



FACULTY SENATE
EXECUTIVE COMMITTEE

Meeting Agenda

March 17, 2025

- I. Call to Order.
- II. Land Acknowledgement
- III. Shared Governance
- IV. Adoption of the Agenda.
- V. Approval of Meeting Minutes from 02/10/2025.
- VI. Announcements.
 - 1. President Cook/Chief of Staff Jace Beehler
 - 2. Provost Bertolini
 - 3. Kay Hopkins, Staff Senate President
 - 4. Garret Kuhn, Student Body President
 - 5. Jason Blosser, Assistant VP IT
 - 6. Lisa Montplaisir, Faculty Senate President
 - 7. Warren Christensen, Faculty Senate Past-President
 - 8. Christina Weber, Faculty Senate President-Elect
- VII. Committee and Other Reports.
- VIII. Consent Agenda.
 - 1. UCC Report
- IX. New Business
 - 1. Proposed revision of bylaws
 - i. Article 2, Section 14
 - a. Change 'Approve' to "Recommend"
 - 2. Policy 162
 - 3. Policy 333
 - 4. Policy 334.1
 - 5. Policy 606
- X. Adjournment.

Meeting Agenda

February 10, 2025

- I. Call to Order
 1. Meeting called to order at 3:00 PM
- II. Attendance
 1. See Appendix 1
- III. Land Acknowledgement
- IV. Shared Governance
- V. Adoption of the Agenda.
 1. Haug/Peters
- VI. Approval of Meeting Minutes from 01/21/25.
 1. Approved by unanimous consent
- VII. Announcements.
 1. President Cook/Chief of Staff Jace Beehler
 2. Provost Bertolini
 - i. Appreciate FS and for departments for meeting with him and Carrie Anne
 - ii. Two weeks ago, given permission for SBHE to do Dual Credit & Early Entry in Cass County
 - iii. Waitlists – very important, in regards to funding formula AND new SE office worked to get more students (head count) here at NDSU but now we have mand large waitlists on classes and some students are leaving NDSU or missing credit hours that we could have accommodated. By start of classes in Spring we were at 385 unique students, 485 waitlist spots by Campus Connection Add/Drop day. About \$280,00 in lost funding as an example.
 - iv. Realizes it's a complex problem, but we need to work to reduce the number of lost students and student credit hours. How do we work as a team to make progress and find solutions to reducing waitlists and hurdles/barriers for students?
 - v. Magel – What is the university's response for exposure to the NIH reduction in overhead
 - vi. Montplaisir – this will be addressed later in agenda
 - vii. Bhagavathula – is the waitlist uniform or some courses with more than others. Units would likely want to know about their lists
 - viii. Bertolini – can use Power BI to manage/watch this moving forward
 3. Lisa Montplaisir, Faculty Senate President

The following are bills we need to continue to monitor as we head into cross-over and be prepared to provide testimony. Thanks to all who have been doing so as individuals in addition to those noted below. This is what I am aware of, not necessarily all-inclusive.

- HB 1064: Reciprocity Agreements. Related to outside online providers.
- HB 1145: 10 commandments to be displayed in “cafeteria”. SBHE adopt rules of implementation.
- HB 1161: Vacant full-time equivalency funding pool. Lisa testified against as FSP. Has been amended but still includes layers of red tape institutionally.
- HB 1179: 12-month faculty paid time off. Has been turned into a study.
- HB 1220: Accelerated degrees for high-demand careers. NDSU Gen Ed submitted against.
- HB 1365 & 1588. Possession of firearms. Appear to be carveouts for higher ed proposed.
- HB 1437: tenure. The amended version includes all institutions for regulations and processes. The amendment authors have accepted some of our edits. We’ll need to continue to work with this bill on the Senate side related to 1c.
- HB 1457: vaccine exemptions
- SB 2003: includes so many funding things. Currently at 3%/3% raises for next biennium.
- SB 2242: studying NDUS system
- SB 2355: Intelligent Design required in k12 schools. Biological Sciences submitted opposition.
- SB 2392: discriminatory practices in education and state agencies. Amendments are in process.

Federal Regulations, Executive Orders, Dear Letter Colleagues, and whatever else may be yet to come.

The most recent President Communication on Feb 18th shared the composition of a Federal Coordination Group and a subgroup referred to as the Dear Colleague Letter and on Feb 10th Chris Wilson shared the subgroup now referred to as the OMB group. These groups are meeting to discuss the “directives”, begin initial overview of potential implications and data that would need to be gathered, begin identifying risk analysis, and coordinate campus communications. The feedback provided through [Share Your Ideas](#) is distributed to the subgroups for responses.

Things I learned in these meetings:

- NDSU operates as the “line of credit” for all our grant expenditures and then must submit for reimbursement of those expenses. When we are notified of federal funding freezes, operating as normal can’t happen as there is not an unlimited pool of resources to cover all grant expenditures. For example, when the freeze on Jan 27th was announced to go into effect at end of business on Jan 28th, \$7M in end-of-month reimbursements to the agencies was denied even though funding was not yet to be frozen for another 24 hours. It wasn’t until the temporary injunction was in place and that agencies were “ordered” to resume normal funding that NDSU was able to be reimbursed.

- Faculty are not timely in their submission of expenses for reimbursement (guilty!) and it would be great if we stayed on top of this given the current conditions of agencies.
- Faculty asked questions on “how to....” Insert grant specific question. We are working on hosting a federal funding QA in the coming weeks.
- The spectrum of expectations of responses from the NDSU community is as varied as the number of individuals that learn and work on this campus. Please continue to ask your Senators for what we discuss in Senate, reach out to the feedback opportunities, ask Chairs/Heads to inform on what is coming out of their meetings and Leadership Forums.

i.

4. Warren Christensen, Faculty Senate Past-President

- i. Working with Christina on new room reservation system
- ii. Faculty having issues with some class-related reservation issues
- iii. They will be working toward resolution with shared governance

5. Christina Weber, Faculty Senate President-Elect

6. Kay Hopkins, Staff Senate President

- i. Invite to the Day of Honor tomorrow at 2 PM in Ballroom
- ii. Couple upcoming professional development opportunities
- iii. Scholarship for Staff and Staff Dependents

7. Garret Kuhn, Student Body President

- i. Currently filling vacancies and elections in March
- ii. Working with other student organization for updates and testimonies
- iii. Writing resolutions

VIII. Committee and Other Reports.

IX. Consent Agenda

- 1. UCC Report
- 2. Motion: Conwell/Magel
- 3. Approved by unanimous consent

X. Special Order

- 1. FS Bylaw Revision
 - i. Article IV, Section 6
- 2. Haug - Make a motion to accept changes Article IV, Section 6, removing 4a and 4f
- 3. Seconded – Greives
- 4. Point Solutions – See Appendix 2
 - i. 1 abstention, 32 Yes – 33 total votes

XI. New Business

- 1. Discussion of bills that CCF is addressing (HB 1161, 1179, 1220, 1437, 2242)
 - i. Conwell – Asked where we can see those bills, testimony, amendments

XII. Adjournment.

- 1. Motion: Greives/Travers
- 2. Approved Unanimously

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		X	X	X	X	X			
Amiri	Ali	X	X	X		X	X			
Banerjee	Samiran	X	X	X		X	X			
Benton	Bradley	X	X	X	X					
Bhagavathula	Akshaya		X	X	X					
Benna	Justin						X			
Boonstoppel	Sarah	X	X	X	X	X	X			
Butcher	Kirsten	X		X	X	X	X			
Chen	Jun (Jeffrey)	X	X	X	X	X	X			
Christensen	Warren	X	X	X	X	X	X			
Conwell	Erin	X	X	X	X	X	X			
David	Shannon	X	X	X	X	X	X			
Del Rio Mendoza	Luis	X	X	X	X	X	X			
Emanuelson	Pamela	X	X	X		X	X			
Greives	Timothy	X	X	X	X		X			
Haug	Karla	X	X	X	X	X	X			
Hearne	Robert	X	X	X	X	X				
Hsu	Dan						X			
Jeong	Inbae	X	X	X	X		X			
Katti	Dinesh		X	X	X	X	X			
Keller	Stephanie	X	X	X	X	X	X			
Kirkpatrick	Sarah	X		X	X	X	X			
Kryjevskaja	Mila	X	X	X	X	X	X			
Li	Jin	X	X	X	X		X			
Magel	Ken	X	X	X	X		X			
Mataic	Dane	X	X	X	X	X	X			
Mathew	Febina	X	X	X	X	X	X			
Mathew	Sijo	X	X	X	X	X	X			
McWood	Leanna	X	X	X	X	X	X			
Monono	Ewumbua	X	X	X	X	X	X			
Montplaisir	Lisa	X	X	X	X	X	X			
Nelson	Kjersten	X	X	X	X	X	X			
Parson	Laura	X	X	X	X	X	X			
Peters	Tom	X	X		X	X	X			
Rao	Jiajia	X	X	X			X			
Ray	Chris	X	X	X	X	X	X			
Secor	Gary	X	X	X	X					
Smith	Matthew	X	X	X	X	X	X			
Steig	Jayme	X	X	X	X	X	X			
Sun	Xin (Rex)	X	X	X	X	X	X			
Nelson	Jill	X		X	X	X	X			
Templeton	Karisa	X	X	X	X	X	X			
Travers	Steve	X	X	X	X	X				

Uppala	Vishal	X	X	X	X	X	X			
Vanderburg	Kyle	X	X	X	X	X	X			
Vold	Jessica	X	X	X	X	X	X			
Weber	Christina		X	X	X	X	X			
Wu	Xiangfa		X	X		X	X			

*indicates Alternate 44 voting senators Quorum = 25 (25 senators must be present)
X = Present P = Proxy

Results Detail

Session Name

February 2025 meeting

Date Created

Monday, February 10, 2025
8:40:29 PM

Active Participants

36

Total Participants

47

Average Score

-

Question Count

1

Participant	Email	Score	Percentage	Q1
Answer Key				
Azer Akhmedov	azer.akhmedov@nds	-	-	C
Justin Benna	justin.benna@nds	-	-	A
Sarah Boonstoppel	sarah.boonstoppel@	-	-	A
Jun Chen	jun.chen1@nds	-	-	A
Erin Conwell	erin.conwell@nds	-	-	A
Shannon David	shannon.david@nds	-	-	A
Luis Del Rio Mendoza	luis.delriomendoza@	-	-	A
Pamela Emanuelson	pamela.emmanuelson@	-	-	A
Tim Greives	timothy.greives@nds	-	-	A
Karla Haug	karla.haug@nds	-	-	A
Robert Hearne	robert.hearne@nds	-	-	A
Inbae Jeong	inbae.jeong@nds	-	-	-
Dinesh Katti	dinesh.katti@nds	-	-	A
Stephanie Keller	stephanie.r.keller@n	-	-	A
Sarah Kirkpatrick	sarah.kirkpatrick@n	-	-	A
Mila Kryjevskiaia	mila.kryjevskiaia@nd	-	-	A
Kenneth Magel	kenneth.magel@nds	-	-	A
Dane Mataic	dane.mataic@nds	-	-	A
Febina Mathew	febina.mathew@nds	-	-	A
Sijo Mathew	sijo.mathew@nds	-	-	A
Leanna McWood	leanna.mcwood@nd	-	-	A
Ewumbua Monono	ewumbua.monono@	-	-	A
Jill Nelson	jill.r.nelson@nds	-	-	A
Kjersten Nelson	kjersten.nelson@nds	-	-	A
Laura Parson	laura.parson@nds	-	-	A
Thomas Peters	thomas.j.peters@nds	-	-	A
Jiajia Rao	jiajia.rao@nds	-	-	A
Chris Ray	chris.ray@nds	-	-	A
Jayme Steig	jayme.steig@nds	-	-	A
XIN Sun	xin.sun@nds	-	-	A
Karisa Templeton	karisa.templeton@nd	-	-	A
Steven travers	steven.travers@nds	-	-	A
Vishal Uppala	vishal.uppala@nds	-	-	-
Kyle Vanderburg	kyle.vanderburg@nd	-	-	A
Jessica Vold	jessica.l.vold@nds	-	-	A
Xiangfa Wu	xiangfa.wu@nds	-	-	A

**University Curriculum Committee Report
For Faculty Senate Meeting on March 17, 2025**

Program Update
B.S. Animal Science – Program course updates.
B.S. Art Education – Program course updates.
B.S. Biotechnology – Course offering updates.
B.S. Disaster Resilience and Emergency Management – Program title and delivery method update. Old title: B.S. Emergency Management
B.S. Food Science – Course offering updates.
B.S. Landscape Architecture – Program title and CIP code update. Old title: B.S. Environmental Design.
B.S. Nutrition Science – Course offering updates.
B.S. Software Engineering – Program course updates.
B.S. Supply Chain Management – Program course elective updates.
B.S./B.A. Art – Program course updates.
B.S./B.A. Computer Science & Physics
B.S./B.A. Mathematics & Physics
B.S./B.A. Physics – Program course updates.
B.F.A. Art – Program course updates.
Minor Biotechnology – Program course elective updates.
Minor Disaster Resilience and Emergency Management – Program title and delivery method update. Old title: Minor Emergency Management
Minor Equine Science – Program course updates.
M.S. Business Analytics – Program course updates.
B.S.E.E. Electrical Engineering and Physics – Program course updates.
B.S.M.E. Mechanical Engineering – Program course updates.

New Program
GR Cert Advanced Physical Education Teaching
GR Cert Building Software Projects
GR Cert Fundamentals of Software Engineering
GR Cert Management of Software Engineering Projects
GR Cert Applied Epidemiology
GR Cert Crop Production
GR Cert Crop Protection
GR Cert Horticulture Management
GR Cert Malting and Brewing
GR Cert Rangeland Ecology and Management
GR Cert Milling, Baking, Pasta Making
GR Cert Soil Conservation and Management
GR Cert Sustainable Agriculture and Ecosystem Services
Master of Agriculture
B.F.A. Graphic Design

New Courses			
Subject	No.	Title	Effective Term
ANSC	751	Quantitative Genetics I	Fall 2025
ANSC	752	Quantitative Genetics II	Fall 2025
ART	381	Typography & Layout	Fall 2025
ART	382	Branding & Packaging	Fall 2025
ART	383	Illustration Concepts & Narrative	Fall 2025
ART	384	Motion Graphics & Animation	Fall 2025
ENT	701	Insect Pest Identification and Management: Corn & Wheat	Fall 2025

ENT	702	Insect Pest Identification and Management: Soybean & Pulses	Fall 2025
ENT	703	Insect Pest Identification and Management: Potatoes & Oilseeds	Fall 2025
MATH	260	Vector Calculus	Fall 2025
MICR	454	Biotechnology for Sustainability	Fall 2025
MICR	654	Biotechnology for Sustainability	Fall 2025
MICR	456	Human Microbiome	Fall 2025
MICR	656	Human Microbiome	Fall 2025
MICR	458	Animal Health and Antimicrobial Resistance (AMR)	Fall 2025
MICR	658	Animal Health and Antimicrobial Resistance (AMR)	Fall 2025
MICR	600	The Science Toolkit: Skills for Scientific Success	Fall 2025
NRM	457	Applied Analysis Tools for Natural Resources and Agriculture	Fall 2025
NRM	657	Applied Analysis Tools for Natural Resources and Agriculture	Fall 2025
PHIL	170	Artificial Intelligence and Society	Fall 2025
PHRM	468	Psychopharmacology for Health Professionals	Fall 2025
PHRM	668	Psychopharmacology for Health Professionals	Fall 2025
POLS	475	Policy Lab	Fall 2025
POLS	675	Policy Lab	Fall 2025
PPTH	435	Principles of Plant Disease Management	Fall 2025
PPTH	635	Principles of Plant Disease Management	Fall 2025
PPTH	443	Greenhouse Inoculation and Phenotyping of Crop Diseases	Fall 2025
PPTH	643	Greenhouse Inoculation and Phenotyping of Crop Diseases	Fall 2025
PPTH	445	New Science and Technology in Crop Protection	Fall 2025
PPTH	645	New Science and Technology in Crop Protection	Fall 2025
PPTH	448	Plant Disease Diagnostics and Quantification	Fall 2025
PPTH	648	Plant Disease Diagnostics and Quantification	Fall 2025
PPTH	457	Landscape Plant Pathology	Fall 2025
PPTH	657	Landscape Plant Pathology	Fall 2025
PPTH	462	Identification and Management of Non-Soybean Oil and Legume Crop Diseases	Fall 2025
PPTH	662	Identification and Management of Non-Soybean Oil and Legume Crop Diseases	Fall 2025
PPTH	463	Identification and Management of Soybean and Corn Diseases	Fall 2025
PPTH	663	Identification and Management of Soybean and Corn Diseases	Fall 2025
PPTH	464	Identification and Management of Small Grain Diseases	Fall 2025
PPTH	664	Identification and Management of Small Grain Diseases	Fall 2025
RNG	455	Ecology and Management of Woody Plant Encroachment in Rangelands	Fall 2025
RNG	655	Ecology and Management of Woody Plant Encroachment in Rangelands	Fall 2025
SOIL	451	Digging Deeper: Understanding Soil Biology	Fall 2025
SOIL	651	Digging Deeper: Understanding Soil Biology	Fall 2025

Course Inactivations			
Subject	No.	Title	Effective Term
IME	429	Introduction to IC Fabrication	Fall 2025
PH	452	Lifestyle Approaches to Prevention, Treatment, and Reversal of Disease	Fall 2025
PH	652	Lifestyle Approaches to Prevention, Treatment, and Reversal of Disease	Fall 2025
PH	720	Environmental Health	Fall 2025
PH	772	American Indian Health Equity	Fall 2025
PH	774	Research and Evaluation in Tribal Communities	Fall 2025
PH	775	Case Studies in Indian Health	Fall 2025

Changes in Course Descriptions and/or Requisites				
Subject	No.	Title	Title/Prerequisite/Co-requisite/Description Change	Effective Term
ABEN	110	Introduction to Agricultural and Biosystems Engineering	Course requisite change from prerequisite to corequisite.	Fall 2025
ABEN	444	Transport Processes	Course requisite update.	Fall 2025
ART	122	Studio Technology Foundations	Course description and requisite update.	Fall 2025
ASM	264L	Natural Resource Management Systems Laboratory	Prerequisite update.	Fall 2025
BIOL	New: 474 Old: 274	Undergraduate Research Experience: Biomedical Research Analysis	Course number and description update.	Fall 2025
CFS	450	Cereal Technology	Course description update.	Fall 2025
CFS	650	Cereal Technology	Course description update.	Fall 2025
CFS	452	Food Laws and Regulations	Course description update and cross-listing with AGECE 452 and SAFE 452.	Fall 2025
CFS	652	Food Laws and Regulations	Course description update and cross-listing with AGECE 652 and SAFE 652.	Fall 2025
CFS	473	Food Safety	Course description and prerequisite update.	Fall 2025
CFS	673	Food Safety	Course description update.	Fall 2025
CM&E	450	Steel Design and Construction	Course requisite update.	Fall 2025
CM&E	453	Concrete Design and Construction	Course requisite update.	Fall 2025
New: GLBL Old: INTL	110	New: Introduction to Global Studies Old: Introduction to International Studies	Course prefix and title change.	Fall 2025
HNES	480	Dietetics Practicum-Capstone Experience	Course requisite update.	Fall 2025
IME	660	Evaluation of Engineering Data	Course description update.	Fall 2025
MICR	New: 400 Old: 352	New: The Science Toolkit: Skills for Scientific Success Old: Critical Skills in Microbiology	Course number, description and requisite updates.	Fall 2025
PPTH	457	Landscape Plant Pathology	Course description, credit and prerequisite updates.	Fall 2025
PPTH	657	Landscape Plant Pathology	Course description, credit and prerequisite updates.	Fall 2025
RNG	458	New: Grazing Ecology and Rangeland Management Old: Grazing Ecology	Course title and description update.	Fall 2025
RNG	658	New: Grazing Ecology and Rangeland Management Old: Grazing Ecology	Course title and description update.	Fall 2025
SCM	320	Integrated Supply Chain Management	Course description and requisite update.	Fall 2025
General Education Changes/Revalidations				
Subject	No.	Title	Action	Category

Other Business		
Uniform Course Number course description updates.		Document attached.
New Academic Program Workflow update request.		Document attached.

New Academic Program Request Workflow

Current Workflow	Proposed Workflow
<p>Submission deadline is mid-March.</p> <p>Initiator proposes a new program in CourseLeaf and attaches (1) a completed Academic Program Exploration Notice and (2) a Lightcast report. At step 8, the initiator attached a completed New Academic Program Request.</p> <ol style="list-style-type: none"> 1. Registrar Review 2. Department Chair 3. College Curriculum Committee Chair 4. College Dean 5. Provost/NDUS Prep 6. NDUS AAC (meets monthly) 7. Registrar 8. Initiator (submits completed New Academic Program Request) 9. Department Chair 10. Catalog Editor 11. College Curriculum Committee Chair 12. College Dean 13. University Curriculum Committee (meets weekly) 14. Faculty Senate (meets monthly) 15. Provost/NDUS Prep 16. NDUS AAC (meets monthly) 17. NDUS SBHE (meets monthly) 18. PeopleSoft 19. Degree Audit Build 	<p>Submission deadline is mid-October.</p> <p>Initiator proposes a new program in CourseLeaf and attaches (1) a completed Academic Program Exploration Notice, (2) a New Academic Program Request, and (3) a Lightcast report.</p> <ol style="list-style-type: none"> 1. Registrar Review 2. Department Chair 3. Catalog Editor 4. College Curriculum Committee Chair 5. College Dean 6. University Curriculum Committee (meets weekly) 7. Faculty Senate (meets monthly) 8. Provost/NDUS Prep 9. NDUS AAC (meets monthly) 10. NDUS SBHE (meets monthly) 11. PeopleSoft 12. Degree Audit Build

Course Definitions and Format

Uniform Course Numbers

The following courses may be offered by departments but are described here because of their uniform numbers and descriptions. If a grading basis is identified in the description below, no alternative grading basis may be requested. If no grading basis is identified in the description below, letter grades, P/F grades (undergraduate), or S/U grades (graduate) may be requested.

(Prefix) 179, 279, 379, 479, 679

Global Seminar, 1-6

NDSU instructed experience or field study in a foreign country. Conducted in English for residence credit. Prerequisite: Prior approval by the International Student and Study Abroad Services and major department. May be repeated.

(Prefix) 189

Skills for Academic Success, 1

This course is designed to ease the transition for new students at NDSU. Students will learn skills and techniques used by successful college students. In addition to introducing the students to campus resources and governance, topics will include study techniques, time management, test taking, note taking, goal setting, wellness, stress management, and career orientation.

(Prefix) 191, 291, 391, 491, 590, 690, 790, 890

Seminar, 1-5

A group of students engaged, under a professor or professors, in research or criticism and in presentation of reports pertaining thereto.

(Prefix) 292, 392, 492, 692

Global Practicum: Study Abroad, 1-15

Pre-arranged study at accredited foreign institutions (study abroad), domestic institutions (National Student Exchange), or on approved study abroad programs. Prerequisite: Sophomore standing and prior approval by International Student and Study Abroad Services and major department. Graded 'P' or 'F' (undergraduate) or 'S' or 'U' (graduate).

(Prefix) 193, 293, 393, 493

Undergraduate Research, 1-5

Student research, scholarly project or creative investigation completed under the guidance of a faculty mentor. Directed independent project, collaborative work or ongoing participation in faculty research should culminate in a presentation, article or scholarly project.

(Prefix) 194, 294, 394, 494

Individual Study, 1-5

Individual student work on research or criticism under the supervision of a professor.

(Prefix) 196, 296, 396, 496, 595, 695, 795, 895

Field Experience/Practicum, 1-15

Field-oriented supervised learning activities outside the college classroom that include a preplanned assessment of the experience, registration during the term the experience is conducted, and post evaluation with the instructor. Departmental approval.

(Prefix) 297, 397, 497, 897

Cooperative Education, 1-4

Practical application of classroom learning through employment in supervised career-related positions. Students are granted full-time student status by the University regardless of the actual credit hours. Requires departmental approval and Co-op Program application. Graded 'P' or 'F' (undergraduate) or 'S' or 'U' (graduate).

(Prefix) 199, 299, 399, 499, 596, 696, 796, 896

Special Topics, 1-5

A group study of the known and established literature of a field, or other evidence, for purposes of scholarly development.

(Prefix) 592

Case Studies, 1-3

Critical review, analysis, and evaluation of selected topics by individual presentations and group discussions. Case study topics are indicated by title on the student's transcript. Graded 'S' or 'U'.

(Prefix) 593, 793, 893

Individual Study/Tutorial, 1-5

Directed study allowing an individual student under faculty supervision to undertake selected, independent work in topics of special interest or a limited experience in research. Requires departmental approval.

(Prefix) 594, 794, 894

Internship, 1-8

Course designed to provide practical participation under professional supervision in selected situations to gain experience in the application of concepts, principles, and theories related to the student's area of specialization. Requires approved program and consent of instructor. Graded 'S' or 'U'.

(Prefix) 791, 891

Temporary/Trial Topics, 1-5

University-wide course focused on group study involving critical examination and discussion of subject matter selected for proposal as a temporary or trial course.

(Prefix) 792, 892

Graduate Teaching Experience, 1-6

Graduate student teaching experiences for professional development. Graded 'S' or 'U'.

(Prefix) 797

Master's Paper, 1-3

Literature review, research, and preparation for paper required for the comprehensive study option. Graded 'S' or 'U'.

(Prefix) 797S

Comprehensive Project, 1-6

An in-depth research study/project in a graduate student's field of study. Prerequisite: Graduate standing.

(Prefix) 798

Master's Thesis, 1-10

Original investigation under the supervision of a major adviser and a supervisory committee. Graded 'S' or 'U'.

(Prefix) 798S

Specialist Field Study, 1-6

(Prefix) 799

Master's Examination, 1-6

Literature review, research, and preparation for the master's examination option.

(Prefix) 799S

Clinical Dissertation, 1-15

The clinical dissertation is a scholarly work that focuses on practice issues. It involves identification, development, implementation, and evaluation and/or dissemination of an evidence-based project addressing a current clinical issue. Graded 'S' or 'U'.

(Prefix) 898

Continuing Enrollment, 1-9

Intended for graduate students who have completed all necessary credits of course work including thesis (798) and dissertation (899) on their approved Plan of Study, but who have not yet completed and submitted their thesis or dissertation. The number of credits should be determined in consultation with the student's advisor and reflect both the proportion of time devoted by the student to academic study during the term and the student's enrollment status. Master's student may enroll in two fall/spring semesters of Continuing Enrollment. Doctoral students may enroll in up to four fall/spring semesters of Continuing Enrollment. Continuing Enrollment credits may be used to define the student's enrollment status (full-time, part-time, and for disquisition deposition) but do not count towards the requirements for the degree and are not financial aid eligible. The fee for Continuing Enrollment (898) is not eligible for a waiver. International Students must work with the International Student and Study Abroad Services office to ensure their eligibility before enrolling in these Continuing Enrollment credits. Graded 'S' or 'U'. Requires departmental approval.

(Prefix) 899

Doctoral Dissertation, 1-15

Original investigation under the supervision of a major adviser and an advisory committee. Graded 'S' or 'U'.

NDSU Faculty Senate Bylaws

Article I: Faculty Senate Membership

Section 1.

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

Section 2.

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

Section 3.

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

1. College of Agriculture, Food Systems, and Natural Resources
2. College of Arts and Sciences
3. College of Business
4. College of Engineering
5. College of Health and Human Sciences

Section 4.

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

Section 5.

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

Section 6.

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

Section 7.

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

Section 8.

All Senators are expected to:

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

Article II: Organization and Faculty Senate Operation

Section 1.

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

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

The authority of the President-Elect, the President, and the Immediate Past President will be terminated before the end of its term if they lose their eligibility, voluntarily resign with eligibility, or are removed from office by the Senate with/without eligibility.

1. Voluntary resignations shall be tendered before the Senate at its regular meetings.
2. Removal of the President, President-Elect or Immediate Past President by the Senate requires a two-thirds majority vote at a regular Senate meeting, followed by a two-thirds majority vote at a special meeting of the Senate convened in not more than two weeks after the first meeting. The second meeting will be convened and presided over by a Special Returning Officer who will be appointed by the Senate immediately after the first vote. The removed officer shall not complete their term as a Senator.
3. In the event that the authority of the President is terminated, but the President-Elect is still in good standing, the President-Elect will assume the role of President to finish the term left by the removed President and then they will start their originally elected term.
 - a. The removed President will not serve as Immediate Past President.
4. The assumed President may wish to appoint one of the Senators to assist in the duties of the President-Elect. The appointment as acting President-Elect shall terminate at the end of the academic year. The acting President-Elect may choose to run for the full position of President-Elect. In the event that the authority of the President-Elect is terminated, the Senate will vote to replace the President-Elect at the next regular meeting of the Senate. These actions may never be part of a consent agenda.
5. In the event the authority of the Immediate Past President is terminated, the President will appoint the most recent eligible Past President to serve in that capacity.

6. In the event that the authority of both the President and the President-Elect is terminated at the same time:
 - a. If the authority of the Immediate Past President is still in good standing, then they will convene and preside over the Senate meeting to elect a new President and the President-Elect in not more than two weeks.
 - b. If the authority of the Immediate Past President is also terminated, then a Special Returning Officer appointed by the Senate will convene and preside over the election of the President and the President-Elect in not more than two weeks. Article II, Section 5.5 will then be used to fill the position of the Immediate Past President.

Section 6.

Duties of the President shall include the following:

1. Preside at all meetings of the Senate.
2. Set the agenda of the Senate in consultation with the Senate Executive Committee.
3. Serve on the Senate Coordinating Council.
4. Chair the Senate Executive Committee.
5. Introduce the President at the State of the University Address.
6. Appoint committee members, as outlined in Articles IV and V.
7. Coordinate the dissemination of information relating to Senate activities.
8. Represent the Senate on administrative councils.
- ~~9.~~ 9. Represent the Senate to the Staff Senate and the Student Government.
10. Schedule a room for all Senate meetings.
- ~~9.~~ 11. Lead the stage party during winter and spring Commencements.
- ~~10. Provide the Secretary and the incoming President with an annual report summarizing the Senate activities for the preceding year.~~
- ~~11.~~ 12. Moderate the official mandatory and voluntary faculty listserv.

Section 7.

Duties of the President-Elect shall include the following:

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

Section 8.

Duties of the Immediate Past President shall include the following:

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

Section 9.

The Senate will confirm the appointment of a person not on the Senate to serve as Secretary; the Secretary is not a voting member of the Senate. The duties of the Secretary shall include:

1. Acquire the agenda and related attachments, if any, from the President, then prepare and disseminate the agenda in accordance with Article II, Section 13.
2. Maintain a current roster of Senators and record attendance to confirm a quorum.
3. Collect and read the member substitution authorizations at the meeting.
4. Record and prepare meeting minutes.
5. Disseminate meeting minutes according to Article II, Section 16.
- ~~6.1. Schedule a room for all Senate meetings.~~
- ~~7.6.~~ Maintain a permanent record of Senate minutes.
- ~~8.7.~~ Maintain a permanent record of annual reports submitted by the President and Chairs of Senate committees.
- ~~9.8.~~ Maintain records of standing committee membership.
- ~~10.9.~~ Prepare updated versions of the Constitution for distribution.
- ~~11.10.~~ Archive all past versions of Constitutions and Bylaws.
- ~~12.11.~~ Verify the eligibility of Senators and committee members.

Section 10.

Regular meetings of the Senate shall be held at 3:00 pm on the second Monday of each month of the academic year. The meetings will be held the third Monday of the month if the second Monday is a University or State holiday In event of a conflict, the president, in consultation with Faculty Senate Executive, will reschedule the meeting and communicate the change to the Senate. or if University classes are not yet in session at least one week prior to the second Monday of the month.

Section 11.

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

Section 12.

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

Section 13.

Senate meetings shall be conducted under Robert's Rules of Order, Newly Revised. The Senate will confirm the appointment of a person not on the Senate to serve as Parliamentarian. Whenever doubt arises on questions of procedure the President may make a ruling with the advice from the Parliamentarian.

There is no term limit for the Parliamentarian.

Section 14.

The primary business of the Senate is to review, propose, and ~~approve of~~ make recommendations on policy with respect to the following matters:

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

Commented [LM1]: 15-10-73 states
"with input but no authoritative
control from faculty and others through shared
governance"

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

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

In consultation with the Senate Executive Committee, general and special-order items can be added to the agenda as necessary.

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

1. Adoption of the agenda.
2. Approval of the previous meeting minutes.
3. Announcements.
4. Consent agenda.
- ~~5.~~ 5. Special order: Planning and prioritizing Senate action for the year.
- ~~5-6.~~ 6. Unfinished business
- ~~6-7.~~ 7. New business.
- ~~7-8.~~ 8. Adjournment.

~~The President, in consultation with the Executive Committee, may add an urgent piece of new or~~

~~committee business to this meeting if the timing is critical.~~

Section 15.

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

Section 16.

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

Article III: Faculty Senate Committees

Section 1.

Duties of standing committees include:

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

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

In the first meeting of the Senate, membership of all Senate committees will be approved. After the Senate has approved membership in the standing committees, each committee will meet and elect a chair, who will communicate all committee business to the Senate. The Senate Executive Committee has the right to remove the chair of a standing committee and seek a replacement from the standing committee membership if the chair is not effectively performing their duties. Faculty members with part time or interim appointment as chair/head or equivalent may be eligible to serve on Faculty Senate Standing Committees. In special circumstances faculty with greater than 50% appointments as chair/head or equivalent may serve on Faculty Senate Standing committees with the approval of Faculty Senate.

Section 6.

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

Section 7.

The Senate may create special committees as it deems necessary. Special committees shall be commissioned by a majority vote of the full Senate. The Faculty Senate President shall appoint members of special committees. However, Senate approval by a majority vote is required for appointment of special committee members who are not members of the Faculty Senate. The duties of a special committee should not duplicate work being done by or usurp the responsibility of a standing committee without approval by said standing committee. Such committees shall be discharged, by the President upon the completion of their assigned duties.

Article IV: Faculty Senate Standing Committees

Section 1. Academic Integrity

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

Section 2. Budget

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

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

Section 3. Conflict of Interest Advisory

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

Section 4. Council of College Faculties

1. Voting membership (three members):
 - a. Three faculty members elected to staggered three-year terms.
 - b. The faculty shall elect each spring by secure electronic ballot a faculty member to serve.
 - b.c. Each spring elect an alternate to a one-year term. Alternate is a voting member when serving in the absence of another elected member.
2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. Three-year term.
 - b. No restriction on consecutive terms.
4. Responsibilities:

- a. All responsibilities and procedures are determined by the Constitution and Bylaws of the Council of College Faculties.

Section 5. ~~Diversity, Equity and Inclusion~~ Access and Opportunity

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

Section 6. Executive Committee

1. Voting membership (eight members):
 - a. One Senator from each representation unit.
 - b. Faculty Senate President.
 - c. Faculty Senate Immediate Past President.
 - d. Faculty Senate President-Elect.
2. Non-voting membership (six members):
 - a. One faculty representative of the Graduate School, designated by the Dean of the Graduate School.
 - b. One faculty representative of the Provost's Office, designated by the Provost.
 - c. One faculty representative from the Commission on the Status of Women Faculty.
 - d. One faculty representative from the Council of College Faculties
 - e. The Secretary.
 - f. The Parliamentarian.
3. Terms and limits of voting members:
 - a. One-year term.
 - b. Limit of two consecutive terms.
4. Committee responsibilities:
 - a. Meet and organize for the academic year during ~~the first week of the fall semester~~mid-August, prior to the first Senate meeting.
 - b. Delegate tasks to Senate committees.

- c. Review the progress of Senate committees.
- d. Set the agenda for upcoming Senate meetings.
- e. Interpret, when necessary, provisions of the Constitution and the Bylaws.
- f. Meet after the last Senate meeting to close the loop on the year.
- e-g. Meet in the summer, as needed, to address University concerns or issues.

Section 7. Faculty Affairs

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

Section 8. Faculty Rights

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

3. Terms and limits:
 - a. Five-year term.
 - b. Begins and ends on August 15.
 - c. No consecutive term limit has been set.
4. Committee responsibilities:
 - a. Responsibilities and procedures are determined by directives of the North Dakota State Board of Higher Education.

Section 9. General Education Committee

1. Voting membership (eight members):
 - a. One faculty member from each of the following Colleges: Agriculture, Food Systems, and Natural Resources; Business; Engineering; Health and Human Sciences;
 - b. Three faculty members from the College of Arts and Sciences.
 - c. One undergraduate student, appointed by the Student Government.
 - d. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
2. Non-voting membership (three members):
 - a. Vice Provost for Assessment and Strategic Initiatives
 - b. One representative of the Registrar's Office, designated by the Registrar.
 - c. One representative from Career and Advising Center/Professional Advisors, designated by Career and Advising Center Director
3. Terms and limits:
 - a. Three-year terms
 - b. No consecutive terms for voting members. No restriction for non-voting members.
 - c. Terms shall be staggered so that no more than one-third of the members are new.
4. Committee responsibilities:
 - a. Review new general education courses to ensure and validate that the general education outcomes are being met.
 - b. Complete the revalidation of courses and experiences on a periodic, five-year timeline to ensure that general education outcomes are being met. The course revalidation should be staggered to review approximately 20% of the general education courses each year.
 - c. Review General Education Appeal petitions.
 - d. Develop and maintain a plan for assessment of General Education Program-level learning outcomes.
 - e. Conduct assessment of students' attainment of general education learning outcomes.
 - f. Develop a university policy governing the policy and procedures for general education revalidation
 - g. Perform other appropriate duties as assigned by the Senate.
 - h. Selecting two representatives and one alternate for the North Dakota General Education Council.

Section 10. Grade Appeals Board

1. Committee purpose:
 - a. To provide an avenue for students to challenge any grade they believe to have been unfairly assigned.
2. Voting membership (nine members; eight alternates):
 - a. One faculty member and one alternate from each representation unit.
 - i. These faculty are elected by their representation unit.
 - b. Three students and three student alternates selected by the Student Government.
 - i. Students should be full-time students.
 - ii. Students should have a minimum 2.00 cumulative grade point average.
 - iii. Students should be of junior standing.
 - c. One representative from the Provost's Office, who will also serve as Board Chair.

~~3. Non-voting membership:~~

~~4.3. Terms and limits:~~

- a. Three-year term.
- b. No consecutive term-limit has been designated.

~~5.4. Committee responsibilities:~~

- a. Hear charges of inequitable or prejudiced academic evaluations and provide redress for improper evaluation.

~~b. Act in accordance with procedures approved by the Senate, specifically Policy 337.~~

~~b-c. Must meet during the summer to address appeals from spring semester.~~

Section 11. Program Review

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

- e. Coordinate the time of and use of external program reviews by accrediting agencies and/or other expert evaluators in its review of specific academic programs.

Section 12. Research and Consulting

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

Section 13. Technology and Instructional Services

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

Section 14. University Curriculum

1. Voting membership (eight members):
 - a. One tenured faculty member from each representation unit, except for Arts and Sciences, which will have two.
 - i. Each representation unit shall also select an alternate faculty member to serve in case of recusal or absence.

- b. ~~Two One students, one graduate and one undergraduate, appointed~~ student appointed by the Student Government.
 - c. Only a voting faculty member will be elected as Chair, and the Chair shall have served at least one year on the committee.
- 2. Non-voting membership (two members):
 - a. One representative of the Provost's Office, designated by the Provost.
 - b. One representative of the Registrar's Office, designated by the Registrar.
- 3. Terms and limits:
 - a. Four-year term.
 - b. No consecutive terms for voting members. No restriction for non-voting members.
 - c. Terms shall be staggered, so that no more than one-third of the members are new.
- 4. Committee responsibilities:
 - a. Develop criteria and procedures for submitting, evaluating, and approving courses, experiences, and program proposals for curriculum and course changes.
 - b. Coordinate and recommend actions on proposals for curriculum and course changes that have been received from the colleges.
 - c. Request the formation of a special (*ad hoc*) Senate committee to recommend policies for the evaluation of transfer credit, policies for graduation, and make other recommendations as needed.
 - d. Perform other appropriate duties as assigned by the Senate.

Section 15. Policy 352: Promotion, Tenure and Evaluation Committee

- 1. Voting membership (eight members):
 - a. One tenured faculty member from each representation unit (5)
 - b. One member from Faculty Affairs Committee
 - c. One member from the Commission on the Status of Women Faculty
 - d. One member from the Promotion to Professor Task Force
- 2. Non-voting membership:
 - a. There are no non-voting members for this committee.
- 3. Terms and limits:
 - a. Three-year term.
 - b. Limit of two consecutive terms (six years)
- 4. Committee responsibilities:
 - a. Review Policy 352: Promotion, Tenure and Evaluation in light of our changing and more complex university
 - b. Initiate and propose policy changes to Policy 352: Promotion, Tenure and Evaluation
 - c. Serve as a forum for faculty members to bring concerns about Policy 352: Promotion, Tenure and Evaluation

Article V: Joint Standing Committees

Section 1. Senate Coordinating Council

1. ~~Voting~~ membership (~~six members~~):
 - ~~a. One representative of the Faculty Senate as appointed by the Faculty Senate President.~~
 - ~~b. One representative of the Staff Senate as appointed by the Staff Senate President.~~
 - ~~c. a. One representative of Student Government appointed in accordance with the Student Government Code.~~
 - ~~a. Faculty Senate President.~~
 - ~~Faculty Senate Past President~~
 - ~~d. Faculty Senate President Elect~~
 - ~~b. Staff Senate President.~~
 - ~~Staff Senate Past President~~
 - ~~e. Staff Senate President Elect~~
 - ~~c. Student Body Vice Vice President (or proxy).~~
 - ~~One representative of Student Government appointed in accordance with the Student Government Code.~~
 - ~~d. twoOne members from each of the represented bodies (Faculty Senate, Staff Senate, Student Government) would hold voting privileges if a vote is required appointed by the Presidents or in accordance with their codes.~~
- f.
2. Non-voting membership (three members):
 - a. Human Resources Director~~Vice President for Finance and Administration (or designee).~~
 - b. Two representatives from Office of the Provost to facilitate meetings and maintain Records.
Vice Provost for Faculty Affairs
 - c. The council may decide to invite policy initiators to the meetings as non-voting members to explain policy changes.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Review policy to determine first whether it is ready to bring to any of the Senates or whether it should be returned to the policy makers for clarification and revision.
 - b. Coordinate the distribution of policies to the appropriate Senate body consistent with the Faculty Senate, Staff Senate, and Student Government constitutions.
 - c. Send policies that have been ~~voted reviewed and moved recommended by required bodies be moved~~ on to appropriate channels at NDSU for final approval.
 - d. Facilitate the work of Shared Governance between ~~Serve in a liaison capacity regarding~~ the Faculty Senate, Staff Senate, Student Government, and Administration.
 - ~~d. i.~~ When no policies have required discussion, University business will be reviewed.

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Section 2. Campus Space & Facilities

1. Voting membership (fourteen members):
 - a. One faculty member from each representation unit.
 - b. Three staff members, appointed by the Staff Senate.
 - c. Three student members (graduate, undergraduate, and on-campus), appointed by the Student Government.
 - d. Provost (or designee).
 - e. Registrar.
 - f. Vice President for Finance and Administration (or designee).
2. Non-voting membership (four members):
 - a. Director of Facilities Management.
 - b. Chair of the Department of Architecture and Landscape Architecture.
 - c. Assistant to the Director of the North Dakota Agricultural Experiment Station.
 - d. One representative of the Libraries, designated by the Dean of Libraries.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Provide for the systematic development and review of the “Campus Master Plan” and Guidelines for Campus Development.
 - b. Recommend policies and procedures to meet the current and future needs for all physical facilities and review changes in University space allocation, including classrooms and laboratories.
 - c. Review proposed building projects and major building renovations prior to presentation to the State Board of Higher Education and the Legislature.
 - d. Recommend policies for site location for new buildings and for overall landscaping.
 - e. Recommend traffic and parking regulations, to include cars, buses, bicycles, and pedestrians.
 - f. Recommend plans for sidewalks, streets, and parking lots.

Section 3. Library

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

- a. Formulate policy recommendations for the NDSU Libraries.

Section 4. University Athletics

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

Section 5. University Assessment~~and Accreditation~~

1. Voting membership (twelve members):
 - a. ~~One faculty member from each representation unit.~~
~~Members must have experience in assessment or an interest in learning and engaging in assessment for their unit.~~
 - b. One faculty member appointed by the Provost ~~(or designee Provost).~~
 - c. Two graduate students, appointed by Student Government based on student preparation through assessment-related education, training, and/or experience.
 - d. One representative from the Office of Institutional, Research and Analysis.
 - e. One representative from the Office of Teaching and Learning.
 - f. ~~Associate Dean of Libraries for Research and Learning.~~

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~~g.f. Vice Provost for Assessment and Strategic Initiatives~~ Provost or designee, ~~Director of the Office of Accreditation and Assessment.~~

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2. Non-voting membership:
 - a. There are no non-voting members for this committee.
3. Terms and limits:
 - a. No term or limit on consecutive terms has been designated.
4. Committee responsibilities:
 - a. Periodic review of the assessment of student learning in undergraduate and graduate academic programs.
 - b. Develop procedures for annual reporting of assessment activities by departments and other academic units.
 - c. Provide feedback and guidance to departments and other academic units on their assessment activities, working in conjunction with the Director of Assessment and Accreditation.
 - d. Provide a yearly summary of assessment activities to the Faculty Senate and the Provost.
 - e. Develop an action plan for the upcoming academic year based on review of unit feedback about the assessment process and patterns of strengths and weaknesses in reports. Develop and maintain a University Assessment Plan in collaboration with the Director of Assessment.
5. Member responsibilities:
 - a. All members:
 - i. Complete NDSU's baseline training regarding NDSU assessment processes prior to beginning service on UAC.
 - ii. Undertake ongoing professional development related to program assessment and related topics based on guidance from the Director of Assessment and Accreditation.
 - iii. Participate in providing assessment support to campus based on availability and comfort with form of support (e.g., referrals, workshop, webinar, coaching).
 - b. Academic unit representatives:
 - i. Participate in annual review of program assessment reports.
 - ii. Pursue opportunities to provide updates on assessment activities, timelines, and results at College meetings.

Article VI: Amending the Bylaws

Section 1.

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

Section 2.

The Secretary of the Senate, or in the absence of a Secretary the President, will distribute the proposed

| amendment to all members of the faculty no later than nine [business](#) days after the Senate votes to consider the amendment at their next regular meeting.

Section 3.

At the next regular meeting of the Senate, if approved by a two-thirds vote, the change will be submitted to the University President.

Section 4.

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

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@ndsu.edu.

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

Policy Number and Name: Policy 162: Sexual and Gender-Based Harassment and Sexual Misconduct

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 Well-being 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 well-being. 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: Heather Higgins-Dochtermann

Date Submitted to SCC Secretary: December 3, 2024

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: 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	Previously reviewed for i
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			Input obtained from Dea Students, HR, Chief of St Legal Counsel.
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): Included hyperlinks that weren’t previously included; removed referenced NDUS policy that no longer exists; updated office name changes; removed off-campus resource information; updated link to file a report or complaint; changed *interim measures* to *supportive measures* to align with other NDSU policies; updated training requirement; added Pregnancy and Related Conditions section to align with other NDSU policies.

Please review and consider this policy with Policies 100, 156, 156.2, and 333.
Update: Resubmitted on 12/3/2024 with suggested edits from Senate Coordinating Council.

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 162

SEXUAL AND GENDER-BASED HARASSMENT AND SEXUAL MISCONDUCT ~~POLICY~~

SOURCE: NDSU President

1. INTRODUCTION

- 1.1 North Dakota State University (NDSU) is committed to providing a safe, healthy, and non-discriminatory learning, living, and working environment for all members of its university community that is free from sex discrimination of any kind. Specifically, NDSU is committed to:
 - 1) Defining conduct that constitutes prohibited sexual harassment, gender-based harassment and sexual misconduct;
 - 2) Providing clear guidelines for students, employees and third parties on how to report incidents of sexual harassment, gender-based harassment and sexual misconduct and a commitment that any complaints will be handled respectfully;
 - 3) Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual misconduct, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of complicity and retaliation;
 - 4) Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment and sexual misconduct;
 - 5) Providing awareness and prevention information on sexual harassment, gender-based harassment and sexual misconduct, including widely disseminating this policy, and implementing training and educational programs on sexual harassment, gender-based harassment and sexual misconduct to university constituencies; and
 - 6) Gathering and analyzing information and data that will be reviewed in order to improve gender equity and safety, reporting, responsiveness and the resolution of incidents.

- 1.2 Title IX of the Education Amendments of 1972 – No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

It is the policy of NDSU to fully comply with all aspects of Title IX of the Education Amendments of 1972 and the regulations promulgated under its authority. NDSU has adopted procedures to address Formal Complaints of Sexual Harassment occurring in its Educational Program or Activities within the United States. These procedures may be found at [Policy 156.1: Title IX Complaint Procedures](#), ~~and are based off North Dakota University System Policy 520.~~

- 1.3 In accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013 (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Jeanne Clery

Disclosure of Campus Security Policy and Campus Crime Statistics Act and other federal and state laws, NDSU prohibits discrimination based on sex or gender and other types of sexual misconduct in its employment decisions and educational programs and activities. Title IX protects any person from sex-based discrimination, regardless of their real or perceived sex, gender identity, and/or gender expression. Female, male and gender non-conforming students and employees are protected from any sex-based discrimination, harassment, or violence.

- 1.4 NDSU prohibits all forms of sexual harassment, gender-based harassment, and sexual misconduct, including but not limited to, intimate partner violence, sexual assault, sexual exploitation, stalking, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any forms of misconduct or participation in any investigation or proceeding under this policy.
- 1.5 Examples of the types of sex discrimination that are covered under this policy include but are not limited to: the failure to provide equal opportunity in athletics; discrimination in any course or program, notably in science, technology, engineering, and math (STEM); and discrimination based on pregnancy or parental status.
- 1.6 Formal Complaints of Sexual Harassment occurring in NDSU Educational Programs or Activities within the United States ("Title IX Complaints") shall be resolved by [Policy 156.1: Title IX Complaint Procedures](#). All other complaints of Sexual Harassment shall be resolved by [NDSU Policy 156, or other applicable policy](#).
- 1.7 Informal resolution (mediation) will not be used to resolve complaints of sexual harassment or sexual violence between an employee and a student. Participation in the informal resolution process is strictly voluntary – NDSU will not require the Parties to participate in an informal resolution process.

Informal resolution is not available for Title IX Complaints, unless a Formal Complaint has been filed.

For Title IX Formal Complaints, and all other complaints of Sexual Harassment, NDSU may facilitate an informal resolution process, that does not involve a full investigation and adjudication, provided that NDSU:

- a. Provides the Parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. Obtains the Parties voluntary, written consent to the informal resolution process; and
- c. The informal resolution process will follow the process as outlined in Policy 156, Section 7, including the option that NDSU reserves the right to deny the Parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate.

- 1.8 This policy shall not be construed to restrict academic freedom, nor shall it be used to restrict constitutionally protected freedom of expression.
- 1.9 Violations of this policy may result in sanction against an employee (faculty and staff), up to and including termination. Violations of this policy may result in sanction against a student up to and including suspension and expulsion.

2. PROHIBITED CONDUCT

- 2.1 Sexual Harassment, Gender-Based Harassment and Sexual Misconduct. This policy prohibits sexual harassment, gender-based harassment and sexual misconduct by or against any student, employee or third party. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, written, graphic, physical or otherwise, that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University's education or employment programs and/or activities.

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities. Gender-based harassment does not necessarily involve conduct of a sexual nature,

Sexual misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, intimate partner violence, sexual violence, and other misconduct based on sex.

The complete definitions of these terms, as well as other key terms used in this policy, are set forth in 12.1-12.21 below.

- 2.2 Retaliation – This policy prohibits any adverse action taken against a person for making a good faith report of sexual harassment, gender-based harassment, or sexual misconduct, assisting someone making such a report, or participating in any proceeding under this policy.
- 2.3 Complicity – This policy prohibits any act taken with the purpose of aiding, facilitating, promoting or encouraging sexual harassment, gender-based harassment, or sexual misconduct by another person.
- 2.4 Certain intimate relationships – NDSU also prohibits certain intimate relationships when they occur between an employee and any student for whom they have a professional responsibility as set forth in [Policy 162.1](#).
- 2.5 Interference with an investigation – Any person who knowingly and intentionally interferes with an investigation conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the University. Interference with an investigation may include, but is not limited to:
 - 1) Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
 - 2) Divulging confidential information;
 - 3) Removing, destroying, or altering documentation relevant to the investigation; or

- 4) Providing false or misleading information to the investigator, or encouraging others to do so.
- 2.6 Violations of law – Behavior that violates this policy may also constitute a crime under the laws of the jurisdiction in which the incident occurred. For example, the North Dakota Century Code criminalizes and punishes some forms of sexual assault, domestic violence, stalking, and physical assault, which may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy.
- 2.7 Obligation to provide truthful information – All University community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of prohibited conduct is prohibited and subject to disciplinary action and sanctions under the appropriate disciplinary policy. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.
- 2.8 Amnesty for drug and alcohol use – NDSU strongly encourages all University community members to report instances of sexual harassment, gender-based harassment or sexual misconduct as soon as possible. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to report due to potential policy violations. To minimize hesitancy, an individual who reports sexual harassment, gender-based harassment or sexual misconduct, either as a complainant or as a witness, will not be subject to disciplinary action for any violation of NDSU's [Policy 155](#) against alcohol and other drugs in connection with the reported incident.

3. TO WHOM THIS POLICY APPLIES

- 3.1 This policy applies to all University students who are registered or enrolled for credit or non-credit courses ("Students"); employees consisting of all full-time and part-time faculty, regular staff employees, and nonbanded, nonacademic staff ("Employees"); and visitors, guests, applicants for admission to or employment with the University, contractors, vendors, university affiliates and others conducting business on campus ("Third Parties").
- 3.2 This policy applies to conduct by or against students, employees, and third parties of which the University is made aware, wherever the misconduct occurs:
 - 3.2.1. On property owned or controlled by NDSU;
 - 3.2.2. Off NDSU property, if
 - 1) The misconduct was in the context of a University employment or education program or activity, including, but not limited to, NDSU-sponsored study abroad, research, on-line, or internship programs; or
 - Outside the context of a University employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, employees or third parties while on campus or other property owned or controlled by NDSU or in any University employment or education program or activity.
- 3.3 Conduct under this policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression (real or perceived) of the Reporting Party or Responding Party.

4. TITLE IX COORDINATOR

- 4.1 The Title IX Coordinator oversees NDSU's compliance with Title IX; ensures appropriate education and training; coordinates the University's investigation, response, and resolution of all reports under this policy; and ensures appropriate actions to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. The name and contact information for the Title IX Coordinator can be found on the University's [Title IX website](#).
- 4.2 Concerns about NDSU's application of Title IX, VAWA, Title VII, or the Clery Act may be addressed to the Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at <http://www2.ed.gov/about/offices/list/ocr/addresses.html>, OCR@ed.gov or (800) 421-3481); and/or the Equal Employment Opportunity Commission (at <https://www.eeoc.gov/contact/>, info@eeoc.gov or (800) 669-4000).

5. IMMEDIATE ASSISTANCE IN CASES OF SEXUAL MISCONDUCT AND SUPPORT RESOURCES

- 5.1 Reporting to law enforcement – Students or employees who experience or observe any form of sexual assault or intimate partner violence on or off campus and third parties who experience sexual assault or intimate partner violence on NDSU grounds are strongly encouraged to report the incident immediately by:
- 1) calling 911,
 - 2) contacting the Fargo Police (701-235-4493),
 - 3) their local police precinct, or
 - 4) University Police (701-231-8998), who are available 24 hours a day, 7 days a week. University Police and safety officers can also assist the Reporting Party with filing a complaint both on and off campus, and in obtaining immediate medical attention, counseling and other services.
- 5.2 Obtaining immediate medical attention and emotional support – An individual who experiences any form of sexual assault or intimate partner violence is encouraged to seek immediate medical care to treat injuries, obtain preventive treatment for sexually transmitted diseases, and preserve evidence. In addition, individuals who have experienced or witnessed sexual violence are encouraged to seek emotional support as soon as possible, either on or off-campus. On-campus resources include:
- 1) Nurses and/or nurse practitioners at the [Student Health Service](#) (701-231-7331; hours of operation: Monday-Friday 8:00 a.m.-5:00 p.m. during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks.
 - 2) Counselors at the [NDSU Counseling Center](#) (701-231-7671; Monday-Friday 8:00 a.m. – 5:00 p.m. during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks. Counselors are trained to provide crisis intervention and provide referrals for longer-term care as necessary. 24-hour on call service at 701-231-7671; and
 - 3) Sexual Assault Prevention and Advocacy Coordinator at the Student Health Service (701-231-5733; Monday-Friday 8:00 a.m.-5:00 pm during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks.

5.3 On campus resources, counselors, and health care providers:

Contact	Phone	Address
Title IX Coordinator	701-231-7708	Old Main 1003
Student Affairs and Institutional Equity Enrollment Management Office	701-231-7701	Old Main 100
Equal Opportunity and Title IX Compliance Office	701-231-7708	Old Main 201
NDSU Counseling Center*	701-231-7671	Ceres Hall 212
Sexual Assault Prevention & Advocacy*	701-231-7331	Wallman Wellness Center 102
NDSU Student Health Service*	701-231-7331	Wallman Wellness Center 102
Ombudsperson*	701-231-5114	Main Library, Lower Level, 20C
University Police	701-231-8998	1523 12th Avenue N., Fargo

*Confidential resources

5.4 Off-campus resources, ~~counselors, and health care providers: can be found on the~~ Equal Opportunity and Title IX Compliance website under Resources
[https://www.ndsu.edu/equity/resources/.](https://www.ndsu.edu/equity/resources/)

Contact	Phone	Address
F M Rape & Abuse Crisis Center	701 293 7273	317 8th Street N, Fargo
Sanford Medical Center Fargo	701 234 2000	5225 23rd Avenue S, Fargo
Essentia Health Emergency Center	701 364 8000	32nd Avenue S, Fargo
Planned Parenthood	281 236 7145	803 Belsey Boulevard, Moorhead, MN
Southeast Human Services	701 298 4500	2624 9th Avenue S., Fargo
Fargo Police Department	701 235 4493	222 4th Street N, Fargo
Cass County Public Health	701 241 1360	1240 25th Street S, Fargo

6. REPORTING SEXUAL HARASSMENT, GENDER-BASED HARASSMENT OR SEXUAL MISCONDUCT

- 6.1 All students, employees, and third parties are strongly encouraged to promptly report any incidents of sexual harassment, gender-based harassment, or sexual misconduct that they experience and/or observe to the Equal Opportunity and Title IX Compliance Office.
- 6.2 Any person (student, employee, or third party) having a complaint under this policy (NDSU Policy 162) should submit a completed complaint form available online at https://www.ndsu.edu/equity/filing_a_report_or_complaint/ ~~https://ndstate.co1.qualtrics.com/ife/form/SV_cYXm01BTRKZi8HY~~ or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708,

nds.eoaa@nds.edu. The Equal Opportunity and Title IX Compliance Office is available to assist with completing the Complaint Form as needed.

- 6.3 Anyone who would like to file a sexual harassment, gender-based harassment, or sexual misconduct complaint against a student or student organization also has the option of filing the complaint with the Student Affairs and Institutional Equity Enrollment Management Office, Old Main 100, NDSU Main Campus, 701-231- 7701. Complaints filed against a student or student organization will be resolved in coordination with the Student Affairs and Institutional Equity Enrollment Management Office. If a complaint against a student or student organization will be resolved through formal resolution, a hearing, and any appeal, will be administered by the Student Affairs and Institutional Equity Enrollment Management Office, in coordination with the Equal Opportunity and Title IX Compliance Office under the procedures found in Policy 601: Rights and Responsibilities of Community: A Code of Student Conduct.
- 6.4 All students, employees, and third parties may also report incidents of sexual misconduct to law enforcement, including on-campus and local police. Reporting parties who choose to notify law enforcement will be provided the assistance of the Equal Opportunity and Title IX Compliance Office in contacting these authorities if the individual wishes. Reporting Parties may also decline to notify law enforcement of incidents of sexual misconduct.
- 6.5 Reports of sexual misconduct made to University Police will automatically be reported to the Equal Opportunity and Title IX Compliance Office regardless of whether the individual who experienced the sexual misconduct chooses to pursue criminal charges.
- 6.6 Disclosures to licensed clinical and/or mental health professionals acting in their professional role in the provision of services are not subject to the mandatory reporting requirements stated in 7.1-7.3. These employees include physicians, psychologists, nurses, counselors, and those performing services under their supervision. These individuals are encouraged to provide students or employees with information and guidance regarding university reporting options and available resources but will not report or otherwise refer instances of sexual harassment/misconduct to university administrators without the student or employee's express permission. This does not preclude these individuals from their reporting responsibilities under the Clery Act.
- 6.7 Anonymous reporting - NDSU students and employees may report incidents of sexual harassment, gender-based harassment, or sexual misconduct anonymously. 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.

7. NOTICE OF MANDATORY REPORTING RESPONSIBILITIES

- 7.1 It is the responsibility of the entire university community to foster a safe, healthy, and non- discriminatory learning, living, and working environment that is free from sex discrimination of any kind. 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.

7.1.1. Observance of sexual misconduct – All NDSU employees who observe

any form of sexual misconduct must notify the Equal Opportunity and Title IX Compliance Office.

- 7.1.2. Report of sexual misconduct – All NDSU employees who receive a report of sexual misconduct *involving a student* must contact the Equal Opportunity and Title IX Compliance Office. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination *involving employees* must document the report and contact the Equal Opportunity and Title IX Compliance Office. The provisions of 11.1.1 do not apply to confidential support resources providing services as described in 9.3.

- 7.2 To comply with 7.1.1. or 7.1.2, NDSU employees must within three business days notify the Equal Opportunity and Title IX Compliance Office. Employees are encouraged to complete and submit an NDSU Sexual Misconduct Report Form (Report Form) to the Equal Opportunity and Title IX Compliance Office. The Report Form is available online at https://www.ndsu.edu/equity/filing_a_report_or_complaint/https://ndstate.co1.qualtrics.com/jfe/form/SV-cYXmO1BTRKZi8HY 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 this policy.
- 7.3 Upon receipt of a report of a violation, NDSU will initiate its complaint procedures under either Policy 156 or Policy 156.1.

8. ~~SUPPORTIVE~~INTERIM MEASURES

- 8.1 Upon receipt of a complaint or as otherwise informed of sexual harassment, gender-based sexual harassment, or sexual misconduct NDSU will, where appropriate, take ~~interim~~~~supportive~~ measures to stop, prevent, and remedy the harm to those affected by the prohibited conduct. ~~Interim~~~~Supportive~~ measures are intended to be protective and/or remedial for one or both parties, and may be temporary or permanent and may be modified by the University as circumstances change.

~~Interim~~~~Supportive~~ 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.

- 8.2 ~~Interim~~~~Supportive~~ measures may be kept in place through the conclusion of any review, investigation, or appeal process.
- 8.3 ~~Interim~~~~Supportive~~ measures can be implemented regardless of whether or not the reporting party pursues formal university or criminal action.

9. PRIVACY AND CONFIDENTIALITY

- 9.1 Confidentiality will be maintained to the extent possible - NDSU will keep the complaint and its investigation confidential to the extent that it is possible without

compromising NDSU's commitment and obligation to investigate allegations of sexual misconduct, to protect the university community, and to the extent allowed by law. As NDSU has an obligation to maintain an environment free of sex discrimination and sexual misconduct, most employees have mandatory reporting and response obligations and may not be able to honor a reporting party's request for confidentiality. The Equal Opportunity and Title IX Compliance Director will evaluate requests for confidentiality. However, confidentiality cannot be guaranteed as NDSU may have an obligation to take specific actions once aware of alleged conduct.

- 9.2 NDSU is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. Information related to a report of prohibited conduct will be shared with a limited circle of NDSU employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in NDSU's response to reports of prohibited conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.
- 9.3 Confidential support resources - If seeking a confidential resource, NDSU students may contact the [NDSU Counseling Center](#) (212 Ceres Hall, NDSU Main Campus, 701-231-7671), the [Student Health Service](#) (Wallman Wellness Center, NDSU Main Campus, 701-231-7331), and the Sexual Assault Prevention and Advocacy Coordinator (Wallman Wellness Center, NDSU Main Campus, 701-231-7331). The Employee Assistance Program, as described in NDSU Section 134, is a confidential resource for NDSU employees. Additionally, graduate students and faculty may also contact the Office of the Ombudsperson (Library Room 20C, NDSU Main Campus, 701-231-5114).

10. TRAINING AND EDUCATION

- 10.1 This policy is published on the university's website and information on this policy and related policies is included in mandatory training for new students and employees.
- 10.2 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 full-time employees must complete ~~in-person~~ equal opportunity and non-discrimination training every ~~three~~ years thereafter.
- 10.3 Employees are encouraged to contact the Equal Opportunity and Title IX Compliance Office with any questions they may have related to sexual harassment, gender-based sexual harassment, or sexual misconduct at NDSU, including inquiries regarding their mandatory reporting responsibilities.
- 10.4 University employees and administrators responsible for implementing this policy, including the Title IX Coordinator, deputy coordinators, supervisors, managers, department heads, deans, directors, investigators, review committee members, and hearing officers, must receive annual training about offenses, investigatory procedures, due process requirements, and university policies related to or described in this policy.

11. FREE EXPRESSION AND ACADEMIC FREEDOM

NDSU is committed to free expression and principles of academic freedom. Vigorous discussion and debate, as well as free inquiry and free expression, are essential to NDSU's

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educational mission and are critical to diversity and intellectual life. NDSU is equally committed to providing a safe, healthy, and non-discriminatory learning, living, and working environment for all members of its university community. Discrimination, harassment, and retaliation against members of the University community are not protected expression or the proper exercise of academic freedom. When resolving violations of this policy, NDSU will respond appropriately while respecting the principles of free expression and academic freedom.

12. DEFINITIONS

The terms and definitions used here are important components of University policy. The definitions are intended to give meaning to these terms in the context of the University community. Criminal and other applicable state laws may use different definitions. Section 13 provides North Dakota criminal law terms and definitions. For definitions specifically related to Title IX Complaints, please see [Policy 156.1: Title IX Complaint Procedures](#), ~~and~~ [State Board Higher Education Policy 520: Title IX – Sexual Harassment](#).

12.1 Complicity - Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

12.2 Consent – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.

Consent must be all of the following:

- 1) Knowing: Consent must demonstrate that all individuals understand, are aware of, and agree to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- 2) Active: Consent must take the form of “clearly understandable words or actions” that reveal one’s expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual’s manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- 3) Voluntary: Consent must be freely given and cannot be the result of force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- 4) Present and ongoing: Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent may also be withdrawn at any time – provided the person withdrawing consent makes that known in clearly understandable words or actions.

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, due to age, physical condition, or disability that impairs the individual’s ability to give consent. Reasons why one could lack capacity to give consent due to a physical condition include, but are not limited

to, incapacitation due to consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. Consent is not effective if it results from: (a) the use of physical violence, (b) threats, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity. When determining whether consent was present, the University will consider whether a reasonable person in the same position should have known whether the other party could or could not consent to the sexual activity.

- 12.2.1. Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 - 12.2.2. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
 - 12.2.3. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
 - 12.2.4. Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.
 - 12.2.5. Incapacitation is a state of being that prevents an individual from having capacity to give consent. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
- 12.3 Pregnancy or Related Conditions - Discrimination Based on Pregnancy or Parental Status - Excluding persons from, denying them the benefit of, or discriminating against them due to their pregnancy or status as a parent. To ensure a pregnant student's access to their education, faculty and staff must make modifications that are reasonable and responsive to the student's temporary pregnancy status. Faculty that have their own policies expectations about class attendance and make-up work must make sure their policies expectations are not discriminatory and align with Policy 333: Class Attendance. Pregnancy or related conditions means 1) pregnancy, childbirth, termination or loss of pregnancy, or lactation; 2) medical conditions related to

pregnancy, childbirth, termination or loss of pregnancy, or lactation; or 3) recovery from pregnancy, childbirth, termination or loss of pregnancy, lactation, or related medical conditions.

- 12.4 Gender-Based Harassment – Verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.
- 12.5 Intimate Partner Violence – Any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence is an offense that meets the definition of domestic violence or dating violence:
- 12.5.1. Domestic Violence – Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common or by a person with whom the Reporting Party is cohabiting (or has cohabited) with a spouse or intimate partner.
 - 12.5.2. Dating Violence – Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship will be determined based on the Reporting Party's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.
 - 12.5.3. Intimate Partner Violence may include any form of Prohibited Conduct under this policy, including Sexual Assault, Stalking, and Physical Assault (as defined below).
 - 12.5.4. Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Assault will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.
- 12.6 Public Indecency – Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to: 1) Exposing one's genitals or private areas; 2) Public urination; 3) Defecation; and/or 4) Public sex acts.
- 12.7 Reporting Party – A person or entity (in the case of the university) who submits a complaint alleging a violation of this policy.
- 12.8 Responding Party – Generally, the Responding Party is the person who is

alleged to be responsible for the Prohibited Conduct alleged in a complaint.

- 12.9 Retaliation – Any adverse action taken against a person for making a good faith report of Prohibited Conduct, assisting someone making such a report, or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.
- 12.10 Sexual Assault – Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual assault includes nonconsensual sexual contact and nonconsensual sexual intercourse.
- 12.10.1. Nonconsensual Sexual Contact – Any intentional sexual touching, however slight, with any object or body part without consent. Sexual Contact includes:
- 1) Intentional contact with the breasts, buttock, groin, or genitals whether clothed or unclothed;
 - 2) Touching another with any of these body parts;
 - 3) Making another touch you or themselves with or on any of these body parts; or
 - 4) Any other intentional bodily contact in a sexual manner.
- 12.10.2. Nonconsensual Sexual Intercourse – Any sexual penetration or intercourse, however slight, with any object or body part, by a person upon another person that is without consent and/or is effectuated by force. Sexual intercourse includes
- 1) Vaginal or anal penetration by a penis, tongue, finger, or object; or
 - 2) Any contact, no matter how slight, between the mouth of one person and the genitalia of another person.
- 12.10.3. The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.
- 1) Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Reporting Party.
 - 2) Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - 3) Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
 - 4) Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- 12.10.4. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment.
- 12.11 Sex Discrimination – An act that deprives a member of the university community of their rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits, or opportunities with the

university on the basis of the person's sex (including pregnancy, sexual orientation, and gender identity/expression) or having a policy or practice that has a disproportionately adverse impact on protected class members.

12.12 Sexual Exploitation - Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party, and that behavior does not otherwise fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Sexual Exploitation includes, but is not limited to:

- 1) Recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's consent;
- 2) Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- 3) Engaging in voyeurism (watching private sexual activity without the consent of the participants or viewing another person's intimate parts, including genitalia, groin, breasts or buttocks, in a place where that person would have a reasonable expectation of privacy);
- 4) Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity;
- 5) Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals or private areas;
- 6) Prostituting or trafficking another person; or
- 7) Exposing another person to a sexually transmitted disease (STD), infection (STI), or virus (HIV) without the other's knowledge.

12.13 Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, written, graphic, physical or otherwise, when:

- 1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (quid pro quo harassment); or
- 2) Such conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University's education or employment programs and/or activities (hostile environment).

12.13.1. Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute sexual harassment.

12.13.2. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

12.14 Sexual Misconduct – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, gender-based harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, intimate partner violence, sexual violence, and other misconduct based on sex.

12.15 Stalking – A course of unwelcome conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or would cause that person to suffer substantial emotional distress. Course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and similarly situated to the Reporting Party. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

12.15.1. Stalking includes "Cyber-Stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

12.16 Examples of inappropriate behavior that may constitute Sexual Harassment or Sexual Misconduct include, but are not limited to the following, when a part of conduct that meets the standard set forth above:

- 1) Sexual teasing, jokes, remarks, or questions;
- 2) Sexual looks and gestures;
- 3) Sexual innuendoes, humor, or stories;
- 4) Communicating in a manner with sexual overtones;
- 5) Inappropriate comments about dress or physical appearance;
- 6) Inappropriate discussion of private sexual behavior;
- 7) Gifts, letters, calls, emails, online posts, or materials of a sexual nature;
- 8) Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);
- 9) Sexual favoritism;
- 10) Pressure for dates or sexual favors or forced sexual activity;
- 11) Unwelcome sexual advances;
- 12) Unwelcome physical contact (touching, patting, stroking, rubbing);
- 13) Nonconsensual video or audio-taping of sexual activity;
- 14) Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals or private areas;
- 15) Obscene gestures;
- 16) Sexual graffiti, pictures, or posters;
- 17) Sexually explicit profanity;
- 18) Domestic or dating violence;
- 19) E-mail, texting ("sexting") and Internet use that violates this policy;
- 20) Nonconsensual sexual intercourse, sexual assault, or rape; or
- 21) Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

13. RESOURCE OF RELEVANT TERMS AND DEFINITIONS IN NORTH DAKOTA

Because some of the offenses in this Policy are also crimes under State law, the University provides this summary of relevant North Dakota terms and definitions as a resource. Community members who are involved in legal action related to a sexual crime or offense under North Dakota law should consider speaking with an attorney for specific information about relevant State law and legal advice.

13.1 The North Dakota Human Rights Act prohibits discrimination in employment on the basis of sex, including pregnancy, childbirth and related medical conditions (ND Cent.

Code Sec. 14-02.4-01 et seq.). Sexual harassment is expressly included in the Act's definition of discrimination based on sex. The Act applies to all employers in the state. It is also unlawful under the state law to retaliate or threaten to retaliate against a person who files a complaint of sexual harassment, or testifies or assists in a proceeding or investigation.

13.2 Consent is defined in North Dakota as follows ([NDCC 12.1-17-08](#)):

1. When conduct is an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury by all persons injured or threatened by the conduct is a defense if:
 - (a) Neither the injury inflicted nor the injury threatened is such as to jeopardize life or seriously impair health;
 - (b) The conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
 - (c) The conduct and the injury are reasonably foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected to such conduct or injury, having been made aware of the risks involved, consent to the performance of the conduct or the infliction of the injury.
2. Assent does not constitute consent, within the meaning of this section, if:
 - (a) It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor;
 - (b) It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - (c) It is induced by force, duress, or deception.

13.3 Domestic violence is defined in North Dakota ([NDCC 14-07.1-01](#)) as physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members. The code defines family or household member as a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court. As the State of North Dakota includes persons who are in a dating relationship under the state's domestic violence laws, any violence committed by dating parties would fall under domestic violence.

13.4 [NDCC 12.1-17-07.1](#) states that no person may intentionally stalk another person. The state defines "stalk" as engaging in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation or harassment. The state defines course of conduct as a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity. The state defines immediate family as a spouse, parent, child, or sibling. The term

also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.

HISTORY:

New	September 29, 1980
Amended	October 7, 1987
Amended	June 28, 1991
Amended	April 1992
Amended	October 1997
Amended	August 1999
Amended	September 2000
Amended	September 2007
Amended	January 2008
Amended	February 2009
Housekeeping	April 14, 2016
Amended	January 16, 2017
Housekeeping	June 22, 2017
Housekeeping	November 9, 2017
Housekeeping	April 26, 2019
Amended	August 14, 2020
Amended	December 14, 2020
Amended	March 29, 2022
Housekeeping	February 2, 2023

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@ndsu.edu.

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

Policy Number and Name: Policy 333: Class Attendance Policy

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 Well-being 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 well-being. 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: Dean of Students Office, Office/Equal Opportunity and Title IX Compliance/President's Council for Campus Well-being

Date Submitted to SCC Secretary: 12/3/2024

Email address of the person who should be contacted if revisions are requested: Emily.Frazier@ndsu.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			Encourages and expects care, compassion, and support of our students which both enhances their experience and assists in retention
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			Edits within the proposed excusable absences better support physical health concerns
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			Edits within the proposed excusable absences better support mental health concerns
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			No pronouns are utilized in this policy (students, instructors, etc.)
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			PCCW-which includes students, faculty, and staff and is charged by the President to focus on well-being as one of the five institutional priorities
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			Input has been received from several student service offices regarding the challenges the existing policy presents for students with health-related absences, deaths, and critical life events. PCCW also reviewed from an overall well-being perspective. Key offices connected due to some interrelated policy language/references.
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			Providing increased support to students during difficult times assists in their ability to continue their education and be retained by the University
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.		X		There is not a formal evaluation process addressed, but the Dean of Students Office already keeps records for each student

				notification sent to instructors/others. This practice will continue and records can be reviewed longitudinally for themes, successes, and concerns.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			No additional resources are needed as the Dean of Students Office already routinely works with students presenting with these circumstances and communicates requests with campus.

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): The changes will provide students with excused bereavement leave, better explain the scope of pregnancy related absences and religious observance absences, and allows students to be approved for other excused absences due to significant health or life events.

Update: Resubmitted on 12/3/2024 with suggestions from Senate Coordinating Council

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 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 directly associated with participation in a course.) 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 in section 4 below. All absences not covered by section 4 are excusable at the discretion of the instructor, and reasonable flexibility is encouraged. If an instructor believes verification is necessary to address unexcused absences, ~~(short-term common illnesses, childcare responsibilities, vacation/travel) e.g., hospitalization, long term illness, bereavement, excessive tardiness/absences, childcare responsibilities, etc.,~~ they are encouraged to contact the Dean of Students Office for consultation. While documentation may be required in some instances, ~~documentation it~~ 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 are expected to notify their instructor about absences in a timely and effective manner. When a student is unable to communicate about an absence due to an emergency or crisis, a family member or other responsible party, may notify the Dean of Students Office, who will then provide notification to instructors. The Dean of Students Office will also provide Excused Absence notifications, when it is required for the student to contact the Dean of Students Office and/or provide verification (jury duty, subpoena, military, bereavement, hospitalizations, long-term illnesses, and emergencies).

2. INSTRUCTOR RESPONSIBILITY

- a. Each syllabus must contain instructor expectations ~~(1) the policy~~ regarding class absences; and ~~(2) the 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. Additionally, if an instructor receives information from a student regarding bereavement, long-term illness, or personal emergency, they are encouraged to complete the Care Team reporting form.

3. STUDENT RESPONSIBILITIES AND RECOURSE

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

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](https://cm.maxient.com/reportingform.php?NorthDakotaStateUniv&layout_id=2) at https://cm.maxient.com/reportingform.php?NorthDakotaStateUniv&layout_id=2

4. EXCUSED ABSENCES

~~North Dakota State University values and supports students during required participation in university sanctioned activities, while navigating health concerns and emergency situations, during religious observances and bereavement, and while attending to civic or military obligations. Students should contact the Dean of Students Office for assistance with any of the Excused Absences listed below and to initiate any necessary notifications. The Dean of Students Office may require documentation to support and verify excused student absences.~~

Commented [FE1]: Per 11/20 SCC recommendation. Including information for all excused absences with respect to notification.

4.1 University Sanctioned Events

~~North Dakota State University values and supports the required participation of students in university sanctioned activities. Absences due to a~~ A-university sanctioned event or activity ~~shall be (as defined by the Congress of Student Organizations as Tier 1 or Tier 2), shall be excused.~~ Sanctioned activities also include mandatory participation as a student athlete in NCAA-sanctioned competition, performing arts outreach, exhibitions, competitions, academic meetings, and conferences. ~~Verification may come from the Dean of Students Office, Athletics, Student Activities, or individual staff/faculty members who has oversight or an advisory role within a particular sanctioned event or activity.~~

4.2 Pregnancy or Related Conditions ~~Students~~

Absences due to pregnancy or related conditions, including ~~pregnancy, childbirth, termination or loss of pregnancy, lactation,~~ or recovery from childbirth, shall be excused for as long as the student's health care provider deems the absences medically necessary. ~~Please visit NDSU Policy 162: Sexual and Gender-Based Harassment and Sexual Misconduct, Section 12.3 and NDSU Policy 156.2 for additional information. When the student returns to class the student must be provided the opportunity to make up any work missed. In addition to being provided the opportunity to make up missed work, students may be offered A~~alternatives including ~~inge~~ allowing the student to take an incomplete and complete the course at a later date, ~~or~~ retaking the course, or ~~transitioning to taking an online course. If an instructor believes verification is necessary, they are encouraged to contact the Dean of Students Office. Pregnant students should be provided referral information to the Equal Opportunity and Title IX Compliance Office to ensure the student is aware of services, resources, and their rights.~~

Commented [FE2]: Per 11/20 SCC recommendation and to parallel language in policies put forward by HHD/EOTIX Office.

Commented [FE3]: Link to new Pregnancy Policy

4.3 Religious ~~Accommodations~~ Observances

Religious observances may require absence, tardiness, or early departure 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- documentation of the reason for the absence. A list of common religious holidays and events is available through the Office of Multicultural Programs.

4.4 Jury or Other Legal Duty

Legally mandated absences, such as jury duty or court subpoena, shall be excused.

4.5 Military Duty/Veteran Status

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

4.6 Student Bereavement

Students who experience a death in their family must contact the Dean of Students -Office to implement a student bereavement excused absence. Typically, this death -involves that of an immediate family member, as defined by funeral leave in NDSU Policy 139 for employees. However, it is up to the discretion of the Dean of Students -Office to determine if a death outside of the immediate family warrants implementation of an excused absence. Upon approval from the Dean of Students Office, students are allowed one week, commencing from the date of notification to the Dean of Students Office. Should a student feel that additional days are necessary, this should be discussed with Dean of Students personnel.

4.7 Hospitalizations, Long-term Illnesses, and Family or Personal Emergencies

Students who are hospitalized, experiencing long-term illnesses, or have emergencies arise, must contact the Dean of Students Office to seek approval of an excused absence.

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
Amended	January 4, 2023

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 ndsu.scc@ndsu.edu.

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

Policy Number and Name: 334 – Student Travel Policy

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 Well-being 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 well-being. 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:

Student Travel Policy Review Working Group (Matt Diischer, Eric Leise, Lisa Samuelson, Jennifer Quenette, Melissa Lamp).

Date Submitted to SCC Secretary: 2/24/25

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

matt.diischer@ndsu.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			Representatives from Provost office (academic travel holder), OSE (non-academic travel), Public Safety (compliance), ISSAS (International Student Travel)
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):

Policies 334 and 334.1 were requested to be reviewed by VP-SAIE due both to need for appropriate office changes as well as opportunity to better clarify procedures. A working group utilized the summer to review both policies in attempts to allow readers to better understand expectations without larger-scale changes to the processes. Both policies were informed by feedback from Provost's office staff supervising the academic travel portions, Office of Student Engagement for non-academic travel, ISSAS for International Travel, and

Public Safety for compliance/liability concerns. The policy revisions reflect the feedback to simplify and better explain expectations to students, faculty, and staff when they are trying to be in compliance with the policy.

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 334
STUDENT TRAVEL ~~POLICY~~

SOURCE: NDSU President

[North Dakota SBHE Policy 512](#)

1. **INTRODUCTION:** The opportunity to represent North Dakota State University throughout the state, the nation, and the world is one of the many benefits of being a member of the NDSU student body. When it comes to the safety and concern for our students, it is expected that, for each student traveling, an academic department and/or university unit will follow the required process. The types of activities and events covered by this process include course-related field trips, co-curricular departmental student travel, [recognized student organization travel](#), and [non-local meetings of academic organizations or governance entities where a student is officially representing the University](#). [The policy does not apply to travel undertaken by individual students solely for personal interests and benefits. Examples include, but are not limited to, commuting out of town athletic events, or to engage in student-teaching, internships, practicum or clinical experiences, observations or research, unless the travel is required and overseen by a member of the faculty. Student employees engaging in travel that falls within the scope of their employment on behalf of NDSU are not subject to this policy.](#)

This policy pertains to student travel within the United States [and outside of the Fargo/Moorhead area](#). For information about traveling [outside of the United States overseas \(Study Abroad\)](#), contact the [Office of International Student and Study Abroad Services](#) and see [Policy 334.1 International Travel for Students](#).

2. **STUDENT TRAVEL PROCESS:**

- **Notification Process:**
 - i. **Student Academic Travel:** [Notification of travel as defined above any proposed field trip out of town must be provided a minimum of two \(2\) weeks prior to departure and is completed by responsible faculty/staff. Information to successfully complete the notification includes, but is not limited to: Examples of trip information to be provided include a list of all student participants/passengers; their expected time of departure/return; itinerary of activities/events associated with the travel; location of lodging, and names of instructors/advisers accompanying students. Student drivers must comply with ND SBHE Policy 512](#)
 - **Recognized Student Organization (RSO) Travel:** [RSO travel is governed by the Congress of Student Organizations guidelines, and is completed by student officers and participants. RSO travel requires notification is required a minimum of two \(2\) weeks prior to departure, and requires the same information listed above. Students will utilize myNDSU to complete these steps.](#)

[All student travel must be in compliance with University policy regarding the use of State Fleet vehicles for student travel as follows:](#)

- [Use of State Fleet vehicles must be reviewed and approved in advance.](#)

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- Use of State Fleet vehicles for student travel is limited to that which is on behalf of and authorized by NDSU.
- Use of State Fleet vehicles for academic purposes must be authorized by the dean of the respective college.
- Student employees acting within the scope of employment on behalf of NDSU is authorized use.
- Student Drivers
 - Student drivers must comply with ND SBHE Policy 512.
 - All student travel (student academic and departmental) must be in compliance with University policy regarding the use of State Fleet vehicles for student travel as follows:
 - Use of State Fleet vehicles must be reviewed and approved in advance.
 - Use of State Fleet vehicles for student travel is limited to that which is on behalf of and authorized by NDSU.
 - Use of State Fleet vehicles for academic purposes must be authorized by the dean of the respective college.
 - Student employees acting within the scope of employment on behalf of NDSU is authorized use.

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2-3.1 Student Travel Waiver:REQUIRED FORMS: Students must use required travtravel forms.

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3.1 Travel Notification Form

A Travel Notification Form is required:

- For all travel involving students, except for student employee travel. Employees include student employee, research assistant, graduate assistant, etc., where the student is acting within the scope of the job he or she has been hired to complete.
- For sponsored events or activities. A sponsored event or activity is one that the University endorses by supporting it financially, or by sending students to participate in it as official representatives of the University.
- For all recognized student organizations traveling.

3.2 Student Travel Waiver

In addition to the notification process, there are times when a student travel waiver may be required, including:

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- For any travel not listed on a class syllabus.
- For any travel completed by a non-employee of the University. Employees include student employee, research assistant, graduate assistant, etc., where the student is acting within the scope of the job they have been hired to complete.
- For students traveling with a recognized student organization as per CSO guidelines, all members traveling must be listed on official organizational roster. Completed required online roster will include waiver process.

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Questions related to Recognized Student Organizational Travel may be directed to the Office of Student Activities Engagement.

Questions related to Student Academic Travel may be directed to the Office of the Provost.

HISTORY:

New	July 1990
Amended	October 2001
Amended	October 2007
Amended	November 2008
Housekeeping	September 2015
Amended	April 11, 2019
Housekeeping	April 25, 2019
Housekeeping	October 16, 2023

Policy Change Cover Sheet

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

Policy Number and Name: 334.1 International Travel for Students

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 Well-being 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 well-being. 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:

Student Travel Policy Review Committee (Matt Diischer, Eric Leise, Lisa Samuelson, Jennifer Quenette, Melissa Lamp).

Date Submitted to SCC Secretary: 2/24/25

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

matt.diischer@nds.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			Representatives from Provost office (academic travel holder), OSE (non-academic travel), Public Safety (compliance), ISSAS (International Student Travel)
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):

Policies 334 and 334.1 were requested to be reviewed by VP-SAIE due both to need for appropriate office changes as well as opportunity to better clarify procedures. A working group utilized the summer to review both policies in attempts to allow readers to better understand expectations without larger-scale changes to the processes. Both policies were informed by feedback from Provost's office staff supervising the academic travel portions, Office of Student Engagement for non-academic travel, ISSAS for International Travel, and Public Safety for compliance/liability concerns. The policy revisions reflect the feedback to simplify and better explain expectations to students, faculty, and staff when they are trying to be in compliance with the policy.

334.1 has more significant changes than 334, as international travel has both much higher risks around liability, as well as potential confusion around when ISSAS, Public Safety, Provost’s office, and other appropriate offices should be advised of travel. The revisions would change requirement of review and approval from only international locations with a travel warning/alert to any international travel, so that NDSU/ISSAS can fulfill its compliance duties regarding international travel insurance. The policy also better clearly articulates procedure regarding student conduct/removal from program for students who allegedly violate Policy 601 while abroad. Finally, the revisions remove a large table regarding participant categories and required processes, as those processes either don’t actually exist or are unique to each program and thus are better defined in the word text above.

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 334.1 INTERNATIONAL TRAVEL FOR STUDENTS

SOURCE: NDSU President

1. **POLICY STATEMENT**- North Dakota State University (NDSU) promotes the health, safety, and security of all students while traveling outside the United States for University-related purposes. The University, in consultation with the program leader or appropriate administrator, reserves the right to cancel any international activity at any time due to health, safety, or other concerns. Any planned or anticipated travel to a country ~~or region under a travel warning or travel alert as designated by the U.S. Department of State~~ outside of the United States (encompassing all fifty [50] states and the District of Columbia) is subject to review and approval and modifications or cancellations by appropriate administrators and the Office of International Student and Study Abroad Services (ISSAS). ~~Current travel conditions can be reviewed on the U.S. Department of State website at: <http://travel.state.gov>~~<http://travel.state.gov>.
2. **SCOPE** - This policy applies to student travel outside of the United States (including Alaska and Hawaii) for University-related purposes. Examples of such travel, which may include, but is not limited to, ~~academic study~~ to study; ~~to perform research~~; ~~to participate in internships~~; ~~to perform service/volunteer~~; ~~to present work at~~ conferences; ~~teaching~~ to teach; ~~to perform or participate in~~ and athletic competitions. ~~For purposes of this policy, outside of the United States refers to locations not included in the fifty states and District of Columbia (Washington, D.C.).~~
 - 2.1 Student travel that falls under this policy may be sponsored by an academic department, university unit, or Congress of Student Organization (CSO) recognized student organization. This policy applies to NDSU-affiliated student travel with or without university funding.
 - 2.2 Questions ~~about whether or not~~ regarding this policy ~~applies to a particular type of student travel may~~ should be directed to the Office of International Student and Study Abroad Services.

3. DEFINITIONS

- a. An **organized event** is one that is initiated, planned, or arranged by a member of the University's faculty or staff, or by the members of a recognized student organization, and is approved by an appropriate administrator.
- b. A **sponsored event or activity** is one that the University endorses by supporting it financially, or by sending students to participate in it as official representatives of the University.
- c. An **enrolled student** is one who has been admitted to and is attending classes at the University.
- d. An **appropriate administrator**, for the purpose of student travel, is the President, Provost, dean, department chair, or head of an administrative unit, or their delegate.

- e. A **program leader** is the faculty, ~~or staff~~, or student responsible for managing or coordinating all aspects of group student travel in coordination with the Office of International Student and Study Abroad Services.

- f. ~~A student program leader is the individual responsible for managing all aspects of the student travel, including participation in the program. The program leader serves as a liaison between the group and the University. Student program leaders must be in good standing (academic and conduct) with NDSU.~~

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4. **TRAVEL AUTHORIZATION** - International travel governed by this policy must be authorized in advance. In order for students to obtain travel authorization, they must complete the appropriate application process by the corresponding deadlines, ~~that occur each semester. If the travel experience does not have a set application process, the required process should be completed according to the general study abroad deadlines of March 1 and October 1, respectively, or on a case-by-case basis.~~ Completion of the required process is based on the type of program outlined below:

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- 4.1 **(For Academic Credit)** - Acceptance into an officially recognized exchange, direct, affiliate or faculty-led program or by following the approval process to participate on a non-NDSU program. In these instances, ~~please individuals must fully~~ complete the ~~steps as outlined through the~~ application specific to that program process for study abroad options through the Office of International Student and Study Abroad Services Experiences portal. Individuals will also be required to purchase university-approved travel insurance that covers the dates of travel.

4.2 (Not for Academic Credit) - ~~Submit all required information through the International Travel Registry as outlined through the Office of International Student and Study Abroad Services to provide detailed information about international travel dates and destinations and purchase university-approved health insurance that cover the dates of travel. Individuals must fully complete the application form specific to the experience through the Office of International Student and Study Aboard Services Experiences portal. For individuals who wish to engage in international travel not organized/posted on the Experiences portal, contact must be made with the Office of International Student and Study Abroad Services, who will work with individuals to review the request and, if appropriate, assist in creation of a unique experience application.~~

- 4.3 **(Student Organization Travel)** - Individuals must begin the process by notifying the Office of Student Engagement through completion of the Student Organizational Travel form on MyNDSU. Appropriate staff from both offices will coordinate with individuals to designate steps required to participate in international student organizational travel.

Participant Category	Required Process
Individual Student (for academic credit)	<u>Study Abroad Application</u>
Individual Student (not for academic credit)	<u>International Travel Registry</u>
Group Travel with Program Leader	<u>Study Abroad Application</u>

Commented [DM1]: After review with ISSAS and OSE, these are not really processes or forms. Since each program/experience requires full completion of their unique application, it seemed appropriate to note that and then remove table.

(for academic credit)	
Group Travel with Program Leader (not for academic credit)	<u>International Travel Registry</u>
Student Organization Group Travel with Student Program Leader	

5. CONDITIONS OF PARTICIPATION, RELEASE FORMS AND EMERGENCY SITUATIONS (FOR ACADEMIC CREDIT) – Students must read and electronically sign the Conditions of Participation agreement. This agreement outlines requirements, expectations, and responsibilities when participating in any NDSU study abroad program. Students may be required to sign other release forms as necessary; students are required to complete a health questionnaire after acceptance into a study abroad program.

5.1 In the event of an emergency, students are required to follow the instructions provided by ~~ISSAS~~the Office of International Student and Study Abroad Services including any applicable health insurance provider instructions relevant to the program. Students agree to update the Office of International Student and Study Abroad Services~~ISSAS~~ with current and correct contact information, including email address, physical address and phone number.

6. STUDENT CONDUCT AND REMOVAL FROM PROGRAM - While ~~traveling internationally~~abroad, students are bound by policies in NDSU Policy 601: Rights and Responsibilities: A Code of Student Conduct, by the rules of the foreign institutions, and by the laws of the geographical location of the program. NDSU may take disciplinary action against students who violate the Code of Student Conduct while participating in ~~a study abroad program~~international travel under this policy.

6.1 The program leader ~~or institutional representative~~ is granted reasonable discretion in ~~identifying potential conduct~~determining what constitutes a violations, and determining appropriate handling of such matters as they arise. Program leaders have the option of initiating reasonable ~~interim~~ disciplinary actions for alleged misconduct, and the responsibility to notify the appropriate administrator.

6.2 If the program leader ~~or institutional representative~~ determines, in consultation with the ~~Associate~~-Vice Provost for Student Affairs and Institutional Equity (or designee), that the student's continued association with the program poses a significant risk of harm to the student or ~~to~~puts the health or safety of other program participants, the academic integrity of the program, or the relationship with the foreign institution or other partners or country at risk, the student may be immediately removed from the program. All expenses incurred due to such removal, including any costs associated with program enrollment, are the responsibility of the student.

6.3 In the event of removal from the program, the student must vacate the facilities provided by the program and will be withdrawn from all course work associated with the program (if applicable). In the event of removal, the student remains responsible for all costs associated with program enrollment, without recourse to a refund.

6.4 Students who have allegedly violated the NDSU Code of Student Conduct will be required to participate in the related NDSU disciplinary process(es), and appropriate sanctions will be assigned if found responsible for violating the NDSU Code of Student Conduct.

7. **NON-COMPLIANCE** - Students who fail to comply with this policy will be subject to disciplinary action under the processes outlined in the [NDSU Code of Student Conduct](#). Faculty and staff who are negligent in complying with this policy may have their right to participate in [international travel study abroad](#) programs involving students revoked in addition to any other sanctions that may be imposed by NDSU. Appeals of sanctions ~~follow normal NDSU policy~~[are defined by applicable NDSU policies](#).
-

HISTORY:

New	April 26, 2017
Housekeeping	August 28, 2017
Amended	April 11, 2019

Policy Change Cover Sheet

Version 1 02/11/2025

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 ndsuscc@ndsusd.edu.

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

Policy Number and Name: SECTION 606

GUIDELINES FOR STUDENT REQUESTS FOR REASONABLE ACCOMMODATION

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):

As the new ADA Coordinator, I worked with the Legal Counsel and the new Director of the Center for Accessibility and Disability Resources to update this policy to do the following.

- Simplify the policy for ease in understanding by all stakeholders;
- Align with ADA regulations;
- Align with current practices and simplify appeal process.
- Incorporate policies 606.1 (Course Substitution), and 606.2 (Confidentiality of Documentation), and delete policy 606.3 (Reduced Course Load) so that all accessibility policies related to student accommodations -are in one policy, and these policies can then be removed from the NDSU policy manual. In consultation with legal counsel and the Director of CADR, 606.3 is not incorporated in this new policy, but should be deleted from the manual as it is one of the many accommodations that would be available under existing policy and ADA Law. The policy is redundant.

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: Laura Oster-Aaland, Vice Provost for Student Affairs and Institutional Equity (current ADA Coordinator)

Date Submitted to SCC Secretary: 2/11/2025

Email address of the person who should be contacted if revisions are requested: laura.oster-aaland@ndsusd.edu

NDSU's Strategic Plan Inclusivity and DiversityGoal 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			A primary motivation for this policy review is to improve the experience for NDSU students with disabilities.
The <i>economic</i> impact on students, staff, faculty, others was considered.	X			These policy improvements are intended to support the retention and success of NDSU students with disabilities.
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			These policy changes are intended to support students with disabilities in requesting and obtaining accommodations that are necessary for their health and wellbeing.
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			ADA accommodations include all aspects of disability, inclusive of mental health.
Inclusive language is used (i.e. gender pronouns are not used or are inclusive, race/ethnicity, religion, etc.).	X			Yes.
Input from the key stakeholders (students, staff, faculty, other) was sought and included during the development/revision of the policy	X			ADA Coordinator worked collaboratively with Legal Council, and Director of CADR. Also consulted with Vice Provost for Assessment, Accreditation and Strategy.
Input was sought from on-and off-campus offices, departments, and organizations to ensure the policy is responsive to community needs.	X			https://www.ada.gov/ada_intro.htm
This policy contributes to creating an environment that is safe and conducive to living, learning, working, and recreating.	X			See comments above.
The policy addresses evaluation, including a person/office/entity responsible for tracking outcomes that ensure changes are positive.				The ADA coordinator will continue to be responsible for adherence to this policy, and will work with CADR to evaluate.
This policy, as written, can be enforced/implemented/applied in a sustainable manner (e.g. human resources, financial resources needed, etc.)	X			Yes.

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 606

GUIDELINES FOR STUDENT REQUESTS FOR REASONABLE ACCOMMODATION

SOURCE: NDSU President

North Dakota State University (NDSU) is committed to providing access to and inclusion in academic and campus programs for students with disabilities by providing reasonable accommodations. To fulfill this commitment, North Dakota State University has established the following guidelines and expectations:

- ~~1— Students are responsible for identifying themselves to the Office as having a disability requiring reasonable accommodation. Even when parents are involved in requesting services, it is primarily the student's responsibility to initiate the request.~~
1. NDSU is committed to providing equal opportunity to prospective, admitted and currently enrolled students with disabilities. To fulfill this commitment, NDSU has designated the Center for Accessibility and Disability Resources (CADR) the responsibility to make decisions regarding provision of accommodations necessary to provide equal access to educational programs to students. CADR will address requests for accommodation in a timely manner.
 - 1.1 The President has ~~also~~ designated an ADA coordinator to coordinate University programs and responsibilities to assure compliance with the Americans with Disabilities (ADA) Act, Sections 503 and 504 of the Rehabilitation Act of 1973, and other federal and state laws and regulations pertaining to persons with disabilities. NDSU has also established the following guidelines.
- ~~2— The University President has assigned the Center for Accessibility and Disability Resources Office the responsibility to make decisions regarding provision of accommodations necessary to provide equal access for prospective, newly admitted or currently enrolled students.~~
- ~~3— The Center for Accessibility and Disability Resources Office will address requests for accommodation in a timely manner.~~
2. PROSPECTIVE students:
 - 2.1 Prospective students may request reasonable accommodation (e.g. for placement testing, campus tours or ~~freshman~~-orientation) at any time during the application process. Requests may be submitted orally or in writing to CADR. Because arranging accommodations may take significant amounts of time, notification as early as possible is encouraged.
<http://www.ndsu.edu/disabilityservices/>
3. ADMITTED AND ENROLLED STUDENTS:
 - 3.1 A newly ~~accepted~~ admitted or currently ~~admitted~~ enrolled student whose disability requires reasonable accommodation to have access to NDSU ~~campus~~ programs and facilities may request accommodations at any time. The request may be made orally or in writing ~~at to~~ the Center for Accessibility and Disability Resources ~~Office by completing the a~~ Application for Academic Accommodation ~~form hereon the CADR website or by calling (701) 231-8463~~. Because arranging accommodations may take significant amounts of time, notification as early as possible is encouraged. ~~(Accommodations are not retroactive.~~

Commented [OL1]: Delete policies 606.1; 606.2; as all are now included in this policy. Delete policy 606.3 as it is redundant and already allowed for under ADA law.

PROCESS FOR ADDRESSING REQUESTS FOR REASONABLE ACCOMMODATION.

~~4.64.~~ Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 define disability as "a physical or mental impairment that substantially limits one or more of the major life activities." Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, reaching, sleeping, and mental/emotional processes such as thinking, concentrating, and interacting with others. The ADA also protects individuals from discrimination if they have a record of such impairments or if they are regarded as having such impairments. ~~To be considered as a student with disabilities under the law, the individual is responsible to provide documentation that substantiates their claim. Unless both the disability and the need for accommodation are obvious, the student will be asked to provide relevant written documentation of a disability for which accommodations are needed. Documentation should be from an appropriate professional and clearly specify the existence of a disability as defined in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. It should explain the need for reasonable accommodation.~~

6.14.1 Guidelines for documentation for reasonable accommodation can be found on the CADR website and should be submitted using the NDSU Verification of Disability form in addition to the Application for Academic Accommodation form. All documentation and other relevant material related to a student's disability will be held in a secure place and limited to CADR staff unless the information is necessary for other NDSU professionals to fulfill their professional responsibilities. Documentation provided by the student and should include the following:

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- ~~4.1.1 A diagnostic statement identifying the disability, date of the current diagnostic evaluation and the date of the original diagnosis.~~
- ~~4.1.2 A description of the diagnostic criteria and/or diagnostic test used.~~
- ~~4.1.3 A description of the current functional impact of the disability.~~
- ~~4.1.4 Treatment, medications, assistive devices/services currently prescribed or in use.~~
- ~~4.1.5 A description of the expected progression or stability of the impact of the disability over time should be included.~~
- ~~4.1.6 The relevant credentials of the diagnosing professional(s) such as medical specialty and professional licensure.~~

4.2 Occasionally, the documentation a student provides may not be sufficient to make a determination of the appropriate reasonable accommodation. Under these circumstances, Center for Accessibility and Disability Resources CADR may require the student to provide additional or more current information. This documentation should be from an appropriate health-care or rehabilitation professional and should clearly specify the disability, functional limitations and need for accommodation.

4.3 Any costs related to the university's request for documentation ~~as noted in 6.1 and 6.2 will be~~ are the responsibility of the student.

~~Any written documentation regarding a student's disabilities should be sent to the Center for Accessibility and Disability Resources Office where it will be filed in a secure place for purposes of confidentiality.~~

4.4 Students providing documentation and requesting services/support are assigned an Accessibility Specialist in CADR who will meet with the student to discuss reasonable

~~accommodations~~accommodations and agree on a plan of services. Center for Accessibility and Disability Resources case manager.

5. The student and their Center for Accessibility and Disability Resources case manager will meet to discuss reasonable accommodation and agree on a plan of services.

~~4.5~~ The student must sign a service plan that delineates the services they will receive.

~~4.65~~ Center for Accessibility and Disability Resources The CADR Accessibility Specialist provides verification of the documented disability and need for accommodation.

~~4.76~~ The student is responsible to ~~take the documentation to the instructor during office hours and make arrangements for the accommodations~~ inform the instructor of the approved accommodation(s).

~~4.7~~ In unique situations, a student's disability may be such that no reasonable accommodations are possible that provide equal access to a specific educational opportunity. In such cases, a course substitution may be determined necessary by the Accessibility Specialist and approved by the appropriate Dean if it does not substantially alter an essential element of the student's program of study.

~~4.8~~ Occasionally, the Accessibility Specialist in CADR Center for Accessibility and Disability Resources case manager will contact the instructor regarding the student's accommodations. In such cases, the student remains responsible to follow up by meeting with the instructor.

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5. APPEAL PROCESS

~~5.2~~ If a student does not agree with an approved/not approved accommodation decision made by the student's CADR Accessibility Specialist, the student may file an appeal using the process below.

~~5.31~~ Student should request an appeal form from the Director of CADR (or Director's designee) within 10 business days of the Accessibility Specialist's decision.

~~5.42~~ The Director of CADR, or their designee, shall meet with the individual within seven (7) working business days of the receipt of the complaint if the student desires a meeting. Upon consultation with qualified personnel, the CADR Director/ or designee, will provide the student with a written decision via NDSU email within three- as soon as practical, working days of the typically, within 3 working days within meeting with the student.
~~Process Note: When an appeal is being reviewed during Steps 1—2 and the student shares new personal information or documentation that was not provided at an earlier step in the process, the Director, or designee reserves the right to refer the student back to the student's initial accessibility specialist for reassessment of the situation. The presence of new information may have impacted the original decision if shared initially.~~

~~5.5~~ If the process in 5.4 does not resolve the issue, the individual may request a review of the appeal by the NDSU ADA Coordinator by submitting an email to the ADA Coordinator within ten (10) working days of the CADR Director's written decision. Upon receipt of this request, the CADR Director will forward all relevant documentation. The NDSU ADA Coordinator will make a final decision on the appeal and will provide the student with a written decision via NDSU email within three (10) working days of communicating with the student.

For policy regarding the use of service animals by persons with disabilities please see [NDSU Policy 100.2](#).

HISTORY:	
New	January 26, 2000
Amended	December 2006
Amended	January 2008
Housekeeping	August 3, 2023