



FACULTY SENATE

Meeting Agenda

October 14, 2024

- I. Call to Order.
- II. Adoption of the Agenda.
- III. Approval of Meeting Minutes from September 9, 2024.
- IV. Announcements.
 - 1. Kathryn Kloby, Vice President for Communication and Marketing
 - 2. Lisa Montplaisir, Faculty Senate President
 - 3. Warren Christensen, Faculty Senate Past-President
 - 4. Christina Weber, Faculty Senate President-Elect
 - 5. Kay Hopkins, President of Staff Senate
 - 6. Garrett Kuhn or Christopher Dick, President/VP of Student Government
- V. Consent Agenda.
 - 1. UCC Report (pending)
 - 2. Policy 152.3 - Foreign Talent Recruitment Programs
- VI. Special Order
 - 1. Setting Faculty Senate Priorities
 - i. Recruitment and Retention of Faculty
 - ii. Shared Governance
 - iii. Recruitment and Retention of Students
 - iv. Faculty Senate Bylaws Revisions and Procedures
 - v. Well-being of Students, Staff, and Faculty
 - vi. Legislative Update Committee
- VII. General Order.
 - 1. Policy 352 - Promotion, Tenure, and Evaluation.
- VIII. Adjournment.

*Policy 352 is in response to changes from SBHE after our policy was approved last spring at FS. The changes reflect the discussion of the Open Forum held August 20th. The Colleges are awaiting the final approval of FS so they can submit their college and unit plans by Dec 1.

Meeting Agenda

September 9, 2024

- I. Call to Order.
 - Meeting called to order at 3:00 Pm
- II. Attendance (See Appendix 1)
 - Substitutions: No Substitutions
- III. Adoption of the Agenda.
 - Motion to adopt (Secor/Boonstoppel)
 - i. Boonstoppel removes Policy 607 from Consent
 - ii. Hearne motions to remove Policy 153 from Consent
 - iii. Remove UCC report entirely
 - Motion passes unanimously
- IV. Approval of Meeting Minutes from May 6, 2024.
 - No corrections or changes
 - Approved with unanimous consent
- V. Announcements.
 - David Cook, President
 - i. Thanks for great start of the semester, feels like we are off to a great start
 - ii. Grateful for FS President and Student Body president for their hard work already
 - iii. Legislature season, been meeting legislators all summer and will continue to have meetings. Big year for legislative items and will continue to work to advocate for NDSU.
 - David Bertolini, Provost
 - i. No Announcements
 - Staff Senate President – Kate Hopkins
 - i. Introduced herself and Staff Senate event
 - a. Goods for the Herds
 - b. Parade Float
 - Study Body President – Garret Koon
 - i. Introduced himself, working on Shared Governance
 - ii. Email Policy setup and sent out
 - iii. Looking forward to Homecoming
 - Lisa Montplaisir, Faculty Senate President
 - i. Weekly emails will continue and include FS items and items from the other Committees Lisa sits on.
 - ii. FSEC – discussed legislative session and the potential of ad hoc committees for writing up summaries for pertinent policies

- Warren Christensen, Faculty Senate Past-President
 - i. Thanks everyone for coming and gratitude for no longer being President
 - ii. Thanks to new senators for stepping up
 - iii. Ask any questions you may have
 - Christina Weber, Faculty Senate President-Elect
 - i. No announcements, just welcome back
- VI. Committee and Other Reports.
- No committee reports
- VII. Consent Agenda.
- Motion to approve (Benton/Hearne)
 - Approved by unanimous consent
 - UCC Report (pending)
 - Confirmation of Dr. Matt Smith as Faculty Senate Secretary
 - Policy 133.1 Tuition Waiver – Spouse/Partner and Dependents
 - Policy 153 Smoke-Free Facilities
 - i. Moved to end of New Business
 - Policy 607 Admission & Re-Enrollment Safety Risks; Background Checks
 - i. Moved to end of New Business
 - Policy 823 Financial Conflict of Interest – PHS, NSF, and Others
- VIII. New Business.
- Policy 361 Emeritus/Emerita Titles
 - i. Motion to approve (Christensen/Boonstoppel)
 - a. Hearne – would like a clarification on if Emeritus have access to software they need to do certain tasks even though they have email access
 - b. Li – Item S, eligible to serve on PTE committee, believes it violates NDUS/Higher Ed policy
 - c. Hearne – Can imagine case where # of faculty in a department would need emeritus member for PTE
 - d. Li - Case where there was enough faculty but Emeritus still serves
 - e. Peters – Seems like policy strips out all benefits of retirement
 - ii. Jeff Johnson – largely correct, few years process, each stage has had things flagged, President’s office stripped out anything that had a monetary value. Department and College have discretion to decide on PTE placement. Software support question from Hearne – anything that has monetary value, it may be issue; but not sure it would make it past the other stages. He was not sure about institutional access subscriptions or how it would fare at the administrative level
 - iii. Weber - Microsoft is no longer paid for Emeritus
 - iv. Hopkins – state level decision but department can choose to pay

- v. Greives – reads like they cannot serve on graduate committees or on grants unless currently employed. Does that supersede Grad School policy (affiliate status)?
 - vi. Johnson – That item was the last removed, unclear how it would be resolved but might be that a legal affiliation with NDSU be needed.
 - vii. Point Solutions Vote – Q1: (9% abstain, 55% Nay, 36% Aye)
 - a. Motion does not carry
- Policy 322 Equitable and Transparent Faculty Workloads
 - i. Motion to approve Boonstoppel/Greives
 - ii. Gillam – Presented slides about 322 (Appendix 3), part of a fellowship in Provost's office. Gave background on Policy and why it is needed.
 - a. Best practices
 - b. Pressure from external entities, we are only institution that does not have it clearly defined – therefore overloads not allowed
 - c. Purpose is to have departments make unit specific workload policies. Provide baseline to allow overloads to be possible
 - d. Policy returned to Provost office in November 2023
 - e. Reviewed revision history/timeline
 - iii. Steig – asked for clarification as it includes all faculty. Section 5 & 6 only references TT faculty.
 - iv. Friendly amendment to strict Tenure- line from section 5 & 6
 - a. Motion (Stieg/Boonstoppel)
 - v. Li – asked about Adjunct faculty
 - vi. Voice vote – passes unanimously
 - vii. Rao – credit map is decided by the unit? How will this policy have momentum to move through Departments?
 - viii. Gillam – Departments should develop own and then send it up levels for approval, all policy does is force the start of the process
 - ix. McWood - Item 11 – Course Buyouts questions, where cost came from and why is it more than some departments require
 - x. Templeton – Relationship to #2 – transparency among academic units, who can view the plans, who determines that? What is the communication among units?
 - xi. Gillam – responded that this is not defined in the Policy, but might be determined later.
 - xii. Montplaisir - These pieces need to be in place as written policy and is connected to PTR process
 - xiii. Hearne - #5 – administrators may deny minimum credit loads below 12 credits
 - xiv. Gillam – College of Ag was considered and there are statements in policy to account for variation in that college
 - xv. Uppala – asked about other units and what they are doing
 - a. Asked about potential faculty shortage in a department, can workload be edited to accommodate.

- xvi. Gillam – designed to provide units flexibility
- xvii. Sun – Asked about high graduate student count, would that bypass teaching didactic credits
- xviii. Montplaisir – unit level decision
- xix. Steig – Moved to amend Item #11 – to remove sentence defining cost of buyout
 - a. Seconded by Greives/Benton
 - b. Steig – should be department level decision
 - c. Vote: 1 Nay (Hearne) all other Yay, motion carries
- xx. Conwell – wonders about approval by administration piece and how that might affect things in the future
- xxi. Gillam – This policy falls within realm of those that should require multiple levels of approval, not just at the Department level. Provides Check and Balances in addition to alignment across college and university policy
- xxii. Montplaisir – its not exception, PTE policies have to have upper approval, selection of Chair/head needs higher approval
- xxiii. Conwell – suggests adding policy about changes to this policy
- xxiv. Motion by Conwell – Section 3 – Had changes to plans to text
 - a. “and changes to those plans”
 - b. “All academic workload assignment plans and changes to those plans must be approved by the unit faculty....”
 - c. McWood second
 - d. Boonstoppel – for clarity, Section 3 may apply to contracts; so, change word Plans to Policy
 - e. Hearne – asked for clarification on change
 - f. motion carries unanimously
- xxv. Back to discussion on policy as amended
- xxvi. Hearne – asked for slides to be accessible so that clarification can be given to units
- xxvii. Del Rio Mendoza – question about credits in academic year, what happens when faculty fall short of those 12 credits?
- xxviii. Montplaisir – unit level conversation about expectations
- xxix. Christensen – speaks in favor of policy and being able to clearly define equitable workload
- xxx. Li – Consistency of language, already removed
- xxxi. Point Solutions: Q2 (33 Ayes, 1 Nays, 1 Abstain)
- xxxii. Motion passes
- Revision of Faculty Senate Bylaws
 - i. Motion to open bylaws (Haug/Boonstoppel)
 - ii. Haug – rationale is that current bylaws are not aligned with State Board
 - iii. Christensen – clarifies what this motion does, just allows for bylaws to now be edited for approval later on
 - iv. Point Solutions: Q3 (Unanimous – 35 Ayes)

- Policy 607
 - i. Motion to Postpone until November (Boonstoppel/Greives)
 - ii. Voice Vote: Passes Unanimously
- Policy 153
 - i. Motion to approve (McWood/Conwell)
 - ii. Hearne – seems policy as stated is against nicotine patches, seems like it is an enforcement issue.
 - iii. Travers – carrying e-cigs may be an enforcement issue
 - iv. Steig – definition of tobacco nicotine product should clarify that patches and other things are allowed
 - v. Point Solutions Q4: (31 Ayes, 1 Nays, 2 Abstain)
 - a. Motion Carries

IX. Adjournment.

- Motion to adjourn (Benton/Hearne)
-

2024-2025 Faculty Senate Attendance

Last Name	First Name	9-Sep	14-Oct	18-Nov	9-Dec	21-Jan	10-Feb	17-Mar	14-Apr	12-May
Akhmedov	Azer									
Amiri	Ali	X								
Banerjee	Samiran	X								
Benton	Bradley	X								
Bhagavathula	Akshaya									
Boonstoppel	Sarah	X								
Butcher	Kirsten	X								
Chen	Jun (Jeffrey)	X								
Christensen	Warren	X								
Conwell	Erin	X								
David	Shannon	X								
Del Rio Mendoza	Luis	X								
Emanuelson	Pamela	X								
Greives	Timothy	X								
Haug	Karla	X								
Hearne	Robert	X								
Jeong	Inbae	X								
Katti	Dinesh									
Keller	Stephanie									
Kirkpatrick	Sarah	X								
Kryjevskiaia	Mila	X								
Li	Jin	X								
Magel	Ken	X								
Mataic	Dane	X								
Mathew	Febina	X								
Mathew	Sijo	X								
McWood	Leanna	X								
Monono	Ewumbua	X								
Montplaisir	Lisa	X								
Nelson	Kjersten	X								
Parson	Laura	X								
Peters	Tom	X								
Rao	Jiajia	X								
Ray	Chris	X								
Secor	Gary	X								
Smith	Matthew	X								
Steig	Jayme	X								
Sun	Xin (Rex)	X								
Tangen	Jodi	X								
Templeton	Karisa	X								
Travers	Steve	X								
Uppala	Vishal	X								
Vanderburg	Kyle	X								

Vold	Jessica	X								
Weber	Christina									
Wu	Xiangfa									

*indicates Alternate
X = Present

44 voting senators
P = Proxy

Quorum = 26.4 (27 senators must be present)

Results Detail

Session Name
September FS Meeting

Date Created
Monday, September 9, 2024
7:51:50 PM

Active Participants Total Participants
36 44

Average Score Question Count
- 4

Participant	Email	Score	Percentage	Q1	Q2	Q3	Q4
Answer Key							
Samiran Banerjee	samiran.banerjee@nds	-	-	A	A	A	C
Bradley Benton	bradley.benton@nds	-	-	B	A	A	A
Sarah Boonstoppel	sarah.boonstoppel@nds	-	-	B	A	A	B
Jun Chen	jun.chen1@nds	-	-	-	A	A	A
Erin Conwell	erin.conwell@nds	-	-	B	A	A	A
Shannon David	shannon.david@nds	-	-	B	A	A	A
Luis Del Rio Mendoza	luis.delriomendoza@nds	-	-	B	A	A	A
Pamela Emanuelson	pamela.emmanuelson@nds	-	-	C	A	A	A
Tim Greives	timothy.greives@nds	-	-	B	A	A	A
Karla Haug	karla.haug@nds	-	-	A	A	A	A
Robert Hearne	robert.hearne@nds	-	-	B	A	A	A
Inbae Jeong	inbae.jeong@nds	-	-	B	A	A	A
Sarah Kirkpatrick	sarah.kirkpatrick@nds	-	-	-	A	A	A
Mila Kryjevskaja	mila.kryjevskaja@nds	-	-	A	A	A	A
Jin Li	jin.li@nds	-	-	B	A	A	A
Dane Mataic	dane.mataic@nds	-	-	B	A	A	A
Febina Mathew	febina.mathew@nds	-	-	A	A	A	A
Sijo Mathew	sijo.mathew@nds	-	-	B	B	A	A
Leanna McWood	leanna.mcwood@nds	-	-	A	A	A	A
Ewumbua Monono	ewumbua.monono@nds	-	-	C	A	A	A
Kjersten Nelson	kjersten.nelson@nds	-	-	B	A	A	A
Laura Parson	laura.parson@nds	-	-	A	A	A	A
Thomas Peters	thomas.j.peters@nds	-	-	B	A	A	-
Jiajia Rao	jiajia.rao@nds	-	-	A	A	A	A
Chris Ray	chris.ray@nds	-	-	A	A	A	A
Gary Secor	gary.secor@nds	-	-	B	A	A	A
Jayne Steig	jayne.steig@nds	-	-	A	A	A	A
XIN Sun	xin.sun@nds	-	-	B	A	A	A
Jodi Tangen	jodi.tangen@nds	-	-	B	-	-	-
Karisa Templeton	karisa.templeton@nds	-	-	B	A	A	C
Steven Travers	steven.travers@nds	-	-	A	A	A	A
Vishal Uppala	vishal.uppala@nds	-	-	C	A	A	A
Kyle Vanderburg	kyle.vanderburg@nds	-	-	B	A	A	A
Jessica Vold	jessica.l.vold@nds	-	-	A	A	A	A
Christina Weber	christina.d.weber@nds	-	-	-	A	A	A
Xiangfa Wu	xiangfa.wu@nds	-	-	A	-	-	-
Stephanie Keller			-	A	A	A	A
				12	34	35	31
				18	1	0	1
				3	0	0	2

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.

*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 ndsuscc@ndsuscc.edu.

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

Policy Number and Name: 152.3 - Foreign Talent Recruitment Programs

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

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

*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 or negative--on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, 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. For more information, see [HiAP at NDSU 2023 Report](#).

Individual/Department/Committee or Organization submitting the policy change: Research and Creative Activity – Research Security Working Group

Date Submitted to SCC Secretary: V2 on 8/13/2024

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

Kristy Shirley, Research Integrity, Security and Compliance Manager – Kristy.Shirley@ndsuscc.edu

NDSU's Strategic Plan Inclusivity and Diversity 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. **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>financial</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		While many conversations have occurred with faculty and staff with regards to evolving Research Security requirements, input on this specific policy was not sought as it has been limited to outlining only what is required by the Federal Agencies to comply with policies for applying for and receiving Federal funding.
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			

Effect of policy addition or change: Utilize the completed checklist to provide an explanation of 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):

This establishes a new policy to address evolving federal requirements related to research security. The policy prohibits Covered Individuals (as defined below) from participating in Malign Foreign Talent Recruitment Programs (MFTRP). In order to comply with Federal agency policies, Covered Individuals must: 1) Certify to the agency upon proposal, and annually thereafter for the duration of the award that they are not a party to an MFTRP, and disclose any participation in Foreign Talent Recruitment Program contract, agreement, or other arrangement.

This policy has been drafted to comply with Federal policy enacted over the past several years.

The [Creating Helpful Incentives to Produce Semiconductors \(CHIPS\) and Science Act of 2022](#) requires federal funding agencies (e.g., National Science Foundation, Department of Energy, etc.) to establish policies that required Covered Individuals – defined as: (those contributing in a substantive, meaningful way to the scientific development or execution of a federally funded research project- to disclose if they are a party to a foreign talent recruitment program (FTRP) contract, agreement or arrangement; to certify at the time of any federal proposal submission; and annually thereafter for the duration of the affected award(s) that they are not a party to a malign foreign talent recruitment program (MFTRP). Institutions (such as NDSU) must certify that each Covered Individual who is employed by the institution has been made aware of the requirements.

In addition, the Department of Defense (DOD) released [Countering Unwanted Foreign Influence in Department-funded Research at Institutions of Higher Education](#), that includes a Policy for Risk-Based Security Reviews of Fundamental Research and associated Decision Matrix for implementing risk-based mitigations to enhance research security. Under this new DOD policy (effective August 9, 2024), the DOD is prohibited from funding any proposal if a Covered Individual is a party to a MFTRP.

To comply with the CHIPS and Science Act, NSF has added certification language as part of Investigators' Biosketch in SciENCv which requires those submitting to the agency to certify the following at the time of proposal submission:

"I certify that the information provided is current, accurate, and complete. This includes but is not limited to current, pending, and other support (both foreign and domestic) as defined in 42 U.S.C. §6605.

I also certify that, at the time of submission, I am not a party to a malign foreign talent recruitment program.

Misrepresentations and/or omissions may be subject to prosecution and liability pursuant to, but not limited to, 18 U.S.C. §§ 287, 1001, 1031 and 31 U.S.C. §§ 3729-3733 and 3802."

More information about NDSU's response to evolving Research Security guidelines as well as definitions of Foreign Talent Recruitment Programs, Malign Foreign Talent Recruitment Programs can be found on the [Research Security](#) website or the [Foreign Talent Recruitment program](#) page.

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.

North Dakota State University

Policy Manual

SECTION 152.3

FOREIGN TALENT RECRUITMENT PROGRAMS

SOURCE: NDSU President

1. PHILOSOPHY AND PURPOSE

NDSU is committed to fostering open scientific research and collaboration with scholars from across the world while complying with federal policy aimed at safeguarding the research enterprise against the misappropriation of research and development to the detriment of national or economic security, related violations of research integrity, and foreign government interference.

The [Creating Helpful Incentives to Produce Semiconductors \(CHIPS\) and Science Act of 2022](#) (CHIPS and Science Act) requires federal funding agencies (e.g., National Science Foundation (NSF), Department of Energy (DOE), etc.) to establish policies that require “Covered Individuals” to disclose if they are a party to a Foreign Talent Recruitment Program (FTRP) contract, agreement or arrangement and to certify at the time of any federal proposal submission and annually thereafter for the duration of affected awards that they are not a party to a Malign Foreign Talent Recruitment Program (MFTRP). NDSU must certify that each Covered Individual who is employed by the institution has been made aware of these requirements.

2. DEFINITIONS

- 2.1 **Covered Individuals:** an individual who contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with an award from a federal research agency, and is designated as a Covered Individual by the federal research agency concerned.
- 2.2 **Foreign Talent Recruitment Program (FTRP):** programs organized, managed or funded by a foreign government or foreign government entity, to recruit science and technology professionals or students (regardless of citizenship or national origin).
- 2.3 **Malign Foreign Talent Recruitment Program (MFTRP):** programs/positions/activities that include specified hallmarks (e.g., engaging in unauthorized transfer of intellectual property, being required to recruit trainees for the MFTRP, etc.) AND are programs sponsored by a foreign country of concern or entity based in a foreign country of concern or are on specified lists of FTRP’s or academic institutions.

3. APPLICABILITY

- 3.1 All faculty and staff and students who are Covered Individuals.

4. POLICY:

- 4.1 NDSU prohibits Covered Individuals from participating in MFTRPs.

- 4.2 Covered Individuals must comply with all sponsor policies and certifications regarding MFTRP as they are developed and implemented by the funding agency. Disclosures must be true, complete and accurate to the best of the Covered Individual's knowledge.
- 4.3 In order to comply with federal research agency policies, Covered Individuals must:
 - 4.3.1 Certify upon proposal, and annually thereafter for the duration of an award, that they are not a party to a MFTRP, and
 - 4.3.2 Disclose all participation in FTRP contracts, agreements, or other arrangements. Certifications will not apply to awards made prior to August 9, 2024.
- 4.4 NDSU must certify that Covered Individuals have been made aware of the requirements set forth in this policy.

For more information and procedural components, please see the [Research Security Website: Foreign Talent Recruitment Programs](#).

HISTORY:

New

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.

*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 ndsuscc@ndsuscc.edu.

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

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

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

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

*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 or negative--on the communities and the people who live and work within the community where the policy is implemented. In fact, the World Health Organization estimates that the social, financial, 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. For more information, see [HiAP at NDSU 2023 Report](#).

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

Thomas Ambrosio, Chair, Policy 352 Committee

Date Submitted to SCC Secretary:

8/28/2024

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

thomas.ambrosio@ndsuscc.edu

NDSU's Strategic Plan Inclusivity and Diversity 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. **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>financial</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			Public meeting (August 2024).
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			Public meeting (August 2024).
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 modifies the university-wide post-tenure review passed during Spring 2024.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			

Effect of policy addition or change: Utilize the completed checklist to provide an explanation of 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):

During the Spring 2024, the Faculty Senate provided the following charge to the Ad Hoc Committee on Policy 352: "The Faculty Senate hereby charges the Ad Hoc Committee on Policy 352 to draft changes for Policy 352 as they pertain to post tenure review. After a recent evaluation, we understand that the language across units (departments/schools/colleges/etc) pertaining to post tenure review could use some clarification and specificity. We ask that you develop policy changes that are commensurate with

our peer institutions as identified on the OIRA NDSU Website. We request that the policy changes provide a framework for colleges and units to follow that could include timing, procedural steps to consider, examples of causes for post-tenure review and possible actions. As we work to more equitable practices across campuses, we want to ensure that faculty are treated fairly and equitably across units.”

The transition of the Ad Hoc Committee on Policy 352 to a formal Faculty Senate committee, we continued that charge and have some additional modifications to the post-tenure review policy. These changes were discussed at an open forum in August 2024, and guidance for implementing policy from the Provost’s Office and the Faculty Senate President will be sent to all faculty.

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.

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
 - 2.2.2.1.2 creative activities and productions that are related to the candidate's discipline; and/or
 - 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 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. 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.
- 4.8 Post-Tenure Review Policy

The post-tenure review process begins with the award of tenure and is distinct from annual evaluation. Participation in post-tenure review is a necessary component of successfully completing one's job duties. Post-tenure review does not change the university's commitment to academic freedom, or the circumstances under which tenured faculty can be dismissed from the university. Colleges and departments shall develop specific post-tenure review policies appropriate to their faculty.

- 4.8.1 Post-tenure review of each tenured faculty will occur under one of the following circumstances: no later than ~~five~~^{three} years after the faculty member is tenured ~~(with the post-tenure review conducted in the sixth year),~~ no later than five years after the faculty member had their last post-tenure review ~~(with the post-tenure review conducted in the sixth year),~~ or during the year following two unsatisfactory annual reviews in the five years since their last post-tenure review. (Faculty eligible for post-tenure review ~~when this policy is adopted~~ shall have their first post-tenure review completed ~~within three years~~ ^{by the end of the Spring 2028 semester.})

- 4.8.1.1 A promotion or a completed post-tenure review will re-start the post-tenure review clock.
- 4.8.1.2 Extensions to the post-tenure review period for childbirth or adoption, personal illness or disability, institutional circumstances, and extraordinary circumstances (e.g., pandemic, building collapse) are described in NDSU Policy 352, Sec. 3.6. At any time during the post-tenure review period, but prior to the year in which the review would be conducted, a faculty member may request an extension based on personal or family circumstances, which, according to reasonable expectations, impede satisfactory post-tenure performance. The request must be in writing and will be reviewed and forwarded sequentially with recommendation by the Chair/Head, Dean, and Provost to the President who will approve or deny the request. Denial of an extension request may be appealed under NDSU Policy 350.4.
- 4.8.1.3 Faculty covered by Policy 327, are not subject to post-tenure review. Reappointment as a full-time faculty member re-starts the post-tenure review clock.

4.8.2 The post-tenure review portfolio shall be prepared by the faculty member and shall consist of the following documents for the period under review: annual reviews, faculty activity reports, position descriptions, current curriculum vitae, up to a 3-page statement of context and accomplishments covering the period under review, and any other documents required by their academic unit.

4.8.3 Department-/Unit-Level Evaluation

The Department/unit PTE Committee and the Department/Unit Chair/Head shall separately and independently review and evaluate the candidate's portfolio, preparing a written report and an evaluation of the faculty member's performance in the areas of teaching, research and creative activities, and service since their last post-tenure review.

The evaluation of the faculty member's performance during the period under review shall be based upon the current criteria of the faculty member's college and department/unit, and shall include either a "satisfactory" or "unsatisfactory" evaluation.

4.8.3.1 Satisfactory Result

If either the Department/Unit PTE Committee or the Department/Unit Chair/Head provides a "satisfactory" review, the post-tenure review is concluded. A copy of the post-tenure reviews are retained by the chair and the faculty member. A copy shall also be sent to the Dean.

4.8.3.2 Unsatisfactory Result

If both the Department/Unit PTE Committee and the Department/Unit Chair/Head provides an "unsatisfactory" evaluation, the faculty member shall sign the review to acknowledge that the document has been reviewed. The faculty member has 14 calendar days to submit a formal written response to the post-tenure review and the response will be included in the post-tenure review document for subsequent

evaluation. The response should be addressed to the Dean. The post-tenure review document is then forwarded to the Dean for evaluation by the College.

4.8.4 College-Level Evaluation

4.8.4.1 The Dean will distribute the post-tenure review document with any associated faculty member responses to the College PTE Committee. The College PTE Committee and the Dean will each make an independent review. If either the College PTE Committee or the Dean disagrees with the unsatisfactory evaluation at the department/unit level and provides a satisfactory evaluation, the review is concluded.

4.8.4.2 If both the College PTE Committee and Dean agree with the unsatisfactory evaluation from the Department/Unit, a letter is written detailing the reasons and the amended post-tenure review, with the Dean and College PTE Committee evaluations, is forwarded to the Provost. The post-tenure review, with the Dean and College PTE Committee evaluations, is signed by the faculty member to acknowledge that the document has been reviewed. The faculty member has 14 calendar days to submit a formal written response to the post-tenure review and the response will be included in the post-tenure review document for subsequent evaluation.

4.8.4.3 If the Provost determines that the faculty member's performance is satisfactory, the post-tenure review is concluded and the Department/Unit

Chair/Head, the faculty member, and the Dean receive a copy of the final post-tenure review with the Provost's comments. If the Provost agrees that the performance of the faculty member is unsatisfactory, a letter with the review comments is distributed to the Department/Unit PTE committee chair, the Department/Unit Chair/Head, the faculty member, and Dean. This triggers the formation of a Post-Tenure Performance Committee. The faculty member has 14 calendar days to submit a formal written response to the post-tenure review and the response will be included in the post-tenure review document for subsequent evaluation.

4.8.5 Post-Tenure Performance Committee

4.8.5.1 The Post-Tenure Performance Committee shall consist of the Department/Unit Chair/Head, the Department/Unit PTE committee chair, and 3 tenured, full professors from the faculty member's College selected by the Dean in consultation with the College PTE Committee. The Dean is responsible for assembling a portfolio to include all documents of the faculty member's post-tenure review to this point and shall distribute it to the Post-Tenure Performance Committee.

4.8.5.2 In consultation with the faculty member, the Post-Tenure Performance Committee constructs a 24-month plan to bring the faculty member back to satisfactory performance.

4.8.5.3 At the end of 12 months, the faculty member shall provide a report to the Post-Tenure Performance Committee demonstrating accomplishments in fulfilling the plan. This report shall be reviewed by the Post-Tenure Performance Committee and adjustments in the schedule of the plan may be made at that time. The faculty member has 14 calendar days to submit a formal written response to the Post-Tenure Performance Committee's review and the response will be included in the post-tenure review document for subsequent evaluation.

At the end of 24 months, the faculty member shall provide a report to the Post-Tenure Performance Committee demonstrating accomplishments in fulfilling the plan that will be reviewed by the Post-Tenure Performance Committee. The faculty member has 14 calendar days to submit a formal written response to the Post-Tenure Performance Committee's review and the response will be included in the post-tenure review document for subsequent evaluation.

4.8.5.4 If no improvements have been made or the plan for the faculty member has not been followed, a letter detailing the continued unsatisfactory performance is written by the Post-Tenure Performance Committee and forwarded to the Dean and the Provost. The faculty member has 14 calendar days to submit a formal written response to the Post-Tenure Performance Committee's review and the response will be included in the post-tenure review document for subsequent evaluation. Any further action by the Dean or the Provost should be in consultation with the Post-Tenure Performance Committee and consistent with Policy 350.3.

4.8.5.5 If progress has been made by the faculty member, but satisfactory performance has not yet been fully achieved, the Post-Tenure Performance Committee may determine to extend the plan for a third year. If, at the end of the third year the Post-Tenure Performance Committee still determines that the performance is unsatisfactory, the Post-Tenure Performance Committee will provide the Dean and the Provost with a letter detailing their evaluation of the unsatisfactory performance. The faculty member has 14 calendar days to submit a formal written response to the Post-Tenure Performance Committee's review and the response will be included in the post-tenure review document for subsequent evaluation. Any further action by the Dean or the Provost shall be in consultation with the Post-Tenure Performance Committee and consistent with Policy 350.3.

4.8.5.6 If the Post-Tenure Performance Committee determines that the faculty member has returned to satisfactory performance at any time, the post-tenure review is concluded.

4.8.6 Faculty members, including administrators, who participate in the post-tenure review 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 judgement 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 post-tenure review process for a faculty member being reviewed. Conflicts of interest may be identified by the faculty member being reviewed or anyone participating in the post-tenure review process for that faculty member. Any individuals evaluating a faculty member may voluntarily recuse themselves from the post-tenure review 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 post-tenure review 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.

4.8.7 Appeals of post-tenure 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.

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. Non-administrative 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 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/facultyaffairs/pte/>
- 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 non-promotion 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
Housekeeping	December 23, 2021
Amended	November 22, 2022
Amended	March 20, 2024