<https://grants.nih.gov/grants/policy/harassment/actions-oversight/allegation-process.htm>
North Dakota Department of Labor and Human Rights
Phone: 1-800-582-8032
TTY: 1-800-366-6888

humanrights@nd.gov
www.nd.gov/labor

U.S. Department of Education
Office for Civil Rights
Phone: 1-800-421-3481
TDD: 1-800-877-8339
OCR@ed.gov
www2.ed.gov/ocr

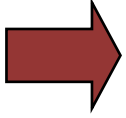
U.S. Equal Employment Opportunity Commission
Phone: 1-800-669-4000
TTY: 1-800-669-6820
info@eeoc.gov
www.eeoc.gov

HISTORY:

New	December 20, 1977
Amended	September 1993
Amended	January 1996
Amended	June 2000
Amended	October 2007
Housekeeping	September 2009
Amended	March 16, 2010
Housekeeping	February 14, 2011
Amended	April 25, 2016
Housekeeping	May 20, 2016
Amended	August 22, 2017
Housekeeping	February 6, 2019
Amended	March 15, 2021
Amended	March 29, 2022

Policy Change Cover Sheet

This form must be attached to each policy presented. All areas in **red**, including the header, must be completed; if not, it will be sent back to you for completion.



If the changes you are requesting include housekeeping, please submit those changes to ndsuscc@ndsuscc.edu first so that a clean policy can be presented to the committees.

SECTION: **Policy Number and Name:** 333: Class Attendance Policy

1. This policy change was originated by (individual, office or committee/organization):

- **Office/Department/Name and the date submitted:**
Faculty Affairs Committee (on behalf of Dean of Students Office)
- **Email address of the person who should be contacted with revisions:** jeffrey.s.johnson@ndsuscc.edu

2. Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).

- **Is this a federal or state mandate?** Yes ☒ No
- **This policy applies to (check all that apply):** ☒ Students ☐ Staff ☒ Faculty ☐ Other (please describe):
- **Describe change:** Revisions meant to clarify the process for instructors and faculty, particularly in terms of required documentation (should not be required for medical, bereavement or crisis). Makes clear that the Dean of Students Office is ready to assist instructors or students in navigating excused and unexcused absences.
- **Changes from legal incorporated on 8/8/2022.**

NDSU's Strategic Plan Goal: Create and maintain an open and collegial environment to promote inclusivity and diversity as a cornerstone of education, research, and outreach.

Sub-Goal: Design and implement additional programming, curriculum, outreach opportunities, and **policies** that uphold inclusivity, diversity, respect, and connection.

Address each item in the checklist--	Yes	No	N/A	Comments
The <i>social</i> impact on students, staff, faculty, others was considered (e.g. encourages a positive sense of community through an ethic of care, compassion, collaboration and/or belonging).	X			<p>The policy encourages compassion and flexibility for students to engage with their community (sanctioned university events) and provides flexibility for students experiencing illness or other crisis events while allowing instructors to maintain academic standards.</p> <p>Revisions address importance of communication between students and instructors/faculty. Encourages planning for students (when applicable) and flexibility by instructors/faculty when students present with illnesses, emergencies, etc.</p>
The <i>economic</i> impact on students, staff, faculty, others was considered.	X			Students should not be seeking medical attention and potentially acquiring financial burden (i.e. co-pays, medical bills, etc.) for common illnesses that are best cared for by rest and self-care at home.
The <i>physical health</i> impact on students, staff, faculty, others was considered (e.g. facilitates healthy lifestyle choices, meeting of basic human needs, and/or a safe physical environment).	X			Clarity about absences could reduce the number of students who come to class with contagious illnesses, such as sore throats, cold symptoms, or mild gastrointestinal illness, thus reducing unnecessary spread and exposure.
The <i>mental health</i> impact on students, staff, faculty, others was considered (e.g. supports skills and habits to manage stress, strengthen resilience, reduce substance abuse, and promote help seeking).	X			Clarity about absence policies could reduce stress on students and increase their participation in university sanctioned events thus supporting their overall mental health.
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Members of the PCCW Executive Committee, Dean of Students Office, Vice Provost for Faculty and Equity and the Faculty Affairs Committee provided input on the suggested edits.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			<p>Members of the PCCW Executive Committee, Dean of Students Office, Vice Provost for Faculty and Equity and the Faculty Affairs Committee provided input on the suggested edits.</p> <p>Example policies at other campuses were reviewed and is consistent with the American College Health Association.</p>
This policy contributes to creating an environment that is safe and conducive to	X			Clarity about absences could reduce the number of students who come to class with contagious illnesses, such as sore throats, cold symptoms, or mild

living, learning, working, and recreation.				<p>gastrointestinal illness, thus reducing unnecessary spread and exposure.</p> <p>The proposed policy change acknowledges that students may need to be absent for a variety of reasons that contribute to their own health or the continued health of the overall campus.</p>
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.		X		
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			Policy offers support of the Dean of Students Office

North Dakota State University

Policy Manual

SECTION 333

CLASS ATTENDANCE POLICY

SOURCE: NDSU Faculty Senate Policy

1. ATTENDANCE

Attendance in classes is expected and important. (The term “class” includes class, online class, laboratory, field trips, group exercises, or other activities.) However, there are instances in which students are unable to attend class and in which those absences must be excused (“Excused Absences”). Specifically, Excused Absences are those identified Additional information on excused absences is provided in section 4 below. These instances are described in the following sections. All absences not covered by section 4this policy (e.g. hospitalization, long term illness, bereavement) are excusable at the discretion of the instructor. and instructors are encouraged to contact the Dean of Students Office if they are uncertain how to proceed in these instances. Requiring documentation is not allowed in most instances due to privacy, legal, and personal health considerations. If an instructor believes verification is necessary and/or to address unexcused absences (e.g., hospitalization, long term illness, bereavement, excessive tardiness/absences, childcare responsibilities, etc.)prolonged absences, they are encouraged to contact the Dean of Students Office. While documentation may be required in some instances, documentation will not generally be required in order to account for common illnesses that are best cared for by rest and self-care.

Class attendance policies may not have discriminatory effect (intentional or unintentional) on members of a protected class (see [NDSU Policy 100](#)).

~~Students and instructors should note that the Error! Hyperlink reference not valid.does not provide students with excuses for class absences or tardiness due to illness or injury.~~

Students are expected to notify their instructor about absences. When a student is unable to communicate about an absence due to an emergency or crisis, a family member may notify the Dean of Students Office who will then provide notification to instructors.

2. INSTRUCTOR RESPONSIBILITY

- a. Each syllabus must contain ~~Students must be clearly informed on the first day of class in writing in the syllabus~~ (1) ~~the of class~~ policy regarding class absences ~~(requiring documentation is not allowed in most instances)including if supporting documentation is required~~; and
- (2) ~~the of class~~ policy for making up missed coursework in the class. It is recognized that sometimes an assignment is impossible to make-up.

b. Excused students must be given an opportunity to address any missed coursework in a reasonable amount of time.

c. If an instructor is uncertain of how to respond to or assist students, they are welcomed to contact the Dean of Students Office.

3. STUDENT RESPONSIBILITIES AND RECOURSE

Students who anticipate excusable absences shall notify the instructor as soon ~~as possible~~ as possible as information about the absence is known, preferably by the third week of class. In the case of unanticipated ~~excusable absences or~~ events, the student needs to contact the instructor as soon as possible. Students have the responsibility to ~~visit~~ communicate with the instructor if ~~exams or assignments graded work are~~ is scheduled during times where absences are required.

~~Unless covered by another policy, students who feel that they are being treated unfairly through class policies may file a grievance or complaint through the Provost's Office by following directions at~~ If a student needs assistance navigating a class absence with their instructor, they are encouraged to contact the Dean of Students Office or complete a "Concern or Complaint" form at https://cm.maxient.com/reportingform.php?NorthDakotaStateUniv&layout_id=2.

4. Excused Absences

4.1 UNIVERSITY SANCTIONED EVENTS

North Dakota State University values and supports the required participation of students in university-sanctioned activities. A university sanctioned event or activity shall be as defined by the Congress of Student Organizations as Tier 1 or Tier 2. Sanctioned activities also include mandatory participation as a student athlete in NCAA-sanctioned competition, performing arts outreach, exhibitions, competitions, academic meetings, and conferences.

4. 4.2 PREGNANT STUDENTS

Absences due to pregnancy or related conditions, including recovery from childbirth, shall be excused for as long as the student's health care provider deems the absences medically necessary. When the student returns to class the student must be provided the opportunity to make up any work missed. Alternatives include allowing the student to take an incomplete and complete the course at a later date, or retaking the course or taking an online course. ~~Further, recognizing the need for flexibility when unexpected or emergency childcare responsibilities (e.g. ill child, ill childcare provider, lack of routine care) impact a student, instructors are encouraged to accommodate students with childcare responsibilities. If an instructor believes verification is necessary, they are encouraged to contact the Dean of Students Office.~~

5. 4.3 RELIGIOUS ACCOMMODATIONS

Religious observances may require absence from a class session and other required class activities. A student who is to be excused from class for a religious observance is not required to provide a second party certification of the reason for the absence. A list of common religious holidays and events is available through the Office of Multicultural Programs.

6. ~~OTHER EXCUSED ABSENCES~~

~~a.~~ 4.4 Legally mandated absences such as jury duty or court subpoena.

~~b.~~ 4.5 Absences due to military duty or veteran status, including service-related medical appointments, where failure to appear might result in a loss of benefits.

HISTORY:

New	May 20, 1970
Amended	December 12, 1977
Amended	April 1992
Amended	October 2004
Amended	June 2007
Housekeeping	February 14, 2011
Amended	January 28, 2014
Amended	April 24, 2014
Amended	August 20, 2018